

<p>Revised July 2023 ROTHERHAM BOROUGH COUNCIL RESPONSIBILITY FOR FUNCTIONS Overview and Scrutiny Management Board</p>	<p>APPENDIX 9 Revised XXXX 2025 ROTHERHAM BOROUGH COUNCIL RESPONSIBILITY FOR FUNCTIONS Overview and Scrutiny Management Board</p>	<p>comments</p>
<ol style="list-style-type: none"> 1. To consider matters relating to the conduct, structure and procedures of overview and scrutiny; 2. To provide overview and scrutiny of the Council's values, plans and strategies and to make recommendations for improvements as it considers appropriate; 3. To co-ordinate and prioritise the overview and scrutiny work programme and assign work, as it considers appropriate, to the various select commissions ² 4. To establish task and finish scrutiny working groups; this includes:- (a) determining their size and membership; and, (b) approving their terms of reference; ² 5. To liaise with the Leader and Cabinet to regularly attend the OSMB to assist in consideration of the scrutiny work programme, ² 6. To co-ordinate respective work programmes with the Chair of the Audit Committee and Parish Councils to identify areas of joint working as appropriate and. minimise areas of duplication², 7. To consider a request made under a Councillor Call for Action in relation to a local government matter (under the powers outlined in Section 119 of the Local Government and Public Involvement in Health Act 2007) 8. To consider a request made under a Councillor Call for Action in relation to crime and disorder issues (under the powers outlined in the Police and Justice Act 2006). 9. To act as the designated Crime and Disorder Committee under powers outlined in the Police and Justice Act 2006. ³ 10. To monitor and hold to account the performance of service delivery within the Council and its partners etc with particular reference to the Corporate Plan; ⁴ 11. To scrutinise and monitor whether efficiency savings are achieved or exceeded⁵; 12. To co-ordinate the carrying out of value for money reviews; ⁵ 13. To scrutinise the annual budget setting process⁶; and 14. To monitor the Council's budget and medium term financial strategy. ⁶ 15. To consider matters relating to equalities and diversity and the Council's specific initiatives to promote them; ⁷ 16. To make recommendations to the Cabinet, partners or to any organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council; ¹⁰ 17. To co-ordinate for joint scrutiny activity with other authorities and nonexecutives/scrutineers from other bodies; ¹¹ 18. To approve an annual overview and scrutiny work programme, including the programme of any sub- committees it appoints; ² 	<ol style="list-style-type: none"> 1) To consider matters relating to the conduct, structure and procedures of overview and scrutiny; 2) To provide overview and scrutiny of the Council's values, policy, plans and strategies and to make recommendations for improvements as it considers appropriate; 3) To review and scrutinise decisions after they are made by the Cabinet and Council officers; 4) To make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions; 5) To make recommendations to the Cabinet, partners or to any organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council; 6) To make reports or recommendations to the full Council or the Cabinet on matters under the Council's general power of competence and power to promote the well-being which affect the borough or the inhabitants of the borough; 7) To monitor and hold to account the performance of service delivery within the Council and its partners etc with particular reference to the Council Plan and Year Ahead Delivery Plan; 8) To monitor and hold to account the performance of service delivery within the Council and its partners of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg South Yorkshire Combined Mayoral Authority, the Police, and public transport operators); 9) To scrutinise the annual budget setting process; and monitor the Council's budget and medium-term financial strategy. 10) To consider matters relating to community cohesion⁷, equalities and diversity and the Council's specific initiatives to promote them; 11) To consider matters relating to social inclusion and tackling poverty (in conjunction with appropriate scrutiny commissions) ⁷ 12) To consider matters relating to the Council's net zero targets, sustainability and action to tackling climate change⁷ 13) To undertake pre-decision scrutiny of proposals prior to decisions being taken by Cabinet; ⁸ 14) To exercise the right to call-in, for reconsideration of decisions made but not yet implemented by the Cabinet (as defined by Part V p.11 of the Constitution). ⁹ 15) To co-ordinate and prioritise the overview and scrutiny's annual work programme to: <ol style="list-style-type: none"> a. assign work, as it considers appropriate, to the various scrutiny commissions or any sub- committees or task and finish scrutiny working groups it appoints; 	<p>General point – responsibility or functions have been edited and re-ordered. New points high</p> <ol style="list-style-type: none"> 1) Re-ordered and edited points 2) See pt 15 for suggested amendments. This clarifies OSMB's role in coordinating scrutiny work programme across the board 3) See pt 17 4) Administrative Amendment – see pt 7 of suggested amendment 5) Deleted – implicit in pt 9 6) See pt 9 of suggested amendments 7) reflects current custom and practice – community cohesion currently sits with Improving Places but has not been looked at by this cte in recent years. Added to pt 10 of suggested amendments. Suggested items to add to work programme 8) new 9) not included in original functions 10) see pt 5 of suggested amendments 11) see pt 18 of suggested amendments

<p>19. To ensure that there is efficient use of the board's and overview and scrutiny select commission's time, and that the potential for duplication of effort is minimised. ²</p> <p>20. To ensure that members of the board and overview and scrutiny select commissions may efficiently carry out their work. ²</p> <p>21. To prepare and approve an annual overview and scrutiny work programme for implementation by the select commissions or their review groups, including ² –</p> <p>(a) liaison with the Cabinet and Senior Leadership Team, service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by –</p> <ol style="list-style-type: none"> 1. an overview and scrutiny select commission; 2. an organisation with which the Council is in partnership, or 3. the public as a result of a public consultation exercise, or 4. the Forward Plan of key decisions; <p>22. To undertake reviews in consequence of the Council's Corporate Plan and ⁴;</p> <p>23. To undertake performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators); ¹²</p> <p>24. To; ¹³</p> <p>25. To undertake reviews under the Council's general power of competence and power to promote the well-being of the citizens of Rotherham; ¹⁴</p> <p>26. To monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports; ²</p> <p>27. To submit an annual report to the Council on the operation of overview and scrutiny select commissions and recommendations for future work, in accordance with article 8(6) of the Constitution; ¹⁵</p> <p>28. To determine which overview and scrutiny select commission will assume responsibility for any particular issue, where matters fall within the remit of more than one select commission and to resolve any issues of dispute between them; ²</p> <p>29. To receive requests from the Cabinet and the Council or both for reports from a select commission and to allocate them as appropriate; ²</p> <p>30. To put in place and maintain a system to ensure that referrals from select commissions to the Cabinet, either by way of report or for reconsideration, are managed efficiently; ²</p> <p>31. To make reports or recommendations to the Cabinet or the Council in respect of functions which are the responsibility of the executive; ¹⁶</p> <p>32. To review or scrutinise decision making processes or actions taken in connection with the discharge of functions which are not the responsibility of the Cabinet ¹⁶</p> <p>33. To make reports or recommendations to the Council in respect of functions which are not the responsibility of the executive; ¹⁶</p> <p>34. To make reports or recommendations to the full Council or the Cabinet on matters which affect the borough or the inhabitants of the borough; and ¹⁶</p>	<p>b. liaise with the Cabinet and Senior Leadership Team or in response to a matter brought to the committee's attention by –</p> <ul style="list-style-type: none"> – an overview and scrutiny commission; – referral from a community or user group bodies (for example housing panels or Rotherham Youth Cabinet) or as a result of a public consultation exercise; – a public petition to Council reaching the threshold for debate at Council and/or referral to overview and scrutiny; – the Forward Plan of key decisions; <p>c. receive requests from the Cabinet and the Council or both for reports from a select commission and to allocate them as appropriate;</p> <p>d. ensure that there is efficient use of the board's and select commissions' time, and that the potential for duplication of effort is minimised;</p> <p>e. determine which overview and scrutiny commission will assume responsibility for any particular issue, where matters fall within the remit of more than one select commission and to resolve any issues of dispute between them;</p> <p>f. put in place and maintain a system to ensure that referrals from scrutiny commissions to the Cabinet, either by way of report or for reconsideration, are managed efficiently;</p> <p>g. To monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports;</p> <p>h. co-ordinate respective work programmes with the Chair of the Audit Committee and Parish/Town Councils to identify areas of joint working as appropriate and minimise areas of duplication,</p> <p>16) To act as the designated Crime and Disorder Committee under powers as outlined in the Crime and Disorder (Overview and Scrutiny) Regulations 2009.</p> <p>17) To consider a request made under a Councillor Call for Action:</p> <ol style="list-style-type: none"> a. in relation to a local government matter (under the powers outlined in Section 119 of the Local Government and Public Involvement in Health Act 2007) b. in relation to crime and disorder issues (under the powers outlined in Section 19, of the Police and Justice Act 2006) <p>18) To co-ordinate for joint scrutiny activity with other authorities and non-executives/scrutineers from other bodies;</p> <p>19) To submit an annual report to the Council on the operation of overview and scrutiny and recommendations for future work, in accordance with article 8(6) of the Constitution.</p> <p>20) To appoint non-voting co-optees to the Overview and Scrutiny Management Board and/or Scrutiny Commissions or Task and Finish Groups. ¹⁷</p> <p>21) To be the allocated residual responsibility for any function not otherwise allocated to a Scrutiny Commission. ¹⁸</p>	<p>12) See pt 8 of suggested amendments</p> <p>13) Health Scrutiny undertaken by HSC</p> <p>14) Included in pt 6 of suggested amendment</p> <p>15) See pt 19 of suggested amendments</p> <p>16) Renumbered to pts 3 – 6 of suggested amendments</p> <p>17) Omitted from original</p> <p>18) New</p>
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<p>35. To arrange public consultation exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.¹⁹</p>		<p>19) delete</p>
<p>SCRUTINY SELECT COMMISSIONS</p> <ol style="list-style-type: none"> 1. To carry out the annual overview and scrutiny work programme set for each select commission by the OSMB, including – <ol style="list-style-type: none"> a) service reviews conducted on the basis of clear priorities set in response to Cabinet, Council or a matter brought to the select commission’s attention by a petition, other overview and scrutiny select commission, organisation with which the Council is in partnership, referral from tenant or user group bodies (for example area housing panels or Rotherham Youth Cabinet) or as a result of a public consultation exercise; b) performance reviews of joint authorities, other select commissions and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators). 2. To submit reports commissioned by the OSMB in response to requests from the Cabinet or the Council (or both) for reports from overview and scrutiny select commissions. 3. To submit reports with recommendations to the Cabinet or the full Council in respect of functions which are the responsibility of the executive and which fall within the remit of the particular select commission. 	<p>SCRUTINY COMMISSIONS</p> <ol style="list-style-type: none"> 1. To carry out the annual overview and scrutiny work programme as agreed for each select commission with OSMB 2. To submit reports to OSMB with recommendations on matters that affect the borough or the inhabitants of the borough. 3. Within their terms of reference, each scrutiny commission may <ol style="list-style-type: none"> a. scrutinise and review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas; b. question Cabinet Members and Chief Officers about their decisions and performance, in relation to particular decisions, initiatives or projects; c. make recommendations to the Cabinet and appropriate Committee and/or Council arising from the outcome of the scrutiny process; d. review and scrutinise the performance of other partners and public bodies in the area and invite reports from them by requesting them to address the Committee and local people about their activities; e. conduct research, community and other consultation in the analysis of policy issues and possible options; 	<p>Aligns with Appendix 2 and Part 8 of Constitution</p>

<ol style="list-style-type: none"> 4. To review and scrutinise decisions made or actions taken in connection with the discharge of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission. 5. To submit reports with recommendations to the full Council in respect of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission. 6. To submit reports commissioned by the OSMB with recommendations on matters that affect the borough or the inhabitants of the borough for submitting to the Council or the Cabinet. 7. To arranging public consultation exercises for the purpose of assessing public satisfaction with current council policies or to assist in the development of new policies. 	<ol style="list-style-type: none"> f. question and gather evidence from any person (with their consent); and in liaison with OSMB, appoint non-voting co-optees to the Scrutiny Commissions and/or Task and Finish Groups. 	
<p>SPECIFIC FUNCTIONS Health Select Commission:</p> <ol style="list-style-type: none"> 1) The Health Select Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including – <ol style="list-style-type: none"> a) performing the role of the Council’s designated scrutiny body for any issue relating to health and the public health agenda including those functions contained within the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013; (b) scrutinising the health services commissioned for the people of Rotherham (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001); (c) scrutinising partnerships and commissioning arrangements in relation to health and well-being and their governance arrangements and the integration of health and social care services and budgets (d) scrutinising measures for achieving health improvements and the promotion of wellbeing for Rotherham’s adults and children; (e) scrutinising measures designed to address health inequalities; (f) scrutinising public health arrangements; (g) scrutinising food standards and environmental health; and (h) scrutinising issues referred to the select commission by the Healthwatch Rotherham (or any successor body). (i) Those elements of this scrutiny function relating to NHS England’s new review of Congenital Heart Disease services are delegated to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) 2) The Health Select Commission will also act as a consultee in respect of those matters of “substantial variation” on which NHS bodies must consult with the Council in relation to its health scrutiny function. (3) The Health Select Commission will lead on the overview and scrutiny of any regional and specialist health service health matters affecting residents of two or more local authorities within Yorkshire and the Humber, and will conduct such overview and scrutiny reviews in accordance with the Protocol for the Yorkshire and the Humber Council’s Joint Health Scrutiny Select Commission. 	<p>SPECIFIC FUNCTIONS Health Select Commission</p> <ol style="list-style-type: none"> 1. To discharge the local authority’s powers of review and scrutiny on such health related matters as designated within the Health and Social Care Act 2012, Statutory Instrument No. 218/2013 - The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and associated Department of Health Guidance. 2. The Health Select Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including scrutinising– <ol style="list-style-type: none"> a. Adult Social Services including adult safeguarding, services for older people, a range of services to meet the needs of people with learning disabilities, support for people with mental health issues and dementia, and services to support people with physical disabilities b. Arrangements from childhood to adulthood for people with complex needs (with Improving Lives) c. Partnerships and commissioning arrangements in relation to health and well-being and their governance arrangements and the integration of health and social care services, including prevention/early intervention activity d. Measures for achieving health improvements and the promotion of wellbeing for Rotherham’s adults and children; e. Measures designed to address health inequalities; f. Scrutinising public health arrangements; g. Issues referred to the select commission by the Healthwatch Rotherham (or any successor body). 3. The Health Select Commission is appointed to be part of the South Yorkshire, Derbyshire and Nottinghamshire Joint Health Overview and Scrutiny Committee under Regulation 30 of the Local Authority (Public Health, Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218. The joint committee is authorised to discharge the following health overview and scrutiny functions of the authority (in accordance with regulations issued under Section 244 National Health 	<p>Updates legislation and guidance</p> <p>NEW – suggested amendments to address omissions in current TOR. Reflects elements in portfolio for Cabinet Member for Adult Care and Health</p> <p>Reflects current Joint Health Scrutiny arrangements</p>

	Service Act 2006) in relation to health service reconfigurations or any health service related issues covering this geographical footprint	
<p>2. Improving Lives Select Commission</p> <p>(1) The Improving Lives Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –</p> <ul style="list-style-type: none"> (a) scrutinising the Every Child Matters agenda (note Health Select Commission responsibilities); (b) scrutinising the “Think Family” and early intervention/ prevention agendas; (c) scrutinising other cross-cutting services provided specifically for children and young people; (d) scrutinising the implementation of Rotherham’s plans to tackle Child Sexual Exploitation 	<p>Improving Lives Scrutiny Commission</p> <p>1. The Improving Lives Scrutiny Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including scrutinising –</p> <ul style="list-style-type: none"> a. Children’s Safeguarding (including neglect, abuse, CSE and CCE) and prevention and early intervention strategies; b. Family intervention, fostering, adoption and looked after children including out of borough placements; c. Transitional arrangements from childhood to adulthood for young people with complex needs (with Health and Adult Social Care Scrutiny Commission); d. Educational outcomes & 14-19 Strategy including early years, schools, SEND (special educational needs and disabilities) schools, and pupil referral units; e. Home to School Transport; f. Early Help services including the Troubled Families agenda and youth provision; g. Children and Adolescent Mental Health Services (CAMHS) (with Health and Adult Social Care Scrutiny Commission as appropriate); h. Domestic Abuse Strategy and response; i. Expanding opportunities for skills and learning for young people. <p>2. For scrutiny of education issues, the appointment of statutory co-optees. Namely one representative of the Church of England Diocese (if the Council maintains one or more Church of England schools), Roman Catholic Diocese (if the Council maintains one or more Roman Catholic schools) and between 2 and 5 parent governor representatives. These members have voting rights in relation to education matters.</p>	<p>Updates TOR to reflect current custom and practice (current TOR refers to policy initiatives from pre-2010)</p> <p>Reflects elements from portfolio of Cabinet Member for Children and Young People</p> <p>Makes explicit responsibility for recruitment of co-optees</p>
<p>3. Improving Places Select Commission</p> <p>(1) The Improving Places Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –</p> <ul style="list-style-type: none"> (a) scrutinising community cohesion and social inclusion and the Council’s specific initiatives to promote them; (b) scrutinising tourism, culture and leisure services and strategies; (c) scrutinising borough wide housing and neighbourhood strategies; (d) scrutinising economic development and regeneration strategies; (e) scrutinising the environment and sustainable development; and (f) scrutinising devolved neighbourhood working. 	<p>Improving Places Scrutiny Commission</p> <p>1. The Improving Places Scrutiny Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including scrutinising –</p> <ul style="list-style-type: none"> a. Economic development and regeneration (Towns & Villages & major town centre projects and development) b. Libraries, arts, culture, leisure services and green spaces; c. Borough wide housing management and strategy; d. Neighbourhood working and the Thriving Neighbourhoods Strategy. e. Flood management f. Cemeteries, crematorium and mortuary services, including the Dignity contract. g. All matters relating to Waste Management, Street Scene, 	<p>Updated to reflect current practice.</p>

	<p>Street Cleansing, Litter & Fly Tipping.</p> <ul style="list-style-type: none">h. Emergency Planning issuesi. Highways schemes, safety and active travelj. Enforcement policy and performance (including Community Protection, Environmental Health and food hygiene)k. Partnership strategies for Lifelong Learning, Skills and Employment	
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