

Appendix 1 – Article 6 Constitution – Scrutiny Committee Terms of Reference

2.6.1 Article 6 – Overview and Scrutiny Committees

2.6.1 Terms of reference

The Council will appoint the overview and scrutiny committees set out in the left hand column of the table below to discharge the functions conferred by sections 21 and 21A of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000 in relation to the matters set out in the right hand column of the same table. The membership of the committees and any sub-committees will be politically balanced. Members of the Executive may not be members of overview and scrutiny committees.

Committee	Primary Scope
<p>Health and Wellbeing Scrutiny</p> <p>(The Committee shall comprise 9 members of the Council and one co-opted member with voting rights being a member nominated by Staffordshire County Council)</p>	<p>To provide effective scrutiny of the achievement of the Council's strategic priorities by scrutinising the performance of the Cabinet and external providers in securing a safe environment in which local people can reach their full potential and live longer, healthier lives :-</p> <ul style="list-style-type: none"> • Statutory Health Obligation • County Council Agreement • Leisure • Voluntary Sector • Non HRA Housing • Disability Service • Social Care • Elderly and Vulnerable People Services <p>To undertake such other scrutiny activities as may be required in relation to the performance of the Council, governance, financial management and discharge of statutory functions.</p>
<p>Infrastructure, Safety and Growth Scrutiny</p> <p>(The Committee shall comprise 9 members of the Council)</p>	<p>To provide effective scrutiny of the achievement of the Council's strategic priorities and external providers in securing the primary outcome of creating a safe and sustaining thriving local economy and making Tamworth a more aspirational and competitive place to do business:-</p> <p>Statutory Crime and Disorder obligation; the Committee shall act as the Crime and Disorder Committee for the purposes of</p>

	<p>section 19 of the Police and Justice Act 2006 and may co-opt additional members subject to the Crime and Disorder Overview and Scrutiny) Regulations 2009.</p> <ul style="list-style-type: none"> • Highways (full Council decision) • Education • Employment/Inward Investment • Town Centre • Open Space and Play
<p>Corporate Scrutiny (The Committee shall comprise 9 members of the Council)</p>	<p>To provide effective scrutiny of the achievement of the Council's strategic priorities by scrutinising the performance of the Executive</p> <p>To review and scrutinise the performance and functions of other public bodies, statutory undertakers or other such organisations, including voluntary and not for profit institutions, who provide or facilitate the provision of public services within the Borough.</p> <ul style="list-style-type: none"> • The Committee shall review and scrutinise matters relating to:- • Forward Plan • Quarterly performance reports • Corporate plan • Major Council lead projects • Commercial Investment strategy • HRA function
<p>Budget Review Joint Scrutiny Committee</p> <p>The Committees membership includes all non executive members of the Council</p>	<p>The Committee meets up to twice a year to consider the budget proposals being put forward by the executive and may make comments and recommendations back to the executive on their budget proposals.</p>
<p>For All Committees</p>	<p>All Committees will consider the following matters as they carry out their primary functions</p> <ul style="list-style-type: none"> • Policy Development • Service Delivery & Performance • Use of technology to ensure access and equality • Use of Corporate assets

	<ul style="list-style-type: none"> • Finance
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2.6.2 General role

Within their terms of reference, overview and scrutiny committees and sub-committees will:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions including consideration at each meeting of the Forward Plan;
- (b) prepare an annual scrutiny work plan covering two successive periods of six months and make reports and/or recommendations bi-annually to the full Council and/or the executive and/or any policy, joint or area committee in connection with the discharge of any functions;
- (c) liaise regularly with each other to ensure that there is no duplication between them in respect of scrutiny and review activity;
- (d) consider any matter affecting the area or its inhabitants; and
- (e) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive and/or any policy or area committees;
- (f) appoint Task and Finish Groups as and when required with no more than two operating at any one time. Normally the Chair or Vice-Chair of the Committee would Chair such groups and there would be an expectation that any such groups would co-opt external expertise. No external appointees will be able to vote on any matter.

2.6.3 Specific functions

(a) **Policy development and review.** Overview and scrutiny committees and sub-committees may:

- (i) assist the Council and the executive in the development of its budget and policy framework by in-depth analysis of the budget and policy issues;
- (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) question members of the executive, other committees and chief officers about their views

on issues and proposals affecting the area and receive a reply/progress statement from the responsible body or member within 3 calendar months, relating to any recommendations accepted by Full Council or Cabinet which have been referred from the scrutiny process; and

- (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

(b) **Scrutiny.** Overview and scrutiny committees and sub-committees may:

- (i) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (ii) review and scrutinise members of the executive and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iii) make recommendations to the executive and Council arising from the outcome of the scrutiny process;
- (iv) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance.

(c) **Finance.** Overview and scrutiny committees and sub-committees may exercise overall responsibility for any finances that may be made available to them.

(d) **Annual report.** Overview and scrutiny committees must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

2.6.4 Proceedings of overview and scrutiny committees and sub-committees

Overview and scrutiny committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules and the

Non Regulatory Committee Procedure Rules set out in Part 4 of this Constitution.

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