

PART 2 – ARTICLES

Article 5 – Overview and scrutiny committee and ~~sub-committees~~ commissions

- 5.1 The council will appoint an overview and scrutiny committee to discharge the functions conferred by section 9A of the Local Government Act 2000. The overview and scrutiny committee will appoint ~~sub-committees~~ commissions and determine their terms of reference. ~~Sub-committees will operate as scrutiny commissions whose role will be to undertake specific reviews as specified by Overview & Scrutiny Committee~~

The overview and scrutiny committee will also discharge those functions of the council relating to the scrutiny of the health service contained in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, except where a function is reserved to the council.

Where an NHS body or health service provider consults the council and another authority or authorities about a proposal for a substantial development of or variation to the health service affecting each council's area, the overview and scrutiny committee will appoint a joint overview and scrutiny committee with the other authority or authorities for the purposes of that consultation.

- 5.2 Within their terms of reference, the overview and scrutiny committee and its ~~commissions~~ 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
 - b) make reports and/or recommendations to council assembly and/or the cabinet in connection with the discharge of any functions
 - c) consider any matter affecting the area or its inhabitants.

5.3 For the purpose of this constitution, scrutiny commissions are considered as sub-committees

5.3 Specific functions

1. Policy development and review

Overview and scrutiny committee and its ~~commissions sub-committees~~ may:

- a) assist council assembly and the cabinet in the development of its budget and policy framework by in-depth analysis of policy issues
- b) conduct research, community and other consultation in the analysis of policy issues and possible options
- c) consider and implement mechanisms to encourage and enhance community participation in the development of policy options
- d) question members of the cabinet and chief officers about their views on issues and proposals affecting the area
- e) 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
- f) decide whether to consult with community councils as part of the consideration of the budget and policy framework.

2. Health and wellbeing

Overview and scrutiny committee and its ~~commissions sub-committees~~ must acknowledge, and respond to, a referral of a matter for review and scrutiny received from a local Healthwatch organisation.

Overview and scrutiny committee and its ~~commissions sub-committees~~ may:

- a) review and scrutinise the work of the Health and Wellbeing Board
- b) review and scrutinise any matter relating to the planning, provision and operation of the health service in its area (but in doing so it must invite comments from interested parties and consider information provided by a Local Healthwatch organisation or contractor)
- c) make reports and recommendations to a NHS body or health service provider and the council on any matter it has scrutinised
- d) consider consultations from a NHS body or health service provider and to make comments
- e) question members or employees of a NHS body or health service provider.

3. Scrutiny

Overview and scrutiny committee and its commissions sub-committees may:

- a) review and scrutinise the decisions made by and performance of the cabinet and council officers both in relation to individual decisions and over time
- b) review and scrutinise the performance of the council in relation to its policy objectives, performance targets and/or particular service areas
- c) consider referrals from members on any of the functions of the committee
- d) question members of the cabinet and chief officers and relevant partner authorities about their decisions and performance, whether generally in comparison with local area agreements, service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects
- e) make recommendations to the cabinet and/or council assembly arising from the outcome of the scrutiny process or refer entire reports produced as the result of the scrutiny process to be debated and noted at council assembly
- f) give notice of its recommendations to the cabinet and/or council assembly and publish recommendations
- g) give notice of its recommendations to the relevant partner authority
- h) 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/sub-committee and local people about their activities and performance
- i) question and gather evidence from any person (with their consent).

4. **Crime and disorder**

Overview and scrutiny committee and its commissions sub-committees may:

- a) act as the crime and disorder committee within the meaning of section 19 of the Police and Justice Act 2006
- b) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions
- c) make reports or recommendations to the local authority with respect to the discharge of those functions
- d) make recommendations to the cabinet and/or council assembly with respect to any matter which is a local crime and disorder matter in relation to a member of the authority
- e) consider any crime and disorder matters referred by any member of the council.

5.4 Annual report

The overview and scrutiny committee will report annually to council assembly on the workings of the overall scrutiny function, and may make recommendations for future work programmes and amended working methods if appropriate.

5.5 Key tasks of the chair of overview and scrutiny committee

The Overview and scrutiny committee chair will:

- a) lead the scrutiny function
- b) propose a programme of work devised in consultation with senior management
- c) achieve a balance of service interests
- d) achieve broad coverage across all services over time
- e) propose arrangements for the involvement of community or other non-councillor representatives
- f) own and present the resulting reports (to the council assembly or the cabinet, including any minority views which might be reported separately).