

# Article 6 – Overview and Scrutiny Committees

## Overview and Scrutiny – General Comments

### 6.01 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 section 9F of the Local Government Act 2000 as amended in relation to the matters set out in the right hand column of the table.

| COMMITTEE                                      | SCOPE  |
|--|--|
| Care and Independence                          | The needs of vulnerable adults and older people and people whose independence needs to be supported by intervention from the public or voluntary sector.   |
| Corporate and Partnerships                     | <p>The Council's corporate organisation and structure, resource allocation, asset management, procurement policy, people strategy, equality and diversity, performance managements, communications and access to services.</p> <p>Partnership working, community development, community engagement, community strategies and community safety. This Committee shall be the Crime and Disorder Committee for the purposes of Part 3 of the Police and Justice Act 2006.</p> |
| Transport, Economy, Environment and Enterprise | <p>Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.</p> <p>Supporting business, economic development and regeneration and helping people develop their skills, including lifelong learning.</p> <p>Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.</p>      |
| Children and Families                          | The interests of young people, including education, care and protection and family support.  |
| Scrutiny of Health                             | <p>To review any matter relating to the planning, provision and operation of health services in the County, including Ambulance Trusts and the policies of the Health and Care Partnerships.</p> <p>The aim is to act as a lever to improve the health of local people, ensuring that the needs of the local people are considered as an integral part of</p>  |

| COMMITTEE           | SCOPE  |
|---------------------|--|
|                     | <p>the delivery and development of health services and will look:</p> <ul style="list-style-type: none"> <li>• To focus on action to achieve health improvement;</li> <li>• To examine health care in the context of the wider determinants of health;</li> <li>• To examine how health services address the needs of local communities;</li> <li>• To especially address health inequalities;</li> <li>• To ensure that local health and health related issues are being tackled jointly and in a co-ordinated way across agencies;</li> <li>• To contribute to annual health checks by providing feedback to the Integrated Care Boards and NHS Trusts serving North Yorkshire on their performance and the experiences that the Committee has with them.</li> </ul>   |
| Housing and Leisure | <p>The Council's role and remit as a social landlord, including: policy review; service improvement; governance arrangements to help ensure compliance with provision and regulation of social housing</p> <p>In addition, those housing services for which the Council is responsible, including: housing strategy; homelessness and housing needs; the delivery of affordable housing as well as private sector housing renewal.</p> <p>The Council's role as a provider of leisure services.</p> <p>Members other than councillors can be co-opted onto the Committee, without voting rights, to provide expert input for some or all of the following areas of work: Tenant engagement/involvement; Landlord health and safety; Asset management and Local authority finance; Tenant representatives.</p> <p>A separate tenant involvement group will be established which will link in with the Housing and Leisure Overview and Scrutiny Committee on matters relating to policy review and service improvement.</p> |

## 6.02 General Role

Within their terms of reference, Overview and Scrutiny Committees:

- (a) will review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (b) will make reports and/or recommendations to the full Council and/or the Executive and/or any joint or Area Committee in connection with the discharge of any functions;
- (c) will consider any matter affecting the county or its inhabitants;
- (d) will consider decisions which have been called in, under the Overview and Scrutiny Procedure Rules, and decide whether to refer such decisions to full Council, or refer them back to the decision maker;
- (e) may monitor the performance and effectiveness of the services they overview; and
- (f) will seek to resolve issues raised by Members under Councillor Call for Action in accordance with the Overview and Scrutiny Procedure Rules of this Constitution.

## 6.03 Specific Functions

To undertake the following specific functions within their terms of reference:

- (a) **Policy development and review.** Overview and Scrutiny Committees may:
  - (i) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of 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;
  - (i) question members of the Executive and/or committees and senior Officers about their views on issues and proposals affecting the area; and
  - (ii) liaise with other external organisations, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- (b) **Scrutiny.** Overview and Scrutiny Committees may:
  - (i) review and scrutinise the performance of, and decisions made by the Executive and/or committees and council Officers both in relation to individual decisions and generally;

- (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - (iii) require reconsideration of executive decisions which have been called in (see Overview and Scrutiny Procedure Rule 16);
  - (iv) question members of the Executive and/or committees and senior 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;
  - (v) make recommendations to the Executive and/or appropriate committees and/or Council arising from the outcome of the scrutiny process;
  - (vi) review and scrutinise the performance of bodies providing public services in North Yorkshire by inviting reports from them and/or requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
  - (vii) question and gather evidence from any person (with their consent).
- (c) **Scrutiny Reviews.** Overview and Scrutiny Committees will receive reports from scrutiny reviews, and may offer recommendations for improvement to the Executive.
- (a) **Finance.** Overview and Scrutiny Committees will exercise overall responsibility for the finances made available to them.
- (b) **Quarterly report.** Overview and Scrutiny Committees must report quarterly to full Council on their workings and may make recommendations for future work programmes and amendments to the Overview and Scrutiny Procedures Rules, if appropriate.
- (f) **Officers.** Overview and Scrutiny Committees may exercise overall responsibility for the work programme of the Officers employed to support their work.

#### **6.04 Proceedings of Overview and Scrutiny Committees**

Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution, and such of the Council Procedure Rules as apply to meetings of committees.

#### **6.05 Membership of Overview and Scrutiny Committees**

Membership of the Overview and Scrutiny Committees listed at 6.01 above is set out in Part 3 of this Constitution.

#### **6.06 Sub-Committees and Task Groups**

- (a) Any Overview and Scrutiny Committee may appoint one or more sub-committees or task groups either on a standing basis or for a particular purpose or time.

- (b) Any two or more Overview and Scrutiny Committees may jointly establish a task group to undertake a study of policy development and review, and/or scrutiny, in relation to any particular matter(s) or issue(s) which relate to services falling within the scope of the committees which establish the task group. Any such task group will:
- ◆ report back to the committees which established it;
  - ◆ not itself have the powers of an Overview and Scrutiny Committee, except in the regulation of its own proceedings;
  - ◆ although not a formal committee or sub-committee, operate in accordance with the Access to Information Procedure Rules.
- (c) Any two or more Overview and Scrutiny Committees may establish a joint sub-committee, the membership of the sub-committee being determined by the appointing Committees. Such a joint sub-committee will appoint its own Chair. Such a joint sub-committee will have the powers of an Overview and Scrutiny Committee, and is empowered to express a view on a particular matter on behalf of the Overview and Scrutiny Committees which appointed it, and Overview and Scrutiny Procedure Rule 11 shall apply to any reports from a joint sub-committee.

#### **6.07 Joint Scrutiny of Health Overview and Scrutiny Committees**

- (a) The Council may appoint a joint Scrutiny of Health Committee with one or more other authorities and arrange for relevant scrutiny of health functions (eg health scrutiny reviews, consideration of cross boundary health issues) in relation to any (or all) of those authorities to be exercisable by the joint committee, subject to such terms and conditions as the authorities may consider appropriate.
- (b) Such a joint Scrutiny of Health Committee may be appointed either on a standing basis or for a particular purpose or period of time and on either a discretionary basis or as a result of statutory requirement.

#### **6.08 Statutory Scrutiny Officer**

- (a) The Council must appoint a designated Scrutiny Officer to:
- promote the role of Overview and Scrutiny Committees;
  - provide support for them and Members of them; and
  - provide support and guidance to Members and Officers in relation to the functions of Overview and Scrutiny Committees.
- (b) The Monitoring Officer, Chief Finance Officer and Head of Paid Service cannot act as Scrutiny Officer.
- (c) The Council's Head of Democratic Services and Scrutiny is currently designated as Scrutiny Officer.