

Article 6 – Overview and Scrutiny Committees

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 21 of the Local Government Act 2000 in relation to the functional areas set out in the right hand column of the table. In the case of support service functions, where a support service is providing support to a service in another functional area, the support service shall be regarded as part of the other service for the purpose of these terms of reference. For the avoidance of doubt this includes the conduct of legal proceedings by or against the Council.

Committee	Scope
Service Performance Overview and Scrutiny Committee	<ul style="list-style-type: none"> • The overall performance, effectiveness and value for money of Operational Council services; • the robustness and implementation of Best Value reviews and improvement plans for the relevant services; • Visitor information, amenities and attractions, conferences, exhibitions, entertainments and events • Leisure Services • Highways, Transport and Parking • The Council's functions in relation to planning policy and development control, • Refuse collection, recycling, street cleansing, removal of fly tipping, street lighting, public conveniences, • Parks and Gardens • Environmental health services, Licensing, Animal care and dog control • Cemeteries and crematorium administration and funeral arrangements for destitute persons
Projects and Partnerships Overview and Scrutiny Committee	<ul style="list-style-type: none"> • All capital projects undertaken by the Council or in which the Council is a partner; • Assessment, supply and development of social housing in the borough, with associated environmental, neighbourhood and social facilities, in partnership with housing providers; • Health and Social Care • The prevention of homelessness; • The development, promotion and management of all aspects of community safety and all aspects of the Council's functions as housing authority; • Tackling crime and anti-social behaviour in the borough; • External funding • Town centre management; • Coastal Protection Projects • The Harbours; • Scarborough Museums Trust, and the Museums and Galleries Service

Committee	Scope
Corporate Strategy Overview and Scrutiny Committee	<ul style="list-style-type: none"> • The Corporate Plan • The Local Strategic Partnership/Community Strategy • Local Area Agreements; • The Financial Strategy • The Procurement Strategy • The IT Strategy • the Marketing of the Borough • All matters relating to economic development including infrastructure development and business support; • Regeneration and development • The development of local regeneration strategies • The overall performance, effectiveness and value for money of Corporate Council services (e.g. benefits, property) • Asset management, including property maintenance and management • Value for Money
Human Resources Overview and Scrutiny Committee	<ul style="list-style-type: none"> • Skills Development • Equality and Diversity • Workforce Planning • Workforce Development • Managing Sickness • Health & Safety • Business Continuity • Early retirement • Harassment and Bullying • Whistleblowing

6.02 Form and Composition

Each Committee be composed of Members of the Council, (but excluding any Member of the Cabinet), selected in accordance with the Political Balance Rules in force for the time being.

The Service Performance and Projects and Partnerships Overview and Scrutiny Committee will each be made up of 16 Members of the Council, the Corporate Strategy Overview and Scrutiny Committee will be made up of 14 Members of the Council and the Human Resources Overview and Scrutiny Committee will be made up of 7 Members of the Council.

Each Committee may from time to time determine to co-opt up to a maximum of 3 non-voting Members to assist with its work programme.

6.03 General Roles

Within their terms of reference, Overview and Scrutiny Committees will:

- (i) review and/or scrutinise decisions made by the Cabinet, Committees and Council Officers or actions taken in connection with the discharge of any of the Council's functions;
- (ii) consider any matter affecting the Borough or its inhabitants;
- (iii) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet, Cabinet Sub-Committees or any Area Committees;
- (iv) question and gather evidence from any person (with their consent);
- (v) make recommendations to the Cabinet, Committees and the Council arising from the outcome of the Scrutiny process;
- (vi) make reports and/or recommendations to the full Council and/or the Cabinet and/or any Joint or Area Committees in connection with the discharge of any functions;

6.04 **Policy development and review**

Within their terms of reference Overview and Scrutiny Committees may:

- (i) assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- (ii) conduct research, and community and other consultations in the analysis of policy issues and possible options;
- (iv) question Members of the Cabinet, Committees and Chief Officers about their views on issues and proposals affecting the Borough; and

6.05 **Specific Functions**

(a) **Service Performance Scrutiny Committee**

The Service Performance Overview and Scrutiny committee may:

- (i) consider and oversee best value reviews and inspection reports in relation to Operational Services, evaluating and analysing the findings and comment to the Cabinet.
- (ii) scrutinise decisions, which the Cabinet is planning to take to improve performance of Operational Services and comment on them to the Cabinet;
- (iii) question members of the Cabinet and/or committee and chief officers about their decisions and performance in relation to Operational Services, whether generally in comparison with Service Action Plans, Performance Indicators and any other targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) review and scrutinise the performance of the Cabinet and officers in relation to Operational Services
- (v) make recommendations to the Cabinet and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;

(b) **Projects and Partnerships Scrutiny Committee**

The Partnerships Overview and Scrutiny committee may:

- (i) in connection with partnerships conduct research, community and other consultation in the analysis of policy issues and possible options; consider any matter affecting the area or its inhabitants.
- (ii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iii) question Members of the Cabinet and/or chief officers about their views on issues and proposals affecting partnerships in the area;
- (iv) 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.
- (v) review the performance of the Council in relation to its collaborative working with partner organisations;
- (vi) review the performance of other public bodies and contractors' in the area and invite reports from them by requesting them to address the Overview Committee and local people about their activities and performance;
- (vii) scrutinise capital projects which the Cabinet is planning to take to comment on them to the Cabinet;

- (viii) scrutinise progress with capital projects and may call the Project Sponsor and Project Manager to answer questions;
- (ix) review and scrutinise the performance of the Cabinet and officers in relation to any project
- (x) question members of the Cabinet and/or committee and any officer about capital projects, whether generally in comparison with other projects and any performance targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (xii) review the performance of any contractors or other public bodies involved in a project and invite reports from them by requesting them to address the Overview Committee about their activities and performance;
- (xiii) question members of partner organisations in relation to projects and any performance targets, or in relation to particular decisions, initiatives or projects;
- (xiv) make recommendations to the Cabinet and/or an appropriate committee and/or Council arising from the outcome of the scrutiny process;

(c) Corporate Strategy Overview and Scrutiny Committee

The Corporate Strategy Overview and Scrutiny Committee may

- (i) consider and oversee best value reviews and inspection reports in relation to Corporate Services, evaluating and analysing the findings and comment to the Cabinet.
- (ii) scrutinise decisions, which the Cabinet is planning to take to improve performance and comment on them to the Cabinet;
- (iii) question members of the Cabinet and/or committee and chief officers within Corporate Services about their decisions and performance, whether generally in comparison with Service Action Plans, Performance Indicators and any other targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) review and scrutinise the performance of the Cabinet and officers in relation to Corporate Services
- (v) review and inform the development of the Community Plan, the Corporate Plan and Strategic policy documents;
- (vi) question members of the Cabinet and/or committees, the Local Strategic Partnership, the County Council, and any officer in relation to the Community Plan, Local Area Agreements and related decisions, initiatives or projects;
- (vii) review and scrutinise the performance of the Cabinet and officers in relation to the development of the Corporate Plan
- (viii) make recommendations to the Cabinet and/or an appropriate committee and/or Council arising from the outcome of the scrutiny process;

(d) Human Resources Overview and Scrutiny Committee

The Human Resources Overview and Scrutiny Committee may

- (i) scrutinise decisions, which the Cabinet is planning to take which are likely to impact upon the Council's Human Resources and comment upon them to the Cabinet;

- (ii) question members of the Cabinet and/or committee and chief officers about decisions which impact upon the Council's Human Resources, whether generally in comparison with Service Action Plans, Performance Indicators and any other targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iii) review and inform the development of Strategic policy documents;
- (iv) make recommendations to the Cabinet and/or an appropriate committee and/or Council arising from the outcome of the scrutiny process;

6.06 **Establishment of Sub-Committees and Working Groups:**

(a) **Appointment of Sub-Committees:**

- (i) Any Overview and Scrutiny Committee may appoint Sub-Committees and may arrange for the discharge of their functions by any such Sub-Committees subject to the right of a political group within the meaning of the Local Government and Housing Act 1989 and regulations made under that Act to make nominations for those appointments at the meeting that makes the appointments before the appointments are made.
- (ii) Two or more Overview and Scrutiny Committees may appoint Joint Sub-Committees and may arrange for the discharge of their functions by any such Sub-Committees so that the Scrutiny Role may be performed in a cross-cutting way.
- (iii) Any such Sub-Committees or Joint Sub-Committees appointed under paragraphs (a)(i) or (ii) above are subject to the rules on public meetings and political balance within the terms of the relevant legislation.
- (iv) The Terms of Reference of any Sub-Committees or Joint Sub-Committees appointed under paragraphs (a)(i) or (ii) above must be clearly stipulated by the appointing "parent" Overview and Scrutiny Committee(s) together with a defined period for their operation and existence and must be within the powers of the appointing Overview and Scrutiny Committee(s).

(b) **Appointment of Working Groups:**

- (i) Overview and Scrutiny Committees individually or jointly with other Overview and Scrutiny Committees may consider that, in order to better facilitate cross-cutting reviews, the discharge of their duties would be best served by the appointment of working parties or panels or other groups to assist the Committees in their functions.
- (ii) Working groups established under (b)(i) are not Sub-Committees, are not subject to the rules on public meetings and political balance, and accordingly have no powers other than to investigate and make recommendations to the parent Committee.
- (iii) The Terms of Reference of any working group established under (b)(i) above must be within the Committee appointing them and must be clearly stipulated, with a defined period for their operation and existence.

6.07 **General Responsibilities:**

(a) **Officers**

The Overview Committee Chairmen will together exercise overall responsibility for the work programme of any officer employed to support their work.

(b) **Finance**

The Overview Committee Chairmen will exercise overall responsibility for the finances made available to them (if any).

(c) **Annual report**

The Overview Committees must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

6.08 Proceedings of Overview and Scrutiny Committees

Overview and Scrutiny Committees will conduct their proceedings in accordance with the Council Procedure Rules where applicable and with the Additional Overview and Scrutiny Procedure Rules, set out in Part 4 of this Constitution.