

Overview and Scrutiny Committees

Draft Terms of Reference

1. Statement of Purpose

1.1 The Council has established two Overview and Scrutiny Committees to discharge the functions under Section 9F of the Local Government Act 2000 with remits covering the following service areas:

Committee	Remit
Overview and Scrutiny Committee – Resources	Communications & Customer Services Housing Services Assets & Property Finance Legal & Democratic Services Organisational Development
Overview and Scrutiny Committee – Services This Committee is the Council’s designated crime and disorder committee under Section 19 of the Police and Justice Act 2006.	Community Services Environmental Services Regulatory Services Commercial Services Regeneration and Planning Policy Planning Development

1.2 The Overview and Scrutiny Committee - Resources may, with the agreement of the Chair and Vice-Chair of the Overview and Scrutiny Committee - Services, assume responsibility for an item which would normally fall within the remit of the Services Overview and Scrutiny Committee if it has substantial revenue or capital implications.

1.3 The Council supports the role of its Overview and Scrutiny Committees in holding public-service decision-makers and providers to account and facilitating the improvement of public services in Guildford borough. Effective scrutiny enhances accountability, ensures transparency of decision-making, contributes to service improvement and acts as a ‘check and balance’ on decision-makers.

- 1.4 To this end the work of the Overview and Scrutiny Committees will:
- a) provide a constructive “critical friend” challenge
 - b) amplify the voices and concerns of the public
 - c) be led by independent people who take responsibility for their role
 - d) drive improvement in public services

2. Committee Form and Structure

Composition

- 2.1 Each Overview and Scrutiny Committee will comprise 12 members and shall be politically balanced.
- 2.2 Any non-Executive member who has not been appointed to an Overview and Scrutiny Committee may substitute for any member of an Overview and Scrutiny Committee, provided that they are from the same political group as the member for whom they are substituting.
- 2.3 Executive members must not be members of the Overview and Scrutiny Committees.
- 2.4 The Chair and Vice-Chair of the Overview and Scrutiny Committees will be appointed by Full Council at the Selection Council meeting each year.
- 2.5 Subject to the total number of Opposition members on the Council exceeding 10% of the overall membership, the Chair of each Overview and Scrutiny Committee shall be nominated by the Principal Opposition Group. The Vice-Chair of the Overview and Scrutiny Committees will not usually be from the same political group as the Chair. Without consent of the Council, no councillor can be Chair or Vice-Chair of more than one Overview and Scrutiny Committee.
- 2.6 In the event of a vacancy in the position of Chair or Vice-Chair occurring during the year, the Committee may elect a replacement from nominations put forward by the Group Leaders.
- 2.7 Each Overview and Scrutiny Committee, or any of their sub-committees or Working Groups, shall be entitled to appoint up to two non-voting co-optees. Co-optees will normally be drawn from groups, organisations, or service users with an interest in services within the Committee’s remit. Co-optees may be appointed as standing co-optees or special interest co-optees appointed to assist with scrutiny of a particular matter.

Meetings

- 2.8 There will normally be at least seven ordinary meetings of each Overview and Scrutiny Committee each municipal year. In addition, special meetings may be called if appropriate including meetings to consider matters called-in to committee.
- 2.9 A meeting of either Overview and Scrutiny Committee may be called by the Chair and Vice-Chair of the relevant committee if they consider it necessary or appropriate.
- 2.10 The quorum for an Overview and Scrutiny Committee will be 4 voting members.

Competency

- 2.11 All members of the Overview and Scrutiny Committees must undertake a programme of training as considered appropriate by the Monitoring Officer as soon as possible upon appointment to the Committee, and as directed thereafter.

3. Functions and responsibilities

With regard to the services areas within their remit, the Overview and Scrutiny Committees will have the following functions and responsibilities:

3.1 Policy development and overview:

- 3.1.1 Assist the Council and the Executive in the development of the Budget and Policy Framework by in-depth analysis of policy issues.
- 3.1.2 Conduct research, community and other consultation in the analysis of policy issues and possible options.
- 3.1.3 Consider and implement mechanisms to encourage and enhance community participation in the development of policy options.
- 3.1.4 Question members of the Executive and officers from the Joint Management Team about their views on issues and proposals affecting the area.
- 3.1.5 Liaise with other organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- 3.1.6 Hold enquiries and investigate the available options for future direction in policy development.

- 3.1.7 Go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that are reasonably considered necessary to perform the deliberations.
- 3.1.8 Invite witnesses to attend to address it on any matter under consideration and pay any advisor, assessors and witnesses a reasonable fee and expenses for so doing.

3.2 Scrutiny:

- 3.2.1 Review and/or scrutinise decisions made, or actions taken in connection with the discharge of any of the Council's functions, ensuring they are made in accordance with the Constitution and policies laid down by the Council and within the Corporate Plan.
- 3.2.2 Review and scrutinise the decisions made by and performance of the Executive and council officers both in relation to individual decisions and over time.
- 3.2.3 Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas.
- 3.2.4 Require Executive members and officers to attend and answer questions 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.
- 3.2.5 Exercise the right to call-in, for reconsideration, decisions made by the Executive or key decisions taken by an officer but not yet implemented.
- 3.2.6 Make reports and/or recommendations to the Council and/or the Executive and/or joint committees in connection with the discharge of any functions.
- 3.2.7 Review and scrutinise the performance of other public bodies in the area by inviting reports and requesting them to address the committee and local people about their activities and performance.
- 3.2.8 Question and gather evidence from any person (with their consent).
- 3.2.9 Consider requests from any elected or co-opted member for an item relevant to the functions of the committee to be considered at the next available meeting.

3.2.10 Consider any Councillor Call for Action on matters relevant to the Committee.

3.2.11 Perform scrutiny functions relating to crime and disorder and to scrutinise the Community Safety Partnership.

3.3 Annual report:

3.3.1 Each Overview & Scrutiny Committee will report annually to the Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.

4. Proceedings

4.1 The Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules at Part 4 of the Constitution.

4.2 No councillor may be involved in scrutinising a decision in which they have been directly involved.

4.3 The Chair and Vice-Chair will undertake the following roles in relation to their committee:

- (a) chair meetings of the Committee and promote the development and exercise of the overview and scrutiny function according to the Council's Constitution;
- (b) ensure that the work of the Committee contributes to the Council's corporate objectives;
- (c) liaise with Executive members as appropriate; and
- (d) contribute to the training and development of members engaged in the overview and scrutiny role.