

Report for: Overview and Scrutiny Committee, 6th June 2016

Item number:

Title: Terms of Reference and Membership

Report authorised by : Michael Kay, Democratic Services and Scrutiny Manager

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Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

- 1.1 The memberships of Committees of the Council were agreed by Annual Council on 16 May 2016. With this in mind, this report sets out the terms of reference and membership for the Overview and Scrutiny Committee (OSC).
- 1.2 In addition, and in accordance with the requirements of the Council's Constitution, the Committee is asked to agree the terms of reference and membership for its four advisory panels.
- 1.3 The Committee is also asked to consider the appointment of two Haringey representatives to the North Central London Joint Health Overview and Scrutiny Committee.

2. Recommendations

- 2.1 The Committee is asked to:
 - (a) Note the terms of reference (Appendix A) and Protocol (Appendix B) for the Overview and Scrutiny Committee.
 - (b) Establish the following Scrutiny Panels for 2016/17:
 - Adults and Health
 - Children and Young People
 - Environment and Community Safety
 - Housing and Regeneration
 - (c) Approve the terms of reference/policy areas and membership for each Scrutiny Panel for 2016/17 (Appendix C)
 - (d) Appoint two Haringey representatives to the North Central London Joint Health Overview and Scrutiny Committee for 2016/17.

3. Reasons for decision

- 3.1 The terms of reference and membership of the scrutiny panels above need to be confirmed at the first meeting of each municipal year.
- 3.2 The power to appoint Haringey's representatives to the North Central London Joint Health Overview and Scrutiny Committee (JHOSC) was delegated to the OSC by Council at its meeting on 22 March 2010.

4. Overview and Scrutiny Committee

- 4.1 As agreed by Council on 16 May, the membership of the OSC for 2016/17 is: Cllr Charles Wright (Chair); Cllr Pippa Connor (Vice-Chair); Cllr Kirsten Hearn; Cllr Emine Ibrahim; and Cllr Makbule Gunes.
- 4.2 The Committee shall also comprise statutory education representatives, who shall have voting rights solely on education matters
- 4.3 The terms of reference and role of the OSC is set out in Part Two (Article 6), Part Three (Section B) and Part Four (Section G) of the Council's Constitution. Together, these specify key responsibilities for the Committee. This information is provided in full at Appendix A.
- 4.4 There is also a Protocol, outside the Constitution and provided at Appendix B, that sets out how the OSC is to operate.

5. Scrutiny Panels

- 5.1 Article 6 of the Constitution states the OSC shall appoint Scrutiny Panels in order to discharge the Overview and Scrutiny role.
- 5.2 The specific functions for any Scrutiny Panels established is outlined in Article 6 of the Constitution at 6.3 (b) and 6.3 (c). The procedure by which this operates is detailed in the Scrutiny Protocol:
- The OSC shall establish 4 standing Scrutiny Panels, to examine designated public services.
 - The OSC shall determine the terms of reference for each Scrutiny Panel.
 - If there is any overlap between the business of the Panels, it is the responsibility of the OSC to resolve the issue.
 - Areas which are not covered by the 4 standing Scrutiny Panels shall be the responsibility of the main OSC.
 - The Chair of each Scrutiny Panel shall be a member of the OSC, and shall be determined by the OSC at their first meeting.

- It is intended that each Scrutiny Panel shall be comprised of between 3 and 7 members, and be politically propionate as far as possible. It is intended that other than the chair, the other members are non-executive members who do not sit on the OSC.
- Each Scrutiny Panel shall be entitled to appoint up to three non-voting co-optees. The Children and Young People’s Scrutiny Panel membership will include the statutory education representatives of OSC.

5.3 Following discussions between the Chair of OSC and Chief Whips the suggested 2016/17 membership for the four Scrutiny Panels is listed below.

Scrutiny Panel	Membership
Adults and Health	Cllr Connor (Chair); Cllr Adamou; Cllr Adje; Cllr Beacham; Cllr Griffith; Cllr McShane and Cllr Mitchell
Children and Young People	Cllr Hearn (Chair); Cllr M Blake; Cllr Mallett; Cllr Morris; Cllr Rice and Cllr Ross plus the statutory education representatives of OSC
Environment and Community Safety	Cllr Gunes (Chair); Cllr B Blake; Cllr Carter; Cllr Hare; Cllr S Mann and Cllr Stennett.
Housing and Regeneration	Cllr Ibrahim (Chair); Cllr Amin; Cllr Bevan; Cllr Engert; Cllr Gallagher; Cllr Morton and Cllr Newton
All Councillors (except Members of the Cabinet) may be members of the Overview and Scrutiny Committee and the Scrutiny Review Panels. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.	

5.4 In view of the changes to Cabinet Member Portfolios, noted by Council on 16 May, the policy areas to be covered by the four existing Scrutiny Panels have been updated. This information, together with the relevant Portfolio holders for each scrutiny body, is attached at Appendix C.

6. North Central London Joint Health Overview and Scrutiny Committee

6.1 Haringey is currently a member of the North Central London Joint Health Overview and Scrutiny Committee (JHOSC). The other boroughs that are members are Barnet, Camden, Enfield and Islington.

6.2 The revised terms of reference, agreed by the JHOSC at its meeting on 29 January 2016, and by Haringey Council on 16 May 2016, are as follows:

- To engage with relevant NHS bodies on strategic area wide issues in respect of the co-ordination, commissioning and provision of NHS health services across the whole of the area of Barnet, Camden, Enfield, Haringey and Islington;
- To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each of the participating boroughs;
- To respond to any formal consultations on proposals for substantial developments or variations in health services across affecting the area of Barnet, Camden, Enfield, Haringey and Islington;
- The joint committee will work independently of both the Cabinet and health overview and scrutiny committees (HOSCs) of its parent authorities, although evidence collected by individual HOSCs may be submitted as evidence to the joint committee and considered at its discretion;
- The joint committee will seek to promote joint working where it may provide more effective use of health scrutiny and NHS resources and will endeavour to avoid duplicating the work of individual HOSCs. As part of this, the joint committee may establish sub and working groups as appropriate to consider issues of mutual concern provided that this does not duplicate work by individual HOSCs; and
- The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.

6.3 Haringey's OSC is entitled to appoint two representatives to the JHOSC. The power to make this appointment was delegated to OSC by Council at its meeting on 22 March 2010.

7. Contribution to strategic outcomes

7.1 Activities, to develop the annual scrutiny work programme, will take place during May, June and July, with the final programme to be agreed by OSC on 21 July. The contribution scrutiny can make to strategic outcomes will be considered as part of this process.

8. Statutory Officers Comments

Finance and Procurement

- 8.1 The Chief Finance Officer has confirmed the Haringey representatives on the JHOSC are not entitled to any remuneration. As a result, there are no direct financial implications arising from the recommendations set out in this report.
- 8.2 Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications then these will be highlighted at that time.

Legal

- 8.3 The Assistant Director for Corporate Governance has been consulted on the contents of this report.
- 8.4 Under Section 21 (6) of the Local Government Act 2000, an Overview and Scrutiny Committee has the power to appoint one or more sub-committee to discharge any of its functions. The establishment of Scrutiny Panels by the Committee falls within this power and is in accordance with the requirements of the Council's Constitution.
- 8.5 Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the OSC. Such reports can then be referred to Cabinet or Council under agreed protocols.
- 8.6 The OSC can appoint two representatives to the North Central London Joint Health Overview and Scrutiny Committee. This is in accordance with the decision made by full Council on 22 March 2010 that the making of nominations to the Joint Health Committee be delegated to the Committee.

Equality

- 8.7 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.

8.8 The proposals outlined in this report relate to the membership and terms of reference for the OSC and carry no direct implications for the Council's general equality duty. However, the Committee should ensure that it addresses these duties by considering them within its work programme and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to services and fair representation of all groups within Haringey;
- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

8.9 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

9. Use of Appendices

Appendix A Part Two (Article 6), Part Three (Section B), and Part Four (Section G) of the Constitution of the London Borough of Haringey.

Appendix B Scrutiny Protocol

Appendix C Overview & Scrutiny Remits and Membership 2016/17

10. Local Government (Access to Information) Act 1985