

## APPENDIX 1

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

### Part 1.1 Overview and Scrutiny Committee Article

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#### Article 16 - Overview and Scrutiny

##### 16.01. Terms of reference

The Council will appoint an Overview and Scrutiny Committee to discharge the functions conferred by section 21 of the Local Government Act 2000, the Health & Social Care Act 2001 and the NHS Reform & Health Professional Act 2002.

##### 16.02. General role

Within its terms of reference, the Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Executive's or Council's functions;
- (c) make reports and recommendations to the full Council, the Executive or relevant non-Executive Committee in connection with the discharge of any functions;
- (d) make reports or recommendations on matters affecting the area or its inhabitants;

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- (e) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive;
- (f) receive the reports and recommendations of its commissioned Scrutiny Review Panels; and
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service within the Authority's area and to make reports and recommendations thereon to local NHS bodies.

**16.03. Specific functions**

**(a) Scrutiny Review Panels.**

The Overview and Scrutiny Committee shall appoint task oriented, time limited Scrutiny Review Panels in order to discharge the Overview and Scrutiny role and will co-ordinate their respective roles.

**(b) Policy development and review.**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish 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;
- (iv) Question members of the Executive and chief officers about their views on issues and proposals affecting the area; and
- (v) Liase 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.

**(c) Scrutiny.**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish may:

- (i) Review and scrutinise the decisions made by and performance of the Executive and council officers both in relation to individual decisions and over time;
- (ii) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) Question members of the Executive and chief 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;
- (iv) Make recommendations to the Executive ~~and the Council~~ or relevant non-executive Committee arising from the outcome of the scrutiny process;
- (v) 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 and local people about their activities and performance; and
- (vi) Question and gather evidence from any person (with their consent).

**(d) Finance**

Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them.

**(e) Annual report.**

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

#### **16.04. Proceedings of Overview and Scrutiny Committee**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish will conduct their proceedings in accordance with **the Overview and Scrutiny Procedure Rules** set out in **Part I.2** of this Constitution.

#### **16.05. Votes of No Confidence**

The Chair of the Overview and Scrutiny Committee or the Chair of a Scrutiny Review Panel shall cease to hold that office as a Scrutiny member if a vote of no confidence, of which notice appears on the agenda, is carried at the meeting of the relevant body. The responsibilities of that member shall be carried out by the relevant Vice-Chair until such time as a subsequent meeting of that body has been notified of the appointment of a replacement or the reappointment of the member concerned. In the event of all members of the Overview and Scrutiny Committee having been removed from office in this way at any time, Scrutiny functions shall in the interim be carried out by Full Council.