

Article 6 – Scrutiny Committees

SCRUTINY – GENERAL COMMENTS

The scrutiny function is central to new constitutions. The DETR Guidance makes clear that Scrutiny Committees are powerful Committees which meet in public to discuss and make recommendations on the development of policies and hold the Cabinet to account for their actions. They also have a key role in considering other matters of local concern. The only other specific function they are empowered to undertake is the conduct of best value reviews.

6.01 Terms of reference

The Council will appoint the 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 or regulations under section 32 of the Local Government Act 2000 in relation to the matters set out in the right hand column of the same table.

COMMITTEE	SCOPE
Scrutiny Board (Politically Balanced)	To co-ordinate/advise, help, scope and direct the work of scrutiny and to avoid duplications of consideration of issues within the scrutiny structure. Oversee the formulation of a comprehensive Forward Plan for the Council's scrutiny process
Community Support and Education Scrutiny Committee (2 Church co-opted members and 2 parent representative co-opted members)(Politically Balanced)	All education matters including schools, skills for life and work and adult education. Youth services, libraries, Arts, Museums and Archives. Care and Social Services provision for children, older people and vulnerable people including homelessness and asylum seekers. Affordable housing including Council housing. Community safety and health issues. <u>(Note: Co-opted Members may only vote on education related matters by law).</u>
Service Provision Scrutiny and Audit Committee (Politically Balanced)	All aspects of Poole's sustainability and environment including the development of the town, leisure and recreation provision and waste strategies. Greening the Council. The economic well being of the town including economic development, town centre partnership, tourism and working with partner organisations, Transportation and parking. The efficient operation of Council work including Financial, IT, Personnel, Property and Democratic strategies. To monitor the operation of the Constitution. To be responsible for the audit functions of the

	Council.
Health Scrutiny Committee (Politically Balanced)	All matters affecting the health of residents of the Borough including the provision of National Health Services.
Call-in Scrutiny Committee (Politically Balanced)	Consider Call-ins

In considering membership of such Committees, due regard should be paid to the potential contribution of community stakeholders outside the Council. Scrutiny Committees in local education authorities must comply with the provisions of paragraphs 7, 8, 10 and 11 of Schedule 1 to the Local Government Act 2000 or provisions proposed in regulations under section 32 (i.e. include church and parent governor representatives as voting appointed members of Committees with education as all or part of their remit).

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6.02 General role

Within their terms of reference, Scrutiny Committees will:

- (i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (ii) make reports and/or recommendations to the full Council and/or the Cabinet and/or any Area Committee in connection with the discharge of any functions;
- (iii) consider any matter affecting the area or its inhabitants; and
- (iv) exercise the right to call-in, for consideration of decisions made but not yet implemented by the Cabinet or Portfolio Holders and/or any Area Committees.

(v) Consider any matters that arise through the "Community Call for Action" or that are referred to Scrutiny from Area Committees. NOTE: Where new Scrutiny duties are imposed on the Council the Head of Legal and Democratic Services may allocate them to a suitable existing Scrutiny Committee in consultation with the Group Leaders except where legislation requires the establishment of a separate Committee.

6.03 Specific functions

- (a) **Policy development and review.** 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, community and other consultation in the analysis of policy issues and possible options;

- (iii) consider, encourage and enhance community participation in the development of policy options;
- (iv) question members of the Cabinet and/or Committees and senior and appropriate officers about their views on issues and proposals affecting the area; and
- (v) 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.

Note: The Council would normally expect policy development to be initially formulated by the Overview Groups, but accepts the right of Scrutiny Committees to call in any of these policies when they are the subject of decision by the Cabinet or to review how they are working after implementation. In some instances the Council or the Cabinet may refer overview and policy matters to Scrutiny Committees either before or after implementation.

(b) **Scrutiny.** Scrutiny Committees may:

- (i) review and scrutinise the decisions made by and performance of the Cabinet and/or Committees 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 Cabinet and/or Committees and senior or appropriate 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 Cabinet and/or appropriate Committee and/or Council 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 Scrutiny Committee and local people about their activities and performance;
- (vi) question and gather evidence from any person with their consent; and
- (vii) conduct research, community and other consultation.

6.04 Proceedings of Scrutiny Committees

Scrutiny Committees will conduct their proceedings in accordance with the Scrutiny Procedure Rules set out in Part 4 of this Constitution.

6.05 Use of Forward Plan

Scrutiny Board and Committees should use the Forward Plan of the Council where appropriate in determining the work programme.