

Overview and Scrutiny Committees: Draft Terms of Reference

Please refer to the Overview & Scrutiny Procedure Rules in Part 4 of the Constitution for details on composition, membership, eligibility, powers and duties.

1. General Role

1.1. The Council will appoint two Overview & Scrutiny Committees with the following functions. Each Overview & Scrutiny Committee will:

- 1.1.1. review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- 1.1.2. make reports and/or evidence based recommendations to the Council and any committee or joint committee in connection with the discharge of any functions;
- 1.1.3. consider any matter affecting the area or its inhabitants;
- 1.1.4. make reports and/or evidence based recommendations to the Council and/or its Committees and/or any joint committee on matters which affect the Council's area or the inhabitants of that area; and
- 1.1.5. exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Hub Committee.

2. Specific functions

Each Overview and Scrutiny Committee may (within its own thematic area):

2.1. Policy development and review

- (i) review existing policy and recommend changes to such policy or the creation of new policy;
- (ii) assist the Council in the development of its **Budget and Policy Framework** by in-depth analysis of policy issues;
- (iii) conduct research, involve the community and carry out other consultation in the analysis of policy issues and possible options;
- (iv) consider and implement ways to encourage and enhance community participation in the development of policy options;

- (v) question members of committees and senior officers about their views on issues and proposals affecting the area; and
- (vi) 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.

In so doing, Overview and Scrutiny Committees will be able to:

- (a) Select significant issues to investigate, which are both strategic and linked to the Council's Corporate Priorities;
- (b) Undertake pre-investigation project planning: drawing up terms of reference, plan for research methods to be used, timescales, officer support and reporting mechanisms;
- (c) Involve partners, the public and outside experts: this can take the form of presenting orally or in writing evidence around the topic under investigation;
- (d) Report findings and make evidence based recommendations to the appropriate Committee;
- (e) Follow up on action agreed to ensure that Overview and Scrutiny Committee decisions have been implemented.

The focus of a policy development and review exercise could be on:

- Whether the intended policy outcomes have been achieved;
- Whether services have been taken up by the intended client group;
- Processes used in service delivery;
- Assessing whether service provision is addressing the needs of the community;
- How satisfied customers are with current service provision;
- Whether resources are allocated effectively for the service.

The policy development and review function could be discharged in a number of ways including:

- Meetings of the relevant whole Overview and Scrutiny Committee;
- Task and Finish Review Groups comprised of a selection of Overview and Scrutiny Committee Members, as well as potentially other co-opted Member (e.g. external experts), members of the community and the relevant lead Hub Committee Member.

2.2. Scrutiny

- (i) hold the Hub Committee Members to account;
- (ii) review and scrutinise the performance of committees and Council officers and decisions made 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 committees and senior 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 when necessary;
- (iv) exercise the right to call-in, for re-consideration, decisions made but not yet implemented by any committee, where appropriate;
- (v) make evidence based recommendations to the appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (vi) review and scrutinise, with or without others, the performance and activities of other public bodies in the area on any relevant, general or specific issue;
- (vii) question and gather evidence from any person (with their consent) when necessary; and
- (viii) exercise overall responsibility for the work programme of the officers employed to support their work.

2.3. Partnership arrangements

The Overview and Scrutiny Committees shall be responsible for the monitoring of partnership arrangements in accordance with the Council's Partnership Policy.

2.4. Joint Working

Subject to the agreement of both respective Chairmen, the Overview and Scrutiny Committees shall have the ability to establish joint task and finish groups with South Hams District Council Members to consider (any) cross-cutting issues that are of significant interest or concern to both councils.

2.5. Finance

The Overview and Scrutiny Committees shall exercise overall responsibility for the finances made available to them.

2.6. Annual report

The Overview and Scrutiny Committees shall report annually to Council on its workings and make evidence based recommendations for future work programmes and amended working methods if appropriate.

3. Broad Thematic Area of each Overview & Scrutiny Committee

Overview & Scrutiny Committee	Thematic Area:
Internal	To consider and scrutinise how the Council is performing as an organisation (e.g. performance, culture, internal policies and organisation strategies (including T18)).
External	To consider and focus on the impact the Council and its partners are making on our customers and communities (e.g. the Health and Wellbeing agenda and Community Safety).

Proceedings of Overview and Scrutiny Committees

The Overview and Scrutiny Committees will conduct their proceedings in accordance with the [Overview and Scrutiny Procedure Rules](#) set out in Part 4 of this Constitution.