

## **APPENDIX 1a**

### **OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE (CONTINUED)**

#### **(Council Constitution Part 2 “Articles of the Constitution”, Article 6 - Overview and Scrutiny Committee and Scrutiny Panels)**

#### **Article 6 - Overview and Scrutiny Committee and Scrutiny Panels**

##### **6.01 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 or regulations made under section 32 of that Act; by sections 119 to 128 of the Local Government and Public Involvement in Health Act 2007; and by the Police and Justice Act 2006 as the Council’s Crime and Disorder Committee.

The Committee will appoint a standing Sub-Committee to discharge the Council’s functions under the Health and Social Care Act 2001 to be known as the Health Scrutiny Panel; it will also appoint such other Sub-Committees or Scrutiny Panels as the Committee considers appropriate from time to time to carry out individual reviews under the Overview and Scrutiny work programme.

##### **6.02 General Role**

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

- (i) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions.
- (ii) Advise the Cabinet of key issues/questions arising in relation to reports due to be considered by Cabinet.
- (iii) Make reports and/or recommendations to the full Council and/or the Executive in connection with the discharge of any functions.
- (iv) Consider any matter affecting the area or its inhabitants.
- (v) Exercise the right to call in, for reconsideration of decisions made but not yet implemented by the Executive.
- (vi) Refer any report it receives with implications for ethical standards to the Standards Committee for its consideration.

### 6.03 Specific Functions

- (a) **Policy Development and Review.** The Overview and Scrutiny Committee:
- (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, consultation with the 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/or Committees and chief officers about their views on issues and proposals affecting the area.
  - (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.
- (b) **Scrutiny.** The Overview and Scrutiny Committee and the Scrutiny Panels may:
- (i) Review and scrutinise decisions made by the Executive and the performance of the Executive 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 and performance targets and/or particular service areas.
  - (iii) Question members of the Executive and or Committees 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/or appropriate Committees 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 relevant scrutiny body and local people about their activities and performance.

- (vi) Question and gather evidence from any person.
- (c) **Finance.** The Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to it.
- (d) **Annual Report.** The Overview and Scrutiny Committee must report annually to full Council on its work.

#### **6.04 Allocation of Responsibilities**

The Overview and Scrutiny Committee will have a strategic and co-ordinating role over the Council's scrutiny function and also consider executive decisions 'called-in' as detailed in Part 4 of this constitution.

The Overview and Scrutiny Committee will select from among its Councillor Members six Lead Scrutiny Members, one for each of the following themes:

- A safe and supportive community
- A great place to live
- A prosperous community
- A healthy community
- Excellent public services
- One Tower Hamlets

The Health Scrutiny Panel shall have responsibility for scrutiny of the local health service, in accordance with the provisions of the Health and Social Care Act 2000. This will be a standing Sub-Committee and will meet at least four times a year.

It shall:

- a) review and scrutinise matters relating to the health service within the Council's area and make reports and recommendations in accordance with any regulations made thereunder;
- b) respond to consultation exercises undertaken by an NHS body; and
- c) question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of services.

The Scrutiny Lead Member for a healthy community shall be appointed as a Member and Chair of the Health Scrutiny Panel.

Other Scrutiny Panels may be established by the Overview and Scrutiny Committee in line with its work programme and will consider specific reviews, their terms of reference to be set by the Committee.

### **6.05 Reports**

The Overview and Scrutiny Committee will report to full Council, Cabinet or the appropriate Cabinet member and make recommendations, as appropriate. All reports and/or recommendations of Scrutiny Panels shall first be considered by the Overview and Scrutiny Committee before being reported to full Council, Cabinet or the appropriate Cabinet member, as appropriate.

### **6.06 Proceedings of Scrutiny Panels**

The Overview and Scrutiny Committee and its Scrutiny Panels will generally meet in public and conduct their proceedings in accordance with the Procedure Rules in Part 4 of this Constitution.