

Section 6

Scrutiny Committee

6.1 GENERAL TERMS OF REFERENCE

The Council will appoint, in accordance with legislation an Overview & Scrutiny Committee (referred to as “the Scrutiny Committee”).

Every Member of Cannock Chase District Council is eligible to be member of the Scrutiny Committee except those who are members of the Cabinet.

Membership of the Scrutiny Committee will be subject to the requirements as to political balance set out by Section 15 of the Local Government and Housing Act 1989 (as amended).

In accordance with the Local Government Act 1972 and the Local Government and Housing Act 1989, a member of Staffordshire County Council shall be appointed as a co-opted member to the Scrutiny Committee for the purposes of scrutinising the performance of the Staffordshire Local Area Agreement. In turn, the Chairman of the Scrutiny Committee (or his nominee) shall be appointed as a co-opted member to that Committee(s) (or relevant Sub-Committee) of Staffordshire County Council with equivalent responsibility for scrutinising the Staffordshire Local Area Agreement.

6.2 GENERAL ROLE

The Scrutiny Committee will:

- i) exercise the right to ‘call-in’ for consideration the decisions made but not yet implemented by the Cabinet;
- ii) be available for consultation in accordance with the Budget and Policy Framework Procedure Rules;
- iii) co-opt such representatives onto the Scrutiny Committee in accordance with (a) and (b) below:
 - (a) as the Scrutiny Committee deems appropriate, co-opt such representatives onto it membership. However, such co-optees shall not have the right to vote and shall not constitute a “member” for the purposes of a quorum. The

co-optee shall be an advisory appointment only, other than a Staffordshire County Council (SCC) co-optee for the scrutiny of health matters relating to the District where such a co-optee shall have a vote;

- (b) if the Scrutiny Committee considers it appropriate, co-opt the SCC Performance and Policy Sub-Committee representative onto the Scrutiny Committee. The co-optee shall be an advisory appointment only.
- (iv) performance manage the Corporate Improvement Priority Delivery Plan ('PDP')
- (v) review and scrutinise current Council policies and consider future policy development particularly arising from 6.2 (iv) above;
- (vi) be available for consultation as required by the Council's Performance Management Framework concerning any proposed changes to actions and/or targets set out in any Priority Delivery Plan(s);
- (vii) receive and review, having regard to the Council's Performance Management Framework, the Council's Annual Performance Management report;
- (viii) scrutinise and review, as considered necessary, the Council's community consultation, engagement and empowerment arrangements;
- (ix) deal with any issues or matters referred to it in pursuance of the Local Government and Public Involvement in Health Act 2007 as it considers appropriate (which shall include but not be limited to establishing a 'councillor call for action' protocol);
- (x) consider any reports and/or recommendations received from a Policy Development Committee;
- (xi) monitor, review and/or scrutinise:
 - a. the performance of the Council and its Local Strategic Partners;
 - b. cross-cutting issues in relation to the discharge of the Council's functions;
 - c. any matter relating to the planning, provision and operation of health services in the District by

organisations and institutions charged with delivering health services in pursuance of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 and associated legislation.

- (xiii) make reports and/or recommendations to Council and/or Cabinet in connection with the discharge of any functions;

6.3 SPECIFIC FUNCTIONS

The Scrutiny Committee may:

- i) review and scrutinise executive decisions made by the Cabinet in accordance with the 'call-in' procedures set out in Part 4 (Section 43) of this Constitution;
- ii) make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- iii) in undertaking 6.3 i) and ii), question members of the Cabinet and Chief Officers about their decisions, whether generally having regard to the District Delivery Plan, Corporate Plan, Priority Delivery Plans, service plans and targets over a period of time, or in relation to particular decisions;
- iv) question and gather evidence from any person (with their consent) deemed reasonably necessary to discharge its role and functions.
- v) consider and in its discretion support any recommendations received from a Policy Development Committee to the Cabinet, Council, and/or the Local Strategic Partnership;
- vi) review and scrutinise health issues affecting the district as deemed necessary;
- vii) As deemed necessary and appropriate:
 - a. review and scrutinise:
 - i. cross-cutting issues in relation to the discharge of the Council's functions including the Council's performance in the broadest sense;
 - ii. in accordance with the legislation other public bodies in the area (including the Local Strategic Partnership),

invite reports (both written and oral) from them and invite them to address the Scrutiny Committee about their activities and/or performance;

iii. the performance of the Council, Cabinet and Chief Executive, Deputy Chief Executive and Directors in relation to Council priorities, policy objectives, performance targets and/or particular service areas;

b. question members of the Cabinet and Chief Officers about their performance in relation to significant and/or major initiatives or projects;

(viii) In discharging its performance management function: -

(a) Review and scrutinise the performance of the Cabinet and Chief Officers in relation to performance & partnership matters;

(b) Review and scrutinise the performance of the Council in relation to its performance targets and/or particular service areas;

(c) Review and scrutinise the performance of the Chase Community Partnership in relation to its performance targets as set out in the Staffordshire Local Area Agreement and the Sustainable Community Strategy.

(d) Question members of the Cabinet, Chief Officers and partners about their decisions and performance, whether generally or in comparison with service plans and targets over a period of time, or in relation to particular initiatives or projects.

6.4 PROCEEDINGS OF THE SCRUTINY COMMITTEE

The Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 (Section 43) of this Constitution.