

Overview and Scrutiny Committee

DRAFT Terms of Reference

November 2020

Description

The Overview and Scrutiny Committee (the Committee) is a politically balanced Non-Executive Committee of Council. While the Council operates an Executive form of governance the establishment of an Overview and Scrutiny Committee is a statutory requirement in order to discharge the functions conferred by the Localism Act 2011 and other relevant legislation. The Committee is accountable to Council and will report annually to Council on its activities during the previous year.

The Committee will offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance.

Purpose

The purpose of the Overview and Scrutiny Committee is to:

- (a) hold local decision-makers, including the Council's Executive and the Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- (b) review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (c) contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (d) explore any matters affecting Nottingham and/ or its citizens
- (e) make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- (f) review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure.

Objectives

The Overview and Scrutiny Committee will:

- (a) develop and manage a work programme to ensure all statutory and other roles and responsibilities are fulfilled to the required standard and which covers review and development of key strategic issues, policies and strategies relevant to Nottingham and its residents, and which adds value through the examination of issues of local importance and concern, in accordance with the scope and approach set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution
- (b) monitor the effectiveness of that work programme and the impact of outcomes from overview and scrutiny activity
- (c) regularly review the decisions, actions and performance of the Council's Executive and other relevant local decision makers, including the Council's group of companies, in order to fulfil its role in holding those decision makers to account. This role will be co-ordinated with those of the Audit Committee and the Companies Governance Executive Sub-Committee.

- (d) receive petitions in accordance with the Council's Petitions Scheme
- (e) consider any relevant matter referred to it by any of its members and consider any relevant local government matter referred to it by any Nottingham City Councillor.

The Overview and Scrutiny Committee has no decision making powers but has the power to:

- (a) require members of the Council's Executive, and certain other local decision makers, to: provide information to the Committee, to attend meetings, and answer questions posed by the Committee in relation to their Executive role
- (b) invite other persons to attend meetings of the Committee to provide information and/ or answer questions
- (c) make recommendations and provide reports to relevant decision makers, and in particular the Council's Executive, on matters within their remits. The Council's Executive and other relevant decision makers have a duty to respond in writing to such recommendations within two months of receipt.

The Overview and Scrutiny is required to consider Crime and Disorder matters at least once every Municipal Year:

Further detail on the rules and procedures relating to Overview and Scrutiny, including the Call-in Procedure, can be found in the Overview and Scrutiny Procedure Rules contained within Part Four of this Constitution.

Sub-Committees

The Overview and Scrutiny Committee may choose to establish sub-committees to discharge any of its functions.

A standing Overview and Scrutiny Call-in Sub-Committee will be established to review decisions taken but not yet implemented by the Council's Executive in accordance with the Call-in procedure outlined in the Overview and Scrutiny Procedure Rules in Part Four of this Constitution.

Note: Separate Committees will be established by Council for the scrutiny of health and social care and the scrutiny of issues related to children and young people. These are not sub-committees this Committee.

Membership and Chairing

The Overview and Scrutiny Committee has 12 members.

Members of the Executive are excluded from membership of the Committee

Executive Assistants responsible for assisting on a Portfolio within the remit of this Committee are excluded from membership of the Committee.

The Chair of the Committee will be appointed by Full Council at its Annual General Meeting. If the Chair changes in year, the Committee will appoint a Chair for the remainder of the Municipal Year at its next available meeting.

The Chair cannot be a Chair of the Board of any of the Council's Group of companies.

The role of Vice Chair will be held jointly by the Chair of the Health Scrutiny Committee and the Chair of the Children and Young People Scrutiny Committee.

The Overview and Scrutiny Committee may choose to appoint non-Councillor members to the Committee or its sub-committees. Voting arrangements for co-optees will be in accordance with Paragraph 12 of Schedule 1 to the Local Government Act 2000 (as amended by section 115 of the Local Government Act 2003) as outlined in a procedure approved by Council and included in the Overview and Scrutiny Procedure Rules.

Substitutes

Substitute members are permitted for this committee.

Quorum

The standard quorum for Council committees applies to this committee.

Frequency of Meetings

The Overview and Scrutiny Committee will meet a minimum of three times per year. The usual frequency of meetings will be once a month, with the exception of August.

Duration

There is no limit on the lifespan of the Overview and Scrutiny Committee.