

North East Derbyshire District Council

Council

31 July 2023

The Council's Scrutiny Committees - Terms of Reference

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

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PURPOSE / SUMMARY

To present the Scrutiny Committees Terms of Reference to Council for approval.

RECOMMENDATIONS

1. That the attached Terms of Reference and the Scrutiny Protocol for the Scrutiny Committees are approved.

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Scrutiny Committees are required to have Terms of Reference. As there has been a review of the Scrutiny function alongside the development of the Council Plan and the change to the Scrutiny structure, it has been necessary to review the Scrutiny Terms of Reference.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

Not immediately

There is a need to review the capacity of the Senior Scrutiny Officer to work for 4 Scrutiny Committees instead of 3.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None significantly
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input checked="" type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: as well as the four Scrutiny Committees

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

The Terms of Reference have links to all the objectives, strategies and tactics in the Council Plan.
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REPORT DETAILS

1 **Background** (reasons for bringing the report)

1.1 As Members are aware from an earlier item on the agenda, a new Council Plan has been developed covering the next 4 years.

- 1.2 Part of the work on this has included a review of the Scrutiny Committees and their functions. As Members are aware, the structure of the Scrutiny Committees was reviewed and the new Scrutiny Committees were agreed at the Annual Council Meeting in May 2023.
- 1.3 Terms of Reference for the new Scrutiny Committees were not at the time developed.
- 1.4 As part of the continuing development of the new Council Plan, the four Scrutiny Committees have been briefed on the emerging Council Plan and on their role in relation to it. This included consideration of the draft Scrutiny Committees Terms of Reference and Scrutiny Protocol.
- 1.5 Standards Committee has also considered the new Terms of Reference and the Scrutiny Protocol and recommended them for approval by Council.

2. Details of Proposal or Information

- 2.1 Attached at the Appendix are the draft Scrutiny Committees Terms of Reference and the Scrutiny Protocol that have been informally presented to the four Scrutiny Committees and formally to Standards Committee.
- 2.2 These show the place the Scrutiny Committees will have in relation to the Council Plan and their role in the “connecting thread” in relation to the Council Plan and its implementation and monitoring the results.
- 2.3 These Terms of Reference also include a new enhanced role in policy development and review in relation to all policies which do not form part of the Council's Budget and Policy Framework. Traditionally it has not been the Scrutiny Committees role to play a significant role in policy development and review at the Council. The review includes putting this role firmly with the Scrutiny Committees.

3 Reasons for Recommendation

- 3.1 In order that the Scrutiny Committees can function, it is necessary for them to have approved Terms of Reference. At the moment there are no Terms of Reference for these Committees.
- 3.2 The role of the Scrutiny Committees should be aligned with the Council Plan to ensure effectiveness of their contribution. However this would not prevent the Committees considering other issues outside the Council Plan where there is a proven need.

4 Alternative Options and Reasons for Rejection

- 4.1 Not to re structure the Scrutiny Committees to become part of the connecting thread with the Council Plan. This was rejected as Council had already approved the new structure for the Scrutiny Committees.

DOCUMENT INFORMATION

Appendix No	Title
	The draft Scrutiny Committees' Terms of Reference and Scrutiny Protocol
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	
None	