

## **Section 21 of the Constitution: The Functions Scheme**

### **Appendix 1 – Committee Terms of Reference**

#### **1. Scrutiny Committees**

The Council has established four Scrutiny Committees, with nine Members on each. The Committees are:

- a) Communities Scrutiny Committee (responsibilities focussed upon housing, the public realm and leisure activities)
- b) Business Scrutiny Committee (responsibilities focussed upon our business and employment opportunities)
- c) Environment Scrutiny Committee (responsibilities focussed upon our environmental improvement and tackling climate change)
- d) Services Scrutiny Committee (responsibilities focussed on providing excellent services both ourselves and influencing partners)

In addition, Council has also established a special Joint Scrutiny Committee, consisting of the Members of the four Scrutiny Committees. The Joint Scrutiny Committee will meet as and when required to scrutinise cross-cutting issues, such as the Council's Budget.

All Councillors, except Members of the Cabinet, may be Members of a Scrutiny Committee. Members of the Scrutiny Committees will be appointed annually at the Annual Council meeting.

The Scrutiny Committees will operate in accordance with the Council Procedure Rules, as set out in Section 10 of the Constitution. The arrangements for the Call-In of Key Decisions is set out on page 82 of the Constitution. Scrutiny's role is to consider and make recommendations to the Cabinet.

#### **The role of the Scrutiny Committees**

The role of Scrutiny Committees in helping deliver the outcomes of the Council Plan are key – they will provide the 'checks and balances' on the effective delivery of the plan and undertake reviews and targeted work where necessary in support of the successful delivery of the plan. For this to best be achieved, alignment with the objectives of the plan and the Committees is established so that each Committee have a clear 'focus' individually and collectively, all Scrutiny Committees will ensure a comprehensive coverage and connection to all aspects of the Council Plan.

The new Council Plan is intended to be a 'dynamic' plan, a non-static plan, one that can flex and adapt to meet the challenges and maximise the opportunities of the day. With Scrutiny Committees being aligned to the Plan, there will be an additional 'connecting thread' running through the organisation from the 'frontline' right the way through to Council – this will complement the Performance

Management Framework, help with transparency and organisational clarity of purpose and add another source of momentum to the operating environment

This alignment to the Plan and the key objectives will allow the whole organisation to 'flex and change' as one system as and when we need to act or react. This organisational connectivity and agility will help ensure the Council is best placed to 'collectively' deliver the positive outcomes for the communities that we serve.

The main role of the Scrutiny function is to hold the Executive (the Cabinet) to account for its decisions and to monitor the overall performance of the Council. Scrutiny makes its own decisions in relation to its programme. However, as the Council's key policy is the Council Plan for the 4 year term, the Scrutiny Committees should be heavily involved in its development, review and the Council's performance against the Plan.

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### **Protocol for Overview and Scrutiny in the Council**

*This Protocol sets out the role, purpose and operational arrangements for the Overview and Scrutiny Committees.*

At its Annual Meeting on 22 May 2023 Council agreed to establish four Scrutiny Committees. These are:

- (a) The Business Scrutiny Committee
- (b) The Communities Scrutiny Committee
- (c) The Environment Scrutiny Committee
- (d) The Services Scrutiny Committee

Subsequently, Council also established a special Joint Scrutiny Committee, comprising the Members of all four Scrutiny Committees. This Joint Scrutiny Committee will meet as and when required, in order to scrutinise cross-cutting issues, such as the Council's Budget.

Council recognised that although it would be a matter for the Members of each Committee to determine their specific workloads, they should all seek to carry out their remit during the Municipal Year by:

- (i) Considering decisions taken by Cabinet and Council;
- (ii) Monitoring and seeking explanation of how specific Council and partner organisation services are performing as against the Council Plan
- (iii) Providing a 'Sounding Board' for proposed policy developments and an assessment of their likely contribution to delivering the Council Plan goals and specific targets; and
- (iv) 'Horizon Scanning' to consider and contribute to potential changes in the operating environment which may include legislation, regulation and key projects being undertaken by the Council for example.

In undertaking this work, the Committees have been asked to keep the following in mind. The aim is that by doing so, the Committees will be able to use the

information which they have obtained to help answer the bigger questions about how we are performing as an organisation and whether the Council Plan is being delivered. The remits are aligned to the Committee's specific area within the Council Plan.

### **The Business Scrutiny Committee – Council Plan Responsibilities**

#### **A community with a diverse range of commutable employment that match the skills of residents**

- Work with partners to match and develop local skills with local businesses employment need.

#### **A community with growing commutable employment opportunities**

- Support existing businesses (including the Council) to maintain and grow the workforce
- Support new businesses to start creating employment
- Attract new businesses to the area which brings new jobs

Key Questions for Scrutiny:

#### **Does the committee have assurance that the strategies in the Council Plan are being delivered?**

Prompts:

- What has been presented to demonstrate this?
- Is any data presented robustly evidenced?
- Is there, where appropriate, independent verification of the data and/or benchmarking data? (*this is a good "can opener" to help us measure ourselves against peers and the sector*)
- Is the right information available?
- Are there improvement recommendations for Cabinet to consider?  
Is this feedback being listened to and acted on?

### **The Communities Scrutiny Committee– Council Plan Responsibilities**

#### **A community with lifelong good health**

- Maximise opportunities for residents of all ages and abilities to participate in physical and social activity
- Directly or in partnership reduce health inequality supporting public health DCC and other partners to deliver targeted programmes in the district
- Assist residents in ensuring their homes are suitable and meet their health needs
- Protect the public from ill health caused by environmental factors and business operations

#### **A Place to live that people value**

- Develop and continually improve the quality and range of housing providing a nice home and area for all residents to meet all needs
- Well maintained public realm that connects our communities
- Directly and with partners improve where people live to ensure they are safe clean functional and attractive

#### **A Place where people enjoy spending time**

- Improve and promote places and attractions to spend leisure time
- Develop and promote the local offer to ensure high quality diverse range of activities and place to spend time

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#### **The Environment Scrutiny Committee– Council Plan Responsibilities**

##### **Increase Biodiversity across the District**

- Assist and influence other public partners, residents, and businesses to utilise their assets to improve biodiversity
- Where appropriate utilise council assets to improve biodiversity

##### **Reduce Pollution Across the District**

- Assist and influence other public partners, residents, and businesses to utilise their assets to reduce pollution
- Develop policies and plans which require/encourage alternatives to car usage
- Directly with partners and residents reduce litter and pollution from waste

Key Questions for Scrutiny:

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Prompts:

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- Is the right information available?
- Are there improvement recommendations for Cabinet to consider?
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### **The Services Scrutiny Committee– Council Plan Responsibilities**

#### **Continually improve council services to deliver excellence and value for money**

- Financially responsible and efficient
- Ensure good governance and transparency in all we do
- Listen to customers to improve services
- Modernise and innovate service to continually improve
- Maintain a motivated and skilled workforce

#### **Assist and influence other public partners to improve their services in the district**

- Actively participate, nurture relationships, and maximise benefits for NE residents in partnerships such as health economy and resilience
- Directly assist businesses and residents to access all available public services and support
- Collate and analyse district wide data to inform improvements

Key Questions for Scrutiny:

#### **Does the committee have assurance that the strategies in the Council Plan are being delivered?**

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- Is there, where appropriate, independent verification of the data and/or benchmarking data? (*this is a good "can opener" to help us measure ourselves against peers and the sector*)
- Is the right information available?
- Are there improvement recommendations for Cabinet to consider?
- Is this feedback being listened to and acted on

#### **Policy Development**

Scrutiny will have an especially important role to play as a 'Sounding Board' on Policy Development. In particular:

- Any policy which forms part of the Budget and Policy Framework will be referred to the relevant Scrutiny Committee or Committees by Cabinet for consideration before it is submitted to Council.

- The relevant Scrutiny Committees will be proactively engaged by Cabinet in the development of all major policies or to changes of policy for the Scrutiny Committee's area of responsibility. And
- All Council motions recommending a substantial change to policy will be referred to the relevant Scrutiny Committee for consideration **before** they are considered by Council. This will be done automatically in accordance with the Council Procedure Rules.

The Budget and Policy Framework contains those policies which by law must be determined by Council following proposals by the Executive and consideration of the proposals by Scrutiny. These policies are listed below. The Council has chosen to add other policies to this list.

- MTFP, including borrowing, capital expenditure and investments
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Plans and alterations which together comprise the Development Plan.

### **Officers and Members Working Together to Support Scrutiny**

The Scrutiny Committees have a vitally important part to play in the life of the Council. In recognition of this Cabinet Portfolio Holders, Statutory Officers and Directors and the officers who make up the Council's Senior Management Team have all committed to working in a co-operative and productive way with the Scrutiny Committees. They will attend Committee meetings, when requested, provide appropriate advice and assistance, when this is needed and seek to always ensure effective scrutiny within the Council. Portfolio Holders and the Senior Management Team will be regularly informed of the work of the Scrutiny Committees.

The Scrutiny Chair and Vice Chairs and Members of the Committees have also agreed to conduct their meetings in an open, transparent, courteous and non-party political way.

Scrutiny is asked to provide a report annually to a meeting of Council which outlines their work over the course of the past Municipal Year.