

ARTICLE 6 - TERMS OF REFERENCE COMMON TO ALL SCRUTINY COMMITTEES

6.01 Terms of Reference Common to All Scrutiny Committees

The terms of reference set out below in relation to all Scrutiny Committees shall apply to each of those Committees as follows:-

Confident Council Scrutiny Committee – decisions, functions, projects, programmes and services relating to the Deal 2030, falling within the corresponding Cabinet portfolios, managed by the Resources Directorate, of a corporate nature or not specific to any of the Scrutiny Committees;

Children and Young People Scrutiny Committee – decisions, functions, projects, programmes and services relating to the Deal 2030, falling within the corresponding Cabinet portfolios and managed by the Director for Children’s Services;

Health and Social Care Scrutiny Committee – decisions, functions, projects, programmes and services relating to the Deal 2030, falling within the corresponding Cabinet portfolios and managed by the Director for Adult Social Care and Health, including scrutiny of the Health Service under Section 7 of the Health and Social Care Act 2001; and

Confident Place and Environment Scrutiny Committee – decisions, functions, projects, programmes and services relating to the Deal 2030, falling within the corresponding Cabinet portfolios, or managed by the Places Directorate.

All Scrutiny Committees

- (a) Discharge the functions conferred by section 21 of the Local Government Act 2000 and associated regulations, which are:
- (i) To review and scrutinise decisions made by the Cabinet and the authority.
 - (ii) To make reports or recommendations to the authority or Cabinet with regard to the discharge of the Council’s functions or in relation to matters that affect the authority’s area or the inhabitants of the area.
 - (iii) To “call-in” any decision which has been made by the Cabinet, Portfolio Holder (and any Key Decision made by an Officer) but not yet implemented to consider if the decision is appropriate in accordance with the Overview and Scrutiny Procedure Rules and the Call-In Protocol.
- (b) Hold Portfolio Holders to account for the services within their remit.
- (c) Consider Councillor Calls for Action.
- (d) Consider Petitions.

- (e) Monitor performance in relation to corporate objectives and the overall benefit to the public from services provided by the Council and other organisations.
- (f) Review and monitor performance, policy development and implementation with regards to the key programmes/projects and prepare an annual work plan.
- (g) Select and organise task and finish work groups to monitor progress of key programmes/projects.

6.02 GENERAL ROLE

Within their terms of reference and guidelines the Scrutiny Committees will:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's or Other Body's functions;
- (b) undertake reviews and make reports and/or recommendations to the full Council and/or the Executive or Other Body in connection with the discharge of any functions. Each review should:
 - (i) accord with the following process –
 - understand,
 - plan
 - gather evidence
 - scrutinise
 - prepare reports
 - (ii) only address issues relevant to the functions of the Council and any other body the Council is authorised to scrutinise (Other Body)
 - (iii) allow Members to have the right to appear before a Scrutiny Committee and give their evidence and opinions
 - (iv) demonstrate added value to the Council's or Other Body's functions
- (c) monitor constructively the activities of relevant partnerships and external organisations
- (d) consider any matter affecting the area or its inhabitants.

6.03 SPECIFIC FUNCTIONS

- (a) **Policy development and review.** Within their terms of reference the Scrutiny Committees will:
 - (i) assist the Council and the Executive or Other Body in the development of its Budget and Policy Framework by in-depth analysis of policy issues;

- (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
 - (iii) undertake reviews relevant to the functions within their terms of reference including reviews arising from performance issues, Councillor Calls for Action and Petitions;
 - (iv) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (v) question Members of the Executive and appropriate Committees and Chief Officers of the Council or the Other Body about their views on issues and proposals affecting the area; and
 - (vi) monitor the activities of and 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 Scrutiny Committees will:
- (i) examine and review the decisions made by, and the performance of, the Executive and Committees and Council Officers, both in relation to individual decisions and over time;
 - (ii) examine and review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - (iii) question Members of the Executive and 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 appropriate Committee and/or Council arising from the outcome of the scrutiny process;
 - (v) undertake the same activities as are set out at i) to iv) above in relation to an Other Body
 - (vi) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Committee and local people about their activities and performance; and
 - (vii) question and gather evidence from any person (with their consent).
- (c) **Finance.** The Scrutiny Committees will monitor the budgets of their relevant directorates.

- (d) **Annual report.** The Scrutiny Committees must report annually to the Executive and Full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- (e) **Officers.** The Scrutiny Committees will exercise overall responsibility for the work programme of the Officers employed to support their work.

6.04 Terms of Reference Specific to Individual Scrutiny Committees

Confident Council Scrutiny Committee

Co-ordinate and prepare the annual Scrutiny Report.

To discharge the Council's additional statutory responsibilities in terms of crime and disorder scrutiny under Sections 19 to 22 of the Police and Justice Act 2006, which includes reviewing and monitoring the Community Safety Partnership.

Health and Social Care Scrutiny Committee

Discharge the functions conferred by section 7 of the Health and Social Care Act 2001, Section 190 of the Health and Social Care Act 2012, the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, and any associated regulations.

6.05 PROCEEDINGS OF THE SCRUTINY COMMITTEES

The Scrutiny Committees will conduct their proceedings in accordance with the [Overview and Scrutiny Procedure Rules](#) set out in Part 4 of this Constitution and each may establish ad hoc task and finish groups, as required, to assist them in carrying out reviews.

6.06 GREATER MANCHESTER ARRANGEMENTS

The Council authorises the Greater Manchester Health Joint Scrutiny Panel to undertake the scrutiny of strategic, conurbation wide and cross boundary health services