



SCRUTINY COMMITTEE

Thursday 25 July 2019

SCRUTINY COMMITTEE'S TERMS OF REFERENCE AND PROCEDURE RULES

EXECUTIVE SUMMARY

1. The Scrutiny Committee is appointed to discharge the functions conferred on the Council by Section 21 of the Local Government Act 2000 and other relevant regulations; these include being the Council's designated Crime and Disorder Committee for the purposes of the Police and Justice Act 2006.
2. The East Suffolk Shadow Authority, at its meeting on 17 January 2019, adopted the East Suffolk Constitution. Part 2, section C of the Constitution sets out the Scrutiny Committee's Terms of Reference and Part 3 of the Constitution sets out its Procedure Rules.
3. The Scrutiny Committee is recommended to receive, note and adopt its Terms of Reference and Procedure Rules.

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Member:	Councillor Stuart Bird, Chairman of the Scrutiny Committee
Supporting Officer:	Hilary Slater Head of Legal and Democratic Services/ Monitoring Officer Hilary.slater@eastsuffolk.gov.uk

1 INTRODUCTION

- 1.1 Effective scrutiny helps to secure the efficient delivery of public services and helps to drive improvements. It is, therefore, vital that the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits that can result are understood.
- 1.2 The Scrutiny Committee has statutory powers (Section 9F of the Local Government Act 2000 and paragraph 1 of Schedule 5A of the Local Democracy, Economic Development and Construction Act 2009) to scrutinise decisions of the Executive and to be part of the Authority's drive for improvements.
- 1.3 The Centre for Public Scrutiny, established in 2003, further promotes the value of scrutiny in modern and effective government. The Centre has set out the four principles of good public scrutiny as:
 - *To provide a critical friend "challenge" to executive policy makers and decision-makers*
 - *To enable the voice and concerns of the public*
 - *To be carried out by "independent minded governors" who lead and own the scrutiny role; and*
 - *To drive improvement in public service*
- 1.4 In addition to receiving and noting the Committee's Terms of Reference and Procedure Notes, the Committee's members will also receive bespoke training to assist them in their role.

2 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 2.1 Scrutiny work can add real value by, for example, helping policy making and the effective delivery of public services. The importance and legitimacy of the scrutiny function is afforded by law and it should deliver work that is of genuine value and relevance to the wider strategic objectives of the Council.

3 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 3.1 There are no additional implications in relation to the Terms of Reference or to the Scrutiny Procedure Rules.
- 3.2 It is equally vital for there to be understanding of what the Scrutiny Committee's role does not include, for example, it does not deal with quasi-judicial or regulatory matters such as planning or licensing, except if there were a significant system issue. The Scrutiny Committee does not deal with issues that are, or should be, resolved by the separate corporate complaints procedure or through internal systems within the Council. The Committee does not deal with vexatious or discriminatory issues or matters that are not of wider community significance. The Scrutiny Committee does not become involved where there would be duplication of existing work, or if its review would be untimely or would not lead to effective

outcomes.

4 OTHER KEY ISSUES

- 4.1 An Equality Impact Assessment is not required as this report does not relate to services or major changes in policy etc.

5 CONSULTATION

- 5.1 There has been no specific consultation relating to the Terms of Reference or to the Scrutiny Procedure Rules.

6 OTHER OPTIONS CONSIDERED

- 6.1 Not applicable

7 REASON FOR RECOMMENDATION

- 7.1 To ensure the Scrutiny Committee remains able to focus on its statutory roles and functions.

RECOMMENDATION

1. That the Scrutiny Committee receives, notes and adopts its Terms of Reference and Procedure Rules, as set out in the Council's Constitution

APPENDICES

Appendix A	Scrutiny Committee's Terms of Reference
Appendix B	Scrutiny Committee's Procedure Rules

BACKGROUND PAPERS – NONE