

## Appendix 2

### Part 1 – Summary

#### 6. Scrutiny

Effective, independent and rigorous examination of the proposals and decisions made by the Cabinet are a significant feature of the Council's arrangements and provide a key role for non-executive members. Overview and scrutiny is the mechanism for holding Cabinet publicly to account. The Council has established ~~three~~ two Scrutiny Committees, the Community and Wellbeing Scrutiny Committee and, the Resources and Public Realm Scrutiny Committee ~~and the Housing Scrutiny Committee~~, to support the work of the Cabinet and the Council as a whole.

The Scrutiny Committees shall comprise 8 members of the Council who shall not be members of the Cabinet. The Community and Wellbeing Scrutiny Committee shall also comprise of 4 voting education co-opted members and 2 non-voting education co-opted members appointed in accordance with Standing Order 50. ~~The Housing Scrutiny Committee shall also comprise of 2 non-voting co-opted members.~~ Members, chairs and vice chairs of the Scrutiny Committees will be appointed by Full Council.

The Scrutiny Committees hold the Cabinet and others to account by scrutinising their decisions, examining performance and asking questions of decision-makers and service providers. Unless the decision is urgent, if the rules set out in Standing Order 14 have been followed, all Key Decisions and a decision which has been made by the Cabinet or by Cabinet Committees can be called in for scrutiny and will be considered by the relevant Scrutiny Committee.

They may recommend that the decision maker reconsider the decision but cannot block a decision indefinitely or impose their own views.

The Scrutiny Committees are also involved in strategic and cross-cutting issues by supporting the Cabinet in the development and review of policy, overseeing health matters, and reviewing the performance of other partners and the Local Strategic Partnership work programme.

The Scrutiny Committees will establish an annual work plan which identifies areas suitable for review and scrutiny and will establish commissions and or panels to undertake specific time limited work. The Scrutiny Committees will meet at regular intervals throughout the municipal year and will meet as and when required in relation to any Call in. An annual report on the activities of the Scrutiny Committees will be produced and published.

#### 7. Other Committees

In addition to the committees specifically mentioned above, the Council has established a number of committees and sub-committees to deal with, staffing,

planning, licensing, health, standards, safeguarding and pension related functions.

Some Council Committees include members who are not councillors. These are ~~the Housing Scrutiny Committee~~, the Community and Wellbeing Scrutiny Committee, the Pension Fund Sub-Committee, the Audit and Standards Advisory Committee, the Health and Wellbeing Board, and the Dismissal Advisory Panel.

- The Audit and Standards Advisory Committee includes up to 5 voting co-opted (Independent) members.
- The membership of the Community and Wellbeing Scrutiny Committee includes four voting and two non-voting education co-opted members. More information regarding the role of the education co-opted members is contained in the Standing Orders and in Part 4 of this Constitution.
- ~~The membership of the Housing Scrutiny Committee shall also comprise of 2 non-voting co-opted members.~~
- The membership of the Pension Fund Sub-Committee currently includes two non-voting co-optees: a College of North West London representative and a Council employee representative.
- The Dismissal Advisory Panel comprises three Independent Persons appointed to deal with Member Code of Conduct complaints under the Localism Act 2011.
- The Health and Wellbeing Board includes members who are not Councillors who are able to vote.

.....

A **Co-opted Member** means a person who is a member of any committee or sub-committee of the Council but is not a councillor or officer of the Council. Co-opted members generally do not have voting rights on committees, although statute permits certain co-opted members to vote, notably parent governor representatives and church representatives. There are 4 education co-opted members with voting rights on the Community and Wellbeing Scrutiny Committee. There are a further 2 education co-opted members on that committee without voting rights. The voting education co-opted members may only vote on education matters. ~~There are 2 non-voting co-opted members on the Housing Scrutiny Committee.~~ The Health and Wellbeing Board also includes co-opted members who have voting rights. There are 2 non-voting co-opted members on the Pension Fund Sub-Committee, up to 5 voting co-opted members on the Audit and Standards Advisory Committee. There are also up to 4 co-opted non voting members on the Corporate Parenting Committee. In addition, all 3 members of the Dismissal Advisory Panel are independent persons appointed under section 28(7) of the Localism Act 2011 and in accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

## **Part 4 – Terms of reference of committees**

### **Community and Wellbeing Scrutiny Committee**

#### **Specific Membership Rules**

In addition to the 8 councillors, the membership of the Community and Wellbeing Scrutiny Committee shall comprise of 4 voting education co-opted members (who may vote on matters relating to school education only) and 2 non-voting education co-opted members (who may not vote on any matter).

### **Remit**

Adult social care; Safeguarding; Children's services; Cultural services; Education; Health; Housing; Public Health and Wellbeing.

### **Specific Terms of Reference**

Discharge the functions of the Council under Part 4 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 in respect of the review and scrutiny of relevant NHS bodies or relevant health service providers including:

- reviewing or scrutinising any matter relating to the planning, provision and operation of the health service in the borough; and
- making reports or recommendations to the relevant NHS bodies or relevant health service providers or Full Council on any matter reviewed or scrutinised; however
- in response to any consultation by the relevant NHS bodies or relevant health service providers in respect of any proposal for a substantial development of the health service in the borough or for a substantial variation in the provision of such service, to make recommendations to Full Council only.

## **Resources and Public Realm Scrutiny Committee**

### **Remit**

Corporate policy, partnerships and resources; Budget; Customer services; Commercial services; Planning policy; Environmental policy; Public realm; Employment and skills; IT; Recycling; Regeneration; Transport and highways; Community safety; Property; Emergency planning and business continuity.

### **Specific Terms of Reference**

Review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities (as defined by section 5 of the Crime and Disorder Act 1998) of their crime and disorder functions and to make reports or recommendations to Full Council with respect to the discharge of those functions. This committee is therefore the "crime and disorder committee" for the purposes of section 19 of the Police and Justice Act 2006.

Review or scrutinise the exercise by risk management authorities (including the Council, the Environment Agency and water companies) of flood risk management functions which may affect the borough for the purposes of Part 1 of the Flood and Water Management Act 2010.

## **Housing Scrutiny Committee**

### **Specific Membership Rules**

In addition to the 8 councillors, the membership of the Housing Scrutiny Committee shall comprise of 2 non-voting co-opted members (who may not vote on any matter).

### **Remit**

Housing functions within the Community Wellbeing Department\* and Supported housing and floating support and Home adaptations.

\* Housing functions include Transfer of Brent Housing Partnership Ltd; Housing supply; Housing growth numbers; Temporary accommodation; Landlord licensing; Private rented sector; Housing policy; Homelessness and Registered providers.