

	<p style="text-align: center;">Full Council 11th September 2006</p> <p style="text-align: center;">Report from the Director of Policy & Regeneration and the Borough Solicitor</p>
<p>For Action Wards Affected: ALL</p>	
<p style="text-align: center;">Interim Report of the Constitutional Working Group</p>	

1.0 Summary

- 1.1 This report sets out the discussions and recommendations of the Constitutional Working Group (CWG) in relation to the operation and structure of Overview and Scrutiny for 2006-2010.
- 1.2 These recommendations are being reported to Full Council ahead of the other changes that the CWG expects to recommend, so that the new Overview and Scrutiny framework can be established as soon as possible.

2.0 Recommendations

- 2.1 That the Council agrees the proposed new Overview & Scrutiny structure as outlined in section 3 and detailed in appendix 2 and endorses the views of the Constitutional Working Group. In particular:
- That a Children and Families Overview and Scrutiny Committee be established in addition to the main Overview & Scrutiny Committee,
 - That four sub-committees of the main Overview & Scrutiny Committee be established, namely a Forward Plan Select Committee, a Performance and Finance Select Committee, a Health Select Committee and a Budget Panel,
 - That the Budget Panel's role is to assist in the budget process by providing detailed input during the Executive's development of its budget proposals
 - That each of the two Overview & Scrutiny Committees and the three Select Committees consist of eight members (plus an additional six co-

opted members in the case of the Children and Families Overview and Scrutiny Committee) and that the Budget Panel consist of six members,

- That the Chairs of the Overview & Scrutiny Committee, the Forward Plan Select Committee, and the Budget Panel be opposition members, and
- That the terms of reference of the various Overview & Scrutiny Committees and sub-committees be modified to reflect the new roles and structure.

2.1 That the threshold for calling in an Executive decision be set at 5 Non-Executive members.

2.2 That the Chairs of the Overview and Scrutiny committees and sub-committees each receive a Special Responsibility Allowance of £4,492 with effect from 15th September 2006 and to note that this amount will be reviewed by the CWG and that any increase subsequently agreed by the Council may be backdated to that date.

2.3 That Council authorise the Borough Solicitor to make such consequential changes to the Constitution as may be necessary to give effect to the changes agreed by Council.

3.0 Detail

Introduction

3.1 The Constitutional Working Group has agreed that, as a matter of urgency, an interim report which details the proposed Overview and Scrutiny model should be presented to Full Council. This report sets out the main discussion points of the CWG and provides details about the proposed Overview and Scrutiny structure, membership, chairs and vice chairs, frequency of meetings, call-in, allowances and terms of reference. It also provides details of the proposed pilot budget scrutiny process.

3.2 The final report of the CWG is due to be presented to Full Council in November 2006.

The Overview and Scrutiny Structure

3.3 During its operation the Overview & Scrutiny process has been kept under constant review. It was always envisaged that following the local elections Members would wish to reflect on its operation and in the light of experience make a number of changes.

3.4 There were a number of local and national imperatives which have led to the need to review Brent's Overview and Scrutiny model. Firstly there was a realisation by both members and officers that the split between overview and scrutiny had not fully worked as envisaged and there was a need for change to meet the current challenges facing the Council. Secondly the external view of our scrutiny arrangements provided by inspectors as part of Brent's Corporate Assessment 2006 had borne out these concerns and challenged Brent's existing model while providing a valuable aid to our review. Thirdly

there is also need to accommodate the introduction of new initiatives brought forward by the Government, including the Police and Justice Bill.

- 3.5 Members will be aware that Full Council has already taken the decision to abolish separate Overview and Scrutiny Committees and remitted to the CWG the job of reviewing the structure and bringing forward proposals for change.
- 3.6 In developing a new scrutiny model for Brent the CWG was keen to ensure that it would:
- Challenge the Executive
 - Contribute to policy development
 - Contribute to decision making
 - Monitor performance including the performance of external contractors
 - Monitor financial probity
 - Scrutinise partners
- 3.7 It was recognised that some parts of the existing structure had worked well and should be retained. Specifically these were the Forward Plan Select Committee, the Performance and Finance Select Committee and the Health Overview Panel (to be re-constituted as a select committee). It was also recognised that other parts of the existing structure had not fulfilled their role and needed to change, in particular the service based scrutiny panels had not had the impact that had been envisaged when they were set up. There were a number of reasons identified for this which included: the remit of the panels had encouraged 'silo' working, the work programmes lacked focus with little member involvement, and there was little support provided to them other than the limited support provided by the service areas.
- 3.8 The work of the task groups in developing and reviewing policy was viewed as being one of the successes of the old structure and the CWG felt these should be a key component of the new Overview and Scrutiny model.
- 3.9 The proposed structure comprises a main Overview & Scrutiny Committee, a dedicated Children and Families Overview and Scrutiny Committee and four sub-committees of the main Overview & Scrutiny Committee, namely Forward Plan, Performance and Finance, Health and Budget. This will ensure that the best of the old arrangements are kept, that child protection issues have a clear home within the structure and that we have learnt from the problems encountered in the past. The most important factor is not to lose the forensic nature of the select committees, whilst keeping the flexibility of the task groups (a diagram of the proposed structure is attached at appendix 1).
- 3.10 The CWG believes that the proposed model achieves this whilst at the same time streamlines the process and ensures that new initiatives in relation to Overview and Scrutiny can be accommodated.

Membership

- 3.11 It was agreed that the membership of some of the committees within the old structure had been too large, 17 plus 6 co-optees in some cases. This had placed a large burden on a small core of interested Members and had meant that the meetings had not been as productive as they might have been. It is proposed that all of the committees and sub-committees within the new Overview and Scrutiny model should have 8 Members (the size of the old scrutiny panels and select committees) in the ratio of 3-3-2, with the exception of the Children and Families Overview and Scrutiny Committee which will have an additional six co-opted members (as required by law), and the Budget Panel which will consist of only six members (3-2-1).

Chairs

- 3.12 The CWG recommends that the main Overview & Scrutiny Committee, the Forward Plan Select Committee, and the Budget Panel should be chaired by a member from the opposition. The Performance and Finance Select Committee, Health Select Committee and the Children and Families Overview and Scrutiny Committee should be chaired by member of one of the administration groups. Vice chairs should be chosen from one of the other Groups to that of the Chair.
- 3.13 It is suggested that the chair of the Overview and Scrutiny Committee and the chair of the Children and Families Overview & Scrutiny Committee should be appointed by Full Council. It will remain that the chairs and membership of the Performance and Finance Select Committee, Forward Plan Select Committee, Health Select Committee, and Budget Panel will be appointed by the main Overview and Scrutiny Committee.
- 3.14 The CWG recommends that the chairs of all of the Overview and Scrutiny committees and sub committees be paid a Special Responsibility Allowance of £4492 per annum in the interim (with effect from 15th September) pending the review of Member's allowances to be carried out by the CWG. That review will be reported to Full Council in due course. Any increase in the SRA for chairs of the overview and scrutiny committees and sub-committees may be backdated to 15th September by Full Council if deemed appropriate.

Frequency of Meetings

- 3.15 It was agreed that there should be six meetings of each committee/sub-committee in a full municipal year except for the Forward Plan Select Committee whose meetings should continue to reflect the frequency of the Executive meetings, and the Budget Panel which will meet only during the budget process.

Terms of reference

- 3.16 The terms of reference of the committees and sub-committees have been drafted and/or amended to reflect the changes to the Overview and Scrutiny structure. They may need to be further amended once the detailed requirements for 'community calls for action' under the Police and Justice Bill are known. The Overview and Scrutiny Committee will also be providing the co-ordination role previously undertaken by the Scrutiny Management Board.

As part of the continuing work of the CWG a proposal will be brought forward as part of the final report to create a new Audit Committee which will require further changes to the Performance and Finance Select Committee's terms of reference. Details of changes to the terms of reference and other parts of the Constitution that are currently being proposed in this paper are set out in appendix 2.

3.17 **Call-In**

There were historical reasons why the call-in threshold in Brent was high at 40% of the Overview and Scrutiny Committee or 40% of non-executive Members. This was because call-in had traditionally been a contentious issue and the previous Constitutional Working Group took a cautious approach to force cross party consensus before call-in could be triggered. The introduction and success of the Forward Plan Select Committee has meant though that call-in has been used infrequently. This reflects the view that call-in is a poor substitute for proper pre-scrutiny and the Forward Plan Select Committee is actually a more effective tool for scrutinising proposed Executive decisions rather than calling-in decisions once they have already been taken. With this in mind the Constitutional Working Group felt that it was time to change the trigger for call-in and agreed that this should be set at 5 non-executive Members.

Scrutinising the Budget

3.18 The way the budget had previously been scrutinised in Brent had provided some challenge, but had not allowed non-executive Councillors any input into the budget process until after the Executive had developed a draft budget (The previous and proposed budget process is attached at appendix 3).

3.19 The budget process proposed by the CWG would provide a real time opportunity for non-executive councillors to influence the budget between the First reading debate in November and the draft budget in February. The proposed Budget Panel would be a sub committee of the Overview and Scrutiny Committee, its membership would be politically balanced and made up of 6 non-executive members. The chair of the panel would be a member of the opposition. The panel would produce a report for the Executive with proposals arising from having looked at issues including value for money and outputs for expenditure. This process would form part of the budget consultation and would give non executive Councillors a stake in the budget.

4.0 **Financial Implications**

4.1 There is a small reduction in the total amount payable under the members' allowance scheme under this proposal. This reduction may or may not remain once Full Council has had an opportunity to consider the final recommendations of the CWG.

5.0 **Legal Implications**

5.1 The Borough Solicitor has been closely involved in the development of these proposals by the CWG. She advises that the proposed changes are in accordance with the Council's legal obligations. Specific legal issues are addressed throughout the report.

6.0 Diversity Implications

6.1 There are no specific diversity implications arising from this report.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 It is anticipated that the number of meetings included in the proposed new structure during a full municipal year will be equivalent to the number held under the old structure. The support for the scrutiny structure provided by Legal and Democratic Services can therefore be met from within existing resources.

Background Papers

Brent's Constitution

Notes of the Constitutional Working Group meetings held on 19th July, 26th July and 8th August

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Appendix 1: Proposed New Structure for Overview and Scrutiny

[Policy & Regeneration to add – Same diagram as in report CWG 2006-3 but note “Education” name change to “Children & Families”]

Appendix 2: Relevant Extracts of Brent Constitution Showing Proposed Amendments

Part 1 of the Constitution

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SUMMARY

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6. OVERVIEW AND SCRUTINY

The Council has appointed a main Overview and Scrutiny Committee and a dedicated Children and Families Overview and Scrutiny Committee to support the work of the Executive and the Council as a whole. There are also four sub-committees of the Overview and Scrutiny Committee (Forward Plan, Performance and Finance, Health and Budget). The Overview and Scrutiny committees and sub-committees hold the Executive to account by scrutinising its decisions, examining performance and asking questions of decision-makers and service providers. A decision which has been made by the Executive but not yet implemented can be called in for Scrutiny and will be considered by the Forward Plan Select Committee (or the Children and Families Overview and Scrutiny Committee if it relates to a matter within its terms of reference). They may recommend that the Executive reconsider the decision but cannot block a decision indefinitely or impose their own views on the Executive. The Overview and Scrutiny committees and sub-committees are also involved in strategic and cross-cutting issues by supporting the Executive in the development and review of policy and for overseeing health matters. In addition, the Overview & Scrutiny Committee carries out a co-ordinating role in relation to the work of itself, its sub-committees, and the Children and Families Overview and Scrutiny Committee.

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DEFINITIONS

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- The **Overview and Scrutiny Committee** is a committee established pursuant to section 21 of the Local Government Act 2000 and consists of 8 Councillors, not being members of the Executive, elected by the Full Council. The membership of the Committee reflects the political balance of the Council. The Committee has responsibility for strategic and cross-cutting issues by supporting the Executive in the development and review of policy and for examining the implementation of policy including:
 - (a) Overseeing the progress of policy implementation and scrutinising decisions made; and
 - (b) Calling in Executive decisions.

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The **Children and Families Overview and Scrutiny Committee** is a committee established pursuant to section 21 of the Local Government Act 2000 and consists of **8 Councillors**, not being members of the Executive, elected by the Full Council, **4 voting education co-opted members** and **2 non-voting education co-opted members**. The membership of the Committee reflects the political balance of the Council. The

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Committee performs the Overview and Scrutiny role in relation to the matters within its terms of reference.

Part 2 of the Constitution: Articles

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ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEE AND ITS SUB-COMMITTEES, AND THE CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

Introduction

6.1 Effective, independent and rigorous examination of the proposals and decisions made by the Executive are a significant feature of the Council's executive arrangements and provide a key role for non-executive Members. Overview and Scrutiny are the mechanism for holding the Executive publicly to account. These functions give non-executive Members a significant opportunity to contribute to the proposals of the Executive, for example concerning the budget, as well as reviewing the quality of service performance and the impact of policy decisions on the Borough. The Council has established a main Overview & Scrutiny Committee and four sub-committees of the Overview & Scrutiny Committee, namely the Forward Plan Select Committee, the Performance & Finance Select Committee, the Health Select Committee, and the Budget Panel. The Council has also established a dedicated Children and Families Overview and Scrutiny Committee

Co-ordinating Overview and Scrutiny

6.2 The Council has established an Overview and Scrutiny Committee to take primary responsibility for co-ordinating the overview and scrutiny functions. More information about the membership of the Overview and Scrutiny Committee is contained in Part 5 of this Constitution.

6.3 The Overview and Scrutiny Committee has a number of co-ordinating functions, which include:

- To appoint sub-committees known as Select Committees and the Budget Panel;
- To appoint members to the sub-committees and the chairs and vice chairs thereof;
- To agree the annual work programmes of the committee and its sub-committees and submit these and the work programme of the Children and Families Overview and Scrutiny Committee to Full Council for approval;
- To produce annual reports on the activities of the committee and its sub-committees, and the Children and Families Overview and Scrutiny Committee; and
- To ensure a balance with the Executive between efficient decision making and overview and scrutiny.

General Role

6.5 Within their terms of reference, the committees and/or sub-committees will:

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<#>develop the annual work programme(s) for the committee and its sub-committees for approval by the main committee and then Full Council and consider any in-year changes to it that may be needed;↑
<#>oversee the implementation of the work programme(s);↑
<#>prepare the annual report of the committee;↑
<#>co-ordinate the activities of the sub-committees and seek, in an informal way, to resolve any disputes that may arise;↑
<#>consider which committee or sub-committee should receive reports;↑
<#>act as the main focal point for liaison between the committee and the Executive;↑
<#>consider and make recommendations to the Chairs of the committee or sub-committees on the calling of special meetings of the committee or sub-committees; and↑
<#>consider and make recommendations to the committee or sub-committees on the setting up of any task groups.↑

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- (a) make reports and/or recommendations to Full Council and/or the Executive, as appropriate, in connection with the discharge of any relevant functions of the Council;
- (b) make reports and/or recommendations to Full Council and/or the Executive, as appropriate, on matters which affect the Council's area or its inhabitants; and
- (c) review and/or scrutinise decisions made, or actions taken, in connection with the discharge of any of the functions of the Executive or the Council and exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive.

6.6 ~~The Overview and Scrutiny Committee, the Children and Families Overview and Scrutiny Committee, the Performance and Finance Select Committee and the Health Select Committee~~ may establish time limited task groups to consider a set of issues or a service or part of a service or decision or other action taken or to be taken which will then report back to the relevant sub-committee and/or parent committee. ~~The Children and Families Overview and Scrutiny Committee and the two select committees~~ will take into account any recommendations from the ~~Overview & Scrutiny Committee~~ prior to establishing a task group.

Terms of Reference

6.7 The terms of reference for the ~~Overview & Scrutiny Committee~~ are set out in Part 5 of this Constitution. In summary it will:

- assist the Council and the Executive in the development of the Budget and Policy Framework by in-depth analysis of policy issues; and
- consult with external organisations operating in the area to ensure that the interests of local people are enhanced by partnership and collaborative working.
- review and/or scrutinise the decisions made or to be made or other action taken or to be taken in connection with the discharge of any of the Council's functions; and
- review the performance of the Executive, other committees and sub-committees and officers both in relation to individual decisions and over time.

Finance and Resources

6.9 The Overview and Scrutiny Committee may exercise overall responsibility for any finances and resources made available to it.

Annual Report

6.10 The Overview and Scrutiny Committee will report annually to Full Council on its work, ~~the work of its sub-committees, and the work of the Children and Families Overview and Scrutiny Committee~~, and make recommendations for future work programmes and amended working methods if appropriate.

Proceedings of the Overview and Scrutiny Committee and sub-committees

6.11 The Overview and Scrutiny Committee and its sub-committees, ~~and the Children and Families Overview and Scrutiny Committee~~ will conduct their

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proceedings in accordance with Standing Orders and the Access to Information Rules.

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Part 3 of the Constitution: Standing Orders

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19. The Overview and Scrutiny Committee

- (a) Full Council has appointed an Overview and Scrutiny Committee comprising 8 members of the Council who shall not be members of the Executive and a Children and Families Overview and Scrutiny Committee comprising 8 members of the Council who shall not be members of the Executive, 4 voting co-opted members and 2 non-voting co-opted members appointed in accordance with Standing Order 20 below.
- (b) The overview and scrutiny committees shall carry out the functions specified in Part 5 of, and elsewhere in, the Constitution but subject to the limitations and exceptions specified therein and may not discharge any other functions.
- (c) The Chairs of the overview and scrutiny committees shall be appointed by Council in accordance with Standing Order 53.
- (d) The Council may appoint a Vice-Chair of the overview and scrutiny committees to stand in the place of the Chair in his or her absence, in accordance with Standing Order 53.
- (e) The Chairs of the overview and scrutiny committees shall seek to ensure that the Standing Orders and any other rules or protocols forming part of the Constitution are adhered to.
- (g) The Council has established various sub-committees of the main Overview and Scrutiny Committee the terms of reference and membership of which are described in Part 5 of the Constitution.
- (h) The main Overview and Scrutiny Committee shall appoint to any sub-committees but the members of any such sub-committees may not be members of the Executive.
- (i)* *Any member of the overview and scrutiny committees and any member of any sub-committees thereof may, by giving written notice to the Democratic Services Manager, request that any matter which is relevant to the functions of the committee or sub-committee as the case may be is included in the agenda for, and is discussed at, a meeting of the committee or sub-committee such notice to be given at least 21 days prior to the date of the meeting at which the member wishes to raise the said matter.*
- (j) If the overview and scrutiny committees or their sub-committees so agree or if at least 40% of the members of the relevant committee or sub-committee so request by giving notice to the Democratic Services Manager then any member of the Executive or any officer of the Authority (not normally below the level of director or service unit manager) shall, upon receiving reasonable notice so to do, (which will not normally be less than 2 weeks notice) attend a meeting of the relevant committee or sub-committee to answer appropriate questions from the members of that committee or sub-committee on any

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matter falling within its remit including any matter called in under Standing Order 21. In the case of the Budget Panel the Chair of the Panel may give notice, without the need for the prior agreement of any other Panel member.

(k) The overview and scrutiny committees or their sub-committees may decide to request the attendance of any other person, not covered by paragraph (j) above, at a meeting of the committee or sub-committee.

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(l) The Chair of the main Overview and Scrutiny Committee shall as soon as possible after the Annual Meeting submit to Full Council for approval the proposed work programmes for the committees and sub-committees for the forthcoming year together with an annual report on the work of the committees and sub-committees over the last year.

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(m) If any of the overview and scrutiny committees or sub-committees is intending to receive a report back from a task group the committee or sub-committee as the case may be will allow an Executive member to address it at the meeting that receives the report and the time allowed will be determined by the Chair acting reasonably.

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20. Appointment of Co-opted Members to Children and Families Overview and Scrutiny Committee

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(a) The Membership of the Children and Families Overview and Scrutiny Committee and any other Council committee or sub-committee whose terms of reference include consideration of matters relating wholly or partly to any education functions which are the responsibility of the Executive shall include as voting co-opted members, 2 parent governor representatives, 1 representative nominated by the Diocesan Board of Education for any Church of England Diocese which falls within the Council's area and 1 representative nominated by the bishop of any Roman Catholic Diocese which falls within the Council's area and such representatives shall be appointed by the appropriate appointing body.

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(b) The term of office of the parent governor voting co-optees appointed under paragraph (a) of this Standing Order shall be 3 years (or less if otherwise so determined by Full Council).

(c) The Membership of the Children and Families Overview and Scrutiny Committee and any other Council Committee or sub-committee whose terms of reference include consideration of matters relating wholly or partly to any education functions which are the responsibility of the Executive may include 2 non voting co-opted members who represent the governing bodies of schools which are faith schools not covered in paragraph (a) above and such representatives shall be appointed by the appropriate appointing body.

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(d) A co-opted member appointed under this Standing Order shall be entitled to receive all papers and take part in the entire discussion that takes place at a meeting of the relevant committee or sub-committee and voting co-opted members shall be entitled to vote on any question which falls to be decided at the meeting and which relates to any education functions which are the responsibility of the Executive as determined by the Borough Solicitor or his or her representative.

(e) Voting co-opted members appointed under this Standing Order shall sign an undertaking agreeing to be bound by the Brent Members Code of Conduct

and shall register any interests which by that Code they are required to so register in the Register of Member Interests. Non-voting co-opted members appointed under this Standing Order shall sign an undertaking in a form notified to them by the Borough Solicitor.

- (f) No co-opted member shall take their place on the committee or sub-committee to which they have been appointed unless and until they have given the undertaking required to be given in accordance with paragraph (f) above.
- (g) If a voting co-opted member fails or refuses to notify the Democratic Services Manager of any change to the information contained in the Register of Member Interests within a period of 28 days of the occurrence of the change, he or she shall be removed from any committee, sub-committee or joint committee to which he or she has been appointed.

21. Call in of Executive decisions

(a) If:-

(i) the Overview and Scrutiny Committee decides; or

(ii) ~~Five~~ non-executive members of the Council (for the avoidance of doubt excluding voting and non-voting co-opted members) request

that any decision of the Executive or its committee(s) or any Key Decision made by officers be called in for scrutiny then the Forward Plan Select Committee (or in the case of an education matter the Children and Families Overview and Scrutiny Committee) shall consider that decision at its next meeting which unless otherwise determined by the Leader shall in the case of a decision made by the Executive or its committee(s) take place within 15 days of the date on which the relevant decision was made or in the case of an officer decision take place within 15 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. This period will be extended by the Democratic Services Manager as appropriate to take account of any public or religious holidays identified in the Municipal Calendar.

(b) Any such decisions or requests to call in a decision shall be made within 5 days of the date on which the relevant decision was made or in the case of a decision made by officers within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. Any request to call-in shall be made in accordance with Standing Orders 5 and 6.

(c) Any decision which has been called in pursuant to paragraph (a) above which has not been implemented prior to the date on which the decision maker receives notification of the call in from the Democratic Services Manager shall not be implemented until the Forward Plan Select Committee (or in the case of call ins relating to education matters the Children and Families Overview and Scrutiny Committee) has met to consider the decision in accordance with paragraph (a) unless the decision, in the reasonable opinion of the Chair of the Overview and Scrutiny Committee, needs to be implemented as a matter of urgency and should not be delayed. The Executive shall report to the next ordinary meeting of Full Council details of any such urgent decisions and the reasons why the decision needed to be implemented as a matter of urgency.

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(d) In considering the call-in the Forward Plan Select Committee (or in the case of an education matter the Children and Families Overview and Scrutiny Committee) shall determine whether it accepts any response which may have been given to it by the relevant decision maker and if it does not accept their response it can, in respect of that decision, agree recommendations to be given to the decision maker.

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(e) If the Forward Plan Select Committee (or in the case of an education matter the Children and Families Overview and Scrutiny Committee) recommends to the decision maker that it should reconsider the decision or matter then

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(i) in the case of a decision made by the Executive the Executive shall meet and shall take into account the views expressed or recommendations made to it and may then proceed to implement or change the decision as it sees fit, whether or not the matter is referred to Full Council for further consideration under Standing Order 22; or

(ii) in the case of a key decision made by an officer, the officer who made the key decision shall take into account the views expressed or recommendations made to him or her and may then proceed to implement or change the decision as he or she sees fit, whether or not the decision is referred to Full Council for further consideration under Standing Order 22.

22. Referral of Called in Decisions to Full Council

(a) If, following consideration by the Forward Plan Select Committee (or in the case of an education matter the Children and Families Overview and Scrutiny Committee) of a called in decision, at least 40% of the members of the Council (not including the co-opted members) so request the decision the subject of the call in shall be referred to a meeting of Full Council for further consideration.

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(b) Any request to refer such a decision to Full Council, in accordance with paragraph (a) above, shall be made in writing, together with the reasons for the referral, to the Democratic Services Manager within 5 days of the date on which the Forward Plan Select Committee (or in the case of an education matter the Children and Families Overview and Scrutiny Committee) met in accordance with Standing Order 21(a) or the date on which the decision maker reconsidered their decision in accordance with Standing Order 21(e) if later. The Democratic Services Manager shall forthwith copy the request and the reasons to the Leader.

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(c) The Leader shall include in his or her report to Full Council any comments of the Executive on the referral and the reasons given therefore.

(d) Full Council may make such recommendations to the Executive as it sees fit and the Executive shall, if the recommendations relate to a function which is properly exercisable by the Executive, take into account but shall not be obliged to accept those recommendations.

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25. Developing proposals for the budget and capital programme

(a) In the case of the Council's annual budget, including the capital programme, the Budget Panel shall, prior to the First Reading Debate meet (on more than one occasion if considered desirable) to consider the financial position

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statement prepared by the Director of Finance and Corporate Resources and to receive evidence from Service Area Directors regarding what they consider to be the critical issues for their respective departments.

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(b) The Executive shall present a report to Full Council setting out the financial position of the Council, financial forecasts for the following year and their expenditure priorities. There shall then be a debate on the issues raised in that report held in accordance with Standing Order 44 hereinafter called a "First Reading Debate".

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(c) Following the First Reading Debate a record of the debate shall be sent by the Democratic Services Manager to the Leader of the Council and the Chair of the Budget Panel both of whom may wish to undertake appropriate consultation with others.

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(d) The Budget Panel shall then meet (on more than one occasion if considered desirable) to consider the Executive's Report to Full Council and the issues raised during the First Reading Debate. The Panel may receive evidence from Executive Members and others and shall then produce a report setting out its view of the budget priorities and any other issues it considers relevant. This report shall be submitted to each Executive Member and each Group Leader in order to inform budget proposal discussions.

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(e) Prior to being agreed by the Executive the Executive's budget proposals shall be sent to members of the Budget Panel which will then meet (on more than one occasion if considered desirable) to consider the proposals and, if it wishes, to receive evidence from Executive Members and others. The panel shall submit a note of its deliberations and comments on the proposals to the Executive.

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(f) Prior to agreeing its budget proposals the Executive shall take into account the issues raised at the First Reading Debate, and the note of the deliberations and comments from the Budget Panel submitted to the Executive under paragraph (e).

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(g) A meeting of Full Council shall be convened in accordance with Standing Orders for the purpose of agreeing the Council's budget and setting the Council Tax.

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(h) Where, before 8th February in any financial year (but not otherwise), the Executive submits to Full Council for its consideration in relation to the following financial year:

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(i) estimates of the amounts to be aggregated in making a calculation (whether originally or by way of substitute) in accordance with any of sections 32 to 36 or 43 to 47 of the Local Government Finance Act 1992;

(ii) estimates of other amounts to be used for the purposes of such a calculation; or

(iii) estimates of such a calculation

(other than those required in accordance with section 52I, 52J, 52T or 52U of the Local Government Finance Act 1992) and following consideration of those estimates or amounts Full Council has any objections to them it must then comply with the following paragraphs of this Standing Order.

(j) Before Full Council makes any calculation (whether originally or by way of substitute) in accordance with any of the sections referred to above, it must inform the Leader of any objections which it has to the Executive's estimates or amounts and must give the Leader instructions requiring the Executive to reconsider, in the light of those objections, those estimates and amounts in accordance with Full Council's requirements.

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(i) Where Full Council gives instructions in accordance with the above subparagraph, it must specify a period of at least five days beginning on the day after the date on which the Leader receives the instructions on behalf of the Executive within which the Leader may:-

- (i) submit a revision of the estimates or amounts as amended by the Executive ("revised estimates or amounts"), which have been reconsidered in accordance with Full Council's requirements, with the Executive's reasons for any amendments made to the estimates or amounts, to Full Council for Full Council's consideration; or
- (ii) inform Full Council of any disagreement that the Executive has with any of Full Council's objections and the Executive's reasons for any such disagreement.

(k) When the period specified by Full Council, referred to in the previous paragraph, has expired Full Council must, when making calculations (whether originally or by way of substitute) in accordance with the sections referred to above, take into account:-

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- (i) any amendments to the estimates or amounts that are included in any revised estimates or amounts;
- (ii) the Executive's reasons for those amendments
- (iii) any disagreement that the Executive has with any of Full Council's objections; and
- (iv) the Executive's reasons for that disagreement

which the Leader submitted to Full Council, or informed Full Council of, within the period specified.

(l) In the event that there is a dispute between the Executive and Full Council on all or any part of the Capital Programme which cannot be resolved at the relevant meeting, Full Council shall instruct the Executive to reconsider their proposal in accordance with paragraphs (i) and (j) of Standing Order 26 below.

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34*. Council Tax Setting

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(a) *A Meeting of Full Council shall be held each year on a day not later than 10th March or such later date as may be allowed by statute to set the level of Council Tax for the following Council Tax year and to deal with associated budgetary matters.*

(b) The Leader shall present a report to the meeting setting out the Executive's proposals for the budget

(c) Following presentation of the report by the Leader, the Chair of the Budget Panel shall be allowed up to 10 minutes to present the findings of the committee following which there shall be a general debate and a vote taken.

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41. Report from the Chair of the Overview and Scrutiny Committee

(a) Following the presentation of the report from the Leader or Members of the Executive the Chair of the Overview and Scrutiny Committee may present a report on any matter in respect of which the committee, its sub-committee or the Children and Families Overview and Scrutiny Committee has been consulted or which it has been reviewing or considering and shall be permitted to speak for up to 10 minutes thereon.

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(b) In the absence of the Chair the report shall be presented by the Vice Chair of the Committee or in the absence of the Vice Chair by another member of the Committee selected for that purpose by the Chair or if no person has been selected by the Chair a person selected for that purpose by the Mayor or other person presiding at the meeting of Full Council.

(c) The Chair or other person nominated to speak shall where appropriate include in his or her report:-

(i) proposed changes to the work programme of the committee, its sub-committees or the Children and Families Overview and Scrutiny Committee;

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(ii) details of the decisions or proposals of the Executive, which have been called in for scrutiny and are being referred to Full Council in accordance with Standing Order 22;

(iii) details of decisions or proposals of the Executive, other than those permitted to be made by the Executive under Standing Order 16 (urgency) or 17 (viement and in year changes to policy), which the Overview and Scrutiny Committee, any of its sub-committees, or the Children and Families Overview and Scrutiny Committee consider are or, if made, would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Council's budget and the recommendations to Full Council thereon;

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(iv) details of the decisions of the Executive which the Overview and Scrutiny Committee, any of its sub-committees, or the Children and Families Overview and Scrutiny Committee consider were made by the Executive other than in accordance with those parts of the Access to Information Rules applicable to such decisions.

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53. Appointments to and chairs of Council Committees and Sub-Committees

(a) Full Council may appoint such Council committees as it is required or permitted to appoint, such committees to be set out in Part 5 of the Constitution, together with their terms of reference and the number of members to be appointed.

- (b) Full Council shall appoint a Chair for each of the Council Committees and if it so wishes a Vice Chair. The Chair of the main Overview and Scrutiny Committee, the Forward Plan Select Committee and the Budget Panel shall be a member from the opposition and the vice chairs of the overview and scrutiny committees and sub-committees shall not be from the same political group as the chair.
- (c) Full Council may at any time dissolve a committee or remove any of its members or change the size of its membership.
- (d) Other than in the case of the Alcohol & Entertainment Licensing sub-committees Full Council shall determine the extent to which any functions may be exercised by any sub-committee and the terms of reference will be set out in Part 5 of the Constitution. In the case of the Alcohol and Licensing sub-committees the Alcohol & Entertainment Licensing Committee will determine the extent to which any functions may be exercised by them and will agree their terms of reference.
- (e) Appointment of the Council's sub-committees and agreeing the number of members to be appointed shall be by the parent committee and the Chair and (if considered necessary) Vice Chair of the sub-committees shall be appointed by the parent committee.
- (f) No councillor may be appointed to any committee or sub-committee so as to hold office later than the next Annual Meeting or the meeting of Full Council which meets after the next Annual meeting to agree appointments to committees.
- (g) Co-opted members may be appointed to committees and sub-committees in accordance with the rules for membership for committees and sub-committees contained in Part 5 of the Constitution.
- ...

Part 5 of the Constitution: Terms of Reference for Council Committees and Sub-Committees

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Overview and Scrutiny Sub-Committees and the Children and Families Overview and Scrutiny Committee

4. The Overview and Scrutiny Committee has appointed four sub-committees called:
- Forward Plan Select Committee
 - Performance and Finance Select Committee
 - Health Select Committee
 - Budget Panel
5. In addition, the Council has established a Children and Families Overview and Scrutiny Committee.
6. Any dispute as to whether a matter does or does not fall within the remit of a particular sub-committee, or the Children and Families Overview and Scrutiny

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<#> Adult and Social Care Overview and Scrutiny Panel¶

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Deleted: 5. The Overview and Scrutiny Panels will contribute to the development of policy and will scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to the functions or services specified in their terms of reference. They will carry out the Overview and Scrutiny Panel functions in respect of the functions or services specified in those Terms of Reference. The Overview and Scrutiny Panel Functions are:¶

¶
<#>to contribute to the development of an annual work programme for approval by the Overview and Scrutiny Committee;¶
<#>to implement their annual work programmes once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme;¶
<#>to undertake in depth monitoring of a function or service;¶
<#>to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering;¶
<#>to consider any representation, petition or deputation referred to it;¶
<#>to consider any report or outcome of any review or inspection relating to function or service;¶
<#>to monitor the ... [1]

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Committee shall be resolved by the Chair of the Overview & Scrutiny Committee on advice from the Borough Solicitor.

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Task Groups

7. The Select Committees (excluding the Forward Plan Select Committee), and the Children and Families Overview and Scrutiny Committee may, having taken account of any recommendations from the Overview & Scrutiny Committee, establish task groups.

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Call in

8. The Forward Plan Select Committee or, in the case of call ins relating to matters within its terms of reference, the Children and Families Overview and Scrutiny Committee will consider any decisions called in for scrutiny under Standing Order 21.

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Chair

11. The chairs and vice chairs of the overview and scrutiny committees and sub-committees shall be appointed in accordance with standing orders.

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...

OVERVIEW AND SCRUTINY COMMITTEE

Membership

- The committee is comprised of 8 councillors.
- None of the members shall be members of the Executive.
- The Chair (and Vice Chair) shall be appointed by the Council in accordance with Standing Orders.
- The Chair shall be a member of the Opposition.

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Terms of reference

The Overview & Scrutiny Committee shall perform the following functions, either directly or through its sub-Committees. These functions are subject to the limitations set out below.

1. To scrutinise the decisions made or other action taken in connection with the discharge of any of the authority's Executive functions.
2. To scrutinise the performance of the Executive, both in relation to individual decisions and over a period of time.
3. To review and scrutinise the decisions and performance of the Council.
4. To assist the Council and the Executive in the development of the Authority's Policy Framework and Budget by in-depth analysis of policy issues.

5. To conduct research and community and other consultation, in the analysis of policy issues and possible options.
6. To consider and recommend mechanisms to encourage and enhance community participation in the development of policy options.
7. To consult with external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by partnership and collaborative working.
8. To review the performance of partners and other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee about their activities and performance.
9. To carry out Best Value reviews if requested to do so by the Executive.
10. To review the decisions and performance of the Executive and other parts of the Council and to make reports and/or recommendations to the Council in connection with the discharge of Council functions and to the Executive in connection with the discharge of Executive functions, or to their respective committees or sub-committees as the case may be.
11. To make reports and/or recommendations to the Council and/or the Executive or their committees or sub-committees on matters which affect the Council's area or the inhabitants of that area.
12. To agree its annual work programme and that of its sub-committees and to recommend these (along with that of the Children and Families Overview and Scrutiny Committee), to Full Council.
13. To exercise overall responsibility for any finances and resources made available to it, and to ensure a proper distribution of resources between itself, its sub-committees, and the Children and Families Overview and Scrutiny Committee,
14. To report annually to Full Council on its workings and the workings of its sub-committees and the Children and Families Overview and Scrutiny Committee, and make recommendations for future work programmes and amended working methods if appropriate.
15. To establish Task Groups.
16. To appoint to sub-committees.
17. If necessary, to carry out any function of any of its sub-committees.
18. To perform any other functions allocated to Overview and Scrutiny Committees under any legislation, including any Police and Justice Act which may be enacted by Parliament.
19. To co-ordinate the work of, and resolve any disputes between, the sub-Committees, the Children and Families Overview and Scrutiny Committee and/or the task groups.
20. To act as the primary point of contact between the Executive and the Overview and Scrutiny structure.

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Limitations

- (a) The Overview and Scrutiny Committee and its sub-committees will not normally, and not without special reason, scrutinise decisions made in respect of matters concerning individual applications for consent, permission, approval or grants, particularly individual decisions on planning, licensing, registration, etc.
- (b) The Overview & Scrutiny Committee may only consider matters relating to school education in so far as is necessary to enable it to properly consider an issue or matter relating to some other function or functions of the Council, including the overall direction and/or performance of the Council.

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CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

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Membership

- The Committee consists of 14 members in total comprising 8 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Council in accordance with Standing Orders.

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Terms of Reference

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to children and families services and to carry out the following functions in respect thereof:

- to develop an annual work programme to be provided to the Overview and Scrutiny Committee.
- to implement its annual work programme including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
- to undertake in depth monitoring of a function or service.
- to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
- to consider any representation, petition or deputation referred to the sub-committee.
- to consider any report or outcome of any review or inspection relating to any function or service.
- to monitor the implementation of any action plans arising from any such review or inspection.
- to request reports on specific issues of concern.

9. to consider any issues arising from a consultative forum or other consultation exercises.

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10. to establish Task Groups.

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11. To consider any education matter called-in in accordance with Standing Orders and to make recommendations thereon.

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Limitation

The voting co-opted members may only vote on matters relating to school education and the non-voting co-opted members may not vote on any matter.

FORWARD PLAN SELECT COMMITTEE

Membership

- The sub-committee is comprised of 8 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.
- The Chair shall be a member of the opposition.

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Terms of Reference

1. To keep under review the Forward Plan.
2. To consider any matter appearing in the Forward Plan or on any current or forthcoming agenda of the Executive.
3. To consider matters relating to the operation of the overview and scrutiny functions and matters relating to the role of members generally.
4. To call before the sub-committee a member of the Executive or any Service Area or Corporate Director to provide a briefing on any matter appearing in the Forward Plan or on any current or forthcoming agenda of the Executive.
5. To call before the sub-committee a member of the Executive or any Service Area or Corporate Director to account for the recommendations they have made in any report submitted or to be submitted to the Executive.
6. To make recommendations to the Management Board on whether an in-depth review of an issue, matter or function considered by the sub-committee should be undertaken by an Overview and Scrutiny Panel or Task Group.
7. To consider any matter called-in in accordance with Standing Orders and to make recommendations thereon.

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Limitations

- (a) Where officers or members are called before the sub-committee, additional technical support may be provided from other officers where appropriate.
- (b) The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

NB: Having appointed the Chair and Vice Chair of the sub-committee the Overview and Scrutiny Committee will appoint the remaining members and it is anticipated that these will be drawn from the other Overview and Scrutiny [committee and](#) sub-committees but subject to the sub-committee being politically balanced.

PERFORMANCE AND FINANCE SELECT COMMITTEE

[Note that further amendments to this section will be proposed once the recommendation for a separate Audit Panel is brought to Full Council]

Membership

- The sub-committee is comprised of 8 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.
- [The Chair shall be a member of the opposition](#)

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Terms of Reference

Performance

1. To scrutinise the performance of the Executive or any other part of the Council and any person or body carrying out any function on behalf of or in partnership with the Council.
2. To consider reports or outcomes of service reviews such as best value reviews and to monitor progress in implementing any subsequent action plans.
3. To consider reports or outcomes of inspections by internal or external inspectors or auditors including those conducted as part of the Comprehensive Performance Assessment and Best Value.

Finance and Audit

4. To monitor:
 - spend compared with budget.
 - management of financial and other resources made available to the Council.
 - property and asset acquisition and disposal and the capital programme.
 - procurement and letting of contracts and the procedures and practice for doing so.
5. To review and monitor the operation and effectiveness of risk management, internal control and internal and external audit.
6. To monitor the Council's progress in implementing its Annual Audit Plan.
7. To consider reports or outcomes of audits and reviews conducted by internal and external auditors and to monitor implementation of any recommendations.

General

8. To make recommendations to any other council body or to an officer on any matter this committee has considered including making recommendations to the Management Board on whether an in-depth review of an issue, matter or function considered by the sub-committee should be undertaken by an Overview and Scrutiny Panel or Task Group.
9. To consider any corporate or cross cutting issues relating to Human Resources and staffing issues.
10. To establish Task Groups.

Limitation

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

HEALTH SELECT COMMITTEE

Membership

- The sub-committee is comprised of 8 councillors.
- None of the members shall be members of the Executive.
- The Chair (and Vice Chair) shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.

Terms of reference

To carry out all or any of the functions of the Overview and Scrutiny Committee in relation to health matters and to review the performance or general activities of health providers in the area.

BUDGET PANEL

Membership

- The sub-committee is comprised of 6 councillors.
- None of the members shall be members of the Executive.
- The Chair (and Vice Chair) shall be elected by the Overview and Scrutiny Committee in accordance with Standing Orders.
- The Chair shall be a member of the opposition

Terms of Reference

1. To participate in the budget setting process in accordance with the provisions of Standing Order 25.

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¶ Membership¶

¶
<#>The sub-committee is comprised of 19 members in total comprising 13 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.¶
<#>None of the members shall be members of the Executive.¶
<#>The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders. ¶

¶ Terms of Reference¶

¶ To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to children and families services and to carry out the Overview and Scrutiny Panel functions in respect thereof.¶

¶ The Overview and Scrutiny Panel Functions ¶

1. to develop an annual work programme for approval by the Overview and Scrutiny Committee.¶
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.¶
3. to undertake in depth monitoring of a function or service.¶
4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.¶

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¶ Membership¶

¶<#>The sub-committee is ... [3]

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2. To facilitate the setting of the Council's budget within the context of the Corporate Strategy and the Community Plan.
3. To support the longer term service planning of the Council by focussing its discussions on the Medium Term Financial Strategy, the principles for budget setting, the robustness of the budget and the ability to deliver savings, key revenue budget outputs and decisions, and key capital budget outputs and decisions.

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Limitations

- (a) The Budget Panel will not normally meet, except during the budget process outlined in Standing Order 25.
- (b) Where officers or members are called before the sub-committee, additional technical support may be provided from other officers where appropriate.
- (c) The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

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NB: Ideally, membership of the Panel will comprise the chairs of the overview and scrutiny committees and sub-committees, but subject to the political balance requirements.

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Part 8 of the Constitution: Members' Allowance Scheme

...

SCHEDULE 1

ALLOWANCE	Number of Posts/Amount	Total
BASIC Payable to all Councillors	63 x 7,245	456,435
SPECIAL RESPONSIBILITY Only one special responsibility will be payable to any one member.		
Post		
Leader	1 x 33,120	33,120
Executive Members	1 x 23,184	23,184
Deputy Leader	8 x 14,076	112,608
Other Executive Members		

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ALLOWANCE	Number of Posts/Amount	Total
Chairs of the Overview & Scrutiny Committee, the Children and Families Overview and Scrutiny Committee, the Forward Plan Select Committee, the Performance and Finance Select Committee, the Health Select Committee, and the Budget Panel	6 x 4,492 [such amount to take effect from 15th September and to be reviewed by the Council at some future date with any increase backdated to that date should the Council so agree]	26,952
Chair of council committees <i>Planning</i> <i>General Purposes</i>	1 x 12,420 1 x 5,796	18,216
Chairs of consultative forums	12 x 4,492	53,904
Vice chairs of council committees <i>Planning</i>	1 x 1,987	1,987
Chair of General Purposes Licensing sub committee Chair of Pension Fund sub committee	1 x 1,987 1 x 1,987	3,974
Group Leaders	3 x 11,903	35,709
Deputy Group Leaders	3 x 9,522	28,566
Group Whips	3 x 5,147	15,441
Members of Alcohol and Entertainment Licensing Committee	15 x 3,500	52,500
	TOTAL for Basic and Special Responsibilities	
CIVIC RESPONSIBILITY		
Mayor	1 x 7,162	7,162
Deputy Mayor	1 x 5,271	5,271
	TOTAL	12,433
CO-OPTED AND INDEPENDENT MEMBERS		
Voting co-opted members	4 x 207	828
Independent members	2 x 207	414
	TOTAL	1,242
MAXIMUM TOTAL FOR SCHEME		876,271

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This figure represents the **maximum, indicative **total** cost of the scheme. Since members may only claim one SRA some of the allowances included in the*

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| *scheme are not taken up and so the actual total cost of the scheme may be less than that shown above.*

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Appendix 3: Proposed Changes to the Budget Process

Background

Brent Council previously scrutinised the budget using the following process:

- The Executive presented a report to Full Council in November setting out their expenditure priorities for the coming year. In addition Full Council received a report that sets out the financial position of the Council, and financial forecasts for the following year.
- This is debated – the ‘First Reading Debate’
- A record of the debate was sent to the chairs of Overview Committee & Scrutiny Committee who may wish to undertake appropriate consultation with others
- The Executive took into account the issues raised at the First Reading Debate prior to agreeing its budget proposal
- A joint committee of Overview & Scrutiny considered the Executive’s budget proposals.
- A meeting of Full Council considered the Executives budget proposals and comments made by the joint Overview & Scrutiny Committee.

Proposal

It is proposed to set up a time limited Budget Panel to undertake more in-depth look at the budget including: medium term financial planning, pre budget proposals, budget development and budget principles.

Make – up of the Budget Panel

- The Panel will be politically balanced and made up of 6 members and will be a permanent sub committee of the Overview and Scrutiny Committee but will only meet for the purpose set out below.
- Panel members will also receive budget focused scrutiny training. In addition it is proposed to engage an advisor to facilitate the Panel, preferably an existing Councillor from another authority with experience of budget setting / scrutiny. To take place in **October**.

The Process

- **October** - The first two meeting of the panel will take place prior to the First Reading Debate which will take place on 27th November. These meetings the panel will receive the position statement report produced by the Director of Finance prior to it being discussed at Full Council.

They will also receive evidence from Service Directors to outline critical issues for their departments.

- **November** – The First Reading Debate. The Executive presents a report to Full Council setting out their expenditure priorities for the coming year. In addition Full Council receives a report that sets out the financial position of the Council, and financial forecasts for the following year. A record of the debate will be sent to the Budget Panel .
- In **December** following the **First Reading Debate** the Budget Panel will start a series of meetings to discuss the Executives stated priorities and those issues raised by members at the First Reading Debate. Executive Members will be amongst those called as witnesses.
- In **mid January** the Budget Panel will produce a report that will be sent to each Executive Member, and Group Leaders. The intention of this report is to inform budget proposal discussions.
- **Before the February Executive Meeting** – The 12th February in 2007 the Budget Panel will receive the Leader's budget proposals. Executive members will be called as witnesses. The Budget Panel's comments will go to the Executive in conjunction with the Panel's report produced in January.
- **February** (12th in 2007) the Executive meets to consider the report and comments from the panel, and the report from the leader. The Executive will agree budget proposals for Full Council.
- **March** (5th in 2007) Full Council determines budget and Council Tax.

The Remit of the Budget Panel

The Panel will have a role in facilitating the setting of the Council's budget within the context of the priorities set out in the Community Strategy and the Corporate Plan. It will also support longer term service planning within the Council. In doing so the Panel's discussions will focus on:

- The Medium Term Financial Strategy
- Principles for Budget Setting,
- The robustness of the budget and the ability to deliver savings
- Key Revenue Budget outputs and decisions
- Key Capital Budget outputs and decisions.

5. The Overview and Scrutiny Panels will contribute to the development of policy and will scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to the functions or services specified in their terms of reference. They will carry out the Overview and Scrutiny Panel functions in respect of the functions or services specified in those Terms of Reference. The Overview and Scrutiny Panel Functions are:

to contribute to the development of an annual work programme for approval by the Overview and Scrutiny Committee;

to implement their annual work programmes once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme;

to undertake in depth monitoring of a function or service;

to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering;

to consider any representation, petition or deputation referred to it;

to consider any report or outcome of any review or inspection relating to function or service;

to monitor the implementation of any action plans arising from any such review or inspection;

to request reports on specific issues of concern;

to consider any issues arising from a consultative forum or other consultation exercises;

to establish Task Groups.

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY PANEL

Membership

The sub-committee is comprised of 19 members in total comprising 13 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.

None of the members shall be members of the Executive.

The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.

Terms of Reference

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to children and families services and to carry out the Overview and Scrutiny Panel functions in respect thereof.

The Overview and Scrutiny Panel Functions

1. to develop an annual work programme for approval by the Overview and Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
3. to undertake in depth monitoring of a function or service.

4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.

to consider any issues arising from a consultative forum or other consultation exercises.

to establish Task Groups.

To consider any education matter called-in in accordance with Standing Orders and to make recommendations thereon.

Limitation

The voting co-opted members may only vote on matters relating to school education and the non-voting co-opted members may not vote on any matter.

QUALITY OF LIFE OVERVIEW AND SCRUTINY PANEL

Membership

The sub-committee is comprised of 7 councillors.

None of the members shall be members of the Executive.

The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.

Terms of Reference

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to housing and customer services, the environment, library services, arts and culture, adult and community education, regeneration, sport and leisure, community centres, crime reduction and any other Council function not otherwise falling within the remit of one of the other overview and scrutiny panels and to carry out the Overview and Scrutiny Panel Functions in respect thereof.

The Overview and Scrutiny Panel Functions

1. to develop an annual work programme for approval by the Overview and Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.

3. to undertake in depth monitoring of a function or service.
4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.
9. to consider any issues arising from a consultative forum or other consultation exercises.

to establish Task Groups.

Limitation

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

ADULT AND SOCIAL CARE OVERVIEW AND SCRUTINY PANEL

Membership

The sub-committee is comprised of 7 councillors.

None of the members shall be members of the Executive.

The Chair and Vice Chair shall be appointed by the Overview and Scrutiny Committee in accordance with Standing Orders.

Terms of Reference

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to health and adult and social care functions and to carry out the Overview and Scrutiny Panel Functions in respect thereof.

The Overview and Scrutiny Panel Functions

1. to develop an annual work programme for approval by the Overview and Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
3. to undertake in depth monitoring of a function or service.

4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.
9. to consider any issues arising from a consultative forum or other consultation exercises.
10. to establish Task Groups.

Limitation

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.