



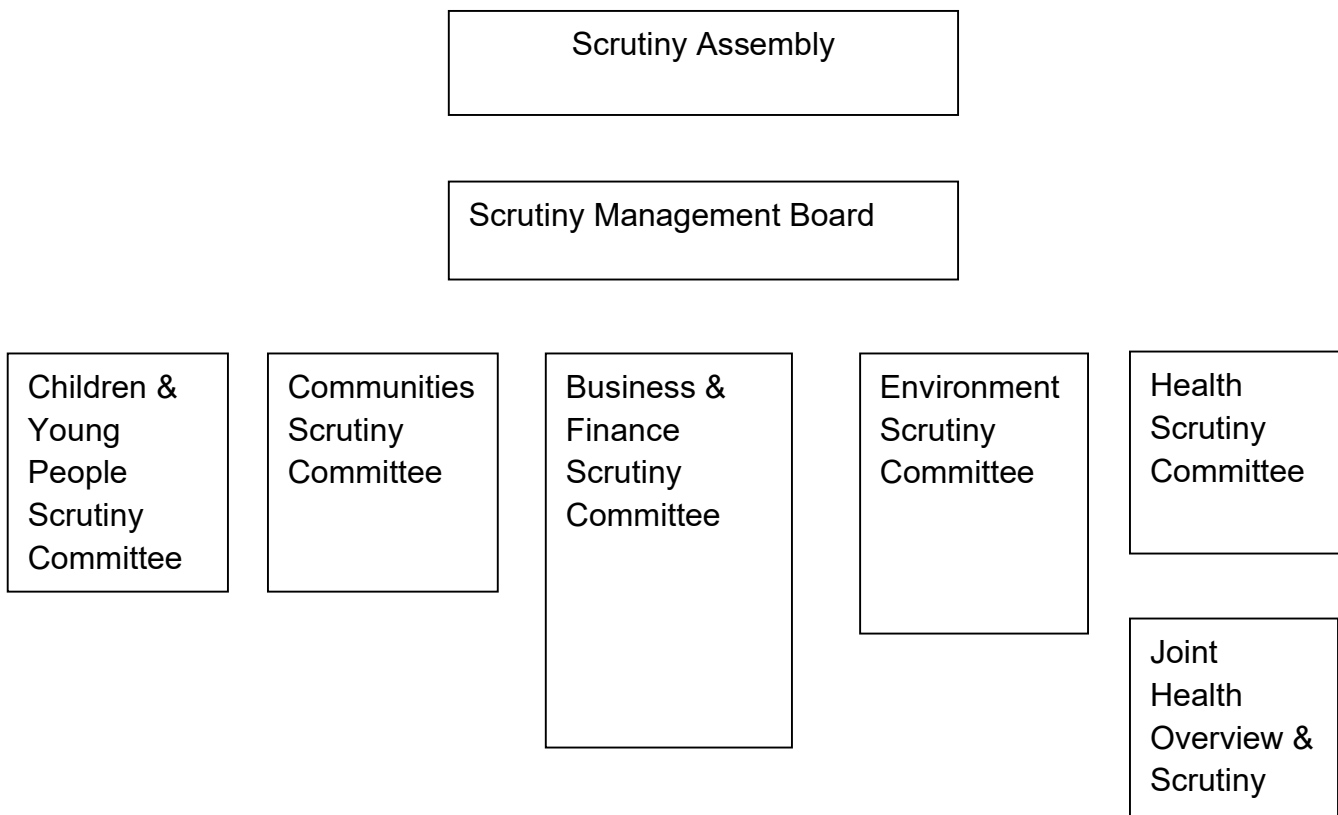
Telford & Wrekin  
Co-operative Council

Protect, care and invest  
to create a better borough

# Scrutiny Handbook

2023-2024

# The Structure of Scrutiny



## Scrutiny Assembly

The Scrutiny Assembly includes all members of the Council except the Leader, Cabinet Members and the Mayor. Members of the public co-opted onto the Scrutiny Committees are also members of the Scrutiny Assembly.

The Chair of the Scrutiny Management Board is appointed by Full Council and is also the Lead Scrutiny Member and Chair of the Scrutiny Assembly. If he or she is not available for a meeting of the Assembly, a Chair will be nominated from among the remaining Scrutiny Committee Chairs.

The Scrutiny Assembly is not a formal decision making body but acts as a consultee on scrutiny matters such as changes to the scrutiny structure or processes. Consultation is usually done by email or, if deemed necessary, at a meeting. Most scrutiny work is carried out by the Scrutiny Committees but the Scrutiny Assembly may meet to consider cross-cutting or strategic issues requiring broader participation of Scrutiny Members.

Scrutiny Assembly members may attend any Scrutiny Committee meeting in order to hear the discussion regardless of whether they are a member of that Committee.

Terms of Reference for the Scrutiny Assembly and the Role Description for the Chair of the Scrutiny Assembly are set out at the end of this Handbook.

## **Scrutiny Management Board**

The Scrutiny Management Board has overall responsibility for co-ordinating and monitoring the delivery of the Scrutiny Work Programme and for allocating resources between the Scrutiny Committees so that the work load is managed effectively. The Scrutiny Management Board also carries out its own programme of reviews.

The Scrutiny Management Board is made up of the Scrutiny Committee Chairs and other elected members as required to make the Board politically balanced. The Chairs and other Members of the Scrutiny Management Board are appointed at Annual Council, and the Chair is also the Lead Scrutiny Member and Chair of the Scrutiny Assembly.

The responsibilities of the Scrutiny Management Board include:

- Reviewing the suggestions put forward for the Scrutiny Work Programme and allocating them to the relevant Scrutiny Committee or Committees
- Agreeing the allocation of resources between the Scrutiny Committees
- Carrying out reviews as agreed by the Scrutiny Management Board
- Overseeing and monitoring the delivery of the Scrutiny Work Programme
- Ensuring the Work Programme fulfils statutory scrutiny duties
- Receiving requests from the Leader or Cabinet or Full Council for reports, and allocating the request to the relevant Scrutiny Committee to carry out the work
- Hearing requests for Call-in of a Cabinet decision
- Making changes to the scrutiny structure and arrangements, in consultation with the Scrutiny Assembly, and reporting the changes to Full Council. If the changes fall outside the provisions of the Constitution, the Scrutiny Management Board will make recommendations to the Council's Constitution Committee.
- Periodically reviewing and making changes to the Policy for Co-opting Scrutiny Members
- The Chair of the Scrutiny Management Board will present reports and recommendations made by the Board to the Council's Cabinet, or Full Council or other organisations as appropriate
- The Chair of the Scrutiny Management Board will present the Annual Scrutiny Report to Full Council

The Terms of Reference for the Scrutiny Management Board are set out at the end of this Handbook

## Scrutiny Committees

There are 5 service-themed Scrutiny Committees which are responsible for scrutiny of matters relating to relevant service areas, or of matters referred to the Committees by the Scrutiny Management Board. These are:

- Business & Finance Scrutiny Committee
- Children & Young People Scrutiny Committee
- Communities Scrutiny Committee
- Environment Scrutiny Committee
- Health Scrutiny Committee

<b>Duty</b>	<b>Scrutiny Committee</b>
Scrutiny of NHS bodies and emerging health and social care structures	Health
Crime & Disorder Reduction Partnership (Safer, Stronger Communities Partnership)	Communities
Flood & Water Management	Environment
Partners under Local Area Agreements	Business & Finance
Social Care referrals from Healthwatch	Health
Scrutiny of Budget Proposals under the terms of the Council's Constitution	Business & Finance

The Committees are made up largely of elected members of the Council, as well as some co-opted members of the public who supplement the knowledge and experience represented by the elected members of the Committees. The protocol for Co-opted Scrutiny Members is set out in later in this document.

Annual Council appoints Elected members to each Scrutiny Committee in line with the political balance of the Council. Co-opted members are assigned to the Scrutiny Committee relevant to their skills and experience and in accordance with legislation.

Each Scrutiny Committee determines its own work programme according to the procedure set out in the next section of this Handbook and will determine the schedule of meetings required to deliver the work programme.

Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups / working groups to carry out investigative work as part of a review and these sub-groups / working

groups may hold informal meetings but will report back their findings to the Scrutiny Committee.

Where two or more Scrutiny Committees have competing demands for the Democracy Team resources which cannot be met, the Scrutiny Management Board will decide how resources should be allocated.

A sub-group of Members of the Health Scrutiny Committee also sit on a Joint Health Overview and Scrutiny Committee with colleagues from other authorities to scrutinise health issues which cut across the boundaries of both authorities. The Terms of Reference for the Joint Health Overview and Scrutiny Committee will be agreed with the other authority/authorities in relation to the specific issue under scrutiny.

Terms of Reference for the Scrutiny Committees, the Role Description of the Scrutiny Chairs and Terms of Reference for the Telford & Wrekin and Shropshire Joint Health Overview & Scrutiny Committee are set out at the end of this Handbook.

# The Scrutiny Work Programme

## Setting the Scrutiny Work Programme

The Scrutiny Work Programme is agreed at the beginning of a new administration and reviewed by Scrutiny Management Board every two years. Where there are current issues that require further scrutiny, Scrutiny Management Board will consult the Scrutiny Assembly to determine how this work will continue and if there is sufficient capacity to undertake a full review of the Scrutiny work programme. Where a full review of the work programme is agreed Scrutiny Assembly members, Cabinet members, the Mayor, Council officers, Parish and Town Councils and other partner organisations are invited to put forward their suggestions for the work programme.

Suggestions should be made on via the [Scrutiny Suggestions Form](#) on the Telford & Wrekin Council website.

Once the closing date for the submission of suggestions has passed, the Democracy Team will collate all the suggestions.

The Scrutiny Management Board then meets to consider all the suggestions and will:

- Determine whether the suggestion meets the criteria for scrutiny
- Agree items for the Scrutiny Management Board work programme
- Allocate other suggestions to the relevant Scrutiny Committee to consider for the work programme, making recommendations about which should be prioritised or which items should be jointly scrutinised by two or more Committees
- Propose the allocation of resources across the Committees based on the projected work load and timing of reviews.

Where a full review of the work programme is not required Scrutiny Management Board will recommend the issues that will be considered by each Scrutiny Committee and the resources that this will require.

Following the meeting of the Scrutiny Management Board, each Scrutiny Committee considers the suggestions allocated to them to decide which issues they want to look at and how to carry out the work having due regard for the resources available. Decisions about the work programme can be made at a meeting or agreed by email and reported back at the next Committee meeting.

All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee. These working

groups may hold informal sessions in person or virtually to meet the requirements of the review.

Once all the Scrutiny Committees have agreed their work programme, the Scrutiny Management Board will review the programme to ensure that the work load is manageable within the resources available, and where two or more Committees have competing needs for resources which cannot be met by the Democracy Team, the Scrutiny Management Board will decide how resources should be prioritised.

Once the final work programme is agreed, it will be circulated to Scrutiny Assembly members, senior Council officers and published on the Council's website.

### **Setting the Scrutiny Work Programme**

Once the Scrutiny Work Programme has been agreed by the Scrutiny Committees and the Scrutiny Management Board, items should only be added or removed where there is good reason to do so and with the agreement of the relevant Scrutiny Committee.

If a suggestion is raised at a Scrutiny Committee meeting, the committee can decide if it fits within the scope of the existing work programme and if there is sufficient time and resources to carry out the work. The committee may need to remove an existing item in the work programme to create the capacity to undertake this new work. The decision to include a new item and which item should be removed from the work programme will be decided by a simple majority. Any changes to the work programme will be reported by the Chair to Scrutiny Management Board.

Suggestions for Scrutiny can be made throughout the year by any Scrutiny member, Cabinet member, the Mayor, a Council officer, a member of a partner organisation or a member of the public. Suggestions should be made by submitting a Scrutiny Suggestion Form to a member of the Democracy Team.

If a Scrutiny suggestion is not already in the work programme, the Scrutiny Management Board may agree to invite the person who made the suggestion to attend Scrutiny Management Board to explain why this work should be carried out by Scrutiny. Scrutiny Management Board may then recommend that this work is carried out.

Any issue referred to Scrutiny from Full Council will automatically be included in the work programme. The issue will be discussed by the Scrutiny Management Board to decide the most appropriate method of scrutiny.

It is anticipated that items will only be removed from the Scrutiny Work Programme on rare occasions. Some reasons why items may be removed are:

- Members have held a scoping meeting for an item and have concluded that they are satisfied that the information provided answers the original concerns, and no further issues have been identified for scrutiny
- Circumstances such as an internal review, external inspection, officers starting a new piece of work on the item identified etc mean that a scrutiny review would be duplicating current work. In such cases, Members would usually ask for a follow up meeting to receive feedback on the outcomes of this other work
- Committee Members have agreed to include an item which has arisen during the year to their work programme and an item has to be removed from the existing work programme in order to accommodate the new item
- The item could not be covered within the year. If members still feel that the issue warranted scrutiny, they may suggest it again as part of the new work programme.

In order to remove an item from the Work Programme, it must be agreed by the relevant Committee, by way of a simple majority.



# Methods of Scrutiny

There are a number of methods of scrutiny that can be used to consider issues on the work programme. The method of scrutiny chosen for each item will depend on how large or complex the item is, as well as the capacity of scrutiny members and officers to deliver the work programme.

The method of review will affect the number of items that can be included in the work programme. Reviews provide an opportunity to get “under the skin” of an issue but are time intensive and will limit the number of topics that can be looked at. Using methods which are less time intensive will extend the reach of scrutiny.

The method of scrutiny will be decided as part of the work programme setting process, but may be changed during the course of the year by agreement of a simple majority of Committee members. This will allow members to work flexibly to optimise the use of time and resources to carry out the work programme. If members choose to extend a review, it may be necessary to re-prioritise or remove other items from the work programme and these changes would need to be agreed by a simple majority of members.

Where possible, Scrutiny Committee meetings will be held in public so that the process is transparent and members of the public are able to attend meetings about issues in which they have an interest. However, members may choose to hold working-group or informal meetings as necessary to undertake the work.

Where a cross-cutting issue is identified by the Scrutiny Management Board, members from each of the relevant Committees will be asked to participate in the work. The Chairs from the relevant Committees will agree amongst themselves which of them will lead the work.

Scrutiny Assembly members may attend any Scrutiny Committee meeting to hear the discussion, and the Chair of the Committee may use their discretion to allow questions from non-committee members.

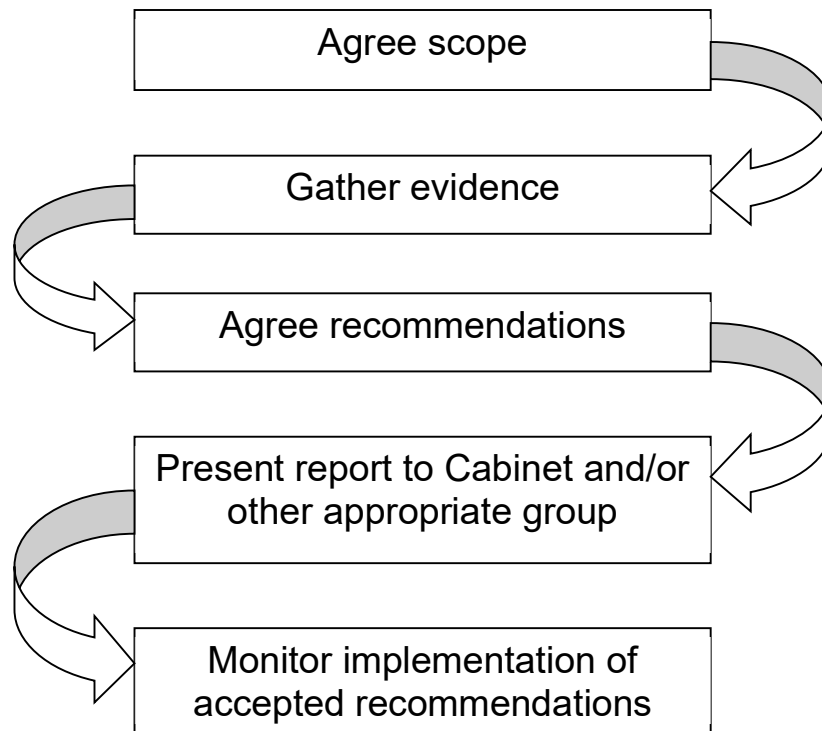
Each Committee will determine the scope of its work which will include how long this is likely to take. When considering the scope of a review Members will pay regard to policy development and the decision making process so that recommendations are relevant when they are discussed by Cabinet. The usual methods of Scrutiny are:

- An agenda item at a meeting
- One meeting to receive evidence and agree any recommendations and conclusions
- A review involving 2 or more meetings to scrutinise a particular issue

The Scrutiny Work Programme will be published on the Council's website and links to agendas and papers for Scrutiny Committee meetings are sent to all members so they can attend meetings on any issues of interest.

## Process for undertaking scrutiny

The process for undertaking Scrutiny work is described below.



### Agree Scope

Where the issue under scrutiny will be considered as an agenda item at a meeting or at a single working group meeting the Democracy Team will support the Chair of the Committee, Committee Members and relevant officers to agree the scope of the work.

Where the issue will be scrutinised through an in-depth review an initial meeting is arranged between the Scrutiny Committee members and a small number of officers from the relevant service area(s) and/or partner organisation if appropriate. The relevant Cabinet Member(s) will also be invited to attend. The officers give a presentation of up to 30 minutes covering the key information relating to the issue raised by scrutiny. This will be followed by questions from scrutiny members.

Once scrutiny members have asked all of their questions, the Chair may invite the officers and Cabinet Member(s) to leave so that the scrutiny members can discuss the way forward.

Although the item has initially been identified for review, there may be occasions when Scrutiny Members feel that having heard further information from officers, this is no longer necessary. The Committee may decide to make recommendations based on the information provided at the meeting or request an update report at a future meeting.

Where an issue will be scrutinised at a single meeting or as an agenda item at a meeting the scope of this work will be agreed prior to the meeting – usually by email. The scope should be clear and should identify key areas of concern so that members focus their attention where they can add value. The scope of the work will determine if the Committee will scrutinise the issue as a single meeting or an agenda item at a meeting. Scrutiny is an open and transparent process but the Chair of the Committee will determine if the work will be undertaken at a Committee meeting or a working group meeting depending on the nature of the information and work to be undertaken,. Eg. Visits to other organisations will not be carried out as a public meeting. The information from working group meetings will be used to inform the final public report and recommendations.

Where possible, Members may agree the dates for future committee or working group meetings. However meetings may need to be arranged taking into account availability of those invited to give evidence.

Once Scrutiny Members have agreed the scope, it will be circulated to the officers who were present, other relevant officers, Executive Directors, Directors and the appropriate Cabinet Member. The officers and Cabinet Member will be invited to comment on the scope, but the scrutiny group members have the final say as to what is included. Any changes to the scope of the review must be agreed by the whole review group.

Any changes to the list of interviewees agreed when a review is scoped will be made with the agreement of all members of the particular review group and not by individual members or Chairs.

## **Gather Evidence**

Cabinet Members, Officers and partner organisations attending the meeting will be informed of the lines of inquiry that Members have identified. The Democracy Team will liaise with officers to determine if Members have requested:

- A written report to be circulated with the papers prior to the meeting
- A presentation at the meeting
- Verbal update or discussion

These lines of inquiry may lead to other questions at the meeting.

The methods used to gather evidence will depend on the information that is needed for each piece of Scrutiny work. Some of the methods that have been used for previous reviews are given below. This is by no means an exhaustive list and neither would it be expected that all of these activities would be carried out for every review. In order to focus resources efficiently, members should only select witnesses and activities that are necessary to address the concerns identified in the scope.

- Meetings with Council officers and Cabinet Member(s)
- Surveys – of the general public, of the Community Panel, of service users
- Desk based review of legislation and documentation
- Meetings with officers from other organisations
- Focus groups with residents or service users
- Performance information
- Views of Parish and Town Councils – in meetings, written evidence or surveys
- Site visits
- Best practice from other authorities – by visits, internet research or requesting written evidence.

The Democracy Team arrange the required evidence-gathering meetings other than the member-only working group meetings described below, and co-ordinate any other activities such as surveys and written evidence. It is unlikely that all members of the Committee will be able to be present at all evidence gathering meetings, and placing this requirement on members would substantially slow the progress of scrutiny reviews. Meetings will therefore take place when 3 or more members are available to attend. If apologies are given by members at short notice the meeting will be held at the Chair's discretion.

Whenever possible a member of the Democracy Team will attend all scrutiny interviews to take notes and to support the meeting. There may be occasions when it is appropriate for scrutiny members to attend meetings alone, or when a member of the Democracy Team is unable to attend. This will be by prior agreement of the members involved and with any officer(s) attending the meeting. The pro forma for member only meetings is set out later in this Handbook.

Meeting notes are sent to the witness to ensure accuracy, and will be circulated to Scrutiny Members by e-mail once the notes have been finalised. As part of the work of Scrutiny Committees members will, on occasions, receive information that is confidential. All Members and Co-optees will manage this information in accordance with the Council's data protection and confidentiality policies. Members are reminded to dispose of information appropriately at the end of a Scrutiny meeting or at the end of the scrutiny review.

## Agree Recommendations

When all of the required evidence has been gathered, members will discuss their conclusions and recommendations. Recommendations should be based on this evidence.

A member of the Democracy Team will write up the conclusions and recommendations that the members have agreed. These are circulated to the review group to ensure that the drafted recommendations accurately reflect what was agreed.

Where appropriate a meeting is then held between the Scrutiny Committee or Scrutiny Committee Chair and the relevant Cabinet Member(s) and officers to discuss these recommendations. If it is not possible to arrange a meeting Cabinet Members will receive the recommendations by email and have an opportunity to make comments. The purpose of this process will be for the Scrutiny Chair to present the draft recommendations and to discuss the Cabinet response and any concerns that the Cabinet Member or officers have about the recommendations.

Issues for discussion may include:

- Whether the recommendations could be implemented in practice
- Alternative ways to address the issue if any recommendations are seen as impractical
- Any information the Cabinet Member or officers may have that impacts on the suggested recommendations
- The financial implications of the recommendations
- Identifying the relevant officer to co-ordinate the Executive response (liaising with partner organisations where necessary)

When a member of the Democracy Team drafts a report, the draft report will initially be circulated to the review group members for comment. It will then be circulated to witnesses who provided information for the review to check for factual accuracy. This may include:

- The relevant Cabinet Member(s)
- The relevant Executive Director(s), Director(s) and Service Delivery Manager(s)
- Other officers who were involved in the review
- Relevant representatives from external organisations.

Officers, Cabinet Members and external witnesses can make factual amendments to the report. Any suggestions to amend the recommendations should have been raised at the meeting prior to the circulation of the draft report to enable the suggested amendment to be fully discussed. If an amendment is suggested at this stage, the Democracy Team will discuss this with the Scrutiny Members and it remains the decision of the Scrutiny Members as to whether to make the amendment.

The report will be endorsed by all scrutiny members involved in the work. If a consensus cannot be reached, a minority report may be produced, although it is expected that this would rarely be necessary.

### **Present Report to Cabinet**

The Scrutiny report will be considered at a meeting of the Cabinet, which should normally be no longer than 2 months from the date of the meeting between Scrutiny members and the Cabinet Member. Both the scrutiny report and the draft response from the Cabinet Member (see the template below) will be considered as part of the normal preparation for Cabinet meetings. The Scrutiny Chair will attend any pre-Cabinet and Cabinet discussion relating to the report.

The Cabinet meeting will consider both the scrutiny report which will be introduced by the Scrutiny Chair and the Cabinet response which will be introduced by the relevant Cabinet Member. The Cabinet will decide on the elements that they have responsibility for. Any issues which need to go before Council will be considered at the next scheduled Council meeting along with the Cabinet's views and alternative proposals (if any).

The report will be made available in an electronic format on the Council's website. All of the witnesses to the review will be informed that the report is on the website and will be informed of the date of the Cabinet meeting that the report will be discussed at, should they wish to attend.

### **Present Report to external organisations**

Scrutiny tries to engage partners constructively in reviews and sometimes scrutiny makes recommendations to external organisations. When this happens, the arrangements for presenting the scrutiny report and recommendations, and for the organisation to respond, will be discussed by a member of the Democracy Team and Scrutiny Chair with the relevant officers of the organisation.

Template for Cabinet Response to Scrutiny Reports

<b>Scrutiny Committee:</b> <b>Report:</b>  <b>Lead Scrutiny Member:</b> <b>Lead Democracy Officer:</b>		<b>Cabinet Member:</b>  <b>Response prepared by (name and title):</b>  <b>Date of Cabinet meeting:</b>	
Scrutiny Commission Recommendation	Response and summary of action being taken to implement, or reason for rejection	Date by which action will be taken	Person responsible for action (name and title)

## **Monitor Implementation of Recommendations**

The Democracy Team maintain a record of all scrutiny recommendations made and the Cabinet response. The Democracy Team will seek an update from the relevant officers at regular intervals for all actions that were agreed to be taken by that date. This will be recorded and circulated to the relevant Scrutiny Committee for information. If they are not happy with the response given and require further information or a meeting to discuss with the officer and/or Cabinet member, this will be arranged. Previous recommendations will be archived once they have been implemented or if the Committee deems the recommendations to be out of date.



# Member Only Meetings

Whenever possible a member of the Democracy Team will attend scrutiny meetings to advise scrutiny members on points of procedure and to take notes. There may be occasions when it is appropriate for scrutiny members to attend meetings alone, or when a member of the Democracy Team is unable to attend. This will be by prior agreement of the members involved and with any officer(s) attending the meeting.

The pro forma template below may be used to keep the meeting focused, to ensure that it fits within the agreed scope of the review and that the information gathered is recorded and shared with other members of the review group.

It is the responsibility of members to organise these meetings.

<b>Member Only Working Group Meeting Proforma</b>	
<b>PLANNING:</b>	
Date of Meeting:	
Time of Meeting:	
Venue ( book room in required):	
Has this topic been agreed by the Scrutiny Committee as an issue for a member supported working group meeting? (Date of meeting)	
Chair for Member Supported Working Group meeting:	
Topic:	
<p>What is the scope of the meeting?            ( Identify about 3 questions Members want to consider. These questions should be given to officers attending before the meeting.</p> <p>1)</p> <p>2)</p> <p>3)</p>	
Officers invited who have confirmed attendance at meeting: (Requests for attendance should be made to Directors or Service Delivery Managers)	
<b>MEETING:</b>	
Welcome and introductions	

Agree Note taker
Notes of Meeting
Recommendations / Actions from Meeting
Agree notes, actions and recommendations as accurate record of meeting
Send copy of notes to Scrutiny Committee Chair, Officers attending, and the Democracy Team (Notes of the meeting will be made public when sent to the Committee for information)

# Call-In

Call-in is the mechanism by which scrutiny members can examine decisions that have been taken, either by Cabinet or key decisions taken by officers under delegated powers, before they have been implemented. Call-in of a decision defers the implementation of the decision to allow its further consideration. As Call-ins are responsive to items in the Council's Forward Plan, they cannot be scheduled into the Scrutiny Work Programme in advance.

Call-in does not apply in the following circumstances:

1. Decisions taken by the Cabinet that are urgent
2. Decisions of full Council
3. Decisions taken by officers that are not key decisions
4. Recommendations from the Cabinet to the Council
5. Specific or individual employee relations, disciplinary or grievance matters
6. Matters subject to formal/statutory appeal processes or that are sub-judice
7. Individual appeal cases e.g. planning, licensing, housing or education
8. Decisions of the Governance Committee, Audit Committee or Regulatory committees.

Any decision made by the Cabinet or an officer with delegated authority will be published within four working days of being decided. If a member wishes to call-in a decision, they must complete a call-in request form (below), which must be signed by a minimum of 5 members, and forward it to the Director: Policy & Governance within 3 working days of the decision being published. The form may be posted, faxed or emailed.

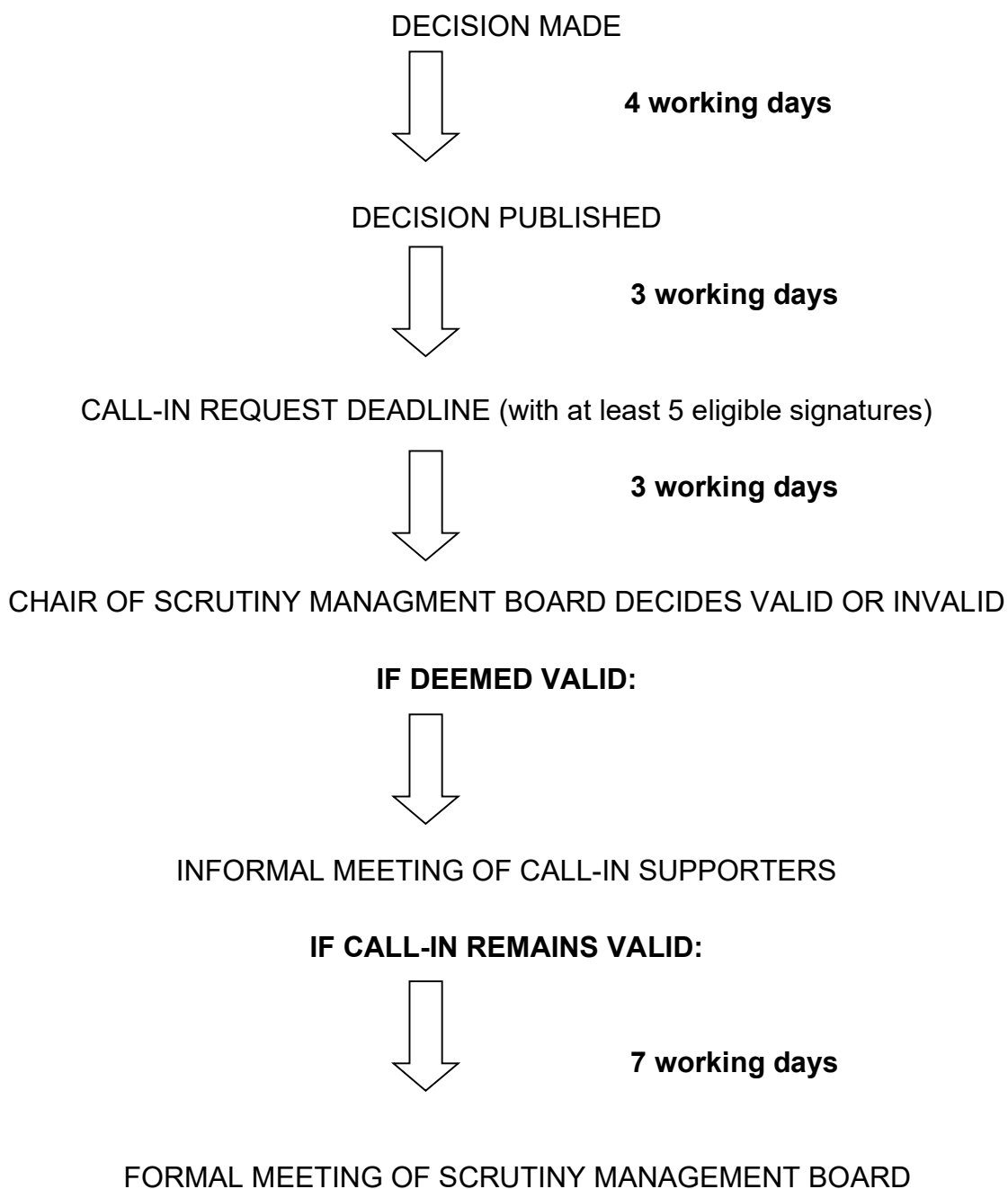
The Director: Policy & Governance will inform the Chair of the Scrutiny Management Board that a call-in request has been received. The Chair will then decide within 3 working days whether the call-in is valid or not as set out in the Council's Constitution. If valid, an informal meeting will then be held between the members supporting the call-in, the person who took the decision and the Director: Policy & Governance. This meeting will clarify the points at issue, ensure there is no confusion regarding the decision, and identify whether the concerns expressed on the call-in form can be addressed by the decision taker in the original decision. After this meeting, the call-in supporters may withdraw their support if they wish. If less than 5 signatories remain, the call-in is no longer valid.

Valid call-ins will be heard at a special meeting of the Scrutiny Management Board within 10 working days of the call-in request being received. At this meeting, Scrutiny Management Board members will receive a presentation from the lead call-in member and from the Cabinet member or officer that took the decision. The Scrutiny Management Board will then have the opportunity to ask questions of both parties.

Having reviewed the decision, the Scrutiny Management Board can:

1. reject the call-in proposal and note the original decision which will take effect on the date of the scrutiny meeting
2. accept the proposal on the call-in form and refer back to the decision taker with any comments they wish to make. Cabinet decisions will be reconsidered at the next scheduled Cabinet meeting, and may be amended before adopting a final decision. If the decision was made by an officer with delegated authority, that officer will reconsider within 3 working days of the call-in meeting, amending the decision or not.
3. accept the proposal set out on the call-in form and refer the matter to full Council if the decision is deemed to be outside the policy and budget framework.

**TIMETABLE FOR CALL-IN**



**CALL-IN REQUEST FORM**

<b>Decision reference/minute no.</b>	
<b>Date of publication of decision:</b>	
<b>Decision taken by:</b>	
<b>This form must be returned to the Director: Policy &amp; Governance within 3 working days of the decision being published with at least 5 signatures.</b>	
<b>Decision Called in :</b>	
<b>Suggested proposal you would like to be voted on at the call-in meeting:</b>	

**Members requesting call-in of the decision:**

	<b>Name</b>	<b>Signature (e mails from your Council computer will be accepted in lieu of a signature but paper or faxed forms must be signed)</b>	<b>Date</b>
1*			
2			
3			
4			
5			
6			
7			
8			
9			
10			

\* The Member named here is the Lead Call-in Member

**THIS PART OF THE FORM IS TO BE COMPLETED BY THE DIRECTOR: POLICY & GOVERNANCE OR THEIR REPRESENTATIVE**

<b>Date and time form received:</b>	
<b>Form processed by (name):</b>	
<b>Date of publication of decision:</b>	
<b>Was the Call-in request received within 3 working days of publication?</b>	<b>YES/NO</b> If no reject and inform relevant parties.
<b>Are there at least 5 appropriate member's signatures on the call-in notice?</b>	<b>YES/NO</b> If no reject and inform relevant parties

**I certify that this Call-in request is / is not valid**

<b>Signature of Chair of Scrutiny Management Board</b>		<b>Date:</b>
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**Appropriate decision making body, Members requesting call-in, the Director: Policy & Governance and the Corporate Communications Manager need to be informed of receipt of call-in form.**



## Call-In Meeting Guidance

- It is acceptable for members to ask questions of anyone sitting at the table in the call-in meeting.
- The Democracy Team will liaise with the Chair of the Scrutiny Management Board to determine whether a site visit should be organised prior to the call-in meeting taking place.
- Both sides of the call-in are requested to produce basic information that can be given to members at the call-in meeting to help come to an informed decision.

This should include:

one side of an A4 sheet of paper, setting out the main points of their argument which will be distributed to each member of the Scrutiny Management Board to use during the meeting;

any background information that supports these arguments should be produced; this could include budgetary information, statistical information, maps, consultation results or a summary of changes in legislation.

- The Legal officer will brief all those present at the meeting on the call-in process in public at the beginning of the meeting.
- Any Scrutiny Management Board members arriving at the meeting after the first presentation by the member representing the call in may take part in the debate but will not be allowed to take part in the voting process. This should be made clear on the agenda for the meeting.
- The Cabinet Member, call-in members and supporters should move from the table once their summing up have been completed and all questions have been asked by the Scrutiny Management Board members. Members will then sum up their views based on the evidence they have heard. Only points of clarification will be asked during this part of the meeting.
- Regardless of whether the call-in is supported or not, the scrutiny members hearing the call-in will be able to pass comments to the Cabinet on the call-in issue. The Chair will sum up and clarify any points which members wish to pass to Cabinet. These will be reported to the Cabinet by the Chair of the Scrutiny Management Board

Action	By Whom	Time limit
Apologies	Chair	
Declarations of interest and party whip	Chair	

Welcome : including explanation of procedure to be followed	Chair / Officer	
Explanation of reasons for the call-in and justification for proposal set out on the call-in form  A4 sheet summarising argument will be distributed together with supporting documentation	Lead call-in member and any other persons that they wish to involve	30 minutes
Explanation of decision taken and views on alternative proposal.  A4 sheet summarising argument will be distributed	Relevant Cabinet member and officer (if a cabinet decision) or relevant officer (if decision was delegated to an officer) and any other persons that they wish to involve.	30 minutes
Questioning of call-in representatives and decision taker and supporters and consideration of any photographs, plans etc that illustrate the issue under discussion.	Scrutiny Management Board Members	Unlimited
Summing-up	Lead call-in member	5 Minutes
Summing-up	Decision taker	5 Minutes
Discussion and voting on the proposal on the call-in form	Scrutiny Management Board Members	Unlimited
Sum up and clarify any points which members wish to pass to the Cabinet. These will be reported to the Cabinet by the Chair of the Scrutiny Management Board.	Chair	Unlimited

# Councillor Call For Action (CCFA)

The relevant Scrutiny Committee may be requested to review ward issues by a Ward Member as a Councillor Call for Action. This protocol seeks to set out the process for Councillor Calls for Action, guidance for Ward Members and the pro forma to fill out to request a Councillor Call for Action.

Councillor Call for Action (CCfA) has been introduced to support elected members in achieving improvements for their local areas. It is envisaged that it would help those Ward Councillors who have been unable to resolve problems in their particular wards by talking to the local authority and its partners, by allowing the Ward Councillor to refer the matter to the Scrutiny Committee for consideration.

## Key Principles:

The successful operation of CCfA will rely on several principles:

- CCfA will be a means of “last resort”; with issues being raised with the Scrutiny Committee after all other avenues have been exhausted.
- CCfA can only be used in matters affecting a particular Ward area.
- It is a technique for helping to resolve issues, but it is not a panacea. Simply bringing issues to scrutiny through the CCfA process will not automatically produce a solution.

## Operation

The Ward Councillor will come across a problem in their area; this may be through their own experience or via the experience of residents in their area who may approach them for help. The ward councillor will examine the issue and signpost on for:

- Requests for service;
- An individual complaint for an issue specific to an individual’s experience of a specific service;
- Advise of bringing a petition.

If the issue cannot be solved using the methods above, the Ward Councillor will then, dependent on the issue, try to resolve the issue through a number of different avenues:

- Checking that the relevant complaints procedures have been complied with. If the resident’s issue appears to be that a standard service has not been provided, or not to a sufficient standard, then the Councillor should check that the relevant complaints procedure has been used, and that the service provider has responded to the complaint.
- Approaching the local service manager. The issue may at its core be that residents feel that the standard service is not the right one for local conditions and, therefore, the matter

may be a question of making some slight adjustments. The Ward Councillor would discuss the matter with the local service manager in an attempt to secure the change.

- Approaching relevant partnership bodies or local groups. If a matter requires attention from a number of different agencies acting in partnership, the Ward Councillor should contact the partner agencies to allow them an opportunity to resolve the issue.
- Approaching the relevant Cabinet Member or Members. The Ward Councillor may come to the conclusion that a resolution can only be found following a policy change, which would require a discussion with the relevant Cabinet Member or, if the issue is complex, Cabinet Members to allow them a chance to consider if a policy decision should be made.

Following the Ward Councillor's pursuit of one or all of these avenues, they may still be no nearer a resolution to the issue. They will need to consider whether the issue warrants consideration as a CCfA by the relevant Scrutiny Committee. Before initiating a CCfA, the Ward Councillor will be expected to 'filter' issues by either deciding that it does require further action through CCfA or that it does not as there is no compulsion for Ward Councillors to initiate a CCfA.

A Ward Councillor should consider the following when deciding if an issue warrants referral as a CCfA:

- (a) Are the concerns individual complaints? If yes, this should be signposted to the complaints process.
- (b) Do the concerns relate to an individual "quasi judicial" decision: Planning, Licensing, Education appeals, Housing appeals or Standards. Scrutiny is not appropriate for dealing with these kinds of concerns as they are subject to their own statutory appeals processes. However, patterns of issues may be appropriate to consider as a concern under CCfA – e.g. community concerns about the proliferation of licensed premises in a local neighbourhood.
- (c) Are the concerns to do with the quality of public service provision across a number of different organisations or agencies? CCfA is not only for Scrutiny to look at issues of concern relating to council services but to issues relating to all public services e.g. community safety, health issues or issues relating to local schools.
- (d) Has this concern already been taken through the CCfA process and someone is trying through another Ward Councillor? In which case you should automatically reject it as a CCfA, unless the issue has substantially changed in its nature to warrant reconsideration.
- (e) Is the focus of concern on a neighbourhood or locality issue? CCfA focuses on neighbourhood or locality issues where you as the Ward Councillor can help resolve issues of concern in your ward. If the concern is of a more general nature e.g. about policy across Telford & Wrekin, it would not be appropriate for CCfA but you could still make a request to Scrutiny in the usual way for it to be considered as part of the Scrutiny work programme.

- (f) Is the issue a genuine local concern? You will want to make sure that the concerns in your Ward are genuine and not just individual “hobby horses”. Finding out the views of other residents in the Ward will help to clarify this.
- (g) Have all other mechanisms for resolution of the concern been used to the full extent:
- discussing the issue with officers of the Council or other agency;
  - discussing the issue with the relevant Cabinet Member/s;
  - facilitating an informal discussion at an appropriate local forum;
  - raising the issue with locality based arrangements – like PACT meetings;
  - formally raising the concern with partnerships or partner agencies.
- (h) Is the issue persistent and unresolved by Ward Members? Do you feel you have done everything within your power to remedy a community concern and have exhausted all mechanisms? Have you tried to resolve problem(s) with the aid of other agencies and partnerships but have been unsuccessful in finding an adequate solution? Then you are able to refer the issue(s) to Scrutiny as a CCfA but this should be the last resort.

## Referral

In order to ensure that CCfA referrals are accurately recorded, the Ward Councillor will need to fill out a CCfA proforma. They should give a summary of the issue, why they think it constitutes a CCfA and what resolution they would like to see. It is very important that as much information is included as possible in order that the Chair of the relevant Scrutiny Committee can make an informed decision on whether this is a CCfA or not. Advice on filling in the proforma can be sought from the Director: Policy & Governance and the Senior Democracy Officer (Scrutiny).

Once the proforma has been completed by the Ward Councillor, this should be forwarded to the Customer Relationship Team who will record receipt of the CCfA on the feedback system and acknowledge receipt to the Ward Councillor. The Customer Relationship Team will then forward the CCfA proforma to the Senior Democracy Officer (Scrutiny), the relevant Director and the CEO of any relevant partner organisations.

## Validity

The Chair of the appropriate Scrutiny Committee (or in their absence the Vice Chair) with advice from the Senior Democracy Officer (Scrutiny), will decide on validity of CCfA and inform the Ward Councillor calling the CCfA, Scrutiny Committee, Director and any other organisations to which matter relates.

In judging whether a CCfA is valid or not the Chair will consider the following questions:

- (i) Does the issue relate to an individual Ward?
- (ii) Am I satisfied that reasonable attempts at resolution have been made by the Ward Councillor?
- (iii) Have scrutiny or Cabinet Members considered a similar issue recently? If they have, has the issue substantially changed to warrant re-examination?
- (iv) Are there projects, reviews, audits or inspections already underway that are already considering the concern?
- (v) In the case of a crime & disorder issue, that the matter has been referred to the Safer and Stronger Communities Partnership for resolution?
- (vi) Have the relevant area committee structures been exhausted?
- (vii) Have relevant partners or Council service areas been informed and not responded?
- (viii) Is there a more complex/strategic issue at the heart of it that could not be resolved at a lower level?
- (ix) Is the CCfA vexatious (refer to the guidance on vexatious under the Freedom of Information Act), discriminatory or unreasonable?
- (x) Could the issue raised in the CCfA be dealt with through an existing right of review or appeal e.g. planning appeals and licensing appeals? (If so then this would render the CCfA invalid except where the CCfA relates to a systematic failure of a Council function within these areas.)

Once the Chair of the Scrutiny Committee comes to a decision a letter will be sent from the Senior Democracy Officer (Scrutiny) to the Ward Councillor confirming whether the CCfA is valid or not. If valid, the letter will also confirm the date of the Scrutiny Committee meeting to consider the issue.

The Senior Democracy Officer (Scrutiny) will contact the relevant Director of the service or the Chief Executive of the partner agency to collect any further information available on the issue to be sent with the agenda for the Scrutiny Committee meeting.

## Scrutiny Committee Meeting

The Scrutiny Committee will invite the Ward Councillor and relevant officers from the Council or its partner agencies to discuss the matter in more detail at a public meeting. The Scrutiny Committee will either:

- (i) Reject the CCfA in its entirety;
- (ii) Make recommendations to the Cabinet or Council for actions to be taken;
- (iii) Make recommendations to the Chief Executive Officer of a partner agency for actions to be taken;
- (iv) Agree to undertake a Scrutiny Special Interest Meeting/spotlight review or in-depth review on the issue. Where necessary other items on the work programme may be removed or delayed.
- (v) Agree to hold a further meeting to discuss, where further evidence is required;
- (vi) Or, where appropriate, a combination of the actions stated above.

## **Scrutiny Committee decision / recommendation**

The outcome of the meeting will be communicated to the Ward Councillor, Director and the Chief Executive Officer of the partner agency, the Cabinet Member/s and the Customer Relationship Team who will record the decision / recommendations and track their implementation / rejection. Updates will be provided to the Scrutiny Committee as agreed.

Once all recommendations have either been implemented or rejected by the Cabinet / Council or partner agency, the CCfA record will be closed.

## COUNCILLOR CALL FOR ACTION (CCfA) PROCESS MAP

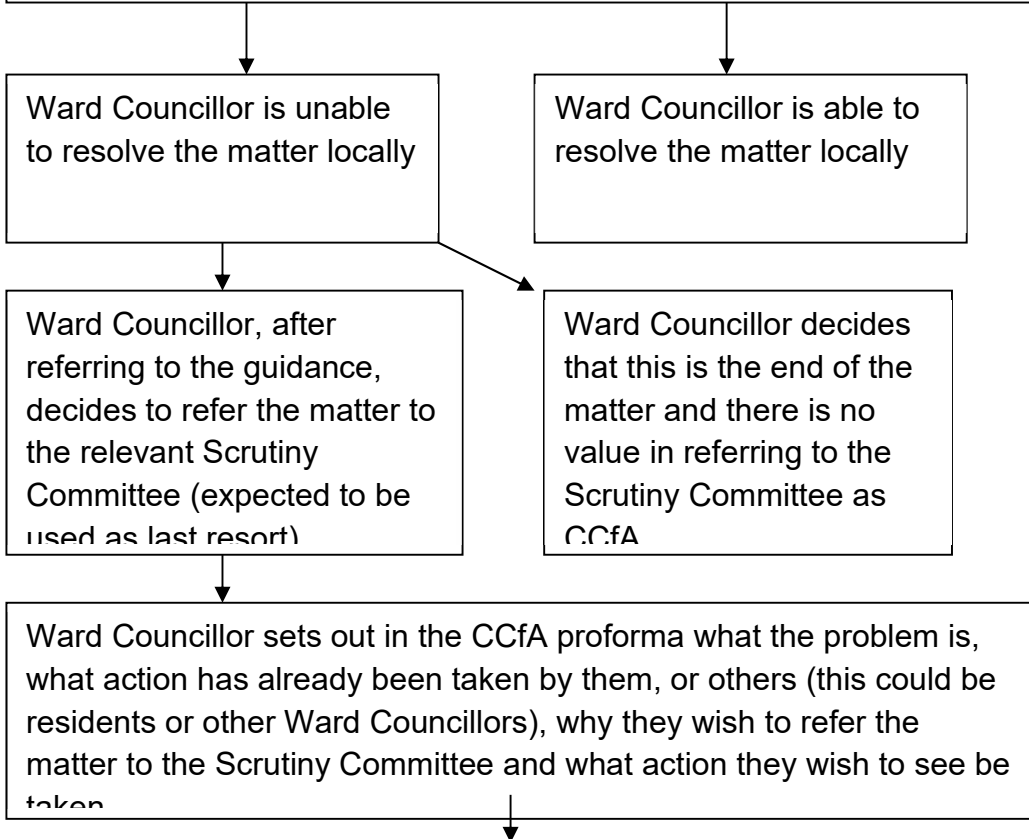
Ward Councillor becomes aware of a local problem or is approached by an individual resident or group of residents to help solve a local problem in their ward.

Ward Councillor assesses problem and sign posts local resident/s to the correct service area or partner organisation as either:

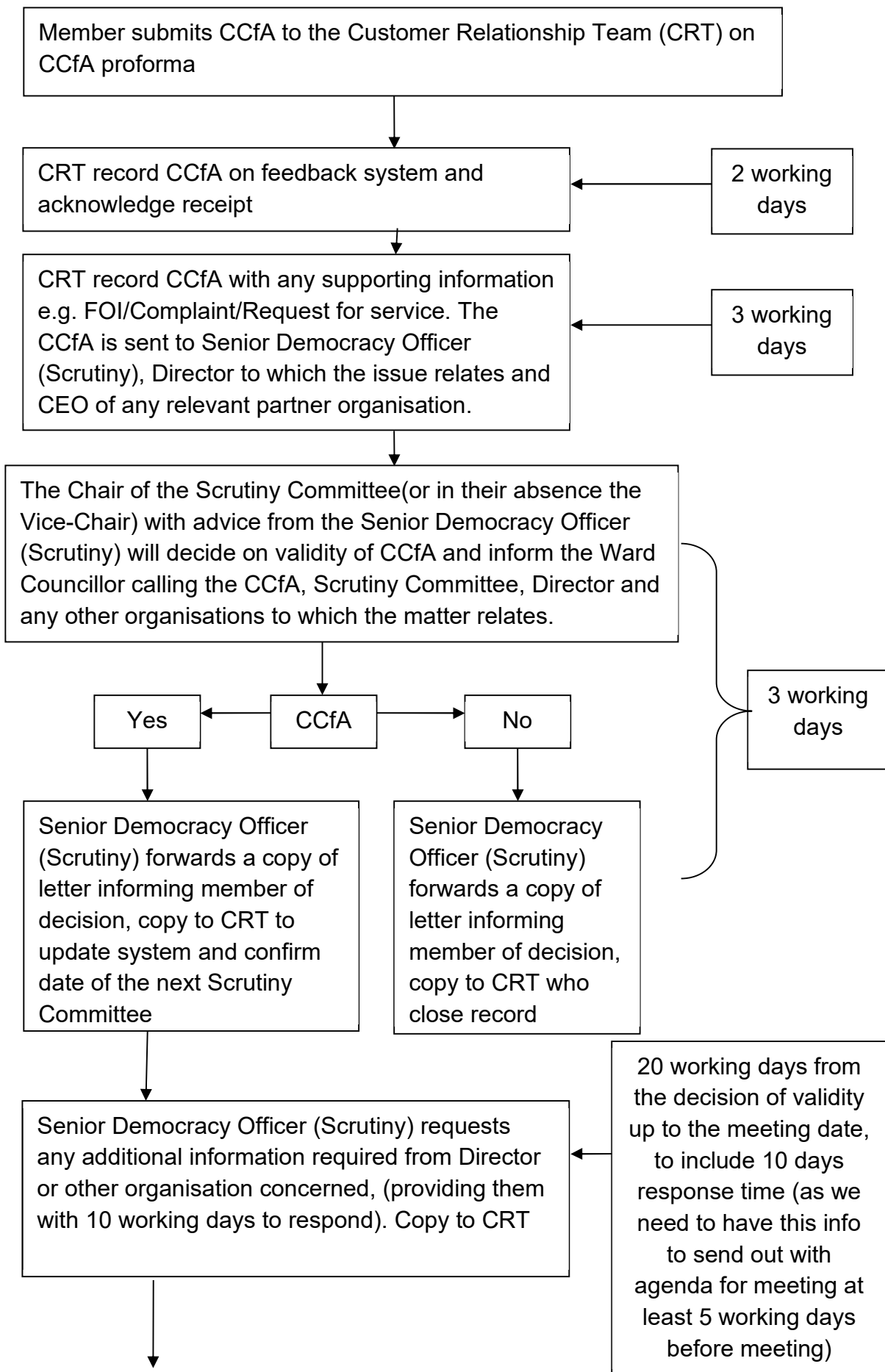
- a “request for service”;
- as an individual complaint through the complaints process;
- or through the petition process.

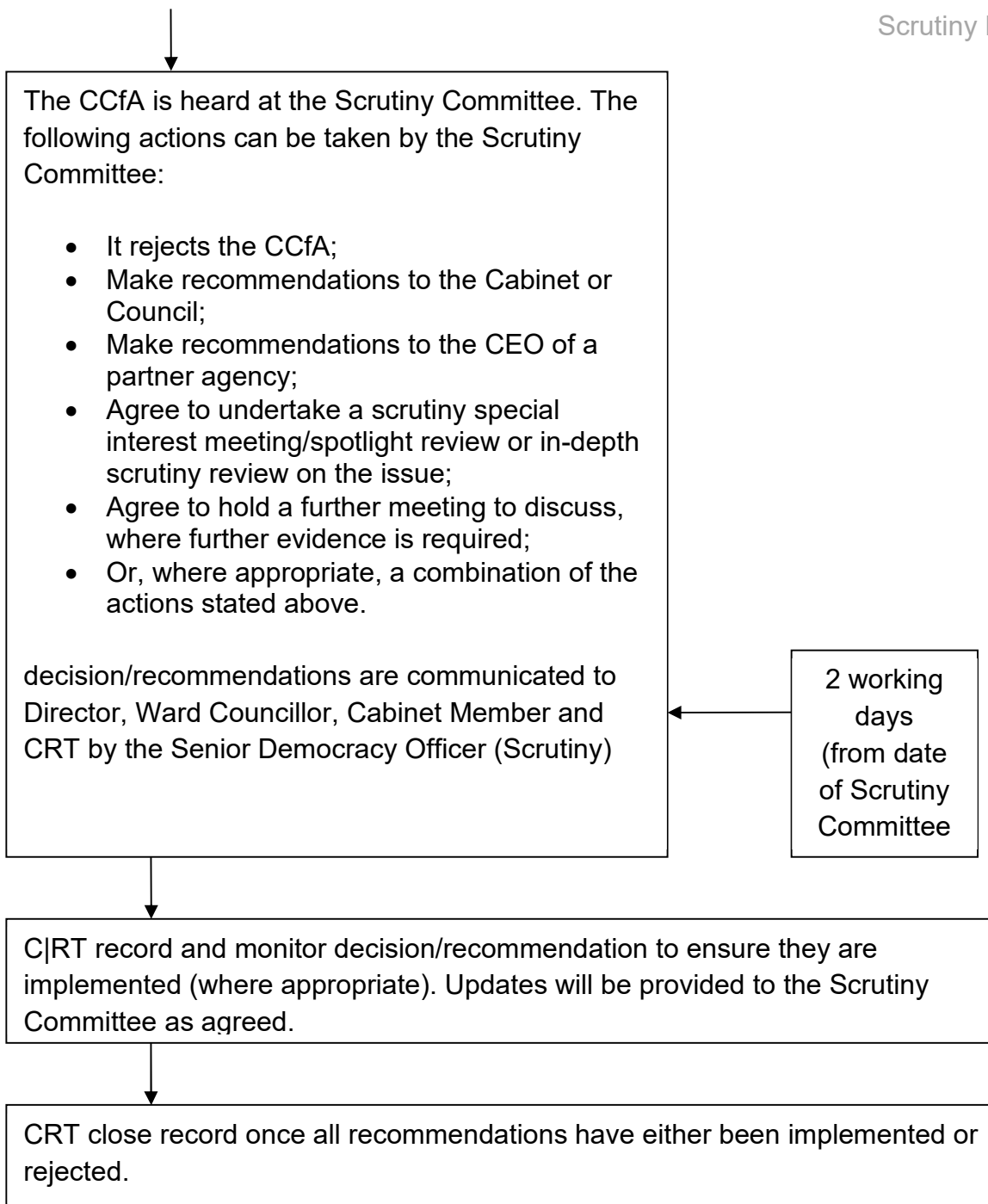
Where the above processes do not apply, the Ward Councillor will decide to seek improvement for the problem by approaching:

- Local service managers (both Borough Council or its partners)
- Community Organisations
- Senior Management (in the Borough Council or its partners)
- Cabinet Member









## COUNCILLOR CALL FOR ACTION PROFORMA

Please forward this form to the Customer Relationship Team, Telford & Wrekin Council, Darby House, Lawn Central, Telford, TF3 4JA or via email on [customer.relationship@telford.gov.uk](mailto:customer.relationship@telford.gov.uk)

Name of Member	Ward	Members Signature	Date

Summary of CCfA issue:

Summary of why this constitutes a CCfA:

Details of the resolution being sought

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Please indicate if this issue has been responded to previously via any of the following processes.

Process	Yes/No	Outcome
Complaints Procedure		
Freedom of Information Enquiry		
PACT meeting		
Member Enquiry		
MP Enquiry		
Petition		
Parish enquiry		

<p>Details of other actions taken:</p> <div style="border: 1px solid black; height: 300px; width: 100%;"></div>
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**This part of the form to be completed by the Chair of the Scrutiny Committee, or in his or her absence the Vice-Chair:**

<b>Date CCfA received</b>	
<b>Does this constitute a CCfA? (reasons to be given if not)</b>	

<b>If so, date of the Scrutiny Committee meeting to which it will be presented.</b>	
<b>What, if any information is required from the relevant Director or other organisation concerned?</b>	
<b>Date of request to the relevant Director or other organisation concerned for this information.</b>	

<b>Signature of Chair/Vice-Chair of the Scrutiny Committee</b>	
<b>Date</b>	

# The Role of Cabinet Members in Scrutiny

Cabinet Members are an important part of the Scrutiny process, both in terms of requesting assistance from Scrutiny in reviewing and developing particular areas of work and also in providing the right information for members to be able to scrutinise effectively. The Scrutiny Chairs will develop links with Cabinet Members to ensure that there are opportunities for open communication between Cabinet Members and Scrutiny.

## Attending Scrutiny Meetings

- Scrutiny Committees and the Scrutiny Assembly may scrutinise and review decisions made or actions taken in connection with the discharge of any Cabinet and Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, they may require any member of the Cabinet, the Head of Paid Service and/or any senior officer (Service Delivery Manager, Director or Executive Director) to attend before it to explain any matters within their remit.
- It is the duty of those persons to attend if so required within 1 month of being requested.
- Prior to the meeting, the Cabinet Member will be informed of the issue(s) to be discussed to enable them to prepare, however, specific questions will not be provided, unless the question(s) require evidence to be gathered. At the meeting, Scrutiny Members must confine their questions to the particular issue on the agenda. Where the main purpose of the meeting is to hold the Cabinet Member to account, questions will be addressed to the Cabinet Member in the first instance. The Chair will then invite any supporting officers present to add any supplementary information to that which the Cabinet Member has already given.
- Cabinet Members will be invited to give evidence and answer questions at Scrutiny Committee meetings, to scoping meetings for scrutiny reviews, and to meetings to discuss draft recommendations for scrutiny reports. Cabinet Members will be invited to give their views as part of these meetings on where they think scrutiny can add most value and whether scrutiny recommendations are appropriate. Scrutiny Members will bear in mind the suggestions made by Cabinet Members and the reasoning behind these suggestions. However, the final decision on planned scrutiny work and scrutiny recommendations is for Scrutiny Members to take.

# The Role of Council Officers in Scrutiny

Council officers have a key role to play in providing information to scrutiny members to enable them to effectively scrutinise Council services. Scrutiny is a “critical friend” and while scrutiny members will aim to challenge officers, it will be in a constructive manner and officers should not see scrutiny as a criticism of their services or as an inspection.

Officers requested to attend any scrutiny meeting will be asked to complete a short briefing note. The purpose of the briefing note is to set the context for the Scrutiny Members so that they come to the meeting with some existing knowledge of the subject area and are able to think in advance of questions they may wish to ask. The completed briefing note should be returned to the relevant member of the Democracy Team by the date specified, and a minimum of one week in advance, so that it can be circulated to the Scrutiny Members.

## Attending Scrutiny Meetings

Scrutiny Committees and the Scrutiny Assembly may scrutinise and review decisions made or actions taken in connection with the discharge of any Cabinet and Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, they may require any member of the Cabinet, the Head of Paid Service and/or any senior officer (Service Delivery Manager, Director or Executive Director) to attend before it to explain any matters within their remit.

Where any officer is required to attend, they will be given at least 5 working days’ notice of the meeting. For meetings requiring a briefing note to be provided beforehand, the notice period will be longer to enable the officer to produce the briefing note.

It is the duty of those persons to attend if so required within 1 month of being requested. Where, in exceptional circumstances, the member or officer is unable to attend a Scrutiny Committee or Scrutiny Assembly meeting on the required date, an alternative date will be sought in consultation with the relevant Scrutiny Chair. If an officer cannot attend a meeting for an in-depth scrutiny review within 1 month due to exceptional circumstances, they will be able to delay their attendance but must meet with scrutiny members within the timescales members have set for their review.

Officers should be prepared to be questioned by scrutiny members on any professional/technical advice given to any Member, whether contained within a Cabinet/Committee report, briefing note or provided orally. Scrutiny Members must confine their questions to the particular issue on the agenda and ensure that they are asking questions and not making statements. Members should not waste time questioning

where officers do not have the information readily available and further information will be provided as soon as is reasonably practical following the meeting.

Officers will be informed of the key issues and questions that Scrutiny Members wish to cover at the meeting, although additional questions relating to the issues under discussion will be asked during the course of the meeting.

It is inevitable that some issues may arise from the discussion that may require further research. Officers will provide further information as soon as is reasonably practical following the meeting if they are unable to provide it at the meeting.

On occasions when it is unclear which officer should attend to discuss an issue, an invitation will be made to the relevant Director in the first instance. The Director may then recommend that another officer or officers should attend with them or in their place.

In some circumstances it may be desirable for less senior officers to attend scrutiny meetings. This will be arranged subject to the agreement of the officer, their Service Delivery Manager and Director. The Service Delivery Manager and/or Director may also attend the meeting. If an officer who is not a Service Delivery Manager, Director or Executive Director does not wish to attend the scrutiny meeting, their manager will attend in their place.

Within the scrutiny process officers should not express a personal opinion about a decision that has been made unless it has been made by him/her under delegated powers. Officers attending scrutiny meetings should not be invited/ asked to comment on or criticise the actions of an officer or a member.

### **Officers requesting input from Scrutiny**

Officers may be invited to submit suggestions for scrutiny as part of the work planning process. They may also request the input of scrutiny during the year. The Scrutiny Work Programme will have been agreed by members at the start of the year, therefore officers will be required to complete the Officer Scrutiny Request Form giving some information on what they would like to bring to scrutiny in order that Members can decide whether to include this in their agreed work programme and how it ranks against their existing priorities. From time to time, officers may have reports that they wish to share with Scrutiny Members for information. Scrutiny meetings are not a forum for receiving information-only reports, however, if officers identify on their request form the type of report that they wish to bring to scrutiny, the Democracy Team and Scrutiny Members can identify the best course of action to address this. It is likely that for information reports, these will be circulated to members by email. Alternatively, it might be more appropriate for the officer to arrange a Members Information Seminar through Member Services.



<b>OFFICER SCRUTINY REQUEST FORM</b>	
<b>Officer name and title:</b>	
<b>What issue would you like scrutiny to consider?</b>	
<b>What is the purpose of bringing the issue / report to scrutiny?</b>	
<input type="checkbox"/> For information	
<input type="checkbox"/> For consultation	
<b>Has a decision on this issue/report already been made by Cabinet?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

# Co-Opted Scrutiny Members

Scrutiny at Telford & Wrekin Council has benefitted for a number of years from the involvement of members of the public sitting on scrutiny groups and committees. These co-opted scrutiny members bring additional knowledge and experiences to the scrutiny process as well as an invaluable external viewpoint. The following protocol sets out the arrangements for recruiting and appointing co-opted members.

## Standing co-opted members of Scrutiny Committees

The majority of members on a Scrutiny Committee should be elected members of the Council. The number of co-opted members on each Committee should not exceed 50% of the number of elected members on that Committee, with the exception of the Children & Young People Scrutiny Committee and the Health Scrutiny Committee where the number of co-opted members should not exceed the number of elected members.

The Children & Young People Scrutiny Committee should have a maximum of 4 non-voting co-opted members, but in addition will have 4 statutory co-opted members as set out in the Local Government Act 2000:

- 1 Primary Parent Governor
- 1 Secondary Parent Governor
- The Parent Governor seats are primarily to represent parents, rather than governors. Representatives are elected by school governors.
- 1 Roman Catholic Diocese representative, as there are Catholic schools within the borough
- 1 Church of England representative, as there are Church of England schools within the borough. Representatives to sit on the Scrutiny Committee are agreed between the Hereford and Lichfield diocese.

The Health Scrutiny Committee will seek the following representatives who will also be co-opted members of the Joint Health & Overview Scrutiny Committee (JHOSC):

- 1 member of the Health Watch
- 1 member of the Senior Citizens' Forum
- 1 person with working knowledge or experience of the NHS.

Co-optees are appointed using the recruitment process described in the Policy for Co-opting Scrutiny Members section at the end of this Handbook, except the statutory co-opted members of the Children & Young People Scrutiny Committee and the Healthwatch and Senior Citizens' Forum representatives on the Health Scrutiny Committee who are elected or nominated by their respective organisations.

Each Scrutiny Committee may appoint up to two Town and Parish Councillors as co-opted members within the overall number of co-optee positions.

Co-opted members will not have voting rights except:

- The statutory co-opted members on the Children & Young People Scrutiny Committee who have voting rights for education matters
- The co-opted members on the Joint Health Overview & Scrutiny Committee (JHOSC) who have voting rights as agreed by Full Council in respect of matters relating to the reconfiguration of health services, including mental health services, which are currently subject to consultation by the Telford & Wrekin PCT and Shropshire PCT (this role has now passed to the Clinical Commissioning Groups).

The table below summarises co-optee positions on the Scrutiny Committees.

	Elected members	Total co-optee positions*	Statutory co-optee positions	Non-statutory co-optee positions (including Town and Parish Councillors)
Business & Finance	9	4	0	4
Children & Young People	9	8	4	4
Communities	7	0	0	0
Environment	7	0	0	0
Health	9	4	0	4
Joint Health Overview & Scrutiny Committee	3	3	0	3

Standing co-opted members will be appointed for no more than a 2 year period. At the end of this period, each co-opted member will be asked whether they are interested in continuing in their scrutiny role. The Scrutiny Committee will also be asked whether the existing co-opted members continue to fill an identified gap and whether the Committee would like these members to continue. Co-opting members for a further term will enable the Committee to benefit from the experience these members have built up in the Council's scrutiny process but has to be balanced against their contributions and the potential for different co-optees to bring new skills and experience to the committee.

However, having a set term of office gives the opportunity for co-opted members to stand down if they wish to and gives the Committee the opportunity to refresh membership and seek representatives with different experiences and skills.

Co-opted members may terminate their membership by giving one month notice to the Senior Democracy Officer (Scrutiny), should their circumstances change during their term of appointment. The Scrutiny Management Board may also terminate the membership of a co-opted member giving one month's notice.

If a co-opted member has not attended 2 scrutiny meetings in a row (without apology) the Senior Democracy Officer (Scrutiny) or Scrutiny Chair will contact them to discuss the reasons why and consider whether they will continue in their scrutiny role.

### **Time-limited co-option**

In addition to the standing co-opted members of the Scrutiny Committees, individuals can also be co-opted onto time limited in-depth review groups if an appropriate person has been identified. The number of co-opted members should not exceed more than half of the membership of any review group.

When considering co-opting a member of the public for a review, members should ask whether that individual would be best placed as a co-opted member or as a witness to the review.

Such individuals would be co-opted for the duration of the review in question. Time-limited co-opted members do not have voting rights.

The process for the recruitment, induction and training of co-optees is set out in the Policy for Co-opting Scrutiny Members at the end of this Handbook.

The process for appointing Scrutiny co-optees will be reviewed by the Scrutiny Management Board from time to time.

# Scrutiny and the Media

Where it is appropriate, scrutiny work will be publicised by the Council's Corporate Communications team to help support the work of scrutiny and encourage local residents to get involved in Scrutiny and promoting the transparency of the Council's decision-making process.

## Who speaks on behalf of Scrutiny?

Media activity will be co-ordinated through the Corporate Communications team who will ensure that the appropriate scrutiny spokesperson, usually the relevant Chair, is put forward.

Scrutiny Chairs are the only official spokespeople on scrutiny issues, unless an alternative spokesperson is agreed by the Chair of the relevant Scrutiny Committee in liaison with the Senior Democracy Officer (Scrutiny) and the Corporate Communications Manager or PR team leader.

Press releases and media statements for Scrutiny will be drafted by the Corporate Communications team with the Democracy Team and will be approved by the relevant Scrutiny Chair and the Senior Democracy Officer (Scrutiny). They will not be subject to vetting by Cabinet Members. On occasions, they may include the views expressed in minority reports if those views differ from the main report.

Press releases or media statements may include a Cabinet member comment and, where this is the case, Corporate Communications will present factual information representing both the Scrutiny and Cabinet viewpoints fairly.

Corporate Communications will advise Scrutiny Chairs and, if required, provide media training.

The Senior Democracy Officer (Scrutiny) should be advised of any media enquiries received by scrutiny members to report to the Corporate Communications team who will offer guidance and help if required. Corporate Communications will also monitor responses.

Corporate Communications officers will not prepare press releases, deal with media enquiries or arrange media interviews in the following cases:

- If the press release or enquiry is political in any way
- If the information in the press release is deemed libellous or malicious
- and will inform the relevant Scrutiny Chair of the reasons for the decision.

## **Scrutiny Meetings and media**

Media are invited to attend all formal meetings of the Scrutiny Committees and the Scrutiny Assembly unless matters of an exempt nature are to be discussed. Meetings of informal working sub-groups will not normally be held in public.

Press releases will not be issued as a matter of course after scrutiny meetings but should report on significant decisions of a Scrutiny Committee on an issue which is of key public interest, where scrutiny has made a positive difference or to promote opportunities for public consultation.

Scrutiny Chairs are responsible for selecting pieces of scrutiny work where they feel publicity would be beneficial and these will be agreed by Members at scrutiny committee meetings.

This protocol will be reviewed periodically by Scrutiny Members, the Democracy Team and Corporate Communications to ensure it is working effectively. Members will be notified of any proposed changes.

# KEY CONTACTS

All General Enquiries: [scrutiny@telford.gov.uk](mailto:scrutiny@telford.gov.uk)

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**Paige Starkey**

**Senior Democracy Officer (Scrutiny)**

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# Sources of Further Information

## Telford & Wrekin Council website

The information you can find on the Scrutiny web pages of the Council's website includes:

- What is scrutiny
- Who carries out scrutiny
- The Scrutiny Work Programme
- Dates of the Scrutiny Committee meetings with agendas, papers and minutes of previous meetings
- Online library of scrutiny reports
- Online Scrutiny Suggestion Form

## Centre for Governance & Scrutiny

The Centre for Governance and Scrutiny (CfGS) is a national organisation which promotes the value of scrutiny in modern and effective government. The aims of the CfGS are to:

- Promote the value of scrutiny and raise its profile
- Facilitate links between different tiers of government and share examples of effective scrutiny
- Encourage people of ability and talent to participate in the scrutiny process, and create and support a community of interest to build capacity, confidence and skills
- Develop understanding and good practice through research.

The CfGS website – [www.cfgs.org.uk](http://www.cfgs.org.uk) – is a useful resource for those involved in scrutiny. It contains a lot of information about current issues for scrutiny, scrutiny processes and mechanisms used at different authorities, and information that can be used to inform particular pieces of scrutiny work.

## Scrutiny Review Library

Local authorities are asked to submit copies of reviews they have completed which are stored in a library on the website. These can be searched by local authority, by service area or by review title. When a new scrutiny review is starting, looking at similar reviews completed by other authorities can give ideas of areas that can be covered, or questions to ask.

## Scrutiny Publications

The CfGS provides a range of publications relating to scrutiny. These include:

- Scrutiny best practice
- Toolkits to develop the skills and knowledge of those involved in scrutiny
- Information on particular issues that scrutiny may be involved with, such as health scrutiny, scrutiny of partnerships etc.



Some can be downloaded for free, and others carry a charge. If you would like to obtain a copy of a chargeable publication, please contact a member of the Democracy Team. We may hold a copy already, or can order one for you.

### **Local Government Information Unit**

The Local Government Information Unit (LGIU) is an independent research and information organisation. The Unit has a team of policy analysts who analyse and interpret national policy and provide briefings on these. The LGIU website – [www.lgiu.gov.uk](http://www.lgiu.gov.uk) – provides links to these briefings.

# Appendices

## **SCRUTINY ASSEMBLY TERMS OF REFERENCE**

### **Membership**

1. The Scrutiny Assembly is the collective body of all those responsible for carrying out the scrutiny function of the Council.
2. The Scrutiny Assembly will include all non-Executive members i.e. all those except the Leader, Cabinet Members and the Mayor and all standing co-optees.
3. The Chair of the Scrutiny Management Board is automatically the Chair of the Scrutiny Assembly.
4. In the absence of the Chair of the Scrutiny Assembly, meetings will be Chaired by a Scrutiny Committee Chair
5. The quorum is 11 elected members (ie at least one quarter of the elected membership)

### **Functions**

6. The role of the Scrutiny Assembly is to scrutinise the work of the Council and its partners in accordance with national legislation and to hold decision makers to account.
7. Scrutiny Assembly members will carry out the scrutiny by taking part in scrutiny events, making suggestions for the scrutiny work programme, undertaking scrutiny reviews and making recommendations.
8. Scrutiny Assembly members may take part in any scrutiny review regardless of which Scrutiny Committee they sit on.

### **Meeting Arrangements and Proceedings**

9. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.
10. The meetings will follow the principles of scrutiny ie no party whip will be applied and a constructive, evidence based approach will be used.
11. Scrutiny Assembly meetings will be held in public.
12. The meetings will be administered by Democratic and Scrutiny Services.
13. The Scrutiny Assembly will meet when agreed by the Scrutiny Management Board.

14. Other meetings of the Scrutiny Assembly may be convened to consider matters of significance to the Council.
15. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair.

## SCRUTINY MANAGEMENT BOARD TERMS OF REFERENCE

### Membership

1. The Scrutiny Management Board will be made up of the Chairs of the Scrutiny Committees and other members as required to make the Board politically balanced.
2. Members of the Scrutiny Management Board will be appointed at Annual Council.
3. The quorum required for a meeting is 3 elected members.

### Functions

4. The Scrutiny Management Board will co-ordinate, oversee and monitor the delivery of the Scrutiny work programme and will receive regular progress reports from the Democratic & Scrutiny Services Team and Scrutiny Chairs.
5. The Scrutiny Management Board will oversee the allocation of Democratic & Scrutiny Services Team resources to the Scrutiny Committees, and will make decisions where there are competing demands for resources.
6. The Scrutiny Management Board will allocate Scrutiny suggestions to the relevant Scrutiny Committee and may make recommendations about priorities for the work programme and joint scrutiny of issues. A flexible approach will be taken so that the most appropriate Scrutiny Committee is identified depending on the nature of the issue. The Scrutiny Committees will not be aligned to specific service delivery areas. Issues which do not fall within the remit of another Scrutiny Committee may be included in the work programme of the Scrutiny Management Board.
7. The Scrutiny Management Board will be responsible for scrutiny in relation to Leader and Cabinet Executive decisions made but not implemented as set out in section 21(3) of the Local Government Act 2000 i.e. Call-in of decisions taken but not yet implemented. This will include Call-in of decisions made by the Local Enterprise Partnership Joint Executive Committee.
8. Scrutiny Management Board may invite Cabinet Members to attend the Board for 'Holding to Account' sessions.
9. The Scrutiny Management Board will receive requests from the Leader and Cabinet Executive or individual Members and/or the Full Council for reports from the Scrutiny Committee and to allocate them if appropriate to one or more Scrutiny Committees.
10. Subject to the provision of Part 3, paragraph 1.1 of the Council's Constitution, the Scrutiny Management Board may make changes to the scrutiny structure and processes after consulting with the Scrutiny Assembly. The Scrutiny Handbook will be updated to reflect the changes. Changes will be reported back to the next Full Council meeting.

11. The Scrutiny Management Board may periodically review and make changes to the Policy for Co-opting Scrutiny Members.
12. The Scrutiny Management Board may consider any areas of key strategic importance for the Council that members wish.

### **Meeting Administration and Proceedings**

13. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.
14. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
15. If the Chair is unable to attend a meeting the members present will elect a Chair for the meeting.
16. Meetings of the Scrutiny Management Board will be held in public.
17. Meetings will be agreed by the Scrutiny Management Board as deemed necessary to carry out the work programme and to fulfil the responsibilities of the Board.
18. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by Committee members as deemed necessary to carry out the work programme.
19. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair. Representatives from partner organisations may be invited to attend Scrutiny Management Board meetings.

### **Sensitive and Confidential Information**

20. Members may become privy to information of a sensitive or confidential nature, and if this happens members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

### **Reporting Arrangements**

21. The Chair of will provide and present reports and recommendations of the Scrutiny Management Board to Cabinet, the Council or other organisations as appropriate, including the Annual Scrutiny Report.

## **CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE TERMS OF REFERENCE**

### **Membership**

1. The Committee will be made up of elected members from the Scrutiny Assembly, as appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members.
2. The Committee may appoint co-opted scrutiny members but they must not exceed the number of elected members.
3. The Parent Governor and the Catholic and Anglican diocesan representatives will have statutory voting rights on education matters as set out on the Local Government Act 2000. Other co-optees will not have voting rights.
4. In addition to the standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of the Committee on that particular issue. (Subject to the number of co-opted scrutiny members not exceeding the number of elected members.)
5. A Vice-Chair may be appointed by majority decision of the Committee.
6. The quorum required for a meeting is 3 elected members.
7. All Committee members should undergo the Corporate Parenting and Child Sexual Exploitation training offered by the Council (including any refresher training).
8. Members of Committee should act as champions for children and young people in the care of the authority and raise awareness of the issues facing children and young people in care with other elected members and members of the public.

### **Functions**

9. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor the planning and performance of the Council's services to children and young people and the Council's Corporate Parenting role, including but not limited to the following key areas
  - Early years and child care
  - All aspects of education including schools and academies, school improvement, school/college transport, training and apprenticeships, behaviour and attendance, further education
  - Children's Centres
  - Special Educational Needs and Disabilities
  - Child and Adolescent Mental Health Services (CAMHS)

- Positive activities for young people
- Safeguarding and child protection (including exploitation)
- Corporate Parenting
- Looked After Children and Care Leavers
- Fostering and adoption
- Teenage pregnancy
- Supported accommodation and lodgings
- Supported employment for young people
- Youth Services
- Youth Offending Service
- Youth unemployment, NEETs
- Family Support

10. The Committee will set its own work programme. The following points may be taken into consideration when considering the work programme each year:

- areas where significant change is proposed and the potential impacts
- performance in areas where significant change has been implemented;
- areas of financial overspend;
- areas receiving a high level of budgetary commitment;
- areas where there is a high level of user dissatisfaction;
- reports and action plans produced/agreed with external inspectors;
- areas that are key issues for the public or have become a public interest issue covered in the media.

11. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.

### **Meeting Administration and Proceedings**

12. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.

13. The meetings will follow the principles of scrutiny ie no party whip will be applied and a constructive, evidence based approach will be used.

14. If the Chair and Vice Chair (if appointed) are unable to attend a meeting the Members present will elect a Chair for the meeting.

15. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.

16. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.



17. The Cabinet Member for Children and Young People, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair. Representatives from other organisations may be invited to attend.

### **Sensitive and Confidential Information**

18. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
19. Information obtained as a result of membership of the Committee is sensitive and should be treated as being confidential by members.

### **Reporting Arrangements**

20. The Chair will provide regular updates to meetings of the Scrutiny Management Board to inform the other Scrutiny Chairs of performance and budget issues relating to the remit of their Committees.
21. The Chair of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet, Full Council or other relevant organisations when necessary.

## HEALTH SCRUTINY COMMITTEE TERMS OF REFERENCE

### Membership

1. The group will be made up of elected members of the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council.
2. The Committee may include Co-opted scrutiny members but they must not exceed 50% of the number of elected members.
3. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of the Committee on that particular issue (subject to the rule on total number of co-optees above).
4. Vice-Chairs may be appointed by majority decision of the Committee.
5. The quorum required for a meeting is 3 elected members.
6. Three elected Members and 3 co-optees of this Committee will also be expected to take part in the Joint Health Scrutiny Committee set up with elected members and co-optees from Shropshire County Council to scrutinise substantial variations or developments in service that cut across both local authority areas. Separate terms of reference apply to the Joint Health Overview and Scrutiny Committee which have been agreed with Shropshire County Council.

### Functions

7. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor the planning and performance of the Council's adult social care services and health services matters under the Health and Social Care Act 2012. Full Council has delegated the health scrutiny powers to this Committee.
8. The Committees takes the key role in:
  - a) Monitoring the performance of NHS Trusts whose services effect local people;
  - b) Acting as the statutory consultee on NHS proposals for substantial variation in service and responding to these NHS consultations.
  - c) Participating in a Joint Health Overview and Scrutiny Committee with elected members from Shropshire Council to scrutinise and respond to NHS proposals that apply to both areas;
  - d) Responding to referrals from Health Watch regarding health services;
  - e) Monitoring the Council's performance in relation to social care service for adults;
  - f) Responding to referrals from Healthwatch regarding Adult Care Services
  - g) Scrutinising proposals for the provision of adult care services and the impacts of any proposed changes to services;
  - h) Scrutinising adult care services that are of concern to local people.

9. The Committee will set its own work programme. The main task of the Committee will be to scrutinise the planning, provision and operation of NHS health services and to scrutinise the performance of the Council's adult social care services that are provided to people in Telford & Wrekin. However, members can look at any other issues within these service areas. The following points should be taken into consideration when considering the work programme each year:
- areas where significant change is proposed and the potential impacts
  - performance in areas where significant change has been implemented;
  - areas of financial overspend;
  - areas receiving a high level of budgetary commitment;
  - areas where there is a high level of user dissatisfaction;
  - reports and action plans produced/agreed with external inspectors;
  - areas that are key issues for the public or have become a public interest issue covered in the media.
10. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.
11. Following scrutiny of any proposals which constitute a substantial development or substantial variation in the provision of health services, to make recommendations to Full Council on the exercise of powers of referral to the Secretary of State.

### **Meeting Administration and Proceedings**

12. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.
13. The meetings will follow the principles of scrutiny ie no party whip will be applied and a constructive, evidence based approach will be used.
14. If the Chair and Vice Chair (if appointed) are unable to attend a meeting the members present will elect a Chair for the meeting.
15. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by Committee members as deemed necessary to carry out the work programme.
16. Scrutiny Committee meetings will be held in public, unless matters exempt under legislation is being discussed, or the Scrutiny Committee is meeting with vulnerable groups to hear their views and it is not appropriate for these meetings to be open to the public. The Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review, and these may be held as informal meetings, but evidence gathered in this way will be brought back to the overseeing Committee in a public forum. In case of dispute, the Monitoring Officer will advise on the rules of exemption.

17. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers and representatives from NHS commissioners and providers will attend the Committee at the request of the Chair. Representatives from partner organisations may be invited to attend.

### **Sensitive and Confidential Information**

18. From time to time members, as part of the work of the Committee, may become privy to information of a sensitive or confidential nature, if this happens members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

### **Reporting Arrangements**

19. The Chair will provide regular updates to meetings of the Scrutiny Management Board to inform the other Scrutiny Chairs of performance and budget issues relating to the remit of their Committees
20. The Chair of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet, Full Council or other partner organisation when necessary.

## BUSINESS & FINANCE SCRUTINY COMMITTEE TERMS OF REFERENCE

### Membership

1. The group will be made up of elected members of the Scrutiny Assembly, as appointed at Annual Council in line with the political balance of the Council.
2. The Committee may include Co-opted scrutiny members but they must not exceed 50% of the number of elected members.
3. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of members of the Committee on that particular issue (subject to the rule on total number of co-optees above).
4. A Vice-Chair may be appointed by majority decision of the Committee.
5. The quorum for a meeting is 3 elected members.

### Functions

6. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor issues relating to the following key areas:
  - Service & Financial Planning including Budget and Income Generation, Property Investment Portfolio, Property Management and Revenues
  - Commercial Projects
  - Economic development projects including broadband
  - Skills and employability
  - Support to business and growth sectors
  - Business investment
  - Attracting funding for Telford & Wrekin
  - Partnerships
  - West Midlands Combined Authority
  - Local Enterprise Partnership
  - Visitor Economy including tourism operation and development
  - Pride Programme
  - Workforce issues
  - HCA Land Deal
  - Local Plan (Jointly with Environment Scrutiny Committee)
7. The Committee will set its own work programme. The following points may be taken into consideration when considering the work programme each year:
  - areas where significant change is proposed and the potential impacts
  - performance in areas where significant change has been implemented;

- areas of financial overspend;
- areas receiving a high level of budgetary commitment;
- areas where there is a high level of user dissatisfaction;
- reports and action plans produced/agreed with external partners;
- areas that are key issues for the public or have become a public interest issue covered in the media.

8. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.

### **Meeting Administration and Proceedings**

9. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.

10. The meetings will follow the principles of scrutiny - ie no party whip will be applied and a constructive, evidence based approach will be used.

11. If the Chair and Vice Chair (if appointed) are unable to attend a meeting the members present will elect a Chair for the meeting.

12. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.

13. The meetings will be administered by Scrutiny Services and Democratic Services. Meetings will be held regularly and dates will be agreed by the members of the Committee at the start of each municipal year. Members of the Committee may call additional meetings as required to follow up concerns identified in their scheduled meetings or sub-sets of members may form working groups that meet outside the scheduled meetings to investigate specific issues.

14. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair. Representatives from partner organisations may be invited to attend.

### **Sensitive and Confidential Information**

15. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

16. Information obtained as a result of membership of the Committee is sensitive and should be treated as being confidential by members.

## COMMUNITIES SCRUTINY COMMITTEE TERMS OF REFERENCE

### Membership

1. The Committee will be made up of elected members from the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members.
2. The number of co-opted members must not exceed 50% of the number of elected members.
3. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of members of the Committee on that particular issue (subject to the rule on total number of co-optees above).
4. A Vice-Chair may be appointed by majority decision of the Committee.
5. The quorum for a meeting is 3 elected members.

### Functions

6. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor issues relating to the following key areas:
  - Customer Experience
  - Voluntary sector and community groups
  - Community engagement and development
  - Community hubs and centres
  - Library services and archives
  - Heritage Services
  - Preventing and reducing crime
  - Tackling domestic abuse
  - Reducing anti-social behaviour
  - Fire and rescue and emergency response
  - Public Protection
  - Enforcement
  - Civil resilience and emergency planning
  - Road safety
  - Registration, celebratory and coroner's services
  - Benefits and welfare reform
  - Sport, leisure, entertainment and culture facilities
  - Diversity and Equality
  - Armed Services and Veterans
  - Interfaith Issues
  - Housing – including affordable housing, HMOs, homelessness and housing needs

7. The Community Scrutiny Committee will be the designated body for scrutiny of the Safer, Stronger Communities Partnership as set out in section 19 of the Police & Justice Act (2006). The work programme will make provision for scrutiny of this item.
8. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.
9. The Committee will set its own work programme in accordance with the areas set out above and may look at any issue deemed by the Committee to fall within its remit.

### **Meeting Administration and Proceedings**

10. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.
11. The meetings will follow the principles of scrutiny ie no party whip will be applied and a constructive, evidence based approach will be used.
12. If the Chair or Vice-Chair (if appointed) are unable to attend a meeting the Members present will elect a Chair for the meeting.
13. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
14. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.
15. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair. Representatives from other organisations may be invited to attend.

### **Sensitive and Confidential Information**

16. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

### **Reporting Arrangements**

17. The Chair will provide regular updates to meetings of the Scrutiny Management Board to inform the other Scrutiny Chairs of performance and budget issues relating to the remit of their Committees.



- 18.** The Chair of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet, Fully Council or other relevant organisations when necessary.

## ENVIRONMENT COMMITTEE TERMS OF REFERENCE

### Membership

1. The Committee will be made up of elected members from the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members.
2. The number of co-opted members must not exceed 50% of the number of elected members.
3. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of members of the Committee on that particular issue (subject to the rule on total number of co-optees above).
4. A Vice-Chair may be appointed by majority decision of the Committee.
5. The quorum for a meeting is 3 elected members.

### Functions

6. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor issues relating to the following key areas:
  - Environment and ecology
  - The natural and built environment
  - Sustainable planning
  - Building conservation and heritage
  - Ultra-Low Emissions Strategy
  - Plastic Free Telford & Wrekin
  - Waste management, including waste recovery and recycling
  - Environmental maintenance
  - All aspects of infrastructure (transport, communication, drainage and sewage, water, lighting, bridges and structures)
  - Public Transport (bus and rail)
  - Rights of Way
  - Highways network including highways improvements, cycleways and car parking
  - Local Nature Reserves, parks and green spaces, including the Green guarantee
  - Local Plan (Jointly with Business & Finance Scrutiny Committee)
7. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.
8. The Environment Scrutiny Committee will be the designated body for scrutiny of Flood and Water Management as set out in the Flood and Water Management Act 2010

(associated regulations in the Flood Risk Management Overview and Scrutiny Committee (England) Regulations 2011 expired on 6 April 2018). The work programme will make provision for scrutiny of this item.

9. The Committee will set its own work programme in accordance with the areas set out above and may look at any issue deemed by the Committee to fall within its remit.

### **Meeting Administration and Proceedings**

10. The Committee procedure rules as set out in the Council's Constitution apply to this Committee.
11. The meetings will follow the principles of scrutiny ie no party whip will be applied and a constructive, evidence based approach will be used.
12. If the Chair or Vice-Chair (if appointed) are unable to attend a meeting the Members present will elect a Chair for the meeting.
13. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
14. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.
15. Relevant Cabinet Members, Executive Directors, Directors and Service Delivery Managers will attend the Committee at the request of the Chair. Representatives from other organisations may be invited to attend.

### **Sensitive and Confidential Information**

16. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

### **Reporting Arrangements**

17. The Chair will provide regular updates to meetings of the Scrutiny Management Board to inform the other Scrutiny Chairs of performance and budget issues relating to the remit of their Committees.
18. The Chair of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet, Fully Council or other relevant organisations when necessary.

## **SHROPSHIRE AND TELFORD & WREKIN JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE**

### **Purpose**

To act as a discretionary Joint Health Overview and Scrutiny Committee (Joint HOSC) to consider and scrutinise where necessary, all Health and Healthcare related topics which affect the areas of Telford and Wrekin Council and Shropshire Council including matters referred by Telford and Wrekin and Shropshire Healthwatch.

To meet when proposed changes to services are identified to confirm if the Committee will undertake the role of the Committee as a mandatory Joint HOSC and statutory consultee in relation to NHS proposals for a substantial variation or development in service.

To actively research any statutory consultation and respond in line with Health Scrutiny Regulations and the Department of Health Guidance on Health Scrutiny (2014) .

### **Powers of the Joint Health Overview and Scrutiny Committee**

The Joint Health Overview and Scrutiny Committee exercises the powers of both a discretionary and a mandatory Joint HOSC, as set out in the Health and Social Care Act (2001) consolidated in the NHS Act (2006) and amended by the Localism Act 2011 and the Health and Social Care Act 2012, to review any matter relating to the planning, provision and operation of health services across the local authority areas. Both Telford and Wrekin Local Authority and Shropshire Council Local Authority have delegated the health scrutiny power to the Joint HOSC for pan Shropshire health matters. When the NHS make a proposals for a substantial variation or development of service the Joint HOSC will be the only Scrutiny Committee which will:

- Respond to the consultation
- Exercise the power to require the provision of information by relevant NHS body or health service provider
- Require members or employees of relevant NHS bodies or health service provider to attend before it to answer questions in connection with the consultation.

However, both local authorities have retained the power of referral as set out in the Councils' Constitutions. Any referral of proposed substantial change or variation in service to the Secretary of State will be made in line with Health Scrutiny Regulations and the Department of Health Guidance.

The roles and responsibilities of the Joint HOSC, commissioners and providers of NHS and Local Authority public health services is set out in the Department of Health Guidance, Guidance to support Local Authorities and their partners to deliver effective health scrutiny ( 2014)

### **Membership of the Joint Health Overview and Scrutiny Committee**

There will be three elected members from each local authority.

There will be three co-opted members from each local authority area who are independent of the relevant Council.

The Co-opted Members of the Committee have voting rights as determined by full council at both authorities. Copies of the voting schedules are attached.

Executive Members for Health and Social Care and Health and Wellbeing Board Chairs issues may attend the meeting at the Chair's discretion in a non voting capacity.

### **Chairing Arrangements**

Meetings alternate between the Council areas. The appropriate Chair will take the lead for meetings in their Local Authority Area.

### **Chairs' Casting Vote**

The Chair will not use their casting vote due to the alternating venue.

### **Political Balance**

Political balance applies to this Committee. The political balance applies to each participating authority.

### **Administration**

In line with the Department of Health Guidance the support for the Joint HOSC will be made available by the local health and social care system to enable the powers and duties associated with the function to be exercised appropriately.. Meetings will alternate between local authorities. Each council will take the lead in arranging venues and co-ordinating agendas with organisations and individuals invited to present reports or papers or give evidence, for the meetings taking place in their Local Authority Area.

The agenda will be agreed by both Health Scrutiny Chairs. Papers and presentations will be considered during this meeting to establish running order and specific instructions to those attending.

Pre-meetings will be at the Chair's discretion, to be attended either by the Chairs' alone or for members of the whole joint Health Overview and Scrutiny Committee.

### **Additional Support**

Each local authority will identify an agreed resource which it can provide to support the work of the Joint Committee. This may be officer time and/or a financial contribution to cover the costs of any specialist advice.

### **Frequency of Meetings**

To be detailed in the Joint Committee Work Programme.

### **Quorum**

One third of the membership of the Committee. At least 2 elected members must be present including 1 from each authority. There must be 2 representatives from each authority including co-optees.

### **Ways of Working**

Under the Department of Health Guidance (2014) the Joint Health Scrutiny committee must:

Strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are safe and effective.

Operate in a way that will lead to rigorous and objective scrutiny of the issues under review and carried out in a transparent manner that will boost the confidence of local people in health scrutiny.

In considering substantial reconfiguration proposals health scrutiny needs to recognise the resource envelope within which the NHS operate and should therefore take into account the effect of the proposals on sustainability of services as well as their quality and safety.

The Joint Committee will hold formal meetings, and will undertake visits – which as far as possible will involve representatives from both authorities. Each authority will be able to lead and undertake individual pieces of work. The Joint Committee may also hold meetings with relevant representatives and officers outside of the main scrutiny forum such as focus groups, public meetings and consultation with relevant patient/service user groups.

### **Reports**

Wherever possible all reports will present joint evidence based conclusions and recommendations. However, where differences exist reports will be able to include sections setting out evidence based conclusions and recommendations reflecting the different views within the joint committee.

### **Review of Terms of Reference**

Annually or as required when issues arise for joint scrutiny.

## **CHAIR OF THE SCRUTINY MANAGEMENT BOARD AND SCRUTINY ASSEMBLY - ROLE DESCRIPTION**

### **Purpose**

- To provide leadership and direction to the scrutiny function of the Council

### **Duties and responsibilities\***

- To chair and manage the business of the Scrutiny Assembly to ensure it achieves its aims and objectives consistent with the principles of good scrutiny
- To chair and manage the business of the Scrutiny Management Board as required to deliver the Scrutiny Work Programme effectively, on time and within resources
- To encourage the engagement of all members of the Scrutiny Assembly, with officer support
- To ensure that the Council's Cabinet, senior officers and relevant partner agencies are effectively held to account for their decisions and performance
- To lead the Scrutiny Assembly in developing an annual Scrutiny Work Programme
- To act as an advocate for scrutiny within the Council, with partner agencies and within the West Midlands region and nationally
- To carry out the role of a Scrutiny Chair and Scrutiny Assembly Member
- To provide and present reports and recommendations of the Scrutiny Assembly and Scrutiny Management Board to Cabinet, Council, and others as appropriate, including presenting the Scrutiny Annual Report to Council
- To determine the validity of Call-in requests, and if necessary, to call, attend and chair meetings required for the Scrutiny Committee to hear the Call-in
- To initiate and develop constructive relationships with Members of the Cabinet, senior Council officers and representatives from other local agencies
- To promote the work and independence of the scrutiny process and further develop the scrutiny role both within and outside the Council
- To contribute to regional and national scrutiny forums and networks
- To ensure that the scrutiny process remains non-political

### **Ways of working**

- To ensure adequate resources (financial and officer) are identified and sought from the Council through the budget setting process
- To read and consider carefully all reports and documents in preparation for meetings of scrutiny
- To have competent chairing skills to manage the meetings effectively

- To act in a non-political manner at all times when engaged in scrutiny work
- To abide by the Members' Code of Conduct or such other code of conduct as the Council may from time to time adopt and the Member / Officer protocol as set out in the Constitution
- To ensure the principles of equality and fairness are integral to all actions and policies of the Council
- To conduct interviews appropriately with due consideration and respect for the interviewee
- To take part in training and development programmes to ensure that this role is undertaken as effectively as possible and to work with officers to ensure Scrutiny Chairs and Scrutiny Assembly members attend training where necessary and within available resources
- To make use of new technology as a means of effective communication

\* Note – these responsibilities are in addition to those of a borough councillor and any other position of responsibility held



## SCRUTINY COMMITTEE CHAIR - ROLE DESCRIPTION

### Purpose

- To provide leadership and direction to the scrutiny function of the Council and lead on and chair scrutiny activity of the relevant Scrutiny Committee.

### Duties and responsibilities\*

- To ensure that the Scrutiny Committee's Work Programme is carried out effectively
- To encourage the engagement of all Members of the Scrutiny Assembly, with officer support
- To ensure that the Council's Cabinet, senior officers and relevant partner agencies are effectively held to account for their decisions and performance
- To carry out the role of a Scrutiny Assembly Member
- To maintain links with any other Scrutiny Chairs and Committees to make efficient use of member and officer time and resources when reviewing cross-cutting themes
- To ensure that the Scrutiny Committee's Work Programme is carried out in a timely manner by calling review meetings as appropriate
- To provide and present reports and recommendations from reviews carried out by the Scrutiny Committee and sub-groups to Cabinet, Council and others as appropriate
- To initiate and develop constructive relationships with Members of the Cabinet and senior officers, and to meet regularly with the appropriate Cabinet Member(s) to maintain an awareness of current issues
- To share learning and good practice with other Scrutiny Chairs, promote the work and independence of the process and further develop the scrutiny role both within and outside the Council
- To determine whether a decision taken by the Cabinet or by an officer under delegated powers is of sufficient urgency not to be subject to call-in, including decisions contrary to the Council's policy framework or approved budget
- To determine whether a key decision can be taken by Cabinet if it has not been published in the Council's Forward Plan
- To develop action plans for ongoing improvement of scrutiny processes with the Scrutiny Chair's Forum
- To be a media spokesperson for scrutiny work
- To ensure that scrutiny remains non-political

### Ways of working

- To read and consider carefully all reports and documents in preparation for meetings of scrutiny
- To have competent chairing skills to manage the meetings effectively
- To act in a non-political manner at all times when engaged in scrutiny work
- To abide by the Members' Code of Conduct or such other code of conduct as the Council may from time to time adopt and the Member / Officer protocol as set out in the Constitution
- To ensure the principles of equality and fairness are integral to all actions and policies of the Council
- To conduct interviews appropriately with due consideration and respect for the interviewee
- To take part in training and development programmes to ensure that this role is undertaken as effectively as possible and ensure Members of the Scrutiny Assembly attend training where necessary
- To make use of new technology as a means of effective communication

\* Note – these responsibilities are in addition to those of a borough councillor and any other position of responsibility held

## POLICY FOR CO-OPTING SCRUTINY MEMBERS

### 1. Number of co-opted members

- 1.1 The majority of members on a Scrutiny Committee should be elected members of the Council. The number of co-opted members on a Committee should not exceed 50% of the number of elected members on that Committee except the Children & Young People Scrutiny Committee where the number of co-opted members should not exceed the number of elected members.

	Elected members	Maximum co-optee positions	Statutory co-optee positions	Maximum Non-statutory co-optee positions (including Town and Parish Councillors)
Children & Young People	9	8	4	4
Business & Finance	7	3	0	3
Environment	7	3	0	3
Communities	7	3	0	3
Health	9	4	0	4
Joint Health Overview & Scrutiny Committee	3	3	0	3

- 1.2 Except for the 4 statutory co-opted members on the Children & Young People Scrutiny Committee, who have voting rights for education matters only, and the 3 co-opted members of the Joint Health Overview & Scrutiny Committee who currently have certain voting rights as determined by full Council, co-opted members will not have voting rights (unless otherwise determined by full Council).
- 1.3 Provision will be made for up to two Town and Parish Council representatives to sit on each Scrutiny Committee within the overall number of co-optee positions.
- 1.4 In addition to standing co-opted members of the scrutiny committees, individuals can also be co-opted onto time limited in-depth review groups. The size of these groups differs for each review, but the number of co-opted members should not account for more than half of the membership of any review group.

### 2 Interests to be represented by co-opted members

2.1 The interests that are represented by standing co-opted members on scrutiny committees will always depend on the people that apply for the position. However, there are certain skills and knowledge that will be targeted to add value to each committee.

2.2 The Local Government Act 2000 sets out statutory co-opted members for the Scrutiny Committee for Children & Young People:

- 1 Primary Parent Governor
- 1 Secondary Parent Governor

The Parent Governor posts are primarily to represent parents, rather than governors.

- 1 Roman Catholic Diocese representative, as there are Catholic schools within the borough.
- 1 Church of England Diocesan representative, as there are Church of England schools within the borough. The representative to sit on the scrutiny committee will be agreed between the Hereford and Lichfield Diocese.

2.3 The Scrutiny Committee for Health and Adult Care will seek the following representatives:

- 1 member of Healthwatch
- 1 member of the Senior Citizen's Forum
- 1 person with knowledge and/or experience in the NHS.

2.5 In addition to the statutory and agreed interest co-optees listed above, other co-optees will be appointed to Scrutiny Committees as deemed appropriate to compliment the skills and knowledge of elected Members on the Committee or to bring specific expertise in areas pertinent to the work of the Committee.

2.6 In addition to standing Co-opted members on the Scrutiny Committees, individuals may be co-opted onto any in-depth review group for the period of the review. In these cases, the co-opted members should have experience, knowledge or skills in the particular area of review. The elected members on each review group will decide whether they require co-opted members and who to appoint.

2.7 Co-opted members will be required to note any relevant activities that they are involved with on the Council Register of Interests. Advice will be provided on what needs to be included on this register.

### **3 Co-opted member role description and person specification**

#### **3.1 Overall purpose of role**

You will be helping one of the Council's Scrutiny Committees to monitor the performance of Council services, and to review policy to make sure that high quality services are being delivered to Telford & Wrekin residents.

### 3.2 As a co-opted scrutiny member, you will be expected to:

- Regularly attend formal scrutiny meetings, some of which are held in the evening
- Take part in in-depth scrutiny reviews – meetings for these reviews may take part in the evening or daytime and could involve site visits, focus groups and other types of meeting
- Play an active part in meetings – asking questions, giving your views and suggesting improvements
- Bring an external view to scrutiny work, which councillors might not have, and represent the views of residents of Telford & Wrekin
- Suggest service areas or issues that scrutiny committees could investigate
- Treat witnesses with courtesy and respect the confidentiality of some of the information you might hear as a scrutiny member
- Remain non-political at all times.

### 3.3 Person specification – skills and experience co-opted members should have

- Experience relating to the remit of the scrutiny committee you wish to sit on. This could have been gained through your own experience of using council services in that area, through voluntary work or from being employed in a similar line of work, for example
- The ability to understand written and verbal information, to not take information at face value and use it to think of further questions
- Willing to contribute to discussions, sometimes in public meetings, by giving your views and asking questions, including on issues which might be outside of your area of interest or expertise
- The ability to ask questions and give views that reflect the interests and views of people other than yourself
- The ability to work as part of a team and develop good working relationships with people from different backgrounds
- People who have served as elected members of the Council are eligible to apply to appointed as co-optees, but to ensure their independence, would not be able to take part in a review of any policy where they had been involved in the decision making process as an elected Member for a period of 4 years from the end of their service.
- Willingness to attend training to develop your knowledge and skills
- Lives, works, or is a member of an organisation within Telford & Wrekin

### 3.4 Other requirements of the role

- Co-opted members may be required to satisfactorily fulfil a DBS check, where they may come into contact with vulnerable children or adults, as well as financial information.
- Co-opted members will be required to sign up to the Council's Code of Conduct which sets out the standards of behaviour expected of councillors, including

confidentiality agreements, and which co-opted members will also be expected to abide by.

- Co-opted members should have an email account as this will be the main method of communication. (Alternative email arrangements can be considered for applicants who do not have a personal email account.)
- If you are involved in any local groups which might be considered a prejudicial interest i.e. your involvement in scrutiny of related issues could be seen to be benefiting the group you are involved with, you will have to declare these on the Register of Interests. You will be given advice on what you do and do not have to declare.

## **4 Advertisements**

- 4.1 Advertisements for co-optees will be placed in any relevant Council publications, on the Council website, through town and parish councils and other partner organisations and publications as determined by the Scrutiny Management Board at the time of the campaign.
- 4.2 Letters will be sent to each local group or organisation that a representative is sought from, asking for a nomination. The role description and person specification will be sent with the letter to enable the nominating group to select somebody who is able to fully contribute. Town & Parish Councils will be invited to nominate up to 2 councillors who wish to be considered for appointment to the Scrutiny Committees. The nominees may be chosen at a Council meeting or by any other method the Town or Parish Council chooses. Nominees must be a Town or Parish Councillor, but may not be an existing borough ward member
- 4.3 Advertisements will ask interested parties to send an expression of interest to the Democracy Team. They will then be sent further details to enable them to decide whether to apply including:
- Leaflet on scrutiny and the role of co-opted scrutiny members
  - Policy on arrangements for co-opted members
  - An application form and information about the application process.

## **5 Applications**

- 5.1 Applicants will be required to fill in a short application form giving their contact details, which scrutiny committee they would like to sit on, and a short statement of around 250 words explaining why they want to be involved in scrutiny and what they can contribute to the role.
- 5.2 The applications received will be divided by scrutiny committee. The Corporate Complaints Manager will be consulted to identify any applicants who are persistent complainants to the Council. These applicants will not be excluded, but the Chairs will need to establish whether their views will prevent them from being seen to be impartial and contributing constructively to the scrutiny process.

5.3 The Scrutiny Chairs will meet to identify suitable candidates from the applications received for their committee, in consultation with the Senior Democracy Officer (Scrutiny). This will be done by assessing the application against the job description and person specification. The selected candidates will be invited to a discussion with the relevant Chair and Senior Democracy Officer (Scrutiny). Each Chair will then decide which of the applicants are most suited to be appointed as a standing member of the Committee.

5.4 Appointments will be ratified by the Scrutiny Management Board.

## **6 Appointment**

6.1 The successful applicants will be contacted to confirm their appointment and to arrange an induction. Unsuccessful applicants will be contacted to inform them of the decision and the reasons for the decision.

6.2 Co-opted members will be appointed for a term of up to two years. At the end of each term of office, each scrutiny committee will ask the current co-opted members whether they wish to continue, or consider whether it would be appropriate to seek alternative co-opted members. This will vary by each committee and each co-opted member. Co-opting members for a further term will mean the committee can benefit from the experience they will have built up. However, having a set term of office gives the opportunity for co-opted members to stand down if they wish to and also gives the committee the opportunity to refresh membership and seek representatives with different experiences and skills.

6.3 Co-opted members may terminate their membership by giving one month's notice to the Senior Democracy Officer (Scrutiny) should their circumstances change during their term of office.

6.4 Co-optees who miss more than 2 scrutiny meetings in a row (without apology) will be contacted by the Scrutiny Chair or a member of the Democracy Team to ascertain the reasons why, and whether the co-optee should remain in the role.

## **7 Induction, training and ongoing support**

7.1 Each standing co-opted member will have an induction once they are appointed, before they attend their first scrutiny meeting. This meeting will be held with the Senior Democracy Officer and, wherever possible, the Chair of the Scrutiny Committee which they will be joining.

7.2 The same scrutiny training opportunities that are available to elected members will be made available to co-opted members.

7.3 Each co-opted member may request an individual review meeting during the municipal year. This will be an opportunity to discuss performance, training and support needs and any other issues.

- 7.4 The position of a co-opted member is a voluntary post, but the Council will make payments to co-opted members to cover expenses incurred whilst fulfilling their duties as a co-opted member. This is currently £312 per year which is paid monthly and is subject to tax.



## SCOPING DOCUMENT TEMPLATE

### SCRUTINY REMIT:

**DATE:**

**OBJECTIVE:**

**CONTEXT:**

**QUESTIONS TO BE ADDRESSED:**

**OUTCOMES:**

**CONSTRAINTS:**

**EVIDENCE & WITNESSES:**

**METHOD:**

**TIMESCALE:**

**MEMBERSHIP:**

**SUPPORT:**  
Democracy Officer:

**HOW THIS ITEM HELPS DELIVER COUNCIL PRIORITIES:**

**HOW THIS ITEM MEETS THE CfPS FOUR PRINCIPLES OF GOOD SCRUTINY:**

- Provide a “critical friend” challenge to decision-makers as well as external authorities and agencies
- Reflect the voice and concerns of the public and its communities
- Take the lead and own the scrutiny process on behalf of the public
- Make an impact on the delivery of public services.