

Article 6 - Overview and Scrutiny Committees

6.01 Appointment of overview and scrutiny committees

The Council will appoint the following overview and scrutiny committees to discharge the functions conferred by section 21 of the Local Government Act 2000:

- (i) People Scrutiny Committee
- (ii) Place Scrutiny Committee
- (iii) Health Overview and Scrutiny Committee

[Note: The Council also appoints an Audit Committee.]

The Council will vary the number and scope of committees from time to time.

6.02 Proceedings of overview and scrutiny committees

Overview and scrutiny committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

6.03 Functions of overview and scrutiny committees

Within the scope of their terms of reference, overview and scrutiny committees shall:

- (i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (ii) make reports and recommendations to the full Council and/or the Cabinet, or a joint or area committee in connection with the discharge of any functions;
- (iii) consider any matter affecting the area or its inhabitants;
- (iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Leader, Cabinet, individual cabinet members or any joint or area committees in accordance with the procedure outlined in the Constitution;
- (v) consider any Councillor Call for Action (CCfA) in accordance with the agreed procedure; and
- (vi) Consider any petition in accordance with the Petition Scheme.

6.04 Powers of overview and scrutiny committees

- (a) **Policy development and review:** Overview and scrutiny committees may:
 - (i) assist the Council, Leader and Cabinet in the development of the budget and policy framework by undertaking analysis of policy, performance and resource issues;
 - (ii) undertake research, community (and other) consultation in support of policy development and review functions;
 - (iii) consider and implement mechanisms to encourage and enhance community participation in matters being reviewed;
 - (iv) question the Leader, members of the Cabinet and/or committees and the Chief Executive and Directors about their views on issues and proposals affecting the area; and
 - (v) liaise with external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

- (b) **Scrutiny:** Overview and scrutiny committees may:
 - (i) review and scrutinise decisions made by the Leader, Cabinet, committees and council officers both in relation to individual decisions and over time;
 - (ii) review and scrutinise the performance of the Council in relation to its policy objectives and performance targets;
 - (iii) question the Leader, Cabinet members, committees, the Chief Executive and Directors about their decisions and performance, whether generally in relation to service plans and targets over time, or in relation to particular decisions, initiatives or projects;
 - (iv) make recommendations to the Cabinet and full Council arising from the outcome of scrutiny projects;
 - (v) review and scrutinise the performance of other public bodies in the area; this can be achieved by requesting representatives of these bodies to:
 - (a) submit reports and/or other written information to an overview and scrutiny committee;

CONSTITUTION – PART 2 – ARTICLES OF THE CONSTITUTION

- (vi) attend and address an overview and scrutiny committee about their activities and performance;
 - (vii) host a site visit by members of an overview and scrutiny committee.
 - (viii) question and gather evidence from any other person (with their consent).
- (c) **Finance.** Overview and scrutiny committees may exercise overall responsibility for the finances made available to them.

6.05 The remit of overview and scrutiny committees

[Note: The Audit Committee's remit can be found in Table 5, Part 3 of the Constitution.]

People Scrutiny Committee - Principal service areas in scope
Children's Social Care: Commissioning and delivery of social care services for children and young people Health services (exercised by the County Council) Safeguarding vulnerable children and young people Looked after children Youth development services Youth offending services
Education: Early years, childcare and extended schools services Learning and school effectiveness Inclusion support services Adult education Special Education Needs School admissions and school transport School organisation and place planning Skills (Education)
Adult Social Care: Commissioning and delivery of social care services for adults and older people Support for carers Universal preventative and 'signposting' services related to social care for adults and older people Safeguarding vulnerable adults Public Health
Community Safety including the work of the East Sussex Safer Communities Steering Group Crime and disorder matters (Police and Justice Act 2006)

Place Scrutiny Committee - Principal service areas in scope

Transport and Environment:

Planning and development control
 Transport and highways (including Transport for the South East)
 Environment
 Waste and minerals
 Rights of way and countryside management
 Flood and coastal erosion risk management

Economic Development and Regeneration:

Economic development, skills and infrastructure
 Culture (including LEP)

Community Services:

Archives, records and libraries
 Customer Services
 Emergency Planning
 Gypsies and travellers
 Registration Service
 Road safety
 Trading Standards

Corporate functions:

Financial Management
 Property asset management
 Procurement
 IT & Digital
 Personnel and Training
 Procurement
 Legal Services

Communications
 Member Services / Democratic Services

Policy and Performance
 Equalities

Coroner Services

Voluntary sector

Devolution
 Local Government Reorganisation

CONSTITUTION – PART 2 – ARTICLES OF THE CONSTITUTION

Health Overview and Scrutiny Committee (HOSC)

To exercise the specific functions given to local authorities to scrutinise the health services within their locality as follows:

- 1) To scrutinise matters relating to the provision of health care and to promote the equality of opportunities in health care for the inhabitants of East Sussex.
- 2) To make reports and recommendations to local NHS bodies, as defined, patients' representatives, the County Council and to other relevant bodies on matters affecting the provision of health care for the inhabitants of East Sussex.
- 3) To respond to consultation by any local NHS body or Foundation Trust with reference to any proposal for substantial development of the health service in the County, and/or affecting the inhabitants of East Sussex or for a substantial variation in the provision of such service excluding those exempt from consultation as specified in regulations and to make comments by the due date specified by the local NHS body referring the matter.
- 4) To consider and respond to consultations or requests for information by the Secretary of State (or on their behalf) in relation to NHS proposals for service change affecting the inhabitants of East Sussex which have been called in by the Secretary of State, or where a request has been made to call in such a proposal.
- 5) To make a request to the Secretary of State that a proposal for service change affecting the inhabitants of East Sussex be called in where the committee is satisfied that the criteria for requesting a call-in (as set out in statutory guidance) are met.
- 6) To evaluate and review the effectiveness of the implementation or other outcome of its recommendations in improving the health services for the inhabitants of East Sussex.
- 7) To undertake all the statutory functions of the scrutiny committee in accordance with relevant current legislation and national guidance relating to reviewing and scrutinising health service matters.
- 8) To encourage the County Council, District and Borough Councils to take into account the implications of their policies and activities on health and the promotion of equality in the provision of health care.
- 9) To contribute to the development of policy to improve the provision of health care for the inhabitants of East Sussex.
- 10) To respond to or make proposals for joint scrutiny of health provision in adjoining areas which may impact on the provision of health care for the inhabitants of East Sussex including appointing members of the committee to relevant Joint Health Overview and Scrutiny Committees and agreeing the Terms of Reference for such committees.
- 11) In all of the above, to seek, and take account of, views of the inhabitants of East Sussex and to liaise with local Healthwatch in this respect.