

Scrutiny Functions & procedures

Scrutiny Functions

1. The aims of the Scrutiny process are to:-

- add value to Council business and decision-making;
- hold the Executive to account;
- monitor the budget and performance of services;
- assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
- review relevant central government policy development and legislation to assess the impact on the City and make recommendations to Executive.

Scrutiny Programme Board (“SPB”)

2. The purpose of the Scrutiny Programme Board is to manage scrutiny in a way that ensures the functions of overview and scrutiny are fairly balanced across all aspects of the Council’s work, with a view to improving services, reducing inequalities and improving outcomes for the people of Exeter. The Scrutiny Programme Board will meet on a bi-annual basis.

Role of the Scrutiny Programme Board:-

- To set priorities for the annual scrutiny work programme;
- To ensure that work is allocated fairly across the two scrutiny committees and reflects all aspects of the Council’s work by providing oversight and direction to the committees’ work programmes;
- To ensure corporate and cross cutting business is dealt with by the relevant committees;
- To review performance against the relevant corporate priorities and inform work programmes as appropriate;
- To receive for information, and oversee implementation of, recommendations made by each of the two Scrutiny Committees;
- To plan and oversee implementation of the process for annual Budget Scrutiny;
- To produce an annual scrutiny report to Council (in conjunction with the scrutiny committees);
- To review national best practice and guidance in relation to scrutiny and recommend any changes to the way scrutiny is undertaken as a result.

Membership:-

The Scrutiny Programme Board will consist of one member nominated by the Leader (who shall not be a member of the Executive) together with the Chairs and Deputy Chairs of each of the two scrutiny committees.

Chair - the Chair of the Board will be from the group in administration.

Deputy Chair - the Deputy-Chair will be from the main opposition group.

Role of the Scrutiny Committees

The relevant scrutiny committee will:

- hear call-ins, Councillor’s call for action and petitions;
- approve the creation of time limited working groups for issues within its remit;
- monitor performance against the relevant corporate priorities;

- receive finance and performance reports;
- agree recommendations to Executive, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- review new and developing legislation to assess its impact on the city;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

Strategic Scrutiny Committee

Responsibility for

- Relevant policies in the Exeter Plan
- Corporate Health & Safety
- Response to Central Government's Policy Making
- Climate change and sustainability
- Council wide/strategic matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Growth Board
- Joint Committee for Heart of the South West
- Heart of the South West Local Enterprise Partnership

Membership - There are fourteen members of the Committee including the Chair and Vice Chair. None shall be members of the Executive Committee.

Chair - The Chair will be nominated and elected at full council and will be a member of the Scrutiny Management Board.

Deputy Chair - The Deputy Chair will be nominated and elected at full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted on urgent decisions to be made.

Customer Focus Scrutiny Committee

Responsibility for:-

- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process
- Service specific/operational matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Health and Wellbeing Board
- Exeter Community Safety Partnership
- Strata

Membership - There are fourteen members of the Committee including the Chair and Vice Chair.

Chair - The Chair will be nominated and agreed by full council and will be a member of the Scrutiny Programme Board.

Deputy Chair - The Deputy Chair will be nominated and agreed by full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted in relation to Urgent decisions to be made within the Scrutiny Committee's terms of reference.

Excluded matters

The following matters cannot be considered by a Scrutiny Committee:

- any matter relating to a planning decision;
- any matter relating to a licensing decision;
- any matter relating to the business of the Audit & Governance Committee;
- any matter relating to an individual or body if s/he/they have, by law, a right to a review or right of appeal;
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a Committee meeting .

The Monitoring Officer in consultation with the Chair (or Deputy Chair in the chair's absence) of the relevant Committee will determine whether a matter is an excluded matter.

Delegation for Executive Functions

The Leader is responsible for:-

- appointing members of the Executive
- delegating Executive responsibilities to committees carrying out executive functions

Executive decisions will be made by the Executive taken collectively at an Executive meeting.

For the avoidance of doubt, Key Decisions (those in value of more than £1m, or those affecting two or more wards) may not be taken outside the Executive meeting.

In cases of urgency, Executive decisions may be taken by the relevant Portfolio Holder provided that:

- such a decision is made in accordance with the Council's agreed budget and policy framework;
- Any decision which commits the Council to expenditure shall be taken in agreement with, the Chief Finance Officer and the appropriate member of the Strategic Management Board("SMB")
- The Chair with relevant responsibilities will be consulted in relation to Urgent decisions to be made within the Scrutiny Committee's terms of reference

Public Participations Questions

Questions by the public

A member of the public may ask questions at ordinary meetings of the Council, the Executive and Scrutiny Committees. These questions may be addressed to the Leader of the Council, Executive members or Chairs of the Scrutiny Committees.

Members of the public may not ask questions at annual council or special meetings.

Questions submitted for meetings of the Council or Scrutiny Committees, must be about something the Council is responsible for.

Questions submitted for meetings of the Executive, must relate to an item on the agenda for that meeting.

Questions at a specially convened meeting of a Scrutiny Committee in accordance with Standing Order 17 (Call In) shall be restricted to questions about the subject matter of the decision being called in.

The same question cannot be asked at more than one meeting.

Giving Notice of questions

Questions must be submitted to the Proper Officer at least three clear working days before the meeting. Each question must include the name and address of the person asking it showing clearly who it is addressed to.

Number of questions

Members of the public cannot ask more than one question per meeting. If more than one question is received or a single question contains a number of component questions then only the first question will be accepted.

One supplementary question is permitted provided it is based on the response given to the original question.

Asking and answering the question

The Lord Mayor, Leader of the Council or Chair of Scrutiny meeting will ask the questioner to ask their question. A response to the question will be given at the meeting and will also be put in writing and circulated at the meeting.

If the questioner is not present or an answer cannot be given on the day of the meeting, then the question and response will be published on the website 5 working days of the meeting.

Length of questions

50 words are normally sufficient to frame a clear and direct question. Therefore questions will be no more than 50 words.

Total length of questions

The Council, Executive or Scrutiny Committee will spend no longer than 15 minutes dealing with questions. If it cannot take all the questions, it will take them in the order that notice was given of them (except that those members of the public who have not already asked a question at previous Council, Executive or Scrutiny Committee meetings will be heard first) until there is no time left.