

Article 6 - Overview and Scrutiny

1 Scrutiny

The main aim of scrutiny is to act as a 'critical friend' to the Cabinet and other decision makers in order to promote better services, policies and decisions. Working in a similar way to parliamentary select committees, overview & scrutiny involves councillors who are not in the cabinet.

The overview & scrutiny function was set up under Section 21 of the Local Government Act 2000. Every local council needs to have at least one overview & scrutiny committee.

In Swansea there is a Scrutiny Programme Committee that will be responsible for coordinating the work of scrutiny which will hold the Council's Executive to account and examine the work of all Council departments as well as other public services.

- a) It is expected that the work of scrutiny should represent a significant and constructive programme of activities that will:
 - i) Help improve services;
 - ii) Provide an effective challenge to the executive
 - iii) Engage Members in the development of policies, strategies and plans; and
 - iv) Engage the public.

- b) In practical terms the work of overview & scrutiny follows four stages:
 - i) Work planning to identify issues and decide how to address them;
 - ii) Gathering evidence through consultation and research;
 - iii) Making recommendations to the Cabinet, to Council and to other decision making bodies;
 - iv) Following up to check that agreed actions have been taken and an impact made.

2 General Roles

Within its terms of reference, scrutiny will:

- a) Review and/or scrutinise (a) decisions or actions taken, (b) policies or processes in connection with the discharge of any of the Council's functions;
- b) Make reports and/or recommendations to the Council meeting and /or the Cabinet on the discharge of any of the Council's functions;
- c) Consider any matter affecting the area of its inhabitants and make recommendations to any decision making body as appropriate.

3 Specific Functions

Scrutiny may:

- a) Assist the Council in reviewing service delivery and performance through in analysis;
- b) Review and scrutinise the decisions made by and the performance of the C and/or Committees and/or other Constitutional Bodies and the Council and/ Chief Officers both in relation to individual decisions and over time;
- c) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- d) Conduct research, community and other consultation in the analysis of serv policy issues and possible options;
- e) Consider and implement mechanisms to encourage and enhance communi participation in the development of policy or the improvement of services;
- f) Question Members of the Cabinet and/or Committees and/or other Constitu bodies and appropriate Officers about their proposed policies, decisions an performance;
- g) Make recommendations to the Cabinet and/or appropriate Committee and/c other constitutional bodies and/or Council arising from the outcome of the overview & scrutiny process;
- h) Review and scrutinise the performance of other public bodies in the area ar invite reports from them about their activities and performance;
- i) Question and gather evidence from any person outside of the Authority (with their consent).
- j) Assist the Council and the Cabinet in the review of its budget and policies by in-depth analysis of policy issues;
- k) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that collaborative working enhances the interests of local people.

4 Annual Report

An annual report will be provided to Council detailing the work undertaken by scrutiny during the preceding municipal year.

5 Work Programme

The Scrutiny Programme Committee will exercise overall responsibility for the work programme.

6 Proceedings of Scrutiny

The Scrutiny Programme Committee will conduct proceedings in accordance with the **Scrutiny Procedure Rules set out in Part 4** of this Constitution.

7 Call In Procedure

The Chair and/or Vice Chair of the Scrutiny Programme Committee or any 4 Councillors may Call In a decision in accordance with the Call In Procedure set out in the Cabinet Procedure Rules at Part 4.4 Section 18 of the Constitution.

The Scrutiny Programme Committee will consider the called in decision and the reasons for the Call In and:

- i) If satisfied with the explanation it will so indicate to enable the decision to be implemented;
- ii) If “no longer concerned” but not minded to indicate that it is “satisfied with the explanation” it is in order for the Committee to resolve that “the explanation be accepted but not endorsed by the Committee”;
- iii) If still concerned about the decision, then it may refer it back to Cabinet or the relevant decision maker/body for reconsideration, setting out in writing the nature of its concerns. The Cabinet, decision maker/body shall then reconsider its decision before making a final decision.