

# **Westmorland and Furness Shadow Overview and Scrutiny Committee**

**Meeting Date**     **15 June 2022**

## **Terms of Reference of the Overview and Scrutiny Committee**

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**Report from:**           Linda Fisher Interim Statutory Monitoring Officer

**Report Author:**       Linda Fisher Interim Statutory Monitoring Officer

**Wards:**                 All

**Key Decision:**         N/A

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### **1.0 Purpose/Summary of report**

1.1. To request that the Overview and Scrutiny Committee note the Terms of Reference of the Overview and Scrutiny Committee.

### **2.0 Recommendation**

**2.1 It is recommended that the Overview and Scrutiny Committee;**

**(1) note the Terms of Reference of the Overview and Scrutiny Committee outlined in section 3.3 of this report.**

### **3.0 Background and Proposals**

3.1 The Shadow Authority has established arrangements for the overview and scrutiny of decisions or other action taken by the Shadow Executive and others in accordance with the Local Government Act 2000 as applied by the Cumbria (Structural Changes Order) 2022.

3.2 The Shadow Authority will keep under review its overview and scrutiny arrangements and will make changes where it considers these are appropriate.

3.3 The Terms of Reference and responsibilities of the Overview and Scrutiny Committee are set out in Part 3, Article 7.1 of the Constitution and these are listed overleaf:

*The Shadow Authority shall have one Overview and Scrutiny Committee, which may commission task and finish groups to undertake scrutiny projects.*

*The Overview and Scrutiny Committee will specifically:*

- (a) discharge the Shadow Authority's functions under Section 9F of the Local Government Act 2000;*
- (b) oversee the Shadow Authority's overall overview and scrutiny function including the preparation, implementation, monitoring and review of an annual work programme for overview and scrutiny;*
- (c) Scrutinise the Shadow Executive's Budget proposals for 2023/2024.*
- (d) establish such task and finish groups, appointing the Chair with such membership as it sees fit, to undertake overview and scrutiny on a task and finish basis;*
- (e) ensure that officers discharge their responsibilities effectively and efficiently in relation to the overview and scrutiny function;*
- (f) scrutinise decisions of the Shadow Executive, and offer advice or make recommendations on the matter under scrutiny once the Overview and Scrutiny Committee have considered the issues;*
- (g) refer to the Shadow Authority, the Shadow Executive or appropriate Committee/Sub-Committee any matter which, following scrutiny, the Overview and Scrutiny Committee determines should be brought to the attention of the Shadow Authority, Shadow Executive or the Committee or Sub-Committee.*
- (h) if requested, offer any views or advice to the Shadow Executive in relation to any matter referred to the Overview and Scrutiny Committee for consideration;*
- (i) in performing its role, the Committee may consult and involve the local community and other public, private and voluntary bodies or organisations;*
- (j) review the Shadow Authority's response to its obligations in respect of the overall performance management regime and where appropriate advise the Shadow Executive and the Shadow Authority of its findings;*
- (k) scrutinise decisions after implementation to examine their effect and outcomes;*
- (l) contribute to ensuring that the Shadow Authority develops and maintains effective policies and procedures for handling*

*complaints and other customer feedback to the Shadow Authority; monitor the overall level and nature of complaints and other customer feedback received and make recommendations regarding actions to address identified issues as appropriate; and*

*(m) contribute to ensuring that the Shadow Authority has in place appropriate mechanisms to protect organisational integrity including the development of appropriate policies and guidance*

#### **4.0 Consultation**

4.1 The Constitution, including the Terms of Reference for the Overview and Scrutiny Committee, have been agreed by the Joint Committee for Westmorland and Furness and also at the Westmorland and Furness Shadow Authority meeting on the 17<sup>th</sup> May 2022.

#### **5.0 Alternative Options**

5.1 There are no alternative options: the Terms of Reference are required for the Committee to be effective and to ensure the correct governance is in place.

#### **6.0 Implications**

##### **Financial, Resources and Procurement**

6.1 There are no financial implications arising from this report.

##### **Human Resources**

6.2 There are no staffing implications arising from this report.

##### **Legal**

6.3 The Shadow Authority is required to have an Overview and Scrutiny Committee. The Terms of Reference ensure that the role and responsibilities of the Committee are clear and a work programme will be developed around the Terms of Reference.

##### **Health and Sustainability Impact Assessment**

6.4 Have you completed a Health and Sustainability Impact Assessment? No.

6.5 If you have not completed an Impact Assessment, please explain your reasons: None required.

## Equality and Diversity

6.6 Have you completed an Equality Impact Analysis? No.

6.7 If you have not completed an Impact Analysis, please explain your reasons: None required

<b>Risk Management</b>	<b>Consequence</b>	<b>Controls required</b>
No Terms of Reference are in place.	Governance is not in place. Roles and responsibilities are not understood.	The Terms of Reference are noted by the Committee and roles and responsibilities clearly understood.

## Contact Officers

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<b>Name of Background document</b>	<b>Where it is available</b>
The Constitution	<u>Westmorland and Furness Shadow Authority Constitution</u>