

6. Article 6 – Overview and scrutiny committees

6.1 Appointment

The council will annually constitute and appoint an overview and scrutiny management committee and select committees in accordance with the current structure, each comprising at least seven councillors, to discharge the functions conferred by the Local Government Act 2000, as subsequently amended, and associated regulations (as consolidated in the Localism Act 2011).

6.2 Terms of reference

The Overview and Scrutiny management committee will be responsible for:

- Overall management of the OS function in line with the articles and overview and scrutiny procedure rules set out in the Constitution (including call-in of Executive decisions and councillor requests for reviews)
- Co-ordination of the overall work programme (aligned to Council priorities)
- Leading the working relationship with the Executive (based on agreed core values)
- Establishing any sub-committees/endorse the formation of task groups/appoint representatives to project boards and delegate responsibility as appropriate
- Assign dedicated OS resources (officer team and budget)
- Overview / policy development and scrutiny of policy framework and corporate/organisational matters
- Overview / policy development and scrutiny of Business Plan - annual review & periodic performance monitoring
- develop appropriate overview and scrutiny operational protocols

The management committee has the power of direction over the standing select committees. Its membership should include the chairmen of the standing select committees.

The select committees will deliver that part of the overall work programme relevant to their service areas under the direction of the management committee and will report back to the management committee on its work and make recommendations as necessary. The management committee and select committees will therefore collectively:

- perform all overview and scrutiny functions on behalf of the council
- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the council's functions
- make reports and recommendations to the Full Council and the Cabinet or relevant Cabinet member and any relevant partner in connection with the discharge of any functions
- foster and encourage an inclusive, structured, non-partisan and non-adversarial approach to overview and scrutiny which is reliant on evidence rather than anecdote

In addition to the above, the committee responsible for health scrutiny will:

- review and scrutinise any matter relating to the planning, provision and operation of health services in Wiltshire, including significant change to service provision and those jointly commissioned or delivered by the council
- require the attendance of an officer of a local NHS body to answer questions and provide explanations about the planning, provision and operation of health services in Wiltshire
- require a local NHS body to provide information about the planning, provision and operation of health services in Wiltshire, subject to the exemptions outlined in the Health and Social Care Act 2001
- participate in cross-boundary overview and scrutiny of health services with other local authorities; including the establishment of joint committees; or the delegation of functions to another local authority
- report to the secretary of state for health:
 - (i) where the committee is concerned that consultation on substantial variation or development of services has been inadequate
 - (ii) where the committee considers that the proposal is not in the interest of the local health service.
- maintain an overview of the council's responsibilities and role in relation to health and wellbeing

6.3 **Finance**

The overview and scrutiny **management** committee will exercise overall responsibility for the finances made available to it.

6.4 **Proceedings of overview and scrutiny committees**

The overview and scrutiny **management** committee **and select committees** will conduct their proceedings in accordance with the overview and scrutiny procedure rules set out in Part 8 of this constitution.