

Committee Name: Scrutiny

Committee Date: 09/06/2022

Report Title: Terms of reference for scrutiny select committees

Portfolio: Councillor Kendrick, cabinet member for resources

Report from: Executive director of community services

Wards: All Wards

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Purpose:

The purpose of this report is to assist scrutiny committee members in adopting terms of reference for select committees.

Recommendation:

To agree terms of reference for select committees.

Policy Framework:

The Council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report helps to meet the adopted policies of the council.

This report helps to meet the objectives of the COVID-19 Recovery Plan.

Report Details

Scrutiny committee select committees

1. Last year, the Scrutiny Committee established a select committee for fly-tipping and communal bins. Whilst the group is now drawing conclusions, it has experienced a number of challenges during the course of its work which has delayed its progress.
2. In learning from the experience, it has been identified that it may have been helpful for a set of clear terms for the group to be used, which may have provided a framework to resolve some of the challenges the group faced.
3. With this in mind, officers have developed template terms of reference which are attached at Appendix A. The terms can be adapted and applied to future select committees that the Committee may wish to establish.

Consultation

4. All political groups are represented on the scrutiny committee.

Implications

Financial and Resources

5. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2022-26 and Budget.
6. The terms of reference will ensure that appropriate resources can be allocated to support a select committee in its work. There are no financial resources required to establish the template terms of reference.

Legal

7. No specific legal advice has been sought or provided.

Statutory Considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	None at this stage
Health, Social and Economic Impact	None at this stage
Crime and Disorder	None at this stage
Children and Adults Safeguarding	None at this stage
Environmental Impact	None at this stage

Risk Management

Risk	Consequence	Controls Required
None at this stage		

Other Options Considered

8. There have been no other options considered for this report.

Reasons for the decision/recommendation

9. To ensure that select committees have a framework around which to operate to ensure that they are resourced properly with clear priorities.

Background papers: none

Appendices: Terms of reference of scrutiny committee select committees – Appendix A

Contact Officer: Lucy Palmer, Democratic Team Leader.

Terms of Reference

Purpose of the working group

Set out why the working group has been set up, who has appointed it, and what it is expected to achieve.

Confirm who agreed the terms of reference and the date (to be updated following approval).

List any specific outputs that the group has been asked to deliver.

Make clear the authority of the working group and that it is not empowered to make decisions – is it expected to advise anyone or a group?

Governance

Confirm the number of people on the working group, and how they will be appointed for example by a Committee, whether through self-selection or group leader nomination.

Consider whether it is appropriate to appoint any other individuals to the group.

Confirm how the Chair and Vice-Chair of the group will be appointed and the level of quorum of the group.

Standard clause:

“The group shall aim to form a consensus on its recommendations and proposals. Where this cannot be achieved, then votes may be taken by a show of hands, with the Chair holding a casting vote”.

Support for the working group

Confirm which officers will be appointed to support the working group. You will need to consider whether officer support is required from the following list (albeit this is not exhaustive):

- a) The specific service area(s) including the Executive Director and Head of Service
- b) Democratic Services (to administer the meetings)
- c) Finance
- d) Communications
- e) Legal (via nplaw)
- f) Policy

Stakeholders and Engagement

Consider what other organisations may be interested in the work of the working group and whether (and how) they may be involved, whether giving evidence as a witness, being invited to submit evidence or acting as an advisor or member of the group.

Consider whether any wider consultation and engagement is required, for example through conducting a survey or call for evidence.

Methodology and timeframes

Set out the approach that the working group is expected to follow; this could include, for example:

- a) Group meetings
- b) Workshops
- c) Site visits

This should take into account any consultation or engagement as set out above.

It is helpful to provide this in the format of a timeline, setting out in broad terms when the group will be expected to meet or undertake work and when they will expect to conclude.

Expectations on members of the working group

The following standard clause should be used, in an adapted form if appropriate:

“All members of the working group will be expected to actively contribute to its effective operation. This will include:

- Supporting the group in delivering against its objectives as set out in these terms of reference;
- Being prepared for meetings, having read papers and ensured they are familiar with the subject matter of the meeting.
- Actively contributing to debate and the reaching of conclusions.
- Be creative in their thinking and challenge preconceptions.
- Act responsibly, focusing on what's achievable within the Council's budgetary constraints and competing priorities.
- Think about the benefits to the wider City and not just specific individuals or areas.

Members may also be called upon to undertake specific tasks as agreed by the group which could include briefing committees or members of their own group on the progress achieved; acting as spokespeople at stakeholder events or undertaking research on behalf of the group.

The working group is expected to form ideas and proposals. To do so, group members may exchange ideas in a free and frank way; they may test sensitive or controversial proposals that may then be rejected. To discuss these in a public forum without collective agreement could be damaging and undermine the work of the group. To be effective, the group must operate in a manner of mutual trust and respect which includes:

- a) Even if members may individually disagree with proposals put forward, once the group has resolved a matter, recognising that there is then collective accountability for the decision reached
- b) Not attributing specific ideas to individuals unless specifically agreed otherwise
- c) Treating private discussions of the group as confidential.

It is expected that unless stated otherwise, all papers and reports of the group should be treated as confidential.”

Expectations on the Chair of the group

The following standard clause should be used, adapted as appropriate:

“The Chair’s primary role is to ensure the effective operation of group meetings. This would include supporting effective debate amongst group members and ensuring the group reaches sound and clear conclusions. However, the role goes deeper and the chair may be called upon to undertake the following specific roles in addition to their duties as a working group member above:

- a) Liaising with Council Officers on the progress of the group’s work, ensuring that points raised by group members have been reflected in research and reports
- b) Liaise with the Portfolio Holder(s), keeping them informed on the work of the group and testing ideas and proposals for their acceptability
- c) Contacting stakeholder groups
- d) Acting as a lead spokesperson on behalf of the group
- e) Presenting reports of the group to the appointing committee”.