

APPENDIX Q

Overview and Scrutiny Procedure Rules

- 1.1 The Local Government Act 2000 determined that the following responsibilities would fall within the remit of the Overview and Scrutiny function:
 - (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive;
 - (b) to make report or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive;
 - (c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive;
 - (d) to make report or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive;
 - (e) To make recommendations to the authority or the executive on matters which affect the authority's area or inhabitants.
- 1.2 These responsibilities have been further strengthened by other legislation, including the Local Government and Public Involvement in Health Act 2007, the Crime and Disorder Act 2006, Localism Act 2011, Health and Social Care Act 2012 and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
- 1.3 The Health and Social Care Act 2001 paved the way for scrutiny by local authorities of other statutory bodies, by establishing Overview and Scrutiny Committees with the remit of scrutinising health service provision.
- 1.4 The authority shall appoint a nominated Scrutiny Officer in line with the requirements of the Local Democracy, Economic Development and Construction Act 2009.
- 1.5 The following procedure rules provide the framework for the operation of the Overview and Scrutiny processes in Barnet.

Overview and Scrutiny Procedure Rules

Part 1: Formal Committees

1. What will be the number and arrangements for Overview and Scrutiny Committees?

1.1 The Council will have the Overview and Scrutiny Committees set out in the attached Terms of Reference. Such Committees may appoint sub-Committees. Overview and Scrutiny Committees may also be appointed by the Council for a fixed period and with terms of reference stated when they are appointed, on the expiry of which they shall cease to exist

2. Who may sit on Overview and Scrutiny Committees?

2.1 All councillors, except Members of the Executive, may be members of an Overview and Scrutiny Committee. However, no Member may take part in scrutinising a decision in which he/she has been directly involved.

3. Co-opted Members

3.1 Education

Co-opted Education members who will be invited to attend and vote at any meeting where matters are being considered that relate, either in whole or in part, to any education functions which are the responsibility of the Executive.

Where the Committee are considering education functions and then considers other items that do not relate to education, the co-opted members may remain and speak but not vote.

VOLUNTARY AIDED SCHOOL REPRESENTATIVES (3)
<ul style="list-style-type: none">• One Church of England diocese representative (statutory)• One Roman Catholic diocese representative (statutory)• One representative of persons who appoint foundation governors to voluntary aided Jewish schools <i>(Note: this is at the discretion of the council who are free to appoint representatives from other communities/faith groups as they see fit)</i>
PARENT GOVERNOR REPRESENTATIVES (2)
Two parent governor representatives - one for secondary schools and one for primary schools

3.2 Housing

Where issues relating to housing or housing benefits and/or the Council's functions as a housing authority are to be discussed by any Overview and Scrutiny body, the Head of Governance, in consultation with the relevant Chairman will arrange for two non-voting representatives appointed by the Barnet Homes Performance Advisory Group to be invited to attend the meeting and speak but not vote on such issues.

4. Formal Meetings of the Overview and Scrutiny Committees and sub-Committees

4.1 Each Overview and Scrutiny Committee shall meet as frequently as it considers necessary to complete its programme of work.

4.2 Although Overview and Scrutiny Committees will normally meet at the Town Hall, meetings may be held at other venues, provided the venue fulfils legislative requirements with respect to the admission of the press and public.

5. Quorum

5.1 The quorum for an Overview and Scrutiny Committee shall be as set out for committees in the Council Procedure Rules in Part 4 of this Constitution.

6. Who chairs Overview and Scrutiny Committee meetings?

Chairmen of Overview and Scrutiny Committees will be appointed by the Council, normally at their Annual Meeting, from among the councillors sitting on the committee.

7. Annual Review of Effectiveness and Annual Report

The Business Management Overview and Scrutiny Committee will, each year, produce an Overview and Scrutiny Annual Report for Council which will include:

- (a) details of Overview and Scrutiny work carried out during the municipal year;
- (b) a review the effectiveness of the Overview and Scrutiny processes; and
- (c) detail outline Work Programmes for Overview and Scrutiny Committees for the coming year.

8. Agenda Items

8.1 Any member of an Overview and Scrutiny Committee shall be entitled to give notice to the Head of Governance that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request, the Head of Governance will ensure that the item is included on the next available agenda.

8.2 In instances where multiple Overview and Scrutiny Committees request to scrutinise the same item, the item will be considered by the Committee with the most appropriate terms of reference. Members of the other committee(s) which have requested to scrutinise the item will be invited to the meeting where the subject is considered and invited to contribute to the debate (but not vote) on the item. Where there are multiple requests to scrutinise an item, the Chairman of the Business Management Overview & Scrutiny Committee will, in consultation with the Overview & Scrutiny Manager, determine the most appropriate committee.

8.3 The following matters, subject to paragraph 8.4 below may not be considered by an Overview & Scrutiny Committee:

- (a) a matter relating to an individual planning decision;
- (b) a matter relating to an individual licensing decision;
- (c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;

- (d) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Committee or at a meeting of a sub-Committee

8.4 A matter does not fall within a description in paragraph 8.3 if it consists of an allegation that a function for which the authority is responsible has failed or is failing on a systematic basis, notwithstanding the fact that the allegation specifies or refers to a planning decision, a licensing decision or an appeal matter

9. Referrals by others

9.1 Requests, reports and submissions from the Council, Executive, residents' forums, community and voluntary groups, partnership and outside bodies and locally constituted groups and responses to "Councillor Call for Action" will be referred to the Business Management Overview & Scrutiny Committee.

9.2 The Committee will meet within one month of the referral being received and will determine what, if any, action is required

9.3 Referred matters clearly within the remit of the Health, Safeguarding or Budget & Performance Overview and Scrutiny Committees will be referred direct to those Committees by the Head of Governance.

10. References from Overview and Scrutiny Committees

10.1 Once an Overview and Scrutiny Committees has considered an issue and formed recommendations, a formal report will be prepared for submission to either:

- (i) the Executive (if the proposals are consistent with the existing budgetary and policy framework);
- (ii) to the Council (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).
- (iii) or any other relevant body (if the matter relates to functions that are the responsibility councils partners or any other external agency)

10.2 If an Overview and Scrutiny body cannot agree on a single reference on an issue, then up to one minority report may be prepared and submitted for consideration to one of the bodies outlined at 10.1 above.

10.3 The Council or Executive shall consider the report of the Overview and Scrutiny Committee at their next scheduled meeting.

11. Ensuring that Overview and Scrutiny Reports are considered by the Executive

11.1 Agendas for Cabinet meetings will include items of business referred from Overview and Scrutiny Committees. Where referrals from Overview and Scrutiny relate to the Executive's deliberations on another substantive item on the agenda, these will be considered concurrently.

11.2 Under the Local Government and Public Involvement in Health Act 2007, the Executive has a duty to:

- (a) consider reports or recommendations made by Overview and Scrutiny bodies;

- (b) respond to the overview and scrutiny committee indicating what (if any) action the authority or the executive propose to take; and
- (c) publish the response within two months of the report or recommendations being received.

- 11.3 Where an Overview and Scrutiny Committee or sub-Committee prepares a report for consideration by the Executive in relation to a matter where decision making power has been delegated to another individual member of the Executive, then the Overview and Scrutiny Committee will submit a copy of their report to that individual for consideration with copies to the Head of Governance and Leader.
- 11.4 If the relevant Cabinet Member does not accept the recommendations of the Overview and Scrutiny Committee then he/she must then refer the matter to the next available meeting of the Executive for debate, before exercising his/her decision making power and responding to the report in writing to the Overview and Scrutiny Committee.
- 11.5 The Executive Member to whom the decision-making power has been delegated will respond to the Overview and Scrutiny Committee in line with the provisions set out at 11.2 above. A copy of his/her written response shall be sent to the Head of Governance and he/she will attend a future meeting of the relevant Overview and Scrutiny Committee to respond.

12. Rights of Overview and Scrutiny Committee Members to Documents

- 12.1 In addition to their rights as councillors, members of Overview and Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

13. Members and Officers Giving Account

- 13.1 Any Overview and Scrutiny body may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, the body may require any member of the Executive, the Head of Paid Service and any Director or Head of Service or other senior officer to attend before it to explain in relation to matters within their remit and to produce a report if so requested, and it is the duty of those persons to attend if so required.
- 13.2 Where any member or officer is required to attend an Overview and Scrutiny Committee under this provision, the Head of Governance shall inform the member or officer in writing giving notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the committee. Where the account to be given to the committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- 13.3 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in consultation with the member or officer arrange an alternative date for attendance or agree a suitable substitute.

13.4 Where an Overview and Scrutiny Committee has requested reports from external organisations (including those who are responsible for discharging the council's functions and relevant health partners), the relevant officers of those organisations will be expected to produce reports in accordance with statutory deadlines and attend meetings.

14. Ability to invite others to attend meetings

14.1 The Overview and Scrutiny Committees, Task and Finish Groups and other bodies appointed to carry out any aspect of the Overview and Scrutiny responsibilities may invite whoever they wish to assist them in their work.

14.2 The Committees may, for example, wish to hear from residents, stakeholders and Members and/or officers in other parts of the public sector and shall invite such people to attend.

14.3 Attendance by non-Executive Members and the community is, of course, entirely optional, but they will be encouraged to attend, send representatives and/or make submissions. **Officers unable to attend must send a representative.**

15. Call-in

Explanatory note:

Call-in is a statutory process under Section 21 of the Local Government Act 2000.

15.1 When a key decision is made by the Cabinet, a committee of the Cabinet or an individual member of the Cabinet, or a key decision is made by an officer with delegated authority from the Cabinet, the decision shall normally be published on the Council's website within 2 days of being made.

15.2 The Head of Governance shall send a copy of each decision to all Members of the Business Management Overview & Scrutiny Committee and to all Members of the Cabinet.

15.3 Each decision will bear the date of publication and will specify the date on which it will come into force and can be implemented.

15.4 Only key decisions as defined by Article 13 (b) (i) of the Constitution may be called in under Section 21 of the Local Government Act 2000 and for the purposes of Call-in, a key decision under Article 13 (b) (i)

- (a) must involve expenditure or savings in excess of £500,000 as well as otherwise being significant having regard to the Council's budget for the service or function to which the decision relates, or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

15.5 Where the decision is a qualifying key decision for call-in purposes, the implementation date will not be less than 5 working days after publication. Before the expiry of that date any Member of the Business Management Overview & Scrutiny Committee (or any

substitute Member of that sub-Committee whose appointment for that meeting has been received by the Head of Governance), may call-in the decision by a written request to the Head of Governance to place the decision on the agenda for the next meeting of the Business Management Overview & Scrutiny Committee. The decision shall not take effect until that Committee has met.

- 15.6 If a report has more than one recommendation/decision, the Member must in the written request state and specify which decision(s) he or she is calling in, the reason for the Call-in and what objective the Member seeks to achieve.
- 15.7 The Head of Governance shall return incomplete or inadequate call-in requests, following consultation with the Chairman of the Business Management Overview & Scrutiny Committee (or in the absence of the Chairman, the Vice-Chairman), requesting that the Member calling-in the item provide clarification as to the decision called in, the reason(s) and the objective(s) within one working day in order to progress the call-in.

Attendance at Meetings

- 15.8 For Executive decisions called-in under Rule 15.5, the relevant Cabinet Member shall attend the meeting of the Business Management Overview & Scrutiny Committee in order to respond to:
- (i) the reason(s) and objective(s) for the call-in; and
 - (ii) questions and other issues raised by the Committee.

The relevant Cabinet Member is the Member with delegated executive responsibility for the subject matter of the call-in. If the Cabinet Member is unable to attend the meeting, then the Leader or the Deputy Leader will attend to deal with the item.

Reference Back

- 15.9 If, having considered a decision the Business Management Overview & Scrutiny Committee remains concerned about it then it may refer it back to the decision making body or person for reconsideration, setting out the nature of its concerns, or refer it to full Council if they consider the decision is contrary to the budget or policy framework.

The Committee shall indicate, in the case of decisions with several aspects, the part(s) that is (are) referred back in order that the remaining decisions may be implemented.

If the Committee is content with the action/decision, then can be implemented immediately.

Procedure for decisions referred back to decision-maker

- 15.10 Where a decision is referred back to the original decision maker, he/she will reconsider the decision and decide whether or not to change it before adopting a final decision.
- 15.11 Where the decision was taken by the Executive as a whole or a committee of it, the Head of Governance shall place it on the agenda for the next regular meeting of the Executive or of the relevant committee.

Procedure for decisions referred to Council

- 15.12 The Head of Governance shall include those decisions referred to Council on the agenda for the next available ordinary meeting of the Council.
- 15.13 If the matter was referred to full Council and the Council does not object to a decision or refer it back to the decision maker, then no further action is necessary and the decision will be effective in accordance with the provision below.
- 15.14 However, if the Council does object, it has no locus to make decisions in respect of an Executive decision, unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that it is the case, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision.
- 15.15 Subject to the arrangements in 15.9 above applying where appropriate, that decision-making body or person shall choose whether to amend the decision or not before reaching a final decision within 5 working days of the Council request.

Executive decisions taken by area committees

- 15.16 Where a key decision has been taken by an area committee then the right of call-in shall extend to any other area committee

Exceptions

- 15.17 In order to ensure that Call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
- (i) a decision maker can only be asked to reconsider a particular decision once;
 - (ii) day-to-day management and operational decisions taken by officers shall not be subject to any Call-in procedure
 - (iii) The Call-in procedure does not apply to recommendations made by the Cabinet to full Council on the budget or any part of the policy framework. However, the Business Management Overview and Scrutiny sub-Committee may comment on such recommendations.

16. Call-in and urgency

- 16.1 The call-in procedure set out above shall not apply where the decision being taken by the executive is urgent. An urgent decision may be exempted from the call-in process.
- 16.2 A decision which, if it were not taken promptly or otherwise delayed by the call-in process, would seriously prejudice the Council's or the public's interests will be regarded as urgent.
- 16.3 The record of the decision shall state whether, in the opinion of the decision-making body or person, it is urgent and therefore should be exempted from call-in.
- 16.4 The Chairman of the Business Management Overview and Scrutiny Committee must agree that the decision proposed is reasonable in all the circumstances and is urgent and consent to it being exempted from call-in.

- 16.5 In the absence of the Chairman of the Business Management Overview and Scrutiny Committee, consent to exempt a proposed decision from call-in must be obtained:
- (i) From the Vice-Chairman of the Committee; or
 - (ii) From the Head of Paid Service in the absence of both the Chairman and Vice-Chairman; or
 - (iii) From the nominee of the Head of Paid Service in the absence of the Chairman, Vice-Chairman and the Head of Paid Service.

16.6 For the purposes of granting consent to exempt an urgent decision from call-in, the Head of Paid Service may, if absent, delegate the granting of that consent only to his/her deputy or another Chief Officer of the Council.

16.7 For the purposes of this Rule, “absence” is deemed to mean:

Where the individual concerned cannot be contacted by any method of communication or has indicated by formal notice to the Head of Governance that he or she will not be contactable during a specified period.

16.8 Urgent decisions treated as exempt from call-in must be reported, with an explanation for the reasons for urgency, to the next available Council meeting.

16.9 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

17. The Party Whip

17.1 When considering any matter in respect of which a Member of an Overview and Scrutiny Committee is subject to a party whip the Member must declare the existence of the whip and the nature of it before the commencement of the Committee’s deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

18. Procedure at Overview and Scrutiny Committee Meetings

18.1 Overview and Scrutiny Committees shall consider the following business:

- (i) minutes of the last meeting;
- (ii) declarations of interest (including whipping declarations);
- (iii) responses of the Executive to reports of the Overview and Scrutiny Committee;
- (iv) the business otherwise set out on the agenda for the meeting.

Note

The following item will also appear on the Agenda of the Business Management Overview and Scrutiny Committee;

Consideration of any matter referred to the Committee for a decision in relation to call-in of a decision or Councillor Call for Action (the arrangements set out in 18.2 – 18.5 below apply when the Committee is dealing with call-in items of business)

18.2 The Business Management Overview and Scrutiny Committee may not transact any business after 10pm (Section 2 – Committees and Sub-Committees – para 17)

- 18.3 At 9.45pm, if the meeting has not yet concluded and it does not appear that it would otherwise complete its business, the Chairman, without further debate, shall immediately call for a vote on any motion, duly moved and seconded, that any remaining items on the agenda be referred back to the original decision making body or person, or that it be referred to full Council if it is considered that the decision is contrary to the policy framework or budget.
- 18.4 Any motion by a Member to refer a decision back must concisely articulate the Member's reasons for concern about the original decision; the motion to refer back must be voted upon immediately without further debate.
- 18.5 Any Call-in matters not dealt with by 10pm will be implemented forthwith.
- 18.6 Where an Overview and Scrutiny Committee (or Task and Finish Group/Panel etc) conducts investigations (e.g. with a view to policy development), the body may also ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:
- (i) that the investigation be conducted fairly and all members of the scrutiny body be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) that those assisting the scrutiny body by giving evidence be treated with respect and courtesy; and
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- 18.7 Following any investigation or review, the committee/task and finish group/panel etc shall prepare a report, for submission to the executive and/or Council as appropriate and shall make its report and findings public.

19. Speaking at Executive Meetings

- 19.1 A member of any Overview and Scrutiny Committee may speak on an item of business on the agenda for a meeting of the Cabinet or a Cabinet Committee subject to:
- (i) giving notice to the Leader or Chairman respectively at least 15 minutes before the start of the meeting;
 - (ii) the Leader or Chairman respectively giving his or her consent; and
 - (iii) the effective conduct of the business of the meeting not being prejudiced.

20. Application of Committees and Sub-Committees Rules to Overview and Scrutiny Committee Meetings

The following rules contained within Section 2 of Part 4 of the Constitution shall apply to Overview and Scrutiny Committees .

Rule 17 below will **not** apply to the Business Management Overview and Scrutiny Committee, as Overview and Scrutiny Procedure Rule 19.2 deals with this point.

1	Substitute Members and Quorum
2	Substitute Members – Rules

4	Quorum – Rules
5	Chairman of Meetings
6	Minutes
8	Councillors’ rights to attend meetings where they are not a member of the committee or sub-committee
9	Councillors’ rights to speak at committees or sub-committees when they are not a member
10	Personal and prejudicial interests
11	Disorderly conduct
12	Validity of Motions and amendments
13	Motions which may be moved during debate
14	Decisions
16	Reports of Sub-Committees and Panels
17	The time limit for meeting and outstanding business
18	Voting at meetings
19	Members dissent
20	Voting on appointments

21. **Part 2 - Other arrangements**

- 21.1 Any Member may, by giving notice to the Head of Governance using the form provided, initiate a Councillor Call for Action relating to a local government matter that is not an excluded matter and where other routes to resolve the issue have not succeeded.
- 21.2 A Councillor Call for Action can only be initiated where:
- (i) it relates to the discharge of any of the Council’s functions;
 - (ii) it relates to a matter which affects the ward of the Member initiating it;
 - (iii) it does not relate to individual planning decisions, licensing decisions or matters where the affected person or body has a statutory right of appeal;
 - (iv) it does not relate to any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for a scrutiny committee meeting.
- 21.3 The Head of Governance will determine whether the request meets the criteria for a Councillor Call for Action. Where the Head of Governance determines that the request does not meet the criteria for a Councillor Call for Action, he/she will, within 10 working days, give written notice of the decision to the Member making the request. In those circumstances, the Member may submit a written request for a review of that decision by the Director of Corporate Governance who will, within 10 working days, determine and give notice of the outcome of that review to the Member. Where the Head of Governance determines that the request does meet the criteria for a Councillor Call for Action, he/she will arrange for the matter to be included on the agenda for the **next available meeting** of the Business Management Overview and Scrutiny Committee.
- 21.4 Where a Councillor Call for Action is included on the agenda for a meeting of the Business Management Overview and Scrutiny Committee, the Committee will consider the evidence submitted and determine how the Call for Action should be progressed. The Member making the request may address the committee before it is considered. Members of the public are able to speak in support of a Councillor Call for Action. Procedures for speaking as set out in Section 4, Public Participation, are applicable.

22. Task and Finish Groups

- 22.1 Task and Finish Groups will carry out their work in the manner in which they see fit. The findings and recommendations of Task and Finish Groups will be presented for consideration to the Business Management Overview and Scrutiny Committee, operating under the Access to Information Rules.
- 22.2 When conducting their research there will be a general expectation that:
- (i) Members in carrying out these activities will, as appropriate, visit and meet with local communities, meet with the Council's partners and others as necessary.
 - (ii) Members will look at a variety of methods for inviting comments and views and publicising their work.
 - (iii) Meetings and other activities may, on occasions, take place at locations away from the Town Hall or other Council offices. The Head of Governance will make the necessary arrangements in consultation with the relevant Chairman and Members.

23. Part 3 - Constitutional issues

- 23.1 The Business Management Overview and Scrutiny Committee will review the operational and constitutional arrangements each year and make recommendations, as necessary, to the Ethics, Constitution and Probity Committee.

Terms of Reference

Business Management Overview and Scrutiny Committee

Membership

10 Non-executive Members of the Council

Co-opted members, as necessary, in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities:

1. To have overall responsibility for monitoring and coordinating overview and scrutiny work across the authority.
2. To have responsibility for the review of the policy framework and development of policy and strategy not within the remit of other overview and scrutiny committees.
3. To consider call-ins in accordance the provisions of the Local Government Act 2000 and Overview & Scrutiny Procedure Rule 15.
4. To consider Councillor Calls for Action in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and Overview & Scrutiny Procedure Rule 21.
5. In relation to crime and disorder:
 - (i) to consider all matters, not the responsibility of the Executive, relating to crime, disorder, anti-social behaviour and scrutiny of the Safer Communities Partnership Board in accordance with the provisions of the Police and Justice Act 2006.
 - (ii) to make recommendations to Council on the appointment of representatives to serve on the Barnet Community Safety Engagement Group and to receive regular reports as necessary from those representatives to highlight crime and disorder matters of public concern.
6. To receive, consider and allocate for action (if required) requests, reports and submissions from Council, the Executive, residents' forums, community and volunteer groups, partnership and outside bodies and other locally constituted groups.
7. To appoint scrutiny panels and task and finish groups needed to facilitate the overview and scrutiny function.
8. To coordinate and monitor the work of scrutiny panels and task and finish groups, including considering reports and recommendations and referring to the relevant decision-making body.
9. To review each year the operational and constitutional arrangements for overview and scrutiny make recommendations, as necessary, to the Special Committee (Constitution Review) and Council in accordance with the provisions of Overview & Scrutiny Procedure Rule 23.

10. To produce an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
11. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
12. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:-
 - The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Budget and Performance Overview and Scrutiny Committee

Membership

10 Non-executive Members of the Council

Co-opted members, as necessary, in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities:

Budget and Performance

1. To scrutinise the overall performance, effectiveness and value for money of Council services, including the planning, implementation and outcomes of all corporate improvement strategies.
2. To scrutinise the Council's Information and Communications Technology systems including e-government, investment, implementation and service delivery.
3. To scrutinise the Council's annual budget process, reviewing and scrutinising its performance in relation to budget management, and assisting the Council in developing the three-year budget strategy.
4. To consider, consult upon, comment and, where appropriate, make recommendations to the Executive in respect of the proposed Council budget and Medium Term Financial Strategy.
5. To scrutinise the financial management of resources available to the Council including: property and asset acquisitions and disposals; reviewing the council-wide property and asset strategy; and the capital investment programme.
6. The effectiveness of the Council's partnerships (not within the remit of other overview and scrutiny committees) in furthering the Council's community and corporate plans, communication and public consultation including:
 - Local Strategic Partnership
 - Thematic Boards
 - Partnerships and sub-Partnerships
 - Relevant partner associations not covered by other stand alone committees

One Barnet

7. To perform the overview and scrutiny role in relation to the One Barnet transformation programme, particularly performance and financial issues.
8. To receive and consider options appraisals, business cases and closure reports for One Barnet projects.
9. To monitor the implementation of One Barnet projects throughout the programme lifecycle.

10. To engage with partner organisations, other relevant public sector bodies, private sector organisations, trade unions, local residents or any other appropriate witnesses when fulfilling the overview and scrutiny role in relation to the One Barnet programme.

The Barnet Group

11. To scrutinise the performance of The Barnet Group LTD and subsidiary companies, to include:
 - The Annual Report
 - The mid-year Performance Report
 - Pre-decision Scrutiny of other strategic documents as requested by the Committee.

Other Responsibilities

11. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
12. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
13. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
 - The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Membership

10 Non-executive Members of the Council

Co-opted members, as necessary, in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities:

1. To scrutinise the Council and its partners in the discharge of statutory duties in relation to safeguarding.
2. To scrutinise Barnet's Safeguarding Children Board and any relevant Sub-Groups, including policies, procedures and performance through consideration of the Board's Annual Report.
3. To scrutinise Barnet's Safeguarding Adults Board and any relevant Sub-Groups, including policies, procedures and performance through consideration of the Board's Annual Report.
4. To scrutinise the provision of education (children and adults), special educational needs provision, and the protection and welfare of children.
5. To scrutinise the provision of adult social care services (including those who have physical disabilities, sensory impairment, learning disabilities, mental health needs or other special needs) to ensure that residents are safeguarded and supported to lead as independent lives as possible in their own homes.
6. To receive reports from Barnet's HealthWatch on safeguarding issues.
7. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
8. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
9. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
 - The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Health Overview and Scrutiny Committee

Membership

10 Non-executive Members of the Council

Co-opted members, as necessary, in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities

1. To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service (NHS) and NHS bodies located within the London Borough of Barnet and in other areas.
2. To make reports and recommendations to the Executive, Health and Well Being Board and/or other relevant authorities on health issues which affect or may affect the borough and its residents.
3. To receive, consider and respond to reports and consultations from the NHS Commissioning Board, , Barnet Clinical Commissioning Group, Barnet Health and Wellbeing Board and/or other health bodies.
4. To invite executive officers and other relevant personnel of the NHS Commissioning Board, Barnet Clinical Commissioning Group, Barnet Health and Wellbeing Board and/or other health bodies/partners to attend meetings of the Overview and Scrutiny Committee as appropriate.
5. To scrutinise and review promotion of effective partnerships between health and social care, and other health partnerships in the public, private and voluntary sectors.
6. To make recommendations as necessary to the Council for the formation of Joint Overview and Scrutiny Committees in accordance with the provisions of the Section 21 of the Local Government Act 2000 as amended by the Health and Social Care Act 2011 and Health and Social Care Act 2012.
7. To receive reports from Barnet's HealthWatch on health issues.
8. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
9. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
10. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
 - The Council's leadership role in relation to diversity and inclusiveness; and

- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Proposed new Overview and Scrutiny Terms of reference

Contract Monitoring Overview and Scrutiny Sub-Committee

Membership

10 Non-executive Members of the Council

Co-opted members, as necessary, in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities:

14. To receive and scrutinise reports from the Commissioning Group detailing the performance against targets that are included within the Corporate Plan and otherwise relating to the services provided by the New Support & Customer Services Organisation, Development & Regulatory Services, The Barnet Group Ltd, Joint Legal Service (external delivery units) and NSL.
15. To receive and scrutinise reports from the Commissioning Group detailing the financial performance of the external delivery units against savings targets detailed in the Budget and Medium Term Financial Strategy.
16. To receive and scrutinise change requests and contract variations between the Council and external delivery units to include (but not be limited to) the introduction of new key performance indicators, delivery of new commissions via the external delivery units, changes required due to new legislation and commercial development opportunities.
17. To engage with partner organisations, other relevant public sector bodies, private sector organisations, trade unions, local residents or any other appropriate witnesses when fulfilling the overview and scrutiny role in relation to the monitoring of contracts for services provided by external delivery units.

Other Responsibilities

18. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
19. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
20. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
 - The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

Education Overview and Scrutiny Sub-Committee

Membership

10 Non-executive Members of the Council

Co-opted members as necessary in accordance with the provisions of Overview & Scrutiny Procedure Rule 3

Responsibilities

1. To scrutinise and monitor the Council and its partners in the discharge of statutory duties in relation to the provision of school places and education within the Borough and in particular to monitor the delivery of the Corporate Plan 2013/14 – 2015/16.
2. In relation to the functions set out in paragraph 1 above, to make reports and/or recommendations to the full Council, the Executive and/or any committee as appropriate in connection with the discharge of those functions.
3. To scrutinise and monitor the implementation of the Education Strategy for Barnet with the objective of maintaining high educational standards in Barnet's schools.
4. In relation to these terms of reference the Education Overview and Scrutiny Sub-committee may:
 - i. conduct research, community and other consultation as it deems appropriate in the analysis of school place planning and local education policy options;
 - ii. consider and make recommendations to the Executive on mechanisms to encourage and enhance community participation in the development of school place planning and local education policy options; and
 - iii. engage with local parents in championing and empowering them to support and challenge their school to improve continuously

Other Responsibilities

6. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
7. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
8. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
 - a) The Council's leadership role in relation to diversity and inclusiveness; and
 - b) The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.