

Terms of Reference of Scrutiny Boards 2017/18

**Budget and Corporate Scrutiny Management Board
Children's Services and Education Scrutiny Board
Economy, Skills, Transport and Environment Scrutiny Board
Health and Adult Social Care Scrutiny Board
Safer Neighbourhoods and Active Communities Scrutiny Board**

Budget and Corporate Scrutiny Management Board

Terms of Reference

As set out in the Scrutiny Procedure Rules contained in Part 4 of the Council's Constitution to scrutinise recommendations, consider referrals under the Call for Action process, and contribute to decision making and policy development through pre-decision scrutiny processes in relation to the following matters:-

- (a) budget strategy;
- (b) asset management;
- (c) procurement;
- (d) revenues and benefits;
- (e) corporate governance;
- (f) information management;
- (g) risk management;
- (h) human resources, including organisational development;
- (i) information and communication technology;
- (j) complaints handling;
- (k) the West Midlands Combined Authority.

In addition the Budget and Corporate Scrutiny Management Board will have the following responsibilities:

- (1) to approve an annual overview and scrutiny work programme, including the programme of any other scrutiny boards appointed by the Council, to ensure that there is efficient use resources, and that the potential for duplication of effort is minimised;

- (2) where matters fall within the remit of more than one scrutiny board, to determine which board will assume responsibility for any particular issue, and to resolve any issues of dispute between scrutiny boards;
- (3) to receive requests from the executive and/or the full Council for reports from scrutiny boards and to allocate them, if appropriate, to one or more scrutiny boards;
- (4) to put in place and maintain a system to ensure that referrals from scrutiny to the executive either by way of report or for consideration are managed efficiently and do not exceed the limits of the Constitution;
- (5) in the event of the Board being aware that the number of reports it is to put before the executive exceeds the limits in this Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business, the Board shall make recommendations to the Leader about the priority of referrals made;
- (6) to consider and respond to calls for evidence from the Overview and Scrutiny Committee of the West Midlands Combined Authority.

Children's Services and Education Scrutiny Board

Terms of Reference

As set out in the Scrutiny Procedure Rules contained in Part 4 of the Council's Constitution to scrutinise recommendations, consider referrals under the Call for Action process, and contribute to decision making and policy development through pre-decision scrutiny processes in relation to the following matters:-

- (a) all of the functions of the Council as an authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time (i.e. pre-school, statutory and post 16 education);
- (b) any other education related services for children and young people;
- (c) services for children, young people and families;
- (d) any trust or partnership, including the Sandwell Children's Trust, which involves the care of local children and young people and to review and scrutinise the performance of the Sandwell Children's Trust including consideration of quarterly performance reports, the Annual Report and the Improvement Plan.
- (e) local safeguarding arrangements for children and young people including the Multi-Agency Safeguarding Hub and the Safeguarding Children Board;
- (f) corporate parenting, including services and support to care leavers;
- (g) early years services;
- (h) Targeted Youth Support.

Economy, Skills, Transport and Environment Scrutiny Board

Terms of Reference

As set out in the Scrutiny Procedure Rules contained in Part 4 of the Council's Constitution to scrutinise recommendations, consider referrals under the Call for Action process, and contribute to decision making and policy development through pre-decision scrutiny processes in relation to the following matters:-

- (a) sustainability within the Borough, including climate change;
- (b) environment and energy;
- (c) development control;
- (d) highways management;
- (e) environmental services management;
- (f) transport and public infrastructure;
- (g) environmental health functions;
- (h) the visual appearance of the Borough (the 'streetscene');
- (i) emergency planning and civil resilience;
- (j) policies and strategies of the Council and partners that affect the economic development of the borough;
- (k) regeneration and investment;
- (l) development control;
- (m) the development and management of town centres;
- (n) skills, worklessness and economic inclusion;
- (o) initiatives to support the development and sustainability of new businesses and social enterprise;
- (p) the work of any relevant partnerships, including the Local Enterprise Partnership, or public bodies that deliver services to local people in relation to skills, work and enterprise;

In relation the Council's scrutiny functions as set out in Flood and Water Management Act 2010, and the Localism Act 2011 (Schedule 2, paragraph 54 of the FWMA 2010 amends the Local Government Act 2000; Section 9FH of the Localism Act 2011) the Board will scrutinise the activities of Risk Management Authorities in implementing flood risk management functions that may affect the local authority's area.

Health and Adult Social Care Scrutiny Board

Terms of Reference

As set out in the Scrutiny Procedure Rules contained in Part 4 of the Council's Constitution to scrutinise recommendations, consider referrals under the Call for Action process, and contribute to decision making and policy development through pre-decision scrutiny processes in relation to the following matters:-

- (1) services for older and vulnerable adults;
- (2) local safeguarding arrangements for adults;
- (3) whole life services for people with disabilities and/or learning disabilities;
- (4) mental health services;
- (5) dementia services;
- (6) Public Health;
- (7) the activities of NHS Trusts, Clinical Commissioning Groups (CCGs), NHS England, Health and Wellbeing Board and Healthwatch;
- (8) the Better Care Fund;

In relation to the council's relevant regulations and directions made under the Health and Social Care Act 2001; all functions of the Council contained in the National Health Service Act 2006; the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002; the Health and Social Care Act 2012 and related regulations the Board will;

- (a) make reports and recommendations to relevant NHS bodies, relevant health service providers and commissioners, the Secretary of State or Regulators;
- (b) be responsible for initiating the response to any formal consultation undertaken by relevant NHS Trusts and CCGs or other health providers or commissioners on any substantial development or variation in services;
- (c) participate with other relevant neighbouring local authorities in any joint scrutiny arrangements of NHS Trusts providing cross-border services;

- (d) refer a proposed substantial variation in service delivery to the Secretary of State, subject to the agreement of the Chair of the Scrutiny Board who will hold the power of veto in respect of any proposed referral of a substantial variation to the Secretary of State.
- (e) review and scrutinise the decisions made or actions of the Health and Wellbeing Board.

Safer Neighbourhoods and Active Communities Scrutiny Board

Terms of Reference

As set out in the Scrutiny Procedure Rules contained in Part 4 of the Council's Constitution to scrutinise recommendations, consider referrals under the Call for Action process, and contribute to decision making and policy development through pre-decision scrutiny processes in relation to the following matters:-

- (1) crime and community safety;
- (2) trading standards;
- (3) emergency planning and civil resilience;
- (4) leisure and tourism opportunities in the borough;
- (5) libraries, museums and the Community History and Archive Service;
- (6) the planning and provision of green spaces including parks and local nature reserves;
- (7) voluntary and community sector support;
- (8) partnership working to strengthen the third sector in Sandwell;
- (9) community development;
- (10) strategic housing policy;
- (11) social housing;
- (12) private rented sector rented accommodation;
- (13) homelessness.

In relation to the Council's scrutiny functions as set out in section 19 Police and Justice Act 2006, the Board will:

- (a) scrutinise decisions and actions of the Council and "responsible bodies" (as defined in section 5 Crime and Disorder Act 1998) relating to the performance of crime and disorder functions;

- (b) consider local crime and disorder matters referred to the Board by a councillor;
- (c) make reports and recommendations to the Council and responsible bodies.