

Appendix 1 – Establishment of Committees

COMMITTEE TERMS OF REFERENCE

1. The following committees to be established as set out in the current constitution:
 - Employment and Appeals Committee (and the Joint Employment and Appeals Committee with North East Derbyshire DC)
 - Safety Committee
 - Standards Committee
 - Union / Employee Consultation Committee
 - Joint ICT Committee
 - **Joint Scrutiny Panel**
 - New Bolsover Joint Committee

2. The following committees to be established as set out in the current constitution with amendments to size of committee detailed in point 2.5 of the covering report:
 - Planning Committee
 - General Licensing Committee
 - Licensing and Gambling Acts Committee

3. The following Working Groups be established with the existing terms of reference:
 - Member Development Working Group
 - Local Plan Implementation Action Group
 - Pleasley Park and Vale Conservation Area Working Group
 - Tenant Participation Review and Development Group

4. Four Scrutiny Committees be established with the following Terms of Reference:

Suggested Scrutiny Committee	Cabinet Portfolio	Suggested terms of reference	Considerations plus additional terms of reference
Local Growth Scrutiny Committee	<ul style="list-style-type: none"> • Growth/Economic Development • Housing • Corporate Governance 	<ul style="list-style-type: none"> • Economic and Business Development • Property Services • Estates Management • High Street Development • Facilities Management • Development and Investment • Planning • Regeneration and Physical Development • Enterprise and Skills • Tourism • JVC (Dragonfly) related issues. 	<ul style="list-style-type: none"> • Finance • Environment • One Public Estate • Transformation Programme • HS2 • Highways • D2N2 • SCR Combined Authority • Legal Requirements • Staffing and other resources for projects • Performance monitoring of assigned service areas
Climate Change and Communities Scrutiny	<ul style="list-style-type: none"> • Corporate Governance • Environmental Health and Licensing • Enforcement and Partnerships • Leisure and Tourism 	<ul style="list-style-type: none"> • Health and Safety (Council responsibility) • HR/Legal/ Governance • ICT • Community Safety/Police • Partnership Strategy • All Local Authority enforcement • Food Safety • Health and Wellbeing • Environmental Health and Safety • Leisure • Environmental Health • CAN Rangers 	<ul style="list-style-type: none"> • Finance • Legal Requirements • Staffing and other resources for projects • Performance monitoring of assigned service areas

		<ul style="list-style-type: none"> • Public Health • Relationship with other authorities including Derbyshire County Council and Parish Councils. • Estates and Property in relation to the Council's own properties. • Community Transport • Climate Change • Social Inclusion 	
Customer Services Scrutiny Committee	<ul style="list-style-type: none"> • Housing • Environmental Health and Licensing • Finance • Corporate Governance 	<ul style="list-style-type: none"> • BDC Housing including Strategic Housing • Emergency Planning • Revenues and Benefits • Street Scene • Grounds maintenance • Customer Services • Communications • Waste Collection • Licensing • Monitoring Corporate Complaints • Local Government and Social Care Ombudsman annual letter. 	<ul style="list-style-type: none"> • Environment • Finance • Transformation Programme • Environmental Health • Governance • Legal Requirements • Staffing and other resources for projects • Elections • Performance monitoring of assigned service areas
Audit and Corporate Overview Scrutiny Committee	<ul style="list-style-type: none"> • Finance 	<ul style="list-style-type: none"> • Audit • Accountancy • Procurement • Improvement and Performance • Performance Monitoring • Payroll • Treasury management • Annual budget setting process 	<ul style="list-style-type: none"> • Environment • Legal Requirements • Governance • Staffing and other resources for projects

		<ul style="list-style-type: none">• Budget monitoring• Monitoring collection rates for Council Tax and other income.• Societal Impact of any Budget Reductions• Reviewing the financial and value for money outcome of the implementation of strategic projects.	
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Purpose and Responsibilities – ALL SCRUTINY COMMITTEES

Within their themed areas as outlined above, all Scrutiny Committees will:

- (1) Set an annual work plan which can include items from the service areas listed above for the individual Scrutiny Committees and include the following areas of focus;
 - i. The Council's Corporate Plan and priorities including quarterly performance monitoring.
 - ii. Areas of poor performance identified within service provision
 - iii. Policy development activity at the earliest possible opportunity
 - iv. Following up recommendations from past reviews in order to demonstrate the impact of Scrutiny work
- (2) Carry out the reviews in the Committee's annual work plan in a timely and efficient manner taking into consideration the work plans of the other Scrutiny Committees.
- (3) Make recommendations to the Executive and/or Council arising from work undertaken by the Committee.
- (4) Scrutinise and monitor the performance of the Executive and the holders of the relevant Portfolios.
- (5) Consider or examine existing or proposed Council policies, strategies or plans within the remit of the Executive.
- (6) Carry out additional reviews to those in 2 above provided the review is within the area of reference of the particular Scrutiny Committee including collaborating with other Scrutiny Committees and bodies carrying out similar functions outside the Council.
- (7) Undertake any duties specified in legislation that are relevant to each Scrutiny Committee, e.g., Statutory Crime and Disorder Responsibility under the Police and Justice Act 2006.
- (8) Review the performance of other public bodies in the area and invite reports, as required, by asking them to address the Committee about their activities and performance.
- (9) Exercise functions relating to Call-In or Councillor Call for Action.
- (10) Contribute to the Annual Scrutiny report to Council on the scrutiny function and the work of the Committees.

Purpose and Responsibilities – AUDIT AND CORPORATE OVERVIEW SCRUTINY COMMITTEE

The purpose of this Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment. The Committee will also oversee the Authority's corporate governance arrangements.

In addition to the above powers conferred on Scrutiny, this Committee shall have the following specific functions:

- (1) To ensure that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions to include the following:
 - i. Arrangements for the assessment and management of risk within the Authority and ensuring they are embedded within the organisation,
 - ii. Approving and modifying the terms of reference and strategy for internal audit,
 - iii. Receiving and approving the annual internal audit plan and reviewing the external audit plan,
 - iv. Receiving quarterly reports on the progress against the annual audit plan,
 - v. Reviewing and adopting the Annual Governance Statement.
 - vi. Reviewing the Council's anti-fraud policy.
- (2) To consider the Council's Code of Corporate Governance and approve the Annual Statement in that respect.
- (3) To consider the External Auditors findings from their review of the Statement of Accounts.
- (4) To consider and approve, after review by External Audit, the Statement of Accounts and report such to Council. The date by which this must be achieved is 30th September each year.
- (5) To review and adopt the detailed and summary Annual Governance Statement in light of the Internal Audit Annual review, report on the effectiveness of Internal Audit, Governance letters and the financial details shown in the Statement of Accounts. In addition, when these items are scheduled for consideration, the Leader, Deputy Leader and the appropriate Cabinet Member, would be invited to attend the Committee and participate in the debate and discussion but no voting rights would be associated with the invitation.

- (6) To review the Council's internal audit function and monitor its performance.
- (7) To monitor and ensure implementation of internal and external audit recommendations.
- (8) To be responsible for ensuring effective scrutiny of the Treasury Management Strategies and associated policies.
- (9) To receive the Executive's Budget proposals and scrutinise them in accordance with the Budget and Policy Framework Procedure Rules in the Council's Constitution, to include:
 - i. Making recommendations to the Executive in respect of those Budget proposals in accordance with the Budget and Policy Framework Procedure Rules in the Council's Constitution.
 - ii. Monitoring the Council's Budget, (General Fund, Capital Programme and Housing Revenue Account), on a quarterly basis.
 - iii. Questioning the relevant Portfolio Holders and officers in relation to financial issues arising out of the quarterly monitoring of Budgets.
 - iv. Making recommendations to the Executive in respect of financial issues arising out of the Budget Monitoring.
 - v. Referring to the relevant thematic Scrutiny Committee any performance or other non-financial issues arising out of the quarterly monitoring of the Council's Budget.
- (10) To enable each of the Scrutiny Chairs to present update information from their respective Committees.
- (11) Receive a quarterly update on performance against relevant Corporate Plan targets from the Portfolio Holders, to include:
 - i. Monitoring performance management of the Council including reviewing performance against service plans and indicators relating to the corporate aims.
 - ii. Referring continued exceptions in performance to the relevant thematic Scrutiny Committee for further investigation/detailed review.

Joint Scrutiny Arrangements

The Authority is part of a Shared Services Scrutiny Panel alongside North East Derbyshire District Council and Chesterfield Borough Council, which scrutinises the joint working arrangements across the three Councils.

Reporting Framework

The Audit and Corporate Overview Scrutiny Committee will report directly to the Council and provide information to the Executive for action whilst maintaining its independence.

Membership and Structure of Meetings

The Chair and Vice Chair of each Scrutiny Committee will be appointed by Council from its allocated membership.

All Scrutiny Committees will reflect the political composition of the Council, in accordance with the proportional allocation of seats. A quorum will constitute at least three Members of the Committee. The Audit and Corporate Overview Scrutiny Committee will have an additional co-opted Independent Non-Voting Member.

All Scrutiny Members shall be invited to Audit and Corporate Overview Scrutiny Committee once a year, for consideration of the annual Council Budget proposals, prior to submission to Executive and Council.

All thematic Chairs and/or Vice-Chairs shall be invited to attend Audit and Corporate Overview Scrutiny Committee when it is considering quarterly performance reports, to enable informed discussion and referrals where required. They will not attend with voting rights.

The Committees will meet in accordance with the agreed meeting schedule, with additional extraordinary meetings as required.