



General Purposes Committee

Meeting:	General Purposes Committee
Date:	27 February 2013
Classification:	For General Release
Title:	Constitutional Issues: Policy and Scrutiny Committees
Wards Affected:	Not Applicable
Financial Summary:	There are no financial implications
Report of:	Mick Steward, Head of Committee and Governance Services Tel: 020 7641 3134; Email: msteward@westminster.gov.uk

1. Executive Summary

- 1.1 The Leader of the Council, on Monday 11 February 2013, announced a re-shuffle of her Cabinet, details of which have been circulated to all Members in the Weekly Information Bulletin.
- 1.2 The changes require some minor alterations to the Terms of Reference and names of the existing Policy and Scrutiny Committees. As the Committees are all programmed to meet in the final cycle of the current municipal year the minor changes to the Terms of Reference and names of the Policy and Scrutiny Committees are submitted for approval. These changes do not impact on the proportionality of Committee places which will be reported for review to the Annual Council meeting in May.

2. Recommendations

- 2.1 That the Council be recommended to approve the Terms of Reference of the Policy and Scrutiny Committees set out in Appendix A.
- 2.2 That the Council be recommended to approve the changes to the Policy and Scrutiny Committees names as set out below:

Westminster Scrutiny Commission (unchanged)
Children and Community Services (unchanged)
Environment (unchanged)
Housing, Finance and Customer Services (unchanged)
Adults, Health and Community Protection

3. Background Information

- 3.1 Following the Cabinet re-shuffle announced by the Leader of the Council on Monday 11 February 2013 some minor changes to the names and the Terms of References of Policy and Scrutiny Committees is required.
- 3.2 The revised Terms of Reference as set out in Appendix A. These set out the revised reporting lines for Cabinet Members. As a result of these more suitable names for the existing Policy and Scrutiny Committees are suggested. These are set out in recommendation 2.2 above.

4. Legal Implications

- 4.1 There are no legal implications arising from the contents of this report. The Council is required to have at least one Committee appointed to carry out the Policy and Scrutiny functions. No review of the proportionality of seats on Committee is triggered by these changes. The next review will be reported to the Annual Council meeting on 15 May 2013.

5. Financial Implications: None.

6. Other Implications: None.

**If you have any queries about this Report or wish to inspect any of the
Background Papers please contact: Mick Steward: 7641 3134
Email: msteward@westminster.gov.uk**

BACKGROUND PAPERS

- None.

ADULTS HEALTH AND COMMUNITY PROTECTION POLICY AND SCRUTINY COMMITTEE

1 CONSTITUTION

Nine Members of the Council (7 Majority Party Members and 2 Minority Party Member), but shall not include a Member of the Cabinet.

2 TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Adults and Public Health and the Cabinet Member for Community Protection and Premises.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Member referred to in (a) above which are the responsibility of external agencies and in particular to scrutinise matters relating to the provision of Health Services within Westminster, including the consideration of any reports referred by the Local Information Network (LINK)
- (d) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (e) To scrutinise any Tri-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (f) Any other matter allocated by the Westminster Scrutiny Commission.
- (g) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations under a duty to agree targets for the Local Area Agreement, in relation to targets that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

- (k) To discharge the Council's statutory responsibilities under Section 7 and 11 of the Health and Social Care Act 2001 with regard to any planned substantial developments and variations to NHS services.
- (l) To oversee strategic and accountability issues within local health commissioners and providers.
- (m) To formulate the Council's response to health strategy, in particular the impact of the Government's White Paper "our health, our care, our say: a new direction for community services)

CHILDREN, YOUNG PEOPLE AND COMMUNITY POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

Nine Members of the Council (7 Majority Party Members and 2 Minority Party Members, but shall not include a Member of the Cabinet.

4 co-opted Members with voting rights ie one co-opted representative each from the Church of England and Roman Catholic Diocesan Education Boards and two Parent Governor Representatives. 2 co-opted Members without voting rights, ie 2 Headteachers of Westminster maintained schools.

NB: The voting rights of the co-opted only extend to matters relating to Education.

TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution, in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Children and Young People and the Cabinet Member for the Community.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters, within the broad remit of the Cabinet Member referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the Scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Tri-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.

- (i) To have the power to scrutinise those partner organisations under a duty to agree targets for the Local Area Agreement, in relation to targets that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

ENVIRONMENT POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

Nine Members of the Council (7 Majority Party Members and 2 Minority Party Members), but shall not include a Member of the Cabinet and two parent governor representatives who are also Members of the Children and Community Services Policy and Scrutiny Committee in respect of Adult Education functions.

TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Members for Built Environment, Business and City Management, Transport and Environment.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission (WSC).
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Tri-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations whose services fall within the Committee's terms of reference.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

HOUSING, FINANCE AND CUSTOMER SERVICES POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

Nine Members of the Council (7 Majority Party Members and 2 Minority Party Members), but shall not include a Member of the Cabinet.

TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Members for Housing and Property and Finance and Customer Services.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Tri-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations under a duty to agree targets for the Local Area Agreement, in relation to targets that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

WESTMINSTER SCRUTINY COMMISSION

CONSTITUTION

7 Members of the Council (6 nominated by the Majority Party and 1 by the Minority Party), but shall not include a member of the Cabinet.

TERMS OF REFERENCE

- (a) To carry out those duties assigned to the Westminster Scrutiny Commission as set out in the Constitution.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) To be responsible for the management and co-ordination of the Policy and Scrutiny function.
- (d) To assign tasks to the most appropriate Policy and Scrutiny Committee, where the issue does not sit within the terms of reference of a particular Policy and Scrutiny Committee.
- (e) To scrutinise the work of the Leader of the Council including twice yearly at a public Question and Answer session.
- (f) To approve the Annual Report of Policy and Scrutiny activity, as required under the Constitution.