Appendix B – Terms of Reference

The following roles are common to all select committees:

(a) General functions
- To review and scrutinise decisions made and actions taken in relation to executive and nonexecutive functions
- To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function
- To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents
- The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up and coming decisions

(b) Policy development
- To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate
- To conduct research, community and/or other consultation in the analysis of policy options available to the Council
- To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

(c) Scrutiny
- To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time
- To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas
- To question members of the Executive or appropriate committees and executive directors personally about decisions
- To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented
- To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance
- To question and gather evidence from any person outside the Council (with their consent)
- To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

(d) Community representation
- To promote and put into effect closer links between overview and scrutiny members and the local community
To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people

To liaise with the Council’s ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.

To keep the Council’s local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced

To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary

To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters)

(e) Finance

- To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

(f) Work programme

- As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.

- The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

The following roles are specific to the Children and Young People Select Committee:

Children & Young People Select Committee

(a) To fulfil all Overview and Scrutiny functions as they relate to the social care of children and young people up to the age of 19 years including but not limited to the following activities:-
(i) the social services functions of the Council under the Children Act 
2004, and all functions of the Council under the National Assistance 
Act 1948, the Mental Health Act 1983, Children Act 1989, the NHS and 
Community Care Act 1990, Children Act 2004, Children and Families 
Act 2014 and all other relevant legislation in force from time to time 

(ii) to invite representatives of other service providers to children and 
young people in the area to give account of their performance and to 
answer questions.

(b) In so far as they relate to the provision of services for those under the age of 19 
years, the exercise of all of the Council’s powers under all relevant Education Acts 
from time to time in force. Without limiting the generality of this, this shall include, in 
particular, schools and school related services.

(c) The exercise of the overview and scrutiny powers of the Council in so far as they 
relate to people under 19 years of age in the provision of opportunities for education, 
training and learning outside the school environment including pre-school services.

(d) In so far as they relate to children and young people under 19 years of age, to 
make comments and recommendations to the Executive on the contents and 
proposed contents of the plans making up the Council’s policy framework.

(e) In so far as they relate to people under the age of 25 years, to make comments 
and recommendations on the provision of education, training and learning by those 
with special educational needs.

(f) Without limiting the remit of the Select Committee, its terms of reference include 
the following matters:

- Child Protection - covering provision for vulnerable children including children 
in need and children looked after, placements, foster care and adoption.
- Early Years provision
- Special Needs provision
- Schools and related services
- Youth Service,
- Youth offending and challenging behaviour
- Transitional services for those leaving care
- Other matters relating to children and young people

(g) To receive and consider referrals from the Healthwatch in so far as they relate 
solely to people under 19 years of age. Otherwise such referrals will be made to the 
Healthier Communities Select Committee

(h) Without limiting the remit of the Select Committee to hold the Executive to 
account for its performance in relation to the delivery of Council objectives in the 
provision of services to children and young people.

**NB In the event of there being overlap between the terms of reference of this select 
committee and those of the Healthier Communities Select Committee, the Business 
Panel shall determine the Select Committee which shall deal with the matter 
in question.**