



## OVERVIEW AND SCRUTINY COMMITTEE

### TERMS OF REFERENCE 2026

#### Status of the Committee

The Overview and Scrutiny Committee is an advisory committee of Stotfold Town Council established to support transparency, accountability, service review and public engagement. The Committee has no delegated decision-making authority and shall not exercise executive functions on behalf of the Town Council.

The Committee shall operate subject to:

- statute and common law.
- the Council's Standing Orders.
- the Council's Financial Regulations.
- the Council's Scheme of Delegation.
- the Council's adopted policies.
- approved procedures for access to information and confidentiality; and
- any specific direction of the Town Council.

#### Membership

- The Committee shall comprise eight members, appointed by the Town Council:
  - four Town Councillors; and
  - four public members.
- Councillor members shall be appointed annually by the Town Council at its Annual Meeting, or at another Council meeting where required.
- Public members shall be appointed following an open application process designed to encourage broad representation from the Stotfold community.
- Public members shall normally be appointed for a term of one municipal year and may be reappointed by the Town Council.
- The Chair of the Committee shall be a Town Councillor, appointed by the Town Council or elected by the Committee at its first meeting of the municipal year, in accordance with Standing Orders.
- The Vice-Chair may be any member of the Committee, provided that where the Vice-Chair is a public member, they shall not exercise any function reserved to an elected Councillor.
- Four members shall constitute a quorum, provided that at least two Town Councillor members are present.
- Public members may participate fully in scrutiny discussions and contribute to findings and recommendations.
- Public members shall not:
  - make decisions on behalf of the Council.
  - authorise expenditure.
  - instruct officers, contractors or councillors.
  - represent the Council externally unless expressly authorised.
  - determine staffing, contractual, legal, financial or policy matters; or

- vote on any matter which would amount to the exercise of a Council function.
- Non-Committee members may attend meetings and, at the discretion of the Chair, may speak but may not vote.

### **Public Member Appointment and Conduct**

- Public member vacancies shall be advertised publicly through appropriate Council communication channels.
- Applicants shall be asked to provide information about their interest, experience and reasons for wishing to serve on the Committee.
- Public members shall be selected through an open and proportionate application and interview process.
- In making appointments, the Town Council shall seek to achieve a broad range of community perspectives, skills and experience.
- Public members shall be required to:
  - act in the interests of the community.
  - observe the principles of respectful and constructive scrutiny.
  - declare relevant interests at meetings.
  - comply with confidentiality requirements.
  - comply with data protection requirements where applicable; and
  - follow any code, protocol or guidance adopted by the Council for public members.
- Public members are not elected Councillors and shall not hold themselves out as acting on behalf of the Council unless specifically authorised.

### **Meetings**

- The Committee shall meet quarterly, or more frequently where required.
- Extraordinary meetings may be called by the Chair with the agreement of the Proper Officer.
- Meetings shall be held in public unless the Committee resolves to exclude the press and public in accordance with the Public Bodies (Admissions to Meetings) Act 1960 and other relevant legislation.
- Public participation shall be in accordance with the Council's Standing Orders.
- The Committee shall not normally consider confidential staffing, legal, contractual, complaints, code of conduct or commercially sensitive matters unless the Proper Officer advises that it is appropriate and lawful to do so.

### **Purpose**

The purpose of the Overview and Scrutiny Committee is to provide constructive review and challenge of the Council's services, operations and performance, and to make evidence-based recommendations for improvement.

In all its considerations, the Committee shall have regard to:

- transparency and accountability.
- service improvement.
- value for money.
- resident experience.
- operational efficiency.

- equality and accessibility.
- the Council's adopted Corporate Strategic Plan.
- lawful and proportionate use of Council resources; and
- constructive engagement between the Council and the community.

## **Scope of Scrutiny**

The Committee may review and scrutinise:

- Delivery and performance of Council services.
- Operational efficiency across Council facilities and services, including, by way of example:
  - hall hires.
  - allotments.
  - cemetery services.
  - events.
  - open spaces.
  - buildings and facilities.
  - community engagement.
  - administrative processes.
- Budget expenditure and value for money, if scrutiny does not amount to financial control or budget approval.
- Service standards, user experience and accessibility.
- Implementation of Council policies, strategies and agreed service improvements.
- Performance information, where available.
- Opportunities to improve efficiency, transparency, resident engagement and service outcomes.
- Matters referred to it by Full Council, Governance and Resources Committee, or another service committee.

## **Functions of the Committee**

The Committee shall:

- Develop and maintain a proportionate scrutiny work programme.
- Review selected services, functions or operational areas as agreed by the Committee or referred by the Council.
- Receive reports, evidence and information relevant to its agreed scrutiny topics.
- Invite officers, councillors, service users, residents, community representatives or external advisers to provide information where appropriate.
- Consider whether services are being delivered effectively, efficiently and in accordance with agreed Council priorities.
- Identify good practice, service pressures, risks, gaps or opportunities for improvement.
- Make evidence-based findings and recommendations to the relevant committee or Full Council.
- Monitor progress against accepted scrutiny recommendations where appropriate.
- Support greater public understanding of Council services and decision-making.

## **Limitations on Role**

The Committee shall not:

- Exercise delegated authority on behalf of the Council.
- Reopen or overturn decisions properly made by Full Council or a committee.
- Act as an appeals body for individual complaints, staffing matters, code of conduct matters, planning decisions, enforcement matters or contractual disputes.
- Direct the work of officers or contractors.
- Approve expenditure, virements, reserves, budgets, grants or contracts.
- Determine policy or amend Council procedures.
- Consider matters where doing so would compromise confidentiality, data protection, legal privilege, commercial sensitivity, employment procedures or due process.
- Undertake work which duplicates the role of internal audit, external audit, the Monitoring Officer, the Council's complaints procedure or any statutory regulator.

Where a matter falls outside the Committee's remit, it shall be referred to the Proper Officer for advice and, where appropriate, to the relevant committee or Full Council.

## **Information, Evidence and Officer Support**

- Requests for information, reports or officer attendance shall be made through the Proper Officer.
- The Committee shall be supported by officers in accordance with available resources and the Council's agreed priorities.
- Officers shall not be required to undertake disproportionate work in support of scrutiny activity.
- The Committee shall have access to information reasonably required for its scrutiny role, subject to confidentiality, data protection, legal privilege, commercial sensitivity and any other lawful restriction.
- Public members shall not be given access to confidential, personal, staffing, legal or commercially sensitive information unless the Proper Officer is satisfied that access is necessary, lawful and subject to appropriate safeguards.

## **Reports and Recommendations**

- Findings and recommendations of the Committee shall be reported to the relevant service committee, Governance and Resources Committee, or Full Council as appropriate.
- Reports shall normally include:
  - the matter reviewed.
  - evidence considered.
  - key findings.
  - any differing views, where relevant.
  - recommendations.
  - financial, legal, staffing, equality, risk or resource implications where known.
- Recommendations shall be advisory only and shall not bind the Council or any committee.
- The receiving committee or Full Council shall consider the recommendations and determine what action, if any, should be taken.
- Where appropriate, the Committee may request a progress update on accepted recommendations.

## **Working Groups and Task and Finish Reviews**

- The Committee may establish time-limited task and finish groups to examine specific topics within its remit.
- Such groups shall be advisory only and shall not make binding decisions on behalf of the Council.
- The remit, membership, expected timescale and reporting arrangements for any task and finish group shall be clearly recorded.
- Task and finish groups may include public members, councillors and invited advisers where appropriate.

## **Officer Delegation and Urgent Matters**

- The Committee has no delegated authority and shall not take urgent executive action.
- Any urgent operational, financial, staffing, legal or service matter identified by the Committee shall be referred to the Proper Officer, the relevant committee, or Full Council as appropriate.
- Officers shall act in accordance with the Council's Standing Orders, Financial Regulations and Scheme of Delegation.

## **Reporting and Accountability**

- Minutes of the Committee shall be reported to the next appropriate meeting of the Town Council.
- The Committee shall keep its work programme, effectiveness and terms of reference under review.
- The Committee shall report its findings and recommendations in a clear and timely manner.
- These Terms of Reference shall be reviewed annually at the Annual Meeting of the Town Council, or sooner if required.