

Appendix 1: The Future Oxfordshire Partnership Scrutiny Panel Terms of Reference and Joint Protocol 2023

1. Purpose and Objectives

- 1.1 The purpose of the Future Oxfordshire Partnership Scrutiny Panel is to review and scrutinise plans, proposals, recommendations, decisions to be taken and actions taken in connection with the discharge of the Future Oxfordshire Partnership's functions in support of the Oxfordshire Strategic Vision for Long Term Sustainable Development and the delivery of the remaining elements of the Oxfordshire Housing and Growth Deal. The Scrutiny Panel will perform a 'check and balance' and 'critical friend' function to the Future Oxfordshire Partnership through the review of key policies, decisions and strategic objectives.
- 1.2 It is noted that the Future Oxfordshire Partnership is constituted as a 'Joint Committee' under the Local Government Acts 1972 and 2000 and as such could in future exercise executive decision making powers if such powers were to be delegated to the executive representatives appointed to it by each council.
- 1.3 The Future Oxfordshire Partnership Scrutiny Panel does not have the right to call in any executive decisions made by any partner authorities. All partner authorities will retain the right to formally call in decisions made by their own executives to their own Scrutiny Committees.

2. Scrutiny Panel Powers

- 2.1 The Scrutiny Panel has no decision-making powers, but it shall:
 - (a) Prioritise key issues for review, and make reports and recommendations to the Future Oxfordshire Partnership where necessary. The Future Oxfordshire Partnership will be expected to respond to any reports and recommendations.
 - (b) Request the Future Oxfordshire Partnership and partner bodies to provide information that it reasonably requires in the discharge of its functions.
 - (c) Request the attendance of Future Oxfordshire Partnership members and their senior supporting officers to answer questions about the work and decisions of the Future Oxfordshire Partnership.
 - (d) Establish sub-groups as required to assist in the performance of its functions.
 - (e) Monitor the Future Oxfordshire Partnership's Forward Plan of decisions, recommendations and remaining Oxfordshire Housing and Growth Deal Milestones.

3. Membership and appointments

- 3.1 The Scrutiny Panel will comprise 18 councillors, three appointed annually by each constituent Council of the Future Oxfordshire Partnership. Executive members of the constituent councils shall not be members of the Scrutiny Panel.
- 3.2 Each constituent Council will appoint its members having regard to its own political balance.
- 3.3 The Chair and Vice-Chair of the Scrutiny Panel shall be appointed by the Scrutiny Panel at its first meeting in each council year.
- 3.4 Co-opted non-voting members may be appointed for specific items or a period of up to a year by the Scrutiny Panel as it deems necessary.

4. Meeting Arrangements

- 4.1 The Scrutiny Panel will agree its own schedule of meetings, having regard to the timeliness of such meetings in relation to Future Oxfordshire Partnership meetings.
- 4.2 As a non-statutory committee, meetings of the Scrutiny Panel may be held entirely on-line, on a hybrid basis or in person as determined by the Chair.
- 4.3 The normal rules as to declarations of interest will be applied to members in accordance with their respective Council's Code of Conduct.
- 4.4 Meetings may be rearranged, cancelled or additional meetings scheduled with the agreement of the Chair.
- 4.5 The Chair will report to the Future Oxfordshire Partnership in circumstances where the Panel has produced a report and recommendations.
- 4.6 The Chair will have discretion to manage meetings as they see appropriate, having regard to any advice given, these terms of reference and relevant legislation.
- 4.7 Each meeting will be recorded through the production of minutes which will be made available to the public online after the meeting with the exception of any exempt or confidential information.
- 4.8 The secretariat to the Scrutiny Panel will be provided by the partner authorities as agreed by the Chief Executives of the partner authorities.
- 4.9 The Scrutiny Panel is not a decision making body, and the Chair should aim to facilitate consensual agreement on matters under consideration. Where a consensus cannot be reached, the Chair shall present the split views of the Panel to the Future Oxfordshire Partnership. Formal votes should only be used in exceptional circumstances. Notwithstanding this, voting arrangements will be one vote per member, and in the case of an equality of votes, the Chair will have a casting vote.

5. Quorum

- 5.1 The quorum will be a minimum of six of the members of the Scrutiny Panel, but must consist of at least one member or substitute from each partner authority.

6. Substitutes

- 6.1 Any member may send a substitute from their own authority if they are unable to attend, but this may not be a member of the authority's executive and should ideally be a member of the authority's scrutiny committee or panel.

7. Access to information

- 7.1 The Scrutiny Panel will hold its meetings in public, except in circumstances where the matter under consideration contains exempt or confidential information, as set out in the Local Government Act 1972 (as amended).
- 7.2 It is expected that the Scrutiny Panel will have the right to see the same information as that of the Future Oxfordshire Partnership when considering an issue, in order that an informed view can be reached.
- 7.3 Meeting agendas and associated reports will be circulated to the members of the Scrutiny Panel, and the designated officers of the respective partner authorities, at least three clear working days before the meeting. Non-adherence to this in exceptional circumstances will not invalidate a meeting. Future Oxfordshire Partnership papers will be circulated to the panel when published for the Future Oxfordshire Partnership.

8. Reviews of Future Oxfordshire Partnership decisions

- 8.1 The Scrutiny Panel may exercise the right to review any matter that is going to the Future Oxfordshire Partnership and make recommendations in advance that the Future Oxfordshire Partnership must then consider.
- 8.2 The Scrutiny Panel will identify areas of Future Oxfordshire Partnership work it wishes to review and timetable these into its annual work plan, taking into account the Future Oxfordshire Partnership forward plan. Officers will ensure the Scrutiny Panel receives information required to inform these reviews in time for recommendations to be made to the Future Oxfordshire Partnership.
- 8.3 The Future Oxfordshire Partnership will allow time in its decision making processes for the Scrutiny Panel to review information regarding key decisions and make recommendations in advance of those decisions being made. This includes any submissions to Homes England in relation to remaining milestones in the Oxfordshire Housing and Growth Deal.
- 8.4 The Future Oxfordshire Partnership will include reports and recommendations from Scrutiny Panel as a standing item on its meeting agenda. The Future Oxfordshire Partnership will be required to respond to the Scrutiny Panel recommendations to be recorded either at the meetings of the Future Oxfordshire Partnership or in writing within 10 days of the meeting.

9. Public Participation

- 9.1 Any member of the public wishing to ask a question or make a statement may do so at a meeting of the Future Oxfordshire Partnership Scrutiny Panel, and must give notice of the question or statement in writing or by email to the Chief Executive or the Secretariat of the host authority, at least three clear days before the meeting (i.e. not counting the day of the meeting or the day of receipt).
- 9.2 Such questions and statements shall be for up to three minutes each, but this time may be varied at the Chair's discretion depending on the number of speakers in attendance and having regard to the total time allocated to public speaking.
- 9.3 The speaker may read their question or statement, but the Chair will at their discretion do so if the questioner wishes for that or is not present at the meeting.
- 9.4 A supplementary question may be asked if, in the Chair's judgement, this can be managed within the time allocated to public speaking.
- 9.5 The answer given may take the form of an oral statement or may be given subsequently in writing to the questioner and published online. It is intended any written response will be given within ten clear working days of the meeting. Any oral response will be summarised as part of the minutes of that meeting.
- 9.6 The Chief Executive of the host authority may, in consultation with the Chair of the Panel, refuse to accept a submitted question or address if they consider it to be offensive, defamatory, frivolous, vexatious, or is not directly relevant to the remit of the Future Oxfordshire Partnership.
- 9.7 There will not normally be any discussion on representations made except to the extent that they are considered when the relevant agenda item is considered later in the meeting.
- 9.8 A written summary of public addresses and questions will be provided in the minutes of the meeting. The Chair will have discretion to manage the public participation procedure as they see appropriate.

10. Work Plan

- 10.1 The Scrutiny Panel may establish an annual forward Work Plan of matters to consider, which will be reviewed at each meeting.
- 10.2 The Work Plan should reflect a balance of issues from the Future Oxfordshire Partnership's Forward Plan of decisions, and other matters that are relevant to the delivery of the agreed Oxfordshire Housing and Growth Deal and work of the Future Oxfordshire Partnership.

11. General principles

11.1 The Scrutiny Panel will operate independently from the Future Oxfordshire Partnership but must have regard to any matters that the Future Oxfordshire Partnership refers to it for consideration.

11.2 The administration and functions of the Scrutiny Panel will be held to the same standards expected by the relevant legislation in relation to local authority overview and scrutiny committees.