

Appendix B

POLICY AND PERFORMANCE COMMISSIONS

Terms of Reference

Six Policy and Performance Commissions have been appointed which, between them, relate to the Cabinet and specifically as appropriate to the ten individual Portfolios:

- Cheshire East Policy and Performance
- Health
- Environment
- Life Skills
- Economy
- Communities

1 General Responsibilities of all Policy and Performance Commissions

Any of the Commissions may be invited to provide advice and recommendations on the development and updating of the policies of the Council, Wholly Owned Companies (WOCs), Alternative Service Delivery Vehicles (ASDVs) and other bodies.

The Commissions each consist of (X) Members on a politically proportionate basis (plus appropriate co-option).

The Commissions may specifically:

- discharge the Council's functions under Section 21 of the Local Government Act 2000 (Scrutiny Committees);
- oversee the Council's overall scrutiny function including the preparation, implementation, monitoring and review of an annual work programme for scrutiny and arrangements for the scrutiny of other public bodies particularly where required to do so by law;
- establish such task and finish groups, appointing the Chairman with such membership as it sees fit, to undertake scrutiny on a task and finish basis;
- ensure that officers, WOCs and ASDV's discharge their responsibilities effectively and efficiently in relation to the scrutiny function;

- scrutinise decisions of the Cabinet, and offer advice or make recommendations on the matter under scrutiny once the Commission has considered the issues;
- refer to the Council or appropriate Committee/Sub-Committee any matter which, following scrutiny, the Commission determines should be brought to the attention of the Council or the Commission or Sub-Committee;
- if requested, offer any views or advice to the Cabinet in relation to any matter referred to the Commission for consideration;
- undertake general policy reviews with a cross-service and multi-organisational approach wherever possible and make recommendations to the Council or the Cabinet, WOCs and ASDV's to assist in the development of future policies and strategies;
- in performing its role, the Commission may consult and involve the local community and other local public, private and voluntary bodies or organisations;
- review the Council's response to its obligations in respect of the overall performance management regime and where appropriate advise the Cabinet and the Council of its findings;
- scrutinise decisions after implementation to examine their effect and outcomes;
- review and make recommendations in relation to matters which are not the direct responsibility of the Council but which affect the social, economic and environmental well-being of an area, or the Council's area as a whole, or under any statutory requirement or Council contract, procedure or practice;
- develop, maintain and monitor policies and procedures for handling complaints made against the Council and monitor on a regular basis the level and nature of complaints received and ensure that advice is formulated regarding action to be taken to address areas of concern;
- monitor the level and nature of Ombudsman complaints and advise the Cabinet, Committees, Sub-Committees and officers on remedial action as appropriate;
- ensure in conjunction with the Audit and Governance Committee Constitution Committee that the Council has in place appropriate mechanisms to protect organisational Integrity including the development of appropriate policies and guidance;

- deal with any overview and scrutiny matter which is the subject of a call-in, a Councillor Call for Action or a Local Petition (a Councillor Call for Action Protocol is included in Part 5 of this Constitution);
- provide a regular programme of training and development for all Members and Co-opted Members involved in the work of the Committee.
- undertake pre-decision scrutiny work

2. Specific Responsibilities of Policy and Performance Commissions

Cheshire East Policy and Performance Commission

The Cheshire East Performance Commission will include the chair and vice-chair of each of the five thematic Commissions, plus additional members needed to secure political balance. Its main functions are to:

- Scrutinise the Council's corporate core;
- Ensure that the five other Commissions operate in a coherent and integrated manner;
- Act as an informal discussion forum with the Cabinet regarding the Commissions' work programmes and priorities;
- Undertake (typically using the task-and-finish model) pieces of work which do not fall within the remit of any of the five thematic Commissions;
- Decide which thematic commission will take the lead on cross cutting issues, or undertake the task itself;
- Drive forward the Council's Overview and Scrutiny function;
- Act as a sounding board for matters of common interest across all commissions, including new legislation and best practice;
- Monitor progress of the five thematic Commissions with work programmes and where necessary review the workloads of the Commissions;
- Co-ordinate the formal consultation response to the draft budget proposals on behalf of the thematic commissions.

Communities Policy and Performance Commission

The Local Communities Policy and Performance Commission will fulfil the functions of an Overview and Scrutiny Committee as they relate to performance management, policy development and review, and in particular (but not restricted

to): Community Strategies, Localism, communities and regulatory services, (trading standards, licensing, environmental health, health and safety and Gypsy and Travellers), visitor economy, Tatton Park Enterprises and Crime and Disorder matters as provided by Sections 19 and 20 of the Police and Justice Act 2006.

Economy Policy and Performance Commission

The Economy Policy and Performance Commission will fulfil the functions of an Overview and Scrutiny Committee as they relate to performance management, policy development and review, and in particular (but not restricted to): assets, investment, economic growth and Engine of the North.

Environment Policy and Performance Commission

The Environment Policy and Performance Commission will fulfil the functions of an Overview and Scrutiny Committee as they relate to performance management, policy development and review, and in particular (but not restricted to): environmental matters, housing, planning, economic development, regeneration, rural affairs, ANSA and ORBITAS.

The Commission will also have specific responsibility for the scrutiny of Flood Risk Management.

Health Policy and Performance Commission

The Health Policy and Performance Commission will fulfil the functions of an Overview and Scrutiny Committee as they relate to: Health Scrutiny duties falling on the Authority by virtue of the relevant Health acts and subsequent relevant legislation and Government Guidance; adult social care services; and leisure services, including the Everybody Sport and Recreation Trust.

Life Skills Policy and Performance Commission

The Life Skills Policy and Performance Commission will fulfil the functions of an Overview and Scrutiny Committee as they relate to performance management, policy development and review, and in particular (but not restricted to): education, Children's Social Care, Early Years Provision, Looked After Children and Youth Services.

The four statutory co-optees in respect of the Council's Education function will also sit on this Committee. Paragraph 3 of the Scrutiny Rules of Procedure refers.