
WORK PROGRAMMING: TASK & FINISH INQUIRY UPDATE

Reason for the Report

1. This report enables the Committee to consider an additional terms of reference for the Closer to Home Inquiry, detailed in **Appendix A**.

Background

2. Within a Task & Finish Meeting held in May 2019, Members requested an additional terms of reference be included in the inquiry. Attached at **Appendix A** is a scoping exercise document setting out the inquiry's objectives and way forward. The additional terms of reference requested within the meeting is highlighted within the Appendix for ease of reference.
3. A meeting between the PSO, Head of Democratic Services and Director of Social Services is scheduled before Committee to discuss the document, and a verbal update will be provided within the meeting by the PSO.

Way Forward

4. Members may wish to consider this amendment to the inquiry's terms of reference as set out in **Appendix A**
5. Members will also need to confirm whether they are willing and able to sit on the task and finish group. The usual number of Members on a task and finish group is 3 or 4, with the aim of ensuring political balance. Committee Members who volunteer to sit on a task group will then meet together to draft a scoping report for each of the Inquiries; these will provide draft terms of

reference and proposals for the structure of the Inquiry, including the number of meetings, site visits and witnesses. All Committee Members will then have the opportunity to discuss the draft scoping reports and suggest amendments and refinements, prior to agreeing the scoping reports for implementation.

Legal Implications

6. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

7. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- i. Consider formally agreeing the terms of reference for the inquiry attached at **Appendix A**.
- ii. To reaffirm membership and consider any additional membership requests.

Davina Fiore

Director of Governance and Legal Services

30 May 2019