



Overview and Scrutiny Committee	
Governance Type	Assurance
Purpose	<p>To ensure that decisions made by the Combined Authority, help make the West Midlands region a better place to live, work, study and do business.</p> <p>To undertake call-in arrangements for the Combined Authority.</p> <p>To make recommendations for appointment to the Combined Authority Board</p>
Membership	<ul style="list-style-type: none"> • One member of each Constituent Council • One member of each Non-Constituent Council • One LEP member • The Scrutiny Committee may not include any member of the Combined Authority Board or other committees, sub committees, boards or working groups.
Accountable to	Independent Committee
Chair	The Combined Authority Board will appoint the Chair and Vice-Chair from the Constituent Members.
Voting	<p>Each member of the Scrutiny Committee has one vote.</p> <p>All matters coming or arising before the Scrutiny Committee shall be decided by a majority of the members of the committee present and voting on the matter.</p> <p>No member of a Scrutiny Committee has a casting vote. If a vote is tied on any matter it shall be deemed not to have been carried.</p> <p>All references to the Combined Authority should be taken as including a committee, sub-committee, board or working group of the Combined Authority with authority to consider and respond to reports and recommendations on behalf of the Combined Authority.</p> <p>The Monitoring Officer shall, in consultation with the Chair of the Scrutiny</p>



	<p>Committee, determine whether a report or recommendation shall be considered by a relevant Committee, Sub Committee, Board or Working Group or the Combined Authority Board.</p> <p>The scrutiny arrangements will therefore apply to the relevant Committees, Sub Committee and Boards or Working Groups of the Combined Authority as well as the Combined Authority Board itself.</p>
Quorum	The quorum for Scrutiny Committee meetings will be five members.
Frequency	The Scrutiny Committee will meet quarterly. Any Scrutiny Review Groups will meet as necessary, to complete the business.
Allowances	No allowances to be paid. Expenses to be paid by the Combined Authority.
Servicing	The Combined Authority Governance Team will support the Scrutiny Committee and Scrutiny Reviews.
<p>Functions</p> <p>The Scrutiny Committee shall have the following functions:</p> <ol style="list-style-type: none"> I. review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Combined Authority II. make reports or recommendations to the Combined Authority Board on matters that affect the Combined Authority area or the inhabitants of the area III. make reports or recommendations to the Combined Authority with respect to the discharge of any functions which are the responsibility of the Combined Authority. <p>Publishing Reports or Recommendations</p> <p>The Scrutiny Committee may publish any report or recommendations.</p> <p>In publishing a report or recommendations, the Scrutiny Committee:</p> <ul style="list-style-type: none"> • must exclude any confidential information • may exclude any relevant exempt information. <p>Where information is excluded, the Scrutiny Committee:</p> <ul style="list-style-type: none"> • may replace as much of the document as is necessary to remove confidential or exempt information and replace the information with a summary which does not disclose that information • must issue a summary, if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible. 	



WEST MIDLANDS COMBINED AUTHORITY

In the exercise of its functions under part two of the Combined Authority's Constitution the power of the Scrutiny Committee shall include the doing of anything which is calculated to facilitate, or is conducive or incidental to the discharge of those functions.

Notice

A Scrutiny Committee may by notice require the Combined Authority Board within two months of receiving any report or recommendations, to:

- consider the report or recommendations
- respond to the Scrutiny Committee indicating what (if any) action the Combined Authority Board proposes to take
- publish the response, if the Scrutiny Committee has published the report or recommendations.

The Combined Authority Board shall comply with any such notice given by the Scrutiny Committee under the terms of the Constitution.

Publishing a Response

In publishing the response, the Combined Authority Board:

- must exclude any confidential information
- may exclude any relevant exempt information.

Where information is excluded, the Combined Authority may replace as much of the document as discloses the information with a summary which does not disclose that information, and if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible.

Call-in of Combined Authority and Committee, Sub-Committee, Board or Working Group Decisions

Publishing Decisions

The Monitoring Officer shall publish details of the decisions of the Combined Authority Board and its committees, sub-committees, boards and working groups (where relevant) on its website and provide notice of those details to all Members of the Combined Authority Board no later than the close of business on the third clear working day following the day of the meeting at which the decision was made.

Scope

With the exception of any decision which the Combined Authority Board or a committee, sub-committee, board or working group has formally resolved as urgent, any decision of the Combined Authority may be called-in for scrutiny.



Implementing Decisions

A decision on a matter dealt with under the urgency provisions contained in the Constitution or otherwise resolved by the Combined Authority Board or a committee, sub-committee, board or working group to be urgent may be implemented immediately.

Any other decision of the Combined Authority Board or a committee, sub-committee, board or working group of the Combined Authority may be implemented after 5.00pm of the fifth clear working day after the publication of the decision, unless it is called-in.

Process

Five members of the Scrutiny Committee to include at least one member from three different Constituent Authorities may call-in a decision of the Combined Authority for scrutiny by notifying the Monitoring Officer.

On receipt of a call-in request, the Monitoring Officer shall:

- notify the members of the Combined Authority Board or it's committee, sub-committee, board or working group of the call-in
- call a meeting of the Scrutiny Committee, to scrutinise the decision.

Scrutinising the Decision

The Scrutiny Committee must scrutinise the decision within 10 clear working days of the Monitoring Officer receiving the request for call-in. If it does not meet within this time or does not conclude its scrutiny of the decision, the decision will automatically take effect at the end of the period.

Where the Scrutiny Committee has scrutinised a decision, it may:

- endorse the decision
- refer the decision back to the Combined Authority, committee, sub-committee, board or working group for reconsideration, setting out, in writing the nature of its concerns.

A decision which has been endorsed by the Scrutiny Committee may be implemented immediately.

Where a decision has been referred back, the Combined Authority, committee, sub-committee, board or working group shall reconsider the decision at its next ordinary meeting or at such earlier meeting as may be called to deal with the referral or dealt with under the urgency provisions within the Constitution, where the matter becomes urgent.

A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Combined Authority's Constituent or Non-Constituent Member Authorities' or the public's interests.

A decision which has been recommended for re-consideration may not be implemented, except in accordance with the following section - 'Reconsidering the Decision'.



Re-considering the Decision

The Chair of the Scrutiny Committee or their nominee may attend the meeting which is re-considering the decision, to present the report or recommendations of the Scrutiny Committee.

The Combined Authority, its Committee, Sub-Committee, Board or Working Group may confirm, amend or rescind the decision.

A decision which has been confirmed or amended may be implemented immediately.

Review

To be reviewed June 2017