

15 October 2021

REPORT SUMMARY SHEET

OVERVIEW & SCRUTINY AND AUDIT COMMITTEE ARRANGEMENTS

Purpose

To confirm the 2021/22 arrangements for the Overview & Scrutiny Committee and Audit Committee.

Summary

This report includes the following key information:

- Committee membership details.
- Committee terms of reference.

Recommendations

Members of the **Combined Authority Committee** are asked to confirm the arrangements as set out in the report for

- a. the West of England Combined Authority Overview & Scrutiny Committee;
- b. the West of England Combined Authority Audit Committee.

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**REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY
COMMITTEE**

DATE: 15 OCTOBER 2021

**REPORT TITLE: OVERVIEW & SCRUTINY AND AUDIT COMMITTEE
ARRANGEMENTS**

DIRECTOR: SHAHZIA DAYA, DIRECTOR OF LEGAL

AUTHOR: SHAHZIA DAYA, DIRECTOR OF LEGAL

Purpose of Report

1. To confirm the 2021/22 arrangements for the Overview & Scrutiny Committee and Audit Committee.

Recommendations

The committee is asked to confirm the arrangements as set out in the report for

- a. the West of England Combined Authority Overview & Scrutiny Committee;**
- b. the West of England Combined Authority Audit Committee.**

Background / Issues for consideration:

2. In accordance with The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, the Combined Authority operates two statutory committees:

- a. Overview and Scrutiny Committee**

Terms of reference:

The functions of the Overview and Scrutiny committee primarily relate to scrutinising the work of the West of England Combined Authority and the West of England Joint Committee ("Joint Committee") and making appropriate recommendations as to the discharge of its function.

The Overview and Scrutiny Committee shall have the power to:

- (i) Review or scrutinise decisions made, or other actions taken, in connection with the discharge of any functions which are the responsibility of the Combined Authority or the Joint Committee;
- (ii) Provide advice and challenge on policy and programme delivery to help ensure the region meets its climate commitments, including monitoring the delivery of the authority's Climate Emergency Action Plan.
- (iii) make reports or recommendations to the Combined Authority or the Joint Committee (as appropriate) on matters that affect the Combined Authority area or the inhabitants of the area;
- (iv) make reports or recommendations to the Combined Authority or the Joint Committee (as appropriate) with respect to the discharge of any functions which are the responsibility of the Combined Authority or the Joint Committee;
- (v) In so far as the business of the Local Enterprise Partnership Business Board (LEP) relates to the discharge of functions of the Combined Authority or the Joint Committee, the Overview and Scrutiny Committee shall have the power to scrutinise the LEP as set out in (i) –(iii) above.

b. Audit Committee

Terms of reference:

The functions of the Audit Committee shall include:

- (i) reviewing and scrutinising the authority's financial affairs;
- (ii) reviewing and assessing the authority's risk management, internal control and corporate governance arrangements;
- (iii) reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the authority's functions; and
- (iv) making reports and recommendations to the Combined Authority in relation to the reviews they have conducted.
- (v) To consider and approve the Annual Statutory Accounts.

c. There is a requirement to appoint such a number of members of each of the constituent councils to an overview and scrutiny committee / audit committee 'so that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together'.

When the political balance taken across the region is applied to an 11 member committee, the seats are allocated as follows:

Seat Number	Council		Nomination
1	Bristol	1 st nomination	Lib Dem
2	SGC	1 st nomination	Lib Dem
3	B&NES	1 st nomination	Lib Dem
4	Bristol	2 nd nomination	Conservative
5	SGC	2 nd nomination	Conservative
6	B&NES	2 nd nomination	Lib Dem
7	Bristol	3 rd nomination	Labour
8	SGC	3 rd nomination	Conservative
9	Bristol	4 th nomination	Labour
10	Bristol	5 th nomination	Green
11	Bristol	6 th nomination	Lib Dem

The constituent councils have submitted their nominations on the above basis.

In line with previous years, it is also recommended that the voluntary arrangement with North Somerset Council continues and that they appoint 3 councillors to attend Overview and Scrutiny for “Joint Committee” matters, made up of 1 Conservative, 1 Liberal Democrat and 1 Independent councillor to attend.

The Overview & Scrutiny Committee is also permitted to nominate one member to have observer status at each of the Combined Authority Board meetings.

Consultation

3. Monitoring Officers of the Combined Authority’s constituent councils.

Risk Management/Assessment

4. The Annual Governance Statement requires decision making processes to be set out in the Combined Authority’s constitution.

Public Sector Equality Duties

5. The public sector equality duty created under the Equality Act 2010 means that public authorities must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

- 5.1 The Act explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics.
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 5.2 The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected in the design of policies and the delivery of services, including policies, and for these issues to be kept under review.
- 5.3 Equalities implications in relation to this report:

The obligations in relation to the public sector equalities duty under section 149 of the Equality Act 2010 (PSED) have been assessed at each stage of the development process. It has been concluded that the immediate decision primarily relates to the arrangements that are required to be in place to enable the West of England Combined Authority Order to be lawfully implemented rather than decisions that could be deemed to impact on the rights of groups or individuals with a protected characteristic or others protected under the PSED.

As a body exercising public functions, the Combined Authority is under an obligation to have regard to the PSED when exercising its functions. The Combined Authority understands its Public Sector Equality Duty (PSED) obligations under section 149 of the Equality Act 2010 and will ensure that it complies with its PSED obligations.

Finance Implications

6. No specific financial implications arising directly from this report

Advice given by: Malcolm Coe, Director of Investment and Corporate Services

Legal Implications

7. The constitution forms the basis of sound and robust decision making by the Combined Authority and must be reviewed regularly in order to ensure that it is fit for purpose.

Advice given by: Shahzia Daya, Director of Legal

Human Resources Implications:

8. None specific to this report

Advice given by: Alex Holly, Head of People & Assets

Appendices: None

Background papers:

West of England Combined Authority Constitution

West of England Combined Authority Contact:

Any person seeking background information relating to this item should seek the assistance of the contact officer for the meeting who is Ian Hird tel. 07436 600313; email: democratic.services@westofengland-ca.gov.uk