

TENANT SCRUTINY BOARD – TERMS OF REFERENCE

The Tenant Scrutiny Board provides independent, customer focused scrutiny which will robustly challenge policy practice and performance to ensure that Leeds City Council provides a high quality housing service that retains tenants at the heart of the organisation.

The Tenant Scrutiny Board is authorised to discharge the following scrutiny functions:

1. Provide independent assurance on the quality of service delivery against agreed performance indicators.
2. Assist in supporting the process of establishing performance indicators.
3. Act as a “critical friend” on behalf of tenants and residents providing “challenge” to the Council in relation to its Housing service delivery and by reviewing policies and strategies.
4. Review tenant satisfaction.
5. Ensure tenants are consulted before major changes to Housing Services are implemented.

Form an integral part of the governance of Leeds City Council through effective links with the Housing Advisory Board and Scrutiny Board (Environment and Housing)

TENANT SCRUTINY BOARD¹ - PROCEDURE RULES

1.0 FREQUENCY AND PLACE OF MEETINGS OF THE SCRUTINY BOARDS

- 1.1 The Tenant Scrutiny Board will meet every Month
- 1.2 Extraordinary meetings may be called from time to time as and when appropriate.
- 1.3 A meeting may be called by;
 - the Chair; or
 - the Scrutiny Officer if he/she considers it necessary or appropriate.
- 1.4 The Tenant Scrutiny Board may sit at such place and at such time as it considers necessary and appropriate.
- 1.5 The Tenant Scrutiny Board may appoint a Working Group as it feels appropriate and necessary to assist in ensuring the effectiveness and efficiency of its work².

2.0 QUORUM / SUBSTITUTE MEMBERS

- 2.1 The quorum for the Scrutiny Board shall be 50% of membership plus 1
- 2.2 Substitute members will not be allowed

3.0 NOTICES OF MEETINGS

- 3.1 Notices for all meetings of a Tenant Scrutiny Board shall be issued from the office of the Scrutiny Officer.

4.0 ADMISSION TO MEETINGS

- 4.1 All meetings of the Tenant Scrutiny Board shall be open to the public unless identified as confidential. This shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.
- 4.2 The Tenant Scrutiny Board may resolve to exclude the press and public from a meeting (whether the whole or part only of the proceedings) by passing a resolution.

5.0 MINUTES

- 5.1 All meetings of each Tenant Scrutiny Board shall be minuted.
- 5.2 Oral evidence given to a Tenant Scrutiny Board may be recorded via tape recording as shall appear to the Tenant Scrutiny Board to be appropriate.

¹ All references to Scrutiny Board relate to Tenant Scrutiny Board

² These must be appointed to carry out specific tasks such as visits to premises or other information gathering activities as part of an on-going Inquiry.

6.0 RIGHTS OF TENANT SCRUTINY BOARD MEMBERS TO DOCUMENTS

6.1 When a Tenant Scrutiny Board conducts a review, every member of the Board³ shall have a right of access to any documents which are relevant to the subject matter of the review and are not deemed confidential.

7.0 AGENDA ITEMS

7.1 A Scrutiny Board shall as a minimum consider the following business at an Ordinary Meeting:

- apologies for absence;
- minutes of the last meeting;
- the Board's work programme; and
- the business otherwise set out on the agenda for the meeting.

8.0 WORK PROGRAMMING

8.1 No Tenant Scrutiny Board may undertake a review into:

- any decision of a Plans Panel or the Licensing Committee or a Licensing sub-committee;
- any decision taken by an officer under delegated authority which falls within the terms of reference of a Plans Panel or the Licensing Committee or a Licensing Sub-Committee;
- any matter which falls outside of the Tenant Scrutiny Board's Terms of Reference
- any decision in respect of which there are:
 - ongoing judicial proceedings, Ombudsman or audit inquiry or complaint under the Council's formal complaints procedure;⁵ or
 - individual personnel issues.

9.0 REQUESTS FOR SCRUTINY

9.1 Reviews requested by a member of the Tenant Scrutiny Board

Any member of the Tenant Scrutiny Board may propose that a review be undertaken into a relevant matter. The Board will then consider whether to undertake the review. In doing so, it shall take into account the wishes of all members of that Board.

9.2 Requests for reviews from other sources

The Tenant Scrutiny Board shall consider a request from any other source to conduct a review.

9.3 If the Scrutiny Board decides not to carry out a review into the matter, the Scrutiny Officer will inform the referring body about the decision of the Tenant Scrutiny Board, and the reasons for its decision

³ Information received as a member of a Tenant Scrutiny Board should be used only in this capacity.

10.0 SELECTING SCRUTINY INQUIRIES

10.1 Before deciding to undertake a scrutiny Inquiry, the Tenant Scrutiny Board must

- consider how the proposed Inquiry falls within its terms of reference; and
- consider the current workload of the Tenant Scrutiny Board and the available resources required to carry out the work.

10.2 Where any Scrutiny Board decides that there shall be an Inquiry, the Scrutiny Board shall

- consult with the relevant Director and Executive Member;
- agree the Terms of Reference of the Inquiry;
- agree the period within which the Inquiry's Report is to be completed;
- compile a preliminary list of witnesses from whom the Tenant Scrutiny Board require evidence; and
- compile a preliminary list of documents which the Tenant Scrutiny Board requires to be produced.

11.0 REPORTS AND RECOMMENDATIONS

11.1 At the conclusion of a review the Tenant Scrutiny Board shall, where it considers it to be appropriate, produce a written report summarising the evidence that it has taken and set out its recommendations.

11.2 Where the Tenant Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to it finalising its recommendations. The detail of that advice shall be reported to the tenant Scrutiny Board and considered before the report is finalised.

11.3 The review report shall include:

- an explanation of the matter reviewed or scrutinised;
- a list of the participants involved in the Inquiry (save where the Board considers that a name of a witness should be withheld for reasons of confidentiality) ;
- a list of all documentation that has been considered by the Board; and
- any conclusions and recommendations on the matter reviewed or scrutinised.

11.4 Where any member of the Tenant Scrutiny Board does not agree with the content of the Board's Report, they may produce a Minority Report setting out their findings and recommendations. The Minority Report will be an appendix to the Tenant Scrutiny Board's Report.

12.0 RESPONSES TO REPORTS AND RECOMMENDATIONS

12.1 The Housing Advisory Board, the Executive Board, Community Committee's or officers shall consider any report and recommendations of the Tenant Scrutiny Board within two months of it being received. The Council or Executive is under a duty to respond to the Tenant Scrutiny Board, indicating what action (if any) it proposes to take and to publish its response.

13.0 WITNESSES – GENERAL PRINCIPLES

13.1 Where the Tenant Scrutiny Board wishes to take evidence from a witness, the Scrutiny Officer shall notify the witness of:

- the date upon which their evidence is to be taken;
- the matters upon which evidence is sought;
- any documents that the Tenant Scrutiny Board wishes to have produced; and
- the date upon which the Board requires any written evidence from the witness.

13.2 Those assisting the Scrutiny Board by giving evidence shall be treated with respect and courtesy.

14.0 MEMBERS AND OFFICERS GIVING ACCOUNT/ INFORMATION

14.1 The Tenant Scrutiny Board may require any Executive Member, or Member in relation to a matter where the Member has exercised functions, the Chief Executive and/or any senior officer to attend before it to answer questions and provide information about:

- any particular decisions or series of decisions;
- the extent to which actions taken implement Council policy

14.2 It is the duty of those officers and Members to attend and to answer questions.

14.3 The Chair of the Tenant Scrutiny Board will inform the Scrutiny Officer if the Scrutiny Board requires any Member (including an Executive Member) or officer to attend a Scrutiny Board under this provision. The Scrutiny Officer shall inform the Member or officer of this, giving at least 7 working days' notice of the meeting at which he/she is required to attend.

14.4 The notice will state:

- the nature of the item on which he/she is required to attend to give account; and
- whether the Tenant Scrutiny Board requires him/her to produce any documents or reports.

14.5 Where the Scrutiny Board requires the person to produce a report, then the Scrutiny Officer will give the Member or officer concerned sufficient notice to prepare it.

14.6 The Chair of the Tenant Scrutiny Board will inform the Scrutiny Officer where a Scrutiny Board requires a Director to attend the Tenant Scrutiny Board in person.

14.7 Directors may be accompanied by any other officer the Director feels appropriate.

14.8 Where the Tenant Scrutiny Board does not require a Director to attend in person, he/she will be responsible for ensuring that an officer of sufficient knowledge and requisite seniority attends. Any such witness may be accompanied by such adviser(s) as he/she considers necessary.

14.9 Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, and then the Scrutiny Officer shall, in consultation with the Chair of the Tenant Scrutiny Board and the Member or officer, arrange an alternative date for attendance, or agree an appropriate substitute.

15.0 ATTENDANCE BY OTHERS

15.1 A Tenant Scrutiny Board may invite members of the public or other persons to attend meetings, address it, discuss issues of local concern and/or answer questions.