

# Terms of Reference of the Residents' Scrutiny Team

## Purpose

The engagement of residents in residents' scrutiny can significantly help improve:

- Resident involvement in the organisation
- The organisation's customer focus
- The drive for continuous improvement in service delivery
- Best use of resources

Resident scrutiny provides independent 'critical friend' scrutiny and challenge to the Board and executive policy and decision makers within Derwent Living.

## The Role of the Resident Scrutiny Team (ST)

ST's central role is to assess performance and hold Derwent Living to account for weaknesses in provision. ST will review and scrutinise:

- Derwent's governance arrangements against best practice, governance benchmarks and the regulatory code
- Delivery and performance against agreed goals, objectives and benchmarks

It will do this by:

- identifying priorities for scrutiny to review from corporate plans, corporate priorities, issues identified by residents and
- devising an annual work plan for the services to be assessed
- making periodic assessments of services
- sharing benchmarking information on performance and costs with other providers and residents
- preparing reports tailored to meet the requirements of scrutiny
- challenging weakness
- working with staff and the Board to improve service delivery and performance
- making representations or recommendations to the Board or committees
- holding Board and Senior Executives to account
- monitoring outcomes
- producing an annual report for customers

Derwent Living will:

- identify training, development and support for ST Members carrying out their scrutiny functions
- annually review the operation of residents' scrutiny and make recommendations for improvements

## **Standing Orders**

These standing orders describe how:

- meetings of the Scrutiny Team (ST) will be run
- topics and issues for scrutiny are chosen
- reviews are undertaken
- decisions and recommendations are made
- the management will be held to account in looking at how it is meeting operational targets agreed by the Board to implement the organisation's strategic objectives
- the Board will be held to account in fulfilling its strategic and governance roles

### **1. Arrangements for ST**

- 1.1** These standing orders must be read in conjunction with the ST Terms of Reference.
- 1.2** Support and co-ordination for ST will be provided by the Community Development team and Business Improvement team (supporting officers).
- 1.3** DL will allocate and make available to the ST a budget for reasonable expenses, training and development.
- 1.4** DL shall provide the ST with information in the format requested to enable the agreed area to be scrutinised.
- 1.5** The ST will have access to the Board's Business Plan and will be informed of decisions and intentions for resident consultation.
- 1.6** The ST will be consulted on the DL's review of its Business plan and budget.

## **2. Membership**

**2.1** Residents of Derwent Living (DL) are eligible for membership, providing that they meet the following criteria:

- They are a tenant, joint tenant, leaseholder or shared owner of DL
- They have not been served with a current eviction application or anti social behaviour order
- They are not currently in rent arrears or must be adhering to an arrears repayment plan
- They are not a Board member or employee of DL
- DL is not taking any legal action against them or they are not currently engaged in legal action against DL
- To ensure independence, ST members may not sit on other formal DL resident groups or forums

**2.2** Non residents may be eligible for membership of the ST providing that they:

- Have been recruited to the ST by open invitation and meet the current approved criteria
- Have been recruited to the ST or appointed working group as advisors

**2.3** Membership of the ST shall automatically lapse if a member fails to attend 3 consecutive meetings without good cause.

**2.4** There shall be no more than 9\* members appointed to the ST.  
(\*considered best practice by the Board Development Agency)

## **3. Meetings of ST**

### **3.1 Frequency**

There shall be at least four ordinary meetings of the ST in each year. In addition, extra meetings may be called from time to time as and when appropriate. A ST meeting may be called by any 3 members of the ST or by the supporting officers, if necessary or appropriate. A minimum of one week's notice shall be given wherever possible, although it is accepted there will be exceptional occasions when this is not possible.

### **3.2 Quorum**

The quorum for ST shall be two thirds of overall membership.

### **3.3 Appointment and Role of the Chair**

- 3.3.1** The Chair of ST will be elected from current membership at its first meeting.
- 3.3.2** The Chair will ensure that the meeting conducts the reviews effectively and considers and clearly sets out the reasons for the decisions or recommendations. In relation to the conduct of meetings the ruling of the Chair is final.
- 3.3.3** Where a decision is required, the Chair will facilitate the process. All decisions will be taken by a majority vote of those present. A recorded vote will be taken if requested by any two ST members.
- 3.3.4** The Chair of the meeting has no second or casting vote. Where a vote is tied, the motion will not be carried.
- 3.3.5** The item relating to agreement of the minutes of the previous meeting shall be considered at the end of the agenda.
- 3.3.6** The minutes of a previous meeting shall not be the subject of debate other than to query their accuracy.
- 3.3.7** The Chair will formally close the meeting when the business on the agenda has been completed, or earlier if agreed by a majority. The time that the meeting closes will be noted in the minutes.
- 3.3.8** Where the meeting is to discuss a confidential item, non-members of the ST, will be excluded from the meeting. The agenda for a meeting will indicate those items that may be considered to be confidential.

### **3.4 Voting**

In the event of a vote:

- Voting shall be by simple majority by show of hands
- Voting members may request that their votes be recorded
- In the event of an equality of votes the Chair shall not have a second or casting vote

### **3.5 Agenda items**

The ST shall consider the following business:

- declarations of interest
- minutes of the last meeting
- any urgent items of business
- items determined by the agreed annual work programme
- consideration of any matter referred to the ST by the Board
- responses of the Board/ Committee to reports

### **4. Working Groups**

- 4.1** The ST may appoint working groups as necessary to undertake a detailed scrutiny exercise. An ST working group may be appointed for a fixed period, on the expiry of which it shall cease and meet the criteria in sections 2.1 and 2.2 of these standing orders.
- 4.2** Such working groups shall only consider functions as specified and shall report to the ST.
- 4.3** The Chair of a working group shall be elected from its membership at its first meeting.
- 4.4** A working group shall be entitled to appoint further members to the working group as non-voting members. These will normally be advisors with particular knowledge, skills or experience to address specific element(s) of the topic in hand. Such appointments may be made for a fixed period or for the full duration of the working group as appropriate.

### **5. Code of Conduct and Confidentiality**

- 5.1** ST shall apply the principles of the Code of Conduct adopted by the Board.
- 5.2** All information acquired by ST is confidential to Derwent and should not be released, to third parties without prior clearance from the Board and/or Chief Executive.

### **6. Annual Work Programme**

- 6.1** The ST will agree an annual work plan for scrutiny items following consultation with the Board/committee, staff and residents.

- 6.2** The ST may wish to review an area not included in its annual work plan, where this arises the ST shall give notice to the Board
- 6.3** The Board may request the ST to consider a specific review in their work programme throughout the year. The supporting officer will liaise with the chair of the ST and the Board and confirm if the request can be accommodated.

## **7. Scrutiny**

### **7.1 Annual Work Programme**

The ST will agree:

- criteria for the selection of issue for scrutiny
- proposed topics for scrutiny
- the annual work programme
- terms of reference for each scrutiny including timetable

### **7.2 Method of Scrutiny**

**7.2.1** The ST will conduct its scrutiny in a variety of methods and will investigate the available options in relation to the topic under scrutiny. This may include:

- requesting information from any member of Derwent staff. This may be verbal or documentation
- enquiring further/challenging the information provided
- going on site visits
- conducting residents' surveys (verbal, postal or electronic)

The list is not exhaustive.

**7.2.2** In selecting and prioritising topics for scrutiny in the above areas the ST would need to have regard to the following principles:

- Proportionality and manageability
- Whether the topic is of limited benefit to the residents or the organisation
- Is not purely for informational purposes, have few outcomes and fail to 'add value' to the work of DL

## **7.3 Scrutiny Process**

A scrutiny exercise could include any of the following:

- Planning the scrutiny and agree timetable (as per annual work programme)
- Publicising the work and findings of ST to residents, using appropriate methods of communication
- Requesting written evidence from officers, external bodies and public
- Gathering information
- Talking to residents, officers and external bodies
- Site visits
- Considering written evidence and reports presented by the supporting Officer
- Deliberating and debating the issue
- Considering emerging themes and recommendations
- Agreeing report and recommendations

and will be aided by a supporting officer to assist/co-ordinate as requested.

## **8. Reporting**

### **8.1 Scrutiny Exercises**

**8.1.1** The supporting officer will produce a report for each scrutiny exercise, which will include any recommendations or proposals for improvements. This will be distributed to the staff responsible for actions. If ST considers that actions or issues of an urgent nature need to be brought to the attention of the Board, the supporting officer will submit it to the Board at the best opportunity.

### **8.2 Reports to the Board**

**8.2.1** The ST will ask the supporting officer to prepare a formal report, which will be a summary of the work of ST, with full scrutiny reports and submit it to the Board at the next appropriate Board or Committee meeting for consideration.

### **8.3 Annual report to residents**

**8.3.1** The supporting officer will prepare an annual report to residents with the input of ST. The report will overview the impact of scrutiny on service delivery and outcomes.

## **9. Holding the Board and Senior Executive to Account**

### **9.1 Scrutiny Areas**

The ST may scrutinise and review decisions made or actions taken in connection with DL's discharge of the following broad areas:

- Governance
- Strategy and policy development
- Delivery of Services to Residents

### **9.2 Dispute Resolution**

**9.2.1** If a member of staff responsible for actions does not accept the recommendations of the ST and/or fails to respond or action as requested, the supporting officer shall immediately refer the matter to Executive Team to address.

**9.2.2** If Executive Team does not accept the recommendation of the ST and/or fails to respond or action as requested, ST shall refer the matter to the Board to Address. The supporting officer will determine the best and earliest opportunity for this.

**9.2.3** Where the ST does not agree with a decision of the Board in relation to:

- Selection of proposed topics for scrutiny
- Agreement of overall scrutiny annual work plan programme
- Terms of reference for each scrutiny
- Access to information and documents; requests for written evidence from officers, external bodies, or other stakeholders
- Invitation of co-optees to the ST
- Invitation of witnesses or officers to attend ST meetings

then ST can request to meet representatives of the Board to review decisions. If unresolved, the ST may submit the matter to an impartial agreed mediator to facilitate a mediation process. The dispute shall be resolved in accordance with rules applicable to the mediation process.

**9.2.4** If the matter is unresolved through mediation, the ST or Board may refer the matter to the Tenant Services Authority.

**9.2.5** The Chair of the Board's decision is final on what documents and information can be released to the ST.

## **Role Description – Resident Scrutiny Team Member**

Derwent Living (DL) aims to encourage residents to be involved in the Scrutiny Team (ST), so has produced this role description as an aid for members.

### **Members are required to;**

- Act in the best interests of DL and DL resident body
- Respect and preserve the confidentiality of any information received as an ST member in accordance with DL's policies
- Work with staff to ensure ST business is conducted effectively through a framework of properly constituted meetings
- Work with staff to ensure the ST complies with its own terms of reference and standing orders and any regulatory codes or codes of governance that it is subject to
- Participate in annual review or appraisals of ST performance and effectiveness and undertake the necessary training and development to strengthen contribution to the ST
- Keep informed of wider developments in social housing
- Contribute to the effective conduct of the ST by thorough preparations for, and constructive contributions to discussion and debate
- Support the achievements of the DL's objectives and to promote and build the reputation of DL through effective scrutiny and enquiry
- Develop constructive relationships with colleagues on the ST and staff
- Develop a constructive relationship with the board, in the way ST carries out its resident scrutiny role
- Consider all professional advice, requesting additional support and clarification whenever necessary, in order to conduct enquiries effectively and make informed decisions and recommendations
- Personally uphold the values of the organisation and to observe all codes of conduct relevant to the role
- Declare any conflicts of interest
- Promote equality and diversity within DL
- Have experience of or willing to learn basic IT skills

### **Skills and Abilities**

- Interpersonal and communication skills
- Team working and networking skills
- An appreciation of current issues in social housing or a public sector environment
- Ability to focus on the current task
- Ability to consider issues and problems
- Ability to form objective views based on evidence
- Ability to solve problems in an innovative way

- Ability to analyse information and opinions and, when necessary, challenge constructively
- Ability to actively listen at meetings
- Ability to ask open questions
- Willingness to learn and develop any of above

### **Personal Qualities**

- Supports and uphold the values, aims and objectives of DL
- Confidence, enthusiasm and drive to implement change
- Respects others attitudes, beliefs and traditions
- Integrity, honesty and objectivity
- Well organised and reliable
- Commitment to resident involvement
- Commitment to personal learning and development

### **Knowledge and Experience**

- Knowledge and appreciation of the needs and aspirations of the communities served by DL
- Experience and understanding of one or more of the following:
  - Community relations
  - Equality and Diversity
  - Resident involvement
  - Being a resident of DL
  - Your local area and areas served by DL
  - How to develop action plans and SMART objectives
  - Knowledge of the services provided by DL

### **Fees and Expenses**

All customers are entitled to claim any reasonable out of pocket expenses related to their involvement activities. There is a fuel allowance for journeys made in customers' personal vehicles of 40p (in line with the recommendations of HM Customs and Revenue). Before any involvement begins the process for expenses will be explained.

### **Confidentiality**

All information acquired during your participation in the ST should be treated as confidential unless stated otherwise, including after your membership has ceased.

### **Induction**

All members should undergo appropriate training equivalent to CIH level 2 prior to joining the ST.

Immediately after appointment, DL will provide a comprehensive, formal and tailored induction. This will include all the information you need for your role. We will also arrange for meetings with relevant company staff. We will also establish relevant support with you such as formal mentoring if required.

**Appointment**

Your membership will be for an initial term of three years, unless otherwise terminated earlier by and at the discretion of either party upon one month's written notice

**Time commitment**

Overall we anticipate a time commitment of three days per quarter. This will include attendance at quarterly ST meetings and training agreed with you. In addition, you will be expected to devote appropriate preparation time ahead of each meeting. Other meetings may be required for instance with other residents and officers. By accepting membership, you have confirmed that you are able to allocate sufficient time to meet the expectations of the role.

This role description indicates the current role. However, as the organisation develops gradual changes may occur.