



<b>REPORT OF:</b>	<b>HEAD OF LEGAL &amp; GOVERNANCE</b>
<b>TO:</b>	<b>POLICY &amp; CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>ON:</b>	<b>22<sup>ND</sup> MARCH 2021</b>

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## **SUBJECT – REVIEW OF CALL-IN PROCEDURES**

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### **1. PURPOSE OF THE REPORT**

To consider and review the current arrangements and procedure for 'call-in' and scrutiny of Executive decisions, taking into account any relevant Member Code of Conduct matters.

### **2. RECOMMENDATIONS**

1. Members are asked to consider and review (with support from officers) the current Call-in arrangements and procedures; and
2. That Members give feedback on how they would like the review to be conducted.

### **3. BACKGROUND**

The Council's arrangements and framework for overview and scrutiny are detailed in the Constitution. There are three overseeing & scrutiny committees and a Call-in committee. The Call-in committee considers and reviews any Executive decisions referred by the Chief Executive. The Call-in committee consists of nine members appointed at Annual Council who are not members of the Executive, and substitutes to the Committee are only permitted to those Members who have not been directly involved in the decision that has is subject to a review.

Rule 14 of the Overview & Scrutiny Procedure Rules contains the arrangements and procedure for reviewing Executive Decisions that have been made before they are implemented (Appendix 1). These arrangements and procedure have been in operation for many years. Some issues were raised when arranging the last call-in meeting in September 2020. This was discussed at Standards Committee on 28 October 2020 and it was recommended that the Policy & Corporate Resources O & S Committee undertake a full review of the Call-in procedure and associated procedures. It also recommended that Standards Committee consider relevant Member Code of Conduct points and the expectations relating to their participation in the Call-in process, and suggest recommendations for consideration by the Policy & Corporate Resources O & S Committee.

It is therefore suggested that the Chair and Vice Chair of the Standards Committee link in to review. The Policy & Corporate O & S committee should also be supported by the PLACE and PEOPLE O & S committees. In addition officer support would be beneficial in researching examples of good practice from other local authorities.

#### **4. REVIEW**

Following discussions with the Chair and Vice Chair of the Committee it is considered essential that Members of the Committee (and with input from PLACE and PEOPLE O & S committee) lead the review process, taking into consideration member Code of Conduct points and utilising officer support to research good practices in other local authorities . .

The review would inform recommendations for any improvement to the current Call-in procedures and arrangements. Any changes to the Call-in process would require approval at Full Council and the Constitution would need to be updated with the approved arrangement and procedure.

Members of the Committee are also asked to feed back at today's meeting on how they would like the review to be undertaken and any particular changes to the current process that they would like to propose.

Naturally, any changes to the existing process would need to comply with relevant legislative requirements.

#### **5. POLICY IMPLICATIONS**

An effective Scrutiny process is crucial to demonstrate transparency of decision making and also should serve as a positive process to suggest improvements to Council policies. In particular, call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/executive system of governance

#### **6. FINANCIAL IMPLICATIONS**

None.

#### **7. LEGAL IMPLICATIONS**

The Council has adopted the Leader and Executive system of governance, as prescribed on the Local Government Act 2000. Under sections 9F(2)(a) and 9F(4) of the Act, Overview & Scrutiny committees have power to review or scrutinise decisions made but not implemented by the Executive, which includes a power to recommend that the decision be reconsidered by the person who made it. The power in the Act also includes the power for an overview and scrutiny committee to refer the issue to Full Council for them to consider it substantively.

## **8. RESOURCE IMPLICATIONS**

The main Resource Implication would be Officer and Member time spent on carrying out the review and producing recommendations.

## **9. EQUALITY IMPLICATIONS**

An effective Scrutiny process will help ensure the Council complies with Equalities legislation.

## **10. CONSULTATIONS**

Discussions have been held with the Standards Committee and also the Chair and Vice Chair of this Committee ahead of today's meeting.

### **Chief Officer/Member**

Contact Officer: Asad Laher  
Date: 11<sup>th</sup> March 2021

### **Background Papers:**

Background documents are any files, guidance or other materials that have been relied upon in producing the paper. Any background documents listed must be available for public inspection upon request.

*Form Reference Standard Committee Report Template May 2012 1.0*