

Procedure for dealing with Call-in by the Overview and Scrutiny Committee

The protocol for dealing with call-in was agreed by the Co-ordination & Call-in Committee at its meeting on 10 July 2002 and amended by Council at its meeting on 19 July 2006. Following Council's agreement to a revised scrutiny structure at Annual Council on 25 May 2011, call-ins are considered at Overview and Scrutiny Committee. It was agreed that as a convention the Vice-Chair, a member of the opposition, would chair this part of the meeting, or in his/her absence another member of the opposition on Overview and Scrutiny Committee.

The following procedure will be adopted at the meetings where a call-in decision is being considered.

- The Member who requested the call-in to present their case (including if they have already given advance notice any members of the public to speak if appropriate).
- The Scrutiny Committee and the Mayor/portfolio holder or officer whose decision is being questioned can ask questions of the Members requesting the call-in.
- The Mayor/portfolio holder/ officer to present the case for the Cabinet to explain the reason behind the decision.
- The Scrutiny Committee and the Member requesting the call-in can then question the Mayor/portfolio holder/ officer.
- The Scrutiny Committee will then deliberate and make its decision.
- If the Scrutiny Committee ratifies the Cabinet decision it can be implemented immediately.
- If the Scrutiny Committee decides to refer the decision back to Cabinet for re-consideration it will be required to send written notice of the reasons to the Monitoring Officer within 3 working days of the meeting who will forward it to the original decision taker and the Mayor.
- Cabinet must give not less than 7 working days' notice to the Monitoring Officer and the Chair and Vice-Chair of Overview and Scrutiny Committee of the date and time it intends to re-consider its decision.
- Any member of the Overview and Scrutiny Committee is entitled to attend the meeting at which Cabinet re-considers the decision, unless they have a personal and prejudicial interest in the matter being discussed.
- Cabinet will be free to take whatever decision it sees fit on re-consideration and the decision will not be open for further call-in except as provided in the Overview and Scrutiny Procedure Rules, paragraphs 13.11 – 13.17 of the Constitution (pages Dvi-7 – Dvi-8).
- A member who has a personal and prejudicial interest in the matter being called in will not be able to be a party to the call-in request, neither will they be able to participate in the call-in meeting.