

OVERVIEW AND SCRUTINY PROCEDURE RULES

13. CALL-IN

- (a) When a decision is made by the Cabinet, an individual member of the Cabinet or a Committee of the Cabinet, or a key decision is made by an officer with delegated authority from the Cabinet, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council within 5 working days of being made. All Members of the Council will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify either that the decision has come into force and may be implemented, or that it will come into force, and may then be implemented on the expiry of 5 working days after the publication of the decision, unless an Overview and Scrutiny Commission/Committee objects to it and calls it in.
- (c) During that period, the Chief Executive shall call-in a decision for scrutiny by the Commission/Committee, if so requested, by any 3 Members of the Council who are not on Cabinet giving reasons for their request, and shall then notify the decision-taker of the call-in. He/she shall call a meeting of the Commission/Committee on such date as he/she may determine, where possible after consultation with the Chair of the Commission/Committee, and in any case within **15 five-working days of the decision to call-in except if an already scheduled Commission/Committee meeting is due to take place within 20 working days of the decision to call-in, in which case the call-in can be considered at this meeting alongside the regular business of the**

Commission/Committee.

- (d) If, having considered the decision, the Overview and Scrutiny Commission/Committee is still concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision-maker, he/she shall then reconsider within a further **15 five** working days, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the Overview and Scrutiny Commission/Committee meets, but does not refer the matter back to the decision-making person or body, the decision shall take effect ~~on~~ **from** the date of the Overview and Scrutiny Commission/Committee meeting.
- (f) If the matter was referred to full Council, the Chief Executive shall call a meeting of the Council on such date as he/she may determine, where possible after consultation with the Mayor and in any case, **within 20 40** **working** days of the date of the Overview and Scrutiny Commission/Committee's decision to refer the matter to full Council.
- ~~(f)~~ (g) If, following consideration, the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of a Cabinet decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision-making body or person shall choose whether to amend the decision or not before reaching a

final decision and implementing it. Where the decision was taken by the Cabinet as a whole or a Committee of it, a meeting will be convened to reconsider within ~~15 five-~~ working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ~~15 five-~~ working days of the Council request.

- ~~(g)~~ (h) If the Council does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting.

- ~~(h)~~ (i) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chair of the ~~relevant Scrutiny Overview and Scrutiny Commission/~~Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. ~~In the absence of the Chair of the relevant Scrutiny Committee the Chair of the Overview and Scrutiny Commission must agree to the changes.~~ In the absence of the Chair of the Overview and Scrutiny Commission, the ~~consent of the Mayor, or the Deputy Mayor in the absence of the Mayor, Head of Paid Service or his/her nominee's consent,~~ shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

Summary of Criteria for Call-in

- Any three Members of the Council, who are not on the Cabinet, may invoke the call-in procedure
- Call-in requests must be submitted **to the Chief Executive** within five working days of the publication of the executive decision notice
- Any key decision, whether made by the Cabinet, a Committee of the Cabinet, an individual member of the Cabinet, or an officer with delegated authority, may be called in
- A request for call-in shall be justified on one or more of the following grounds:
 - the decision is outside the budget and policy framework
 - there has been inadequate consultation prior to the decision
 - relevant information was not considered in making the decision
 - a viable alternative to the decision was not considered
 - the justification for the decision is open to challenge on the basis of the evidence considered