

BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

7. CALL-IN OF DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

- (a) Where an Overview and Scrutiny Commission/Committee is of the opinion that an executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall advise the Chief Executive of their concerns and seek advice from the Monitoring Officer and/or Chief Financial Officer.
- (b) In respect of functions which are the responsibility of the Cabinet, and where the decision has not yet been made, the Monitoring Officer's report and/or Chief Financial Officer's report shall be to the Cabinet with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the Monitoring Officer's/Chief Financial Officer's report.
- (c) In the event that the Monitoring Officer or the Chief Financial Officer conclude that the decision was a departure, they shall prepare a report to Council.
- (d) In the event that the Monitoring Officer and/or the Chief Financial Officer conclude that the decision was not a departure, they shall prepare a report to the Overview and Scrutiny Commission/Committee.
- (e) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Financial Officer is that the decision is or would be

contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Overview and Scrutiny Commission/Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 515 working days of the request by the Overview and Scrutiny Commission/Committee.

(f) At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Financial Officer. The Council may either:-

(i) endorse a decision or proposal of the executive decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way;

or

(ii) amend the Council's Financial Regulations or Policy concerned to encompass the decision or proposal of the body or individual responsible for that executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way;

or

(iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not

wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the Cabinet to reconsider the matter in accordance with the advice of either the Monitoring Officer and/or Chief Financial Officer.