

Council Constitution

Part 4g - Scrutiny Procedure Rules

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1. General

1. The Council will have the Scrutiny Panels set out in [Article 7](#) of the Constitution and will appoint to them at the Annual Business Meeting of the Council, and will have the facility to amend the membership as it considers appropriate, from time to time, in accordance with the Council's Procedural Standing Orders.
2. All Councillors, except members of the Executive Cabinet, may be members of a Scrutiny Panel. However, no Member may be involved in scrutinising a decision she/he has been directly involved.

2. Co-optees

1. The Children's Services Scrutiny Panel will include up to six non-elected **voting** members as follows:
 - Church of England representative
 - Roman Catholic Church representative
 - Two representatives appointed by The Third Coalition Interfaith Network (neither of whom shall be from the Church of England or Roman Catholic Church)
 - Two parent governor representatives

3. Meetings of Scrutiny Panels

The Scrutiny Panels will meet in accordance with the calendar of meetings agreed at the Annual Business Meeting of the Council and have the facility to convene Special Meetings (or amend the dates of ordinary meetings) in accordance with the Council's Procedural Standing Orders.

4. Quorum

The quorum for a Scrutiny Panel shall be as set out in the Council's Procedural Standing Orders.

5. Work Programme

The Chair of each Scrutiny Panel shall have responsibility for the agenda preparation of their Scrutiny Panel which shall be based upon the annual work programme submitted to Council for approval. The work programme may be amended, from time to time.

6. Co-ordination of Scrutiny

The co-ordination of the Scrutiny Panel will be exercised through the Overview Panel with the non-executive Members of the Panel to comprise the membership of the Call-in Panel, whose procedure is set out in the Council's Budget and Policy Framework and Call-in Procedure.

7. Policy and Review and Development

The Scrutiny Panels will have a key role in policy review and development:-

1. the role of the Scrutiny Panels in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules;
2. in relation to the development of the Council's approach on other matters not forming part of its policy and budget framework, Scrutiny Panels may make proposals to the Executive for developments in so far as they relate to matters within their Terms of Reference;
3. Scrutiny Panels may hold enquiries and investigate the available options for further direction in policy development and may appoint advisers and assessors to assist them in this process. They may also go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that are reasonably considered necessary to inform their deliberations. They may ask witnesses to address them on any matter under consideration and may pay advisers, assessors and witnesses a reasonable fee and expenses for doing so.

8. Reports from Scrutiny Panels

Once it has formed recommendations on proposals for development, the Scrutiny Panel will prepare a formal report in accordance with the Scrutiny Reporting Protocol, which may be amended from time to time.

9. Rights of Scrutiny Panel Member to Documents

1. In addition to their rights as Councillors, members of Scrutiny Panels have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules.
2. Nothing in this paragraph prevents more detailed liaison between the Executive Cabinet and Scrutiny Panels, as appropriate, depending on the particular matter under consideration.

10. Members and Officers Giving Account

1. Any Scrutiny Panel may scrutinise and review decisions made or actions taken into consideration with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Executive Cabinet, the Head of Paid Service and/or any senior officer (on the service of reasonable notice) to attend before it to explain in relation to matters within their remit as follows:-
 - o Any particular decision or series of decisions;
 - o The extent to which the actions taken implement Council policy, and/or their performance.

2. The arrangements in respect of Members and Officers giving evidence is set out in the Scrutiny Protocol for People Giving Evidence.

11. Attendance by Others

A Scrutiny Panel may invite people other than those referred to in the previous paragraph to address it, discuss issues of local concern and/or answer questions in accordance with the Scrutiny Protocol for people attending a Panel meeting to provide evidence.

12. Call In and Urgency

1. The Call In Procedure shall not apply where the decision being taken by the Executive 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.
2. The Chair of the appropriate Scrutiny Panel must agree both that the decision proposed is reasonable in all circumstances and to it being treated as a matter of urgency. In the absence of the Scrutiny Panel Chair, the consent of the Chair of the Overview Panel shall be required. In the absence of both, the consent of the Chair of Council Business shall be required.
3. Decisions taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reason for urgency.
4. The operation of the provisions relating to call in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

13. The Party Whip

1. The Whip will not apply from any political groups on their respective Members on the Panel whilst they are taking part in Panel business.
2. Each political group shall present to the Chief Executive, each Municipal Year, a statement that demonstrates the necessary freedom of its members from the whipping process on Scrutiny Panels.
3. No political meetings of Scrutiny Panel Members shall take place.
4. Each member of the Panel will act in accord with protocols and guidance that the Council may determine.