

## **Health and social care overview and scrutiny committee**

### **Protocol for call-in scrutiny meetings**

#### **Purpose:**

The call-in meeting gives scrutiny members a chance to test the merits of a decision taken by the cabinet or a cabinet member. It also provides the opportunity to ask the decision-maker to reconsider their decision – if the committee thinks this is necessary.

#### **Possible outcomes:**

Having considered the reasons for call in and the decision-maker's response to any questions, the committee may agree to:

- Make no recommendations (in which case the decision will stand and may be implemented with immediate effect); or
- Refer the matter back to the decision maker with a recommendation that the decision-maker: changes aspects of the decision; reconsiders the decision in light of the committee's views; or does something else before the final decision is made.
- If the committee is of the view that the decision taken was contrary to one of the key council plans or strategies (the policy framework), or was contrary to or not wholly consistent with the budget agreed by Council, the matter is referred back to the decision-maker who will be advised by the councils statutory officers (the chief executive, director of resources and monitoring officer) who may refer the matter to Council.

The process is not:

- A judicial or quasi-judicial process or a public inquiry
- An extended examination of areas only remotely connected to the actual decision
- An open house for anyone to attend and make representations

#### **Meeting procedure:**

It is the responsibility of the chairman to manage the meeting and the timings below are given for guidance. The questioning and debate should focus on the reasons stated in the call-in rather than be a wider exploration of the decision taken.

1. If any public questions have been received in relation to the call-in these will be taken first.
2. The chair explains the purpose of the item, i.e. to review the decision that has been called-in in light of the stated grounds for call-in.
3. The monitoring officer outlines the ground rules as listed above.
4. The decision-maker provides a brief summary of the decision taken – 3 minutes.
5. The call-in members present the reasons for the call-in. The lead call-in member may speak for 5 minutes; the remaining two call-in members may contribute to the lead call-in member's presentation – 5 minutes per member.

6. The decision-maker (cabinet member) responds to all points raised, and may ask relevant officers present to explain any technical issues or respond to specific questions.
7. Committee members may ask questions of call-in members, decision-maker or officers in clarification – 30 minutes total time.
8. The decision-maker may sum up – 5 minutes.
9. The lead call-in member may sum-up – 5 minutes.
10. Scrutiny members may then discuss the issues around the call-in. Any committee member may propose a recommendation which, if seconded, will be voted on by the scrutiny committee – there can be debate prior to voting unless the chairman feels that all arguments have been exhausted.
11. If a second member proposes an amendment to the proposed recommendation the amendment, if seconded, must be voted on first.
12. At the close of the meeting the chairman summarises any recommendations agreed by the committee for the clarification of all present.