

RECORDING CABINET DECISIONS

PROGRAMME AREA RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

23RD OCTOBER, 2003

Wards Affected

None.

Purpose

To approve the method and format of recording decisions taken by Cabinet.

Key Decision

This is not a Key Decision

Recommendations

- THAT (a) the revised Written Statements of Decision as set out at Appendix 1 be approved;**
- (b) Cabinet Bulletins be continued and expanded, with provision being made for exempt information to be recorded in a Restricted Appendix; and**
- (c) Notes of Cabinet meetings be discontinued.**

Reasons

To provide a comprehensive record of proceedings of Cabinet meetings including statutory requirement, attendees, information items and exempt information.

Considerations

1. Herefordshire Council introduced a Leader and Cabinet style of decision making in response to the requirements of the Local Government Act 2000 and adopted a new Constitution in July 2001. The Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 require that a written statement is produced in respect of every executive decision made at a public or private meeting of the executive. It is an offence, punishable by fine, not to make this information publicly available, subject to the usual confidentiality rules.
2. The Statement must include:
 - a record of the decision;
 - a record of the reason(s) for the decision;

Further information on the subject of this report is available from
Christine Dyer, Members Services Manager and Executive Officer on (01432) 260222

- details of any alternative options considered and rejected by the decision making body at the meeting at which the decision was made;
 - a record of any conflict of interest in relation to the matter decided which is declared by any member of the decision making body which made the decision; and
 - in respect of any declared conflict of interest, a note of any dispensation granted by the local authority's standards committee.
3. To fulfil this requirement the Council adopted two templates for Written Statements of Decision, one for Key Decisions and one for Non-Key Decisions.
 4. **Written Statements of Decision** are prepared for every Cabinet Decision and sent, normally on the day following a meeting of Cabinet, to the Leader for signature. If the decision is a Key Decision a copy of the Statement is also sent to the Chairman of the relevant Scrutiny Committee(s) together with a letter setting out the call-in procedure and deadlines.
 5. A master set of all decisions is kept in the Member's Room for reference and a public set is kept at Brockington. They are also posted on the intranet and will shortly be available to the public on the internet.
 6. In order to keep non-executive members of the Council informed of the proceedings of Cabinet, a **Cabinet Bulletin** is prepared which summarises the proceedings of each Cabinet meeting. This includes a summary of information items for which there is no Written Statement of Decision, and a summary, but not the details, of exempt or confidential items. The Cabinet Bulletin also gives notice of items identified for the next meeting and is normally despatched to all Members the week before the meeting. It is also posted on the intranet.
 7. The **Cabinet Report to Council** consolidates the information contained in all Cabinet Bulletins since the last meeting of Council and is included in the Council agenda as a standing item.
 8. In addition to the Written Statements of Decision, the Cabinet Bulletin and Cabinet Report to Council, **Notes** of the Cabinet meeting are also produced. There are normally circulated to Cabinet Members at the following meeting.
 9. Following the formation of a new administration in May 2003, Cabinet Members have asked officers to look again at how decision taken by Cabinet are recorded. They have also asked if Cabinet Notes could be e-mailed to them in advance of the next meeting because there is little time to read and approve the contents when they are only circulated at the meeting itself. They accept the notes have no status in the decision making process but point out that the official record i.e. the Written Statement of Decision does not currently record who was actually present at the meeting when the decision was taken.
 10. Revised templates for Written Statements of Decision which makes provision for including this information are attached at Appendix 1 for consideration. The Cabinet Bulletin can be expanded to include the main issues raised in the meeting.
 11. It is proposed that provision is made for exempt information to be recorded in a Restricted Appendix to the Cabinet Bulletin.
 12. To avoid duplication of effort it is proposed that the Cabinet Notes be discontinued

and Cabinet Members e-mailed Statements of Decision as soon as they have been signed. The same process will apply to individual Cabinet Member decisions. It is also proposed that the Cabinet Bulletin is expanded to provide a regular source of information on Cabinet proceedings.

Alternative Options

To continue the existing arrangements.

Risk Management

Adopting the new template for Written Statements of Decision will ensure that all relevant information relating to a decision by Cabinet is recorded in one document.

Inclusion of information items and exempt information in Cabinet Bulletins will ensure that non-executive Members of the Council are kept fully informed of the proceedings of Cabinet Meetings.

Consultees

None.

Background Papers

None Identified.