

Call-in - extract from scrutiny procedure rules

The overview and scrutiny committee can “call-in” a cabinet decision which has been made but not yet implemented. This enables the overview and scrutiny committee to consider whether the decision is appropriate. The committee may recommend that the decision maker reconsider the decision.

Reasons for call-in

Requests for call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in the constitution:

- a) proportionality (i.e. the action must be proportionate to the outcome)
- b) due consultation and the taking of professional advice from officers
- c) respect for human rights
- d) presumption in favour of openness
- e) clarity of aims and desired outcomes
- f) the link between strategy and implementation must be maintained
- g) decision making generally should have reference to the policy framework and be in accordance with the budget.

Procedure for call-in

When a decision is made by the cabinet or an individual member of the cabinet, or a committee of the cabinet, or an executive decision is taken by a community council, or a key decision is made by an officer with delegated authority, the decision shall be published, normally within two clear working days of being made. All members will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.

That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless the overview and scrutiny committee objects to it and calls it in.

During that period, the scrutiny officer shall call-in a decision for scrutiny if so requested by three members of the committee, including education representatives for the purpose of education decisions only.

A member serving on a community council (who is also a member of the overview and scrutiny committee) who participates in taking an executive decision shall not sign a call-in request on the same decision (thus avoiding any conflict of interests).

A valid request for call-in must contain the requisite number of signatures and give reasons for the call-in. In particular, the request must state whether or not the members believe that the decision is outside the policy or budget framework.