

CALL-IN

Call-in

Publication of Cabinet decisions

- 1) A decision of the Cabinet, a committee of the Cabinet, or an individual member of the Cabinet will be published, including where possible by electronic means, and be available for inspection at the Town Hall ordinarily within three working days of the decision being made.
- 2) At the same time as decisions made in accordance with subparagraph (1) are published, all of the members of the Council and the education representatives will be notified and sent copies of the records of the decisions by the Principal Democratic Services Officer.
- 3) A notice sent under subparagraph (2) will bear the date on which it is published and state that any decision specified in the notice will come into force on the expiry of 7 working days after its publication ("the notification period"), and may then be implemented, unless the decision is called-in.

Decisions that may be called-in

- 4) Any decision of the Cabinet may be called-in unless it is –
 - in the form of a recommendation to the full Council;
 - an urgent decision (as defined by rule 14 (2)) and the reason for urgency is recorded in the body of the decision;
 - a decision of the Adoption Panel;
 - concerned with procedural matters; or
 - in connection with an appeal.
- 5) Where a Cabinet decision takes the form of an approval of details only, the principle having been established by an earlier Cabinet decision, then call-in shall be confined to those details.

Call-in of decision for scrutiny

- 6) During the notification period –
 - in the case of a decision that does not relate to an education function, a member of the Council who is supported by at least five other members may request the chairman of the OSMB to call-in the decision for scrutiny by that board; and
 - in the case of a decision that relates to an education function, a member or education representative who is supported by five members or five education representatives (or a combination of both members

and education representatives) may request the chairman of the OSMB to call-in the decision.

- 7) If the decision relates to an education function, the education representatives will be invited to the meeting of the OSMB where the call-in will be considered.
- 8) The chairman of the OSMB will record –
 - the decision to which the call-in relates;
 - the name of the member, or in the case of a decision that relates to an education function the name of the member or education representative, requesting call-in of the decision;
 - the names of the members, or in the case of a decision that relates to an education function the names of the members or education representatives or members and representatives, supporting the request;
 - the reason for the call-in; and shall provide the Statutory Scrutiny Officer with those details and request him or her to confirm that the decision is subject to call-in.
- 9) The Statutory Scrutiny Officer will notify the decision-maker and the strategic director of the directorate concerned of the call-in request and advise him or her that implementation of the decision be delayed until conclusion of the call-in process.
- 10) Where appropriate, and after consulting the chairman of the OSMB, the Statutory Scrutiny Officer will add the call-in request to the agenda for the next following meeting of the board.

Reference back of decision

- 11) Where having considered the decision the OSMB is still concerned about it, the board may refer it back to the decision-maker for reconsideration, setting out in writing the nature of its concerns, or refer the decision for consideration by the full Council.
- 12) If the decision is referred back to the decision-maker, he, she or they must reconsider the decision within ten working days and either amend it or not amend it before making a final decision, which will come into force and take effect on that date.

Date on which decision to come into force and take effect

- 13) If after deciding to call-in a decision, the OSMB–
 - does not consider the decision at the next following meeting of the board or commission, or
 - meets to consider the decision called-in but does not refer the decision for consideration by the full Council or back for reconsideration by the decision-maker,

the decision shall come into force and take effect on the date of the board or commission's meeting.
- 14) If the full Council –

- meets but does not object to the decision called-in and referred by the OSMB
- meets but does not refer the decision back for reconsideration by the decision-maker

the decision shall come into force and take effect on the date of the Council meeting.

Decision referred back by Council

- 15) If the full Council objects to a decision called-in and referred to it by the OSMB the Council will refer the decision back to the decision-maker together with the Council's views on the decision, and the decision-maker may amend the decision or not before reaching a final decision and implementing it.
- 16) If the Cabinet as a whole or a committee or sub-committee of the Cabinet made the called-in decision, a meeting of the Cabinet or committee or sub-committee (as the case may be) will be convened within ten working days of the Council's request to reconsider it.
- 17) If an individual made the called-in decision, that individual will reconsider the decision within ten working days of the Council's request to reconsider it.

Call-in and urgency

Urgent Cabinet decisions

- 1) The call-in procedure shall not apply where the decision being taken by the Cabinet is urgent.
- 2) 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.
- 3) The record of the decision and notice by which it is made public shall state whether, in the opinion of the decision-maker, the decision is an urgent one and therefore not subject to call-in.
- 4) The Chair of Overview and Scrutiny Board must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 5) In the absence of the Chair, the Vice Chair's consent must be obtained and in the absence of both the Chief Executive's consent, or her nominee's consent in her absence, must be obtained.

Reporting and monitoring urgent Cabinet decisions

- 6) Where the Chair of Overview and Scrutiny Management Board, Vice Chair or Chief Executive consents to exempting a decision from call-in on grounds of urgency, the Statutory Scrutiny Officer will be informed as soon as possible after the decision is made.
- 7) Decisions taken as a matter of urgency must be reported to a meeting of the full Cabinet, together with the reasons for urgency.
- 8) The operation of the procedures relating to scrutiny, call-in and urgency will be monitored annually, and a report submitted to the full Council with proposals, if necessary, for review of the procedures.