

Review (by the OSMB) of the Petition Response about the webcast at OSMB meetings

Submitted on 11.4.19

The members of the Oversight and Scrutiny Management Board (OSMB) are asked to consider the following points:

- 1 The petition asked for the Oversight and Scrutiny Management Board (OSMB) of Rotherham Metropolitan Borough Council (RMBC) [the "Scrutiny Board"] to **be open and transparent by not switching off the webcast when debating their response to the request to review a petition.**
- 2 It states on the Rotherham Council webcast page that there is a:

"commitment to making Rotherham Council as transparent and accessible as possible"
- 3 Mr Harron submitted the petition on 21.11.18 and requested a provisional scheduling of the petition at a Council meeting.
- 4 Following a meeting with the Head of Democratic Services, Mr Harron held a meeting with the Chair of the OSMB on 30.11.18 and following that meeting, whilst awaiting a written response from the Chair, Mr Harron asked for the petition to not be tabled at a council meeting until he received the Chair's written response.
- 5 Mr Harron asked a question at the OSMB meeting on 13 January 2019 and referred to the meeting with the Chair of the OSMB on 30.11.18. At that point 43 days had passed and Mr Harron was still awaiting the written response from 30.11.18.
- 6 Due to a mistake, before Mr Harron received the written response from the Chair of the OSMB, the petition was tabled at the Council meeting on 23 January 2019. Mr Harron was unaware of this and he did not attend the Council meeting and did not get an opportunity to address the petition.
- 7 The response promised by the Chair of the OSMB at the meeting on 30.11.18 was sent out 75 days later, on 13.2.19. See page 2.
- 8 The Assistant Chief Executive then wrote to Mr Harron in a letter dated 20.2.19 stating:

You met with Councillor Steele, Chair of the OSMB, on 30 November 2018 to discuss your concerns in respect of OSMB excluding the public from their deliberations on petitions. I understand that he has written to you on 13 February 2019 to confirm his approach to chairing meetings of the OMSB where petitions are being considered.

Neither the Council's petition scheme or the Council's Procedure Rules are prescriptive in this regard and the legal record of the meeting are the minutes which fully record the outcome of the OSMB's deliberations. Whilst webcasting is a useful addition to the enhance engagement with the decision making and oversight functions of the Council, it is not the legal record of the meeting and its use is at the discretion of the Chair of any meeting that is webcast by the authority.

The response that you have been provided with by Councillor Steele is the position of the Council.
- 9 Possibly for the first time the process around the switching off of the webcast has been explained in writing but unfortunately the responses did not fully or adequately address the reasoning. In fact, it appears it is a unilateral decision by the current Chair that the current Chair applies in all situations.
- 10 **The proposal is that when the deliberation takes by the members of the OSMB about the review of the response to a petition by a member of the public the webcast should only be switched off when there clearly are sensitive or confidential matters and not as a routine matter of course.**

Petition Response from the Chair of the OSMB 13.2.19

From: [Steele, Brian-Cllr](#)

Sent: 13 February 2019 10:38

Cc: [McLaughlin, James](#)

Subject: Response

Dear Mr. Harron,

Further to our meeting in Rotherham Town Hall on 30 November 2018, I agreed to clarify how I will oversee the consideration of requests to review responses to petitions whilst chairing meetings of the Overview and Scrutiny Management Board.

The Council's petition scheme itself is silent on the process for considering requests to review responses received to petitions. The provision introduced within the scheme in 2017 was designed to provide an opportunity for an individual or group to refer a request for review to the Overview and Scrutiny Management Board for consideration. You are already familiar with the process that I have operated at the Overview and Scrutiny Management Board to consider such requests.

In our meeting on 30 November 2018, and in a subsequent petition submitted to the Council, you have indicated your disagreement with the decision to ask attendees to vacate the room and for the webcasting facility not to be used during the Board's deliberations. You have argued that all discussions should take place in public. I have explained that the process I follow in chairing meetings of Overview and Scrutiny Management Board is as transparent as possible, with the need to go into 'closed session' being the exception. However, there are occasions where this is not possible because of the issues under discussion.

By way of clarification, the ensuing process will be followed by me in chairing agenda items where the Board is asked to review responses to petitions or to consider petition requests themselves where the 600 signature threshold has been met:-

The Chair will confirm at the commencement of consideration of a petition or a request to review a petition that the deliberation of the Board will take place in private. Members the public, relevant Cabinet Member(s) or officer(s) will not be present during the private deliberation and that part of the meeting will not be webcast. Only Members of the Board and officers from Democratic Services will remain in the room for the deliberation.

When the Board has reached a view, recommendation or decision, the meeting will be opened up to the public and the webcast will re-commence, at which point the Chair will communicate the view, recommendation or decision of the Board. This will be recorded in the minutes of the meeting, which is the legal record of the meeting, and the Chair will write to the lead petitioner within ten working days of the meeting to confirm the outcome of the Board' deliberations.

Whilst I am aware that you remain in disagreement with the approach, you were keen to establish in writing the practice that would be followed. I am not able to bind the practice of individuals who may be appointed as Chair of the Overview and Scrutiny Management Board in future, but I can confirm that I will follow the above process whilst I remain in the role.

I am aware that the Assistant Chief Executive will respond to your recent petition on the same subject in due course.

Thank for taking the time to meet with me and for relaying your concerns.

Kind Regards

Councillor Brian Steele

Chairperson of the Overview and Scrutiny Management Board

Hoober Ward

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