

## **BRIEFING PAPER NO. 2 – CALL-IN**

### **Executive Summary**

This Briefing Paper sets out the Council's provisions for the call-in of decisions of the Executive. The paper forms part of the Council's programme for elected member learning and development.

It is intended to bring to future meetings of the Committee 'bite-size' briefing papers on the different roles and functions of the Councillors appointed to the Committee, including elements of the Council's Tool Kit and the submission of topics for scrutiny review. As well as considering this briefing paper, Councillors are invited to identify any further topics/functions that would benefit from being the subject of a briefing paper at a future meeting.

The arrangements for Call-in allows decisions of the Executive to be 'called-in' by Councillors for review before being implemented. Any items called-in are referred to a meeting of the Overview and Scrutiny Committee, at which Members may decide to put forward an amendment to the decision of the Executive.

### **Recommendations**

The Committee is requested to:

**RESOLVE That** the Briefing Paper be noted.

The Committee has the authority to determine the recommendation set out above.
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**Background Papers:** None.

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## **1.0 Introduction**

- 1.1 This Briefing Paper has been drawn up to inform the Members of the Overview and Scrutiny Committee, and the Members of the Council as a whole, of the Council's procedures for Call-in.

## **2.0 What is call-in?**

- 2.1 Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the Executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance.
- 2.2 It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at scrutiny's disposal to influence decision-making. There is no obvious correlation between councils with high (or low) numbers of call-ins and those with effective scrutiny functions; a larger number of call-ins has no direct effect on the proportion of those call-ins that lead to an amended decision
- 2.3 Call-in should be seen in context – It is one of a number of tools available to influence decision-making. Members may, for example, carry out pre-decision scrutiny, which can lessen the need for call-in. Call-in can also be seen as part of a process whereby scrutiny can challenge the assumptions and evidence behind decisions.

## **3.0 Call-in – Woking Borough Council's Procedures**

- 3.1 All members of the Council are sent a copy of the draft minutes of the Executive on the day following the meeting of the Executive. The draft minutes include a statement that the decisions within the minutes will come into force, and may then be implemented, after five working days following the publication of the document, unless one or more decision is called-in.
- 3.2 During the five working days, the Chairman of the Overview and Scrutiny Committee or any three Members of the Committee, can notify the Proper Officer of their desire to call-in a decision for scrutiny. The request for call-in must include the reasons for the call-in, which would then be shared with all Members of the Council.
- 3.3 A meeting of the Committee will then be arranged, where possible after consultation with the Chairman of the Committee, and in any case within five working days of the decision to call-in. If, having considered the decision, the Overview and Scrutiny Committee wishes to take action it may choose to:
  - refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns; or
  - refer the matter to the next ordinary meeting of Full Council.
- 3.4 If referred back to the Executive, the matter would be reconsidered at the next ordinary meeting of the Executive or earlier if so determined by the Leader. In the event the decision was made by an individual, the individual would reconsider the matter within five working days of the request. The Executive or individual decision-maker will reconsider the initial decision, amending the decision or not as the case may be, before adopting a final decision.
- 3.5 In the event the Overview and Scrutiny Committee does not meet within five days of the call-in, or does meet but does not refer the matter back, the decision will take effect on the date of the Overview and Scrutiny meeting, or the expiry of the five day period, whichever is the earlier.

- 3.6 If the matter is referred to Full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will take effect on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- 3.7 However, if the Council does object, it cannot make any decisions in respect of an Executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the Executive or decision-making individual, together with the Council's views on the decision. The Executive or individual will then have the options to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive, a meeting has to be convened within five working days of the Council's request. Similarly, where the decision was made by an individual, the individual will reconsider the matter within five working days of the Council request.
- 3.8 It should be noted that the call-in procedure does not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call in process would be seriously prejudicial to the Council's or the public's interests. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

#### **4.0 Implications**

##### Financial

- 4.1 There are no financial implications arising from this report.

##### Human Resource/Training and Development

- 4.2 There are no human resource implications arising from this report, which forms part of the Council's overarching approach to Member learning and development.

##### Community Safety

- 4.3 There are no community safety implications arising from this report.

##### Risk Management

- 4.4 There are no risk management implications arising from this report.

##### Sustainability

- 4.5 There are no sustainability implications arising from this report.

##### Equalities

- 4.6 There are no equality implications arising from this report.

##### Safeguarding

- 4.7 There are no safeguarding implications arising from this report.

#### **5.0 Conclusions**

- 5.1 This Briefing Paper sets out the Council's provisions for the call-in of decisions of the Executive. The paper forms part of the Council's programme for elected member learning and development.

- 5.2 It is intended to bring to future meetings of the Committee 'bite-size' briefing papers on the different roles and functions of the Councillors appointed to the Committee. Future briefing papers will look at the provisions within the Council's Tool Kit and arrangements for questions to be raised through the Committee. In addition, Councillors are invited to identify any further topics/functions that would benefit from being the subject of a briefing paper at a future meeting.

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