

Appendix 10 – Overview and Scrutiny Procedure Rules

1. The following rules apply to the Scrutiny Committee and its Sub-Committee:

- (a) Members of the Cabinet may not serve as ordinary or substitute Members of the Scrutiny Committee. Deputy Cabinet Members may not serve on the Scrutiny Committee.
- (b) The Scrutiny Committee should not normally scrutinise individual decisions made by other Committees of the County Council, particularly decisions relating to development control and other permissions.
- (c) The views of all Members of the Scrutiny Committee (or Sub-Committee) should be taken into account when deciding the Committee work plans.
- (d) The Scrutiny Committee should consider the remit and work plans for the Select Committees and consider adopting an approach that compliments and avoids duplication of the Select Committees remit and work plans.
- (e) Party whipping will not take place.
- (f) The Relevant Chief Officer should present reports and attend meetings.
- (g) Reports to the Leader, Cabinet or Council will include the views of Members dissenting from the majority recommendation of the Committee.

2. The following rules apply only to the Scrutiny Committee and its Sub-Committee:

2.1 Agenda Planning

2.1.1 The Chair and the Scrutiny Committee will agree:

- Which matters the Committee is to scrutinise (except for call-ins).
- Which Members of the Cabinet and officers it requires to attend and answer questions.

2.1.2 For call-in items only, the Chair and the Members calling-in an item will agree which Members of the Cabinet and officers they require to attend and answer questions.

2.2 Questioning

2.2.1 The Chair may permit a Member not on the Scrutiny Committee (including Members of the Cabinet) to speak and ask questions of those being

scrutinised if a matter on the agenda has a particularly significant impact on that Member's division or if the Committee is considering a call-in made by the Member concerned.

- 2.2.2 Members should endeavour not to request detailed information from officers at meetings of the Committee, unless they have given prior notice through the officer supporting the Committee. If, in the course of question and answer at a meeting of Committee, it becomes apparent that further information would be helpful, the officer being questioned may be required to submit it in writing to the Scrutiny Committee Members.
- 2.2.3 In the course of questioning at meetings, officers other than the Head of Paid Service and Chief Officers may decline to give information or respond to questions on the ground that it is more appropriate that the question be directed to the Head of Paid Service or relevant Chief Officer. Officers may also decline to provide information to which Members do not have a right of access.
- 2.2.4 Members of the Executive and officers may decline to answer questions in an open session of the Committee on the grounds that the answer might disclose information that would be exempt or confidential as defined in the Access to Information Procedure Rules. In that event, the Committee may resolve to exclude the media and public in order that questions may be answered in private session.
- 2.2.5 Anyone other than a Member of the Executive or an officer attending at the invitation of the Committee may decline to answer any question without giving reasons.

2.3 Formulation of Recommendations and Reports

- 2.3.1 After debate, the Committee will decide whether to report or express comments to the Leader, Cabinet, Cabinet Member, the relevant officer or the Council. There is a legal requirement for the Executive to respond to recommendations within 2 months of them being made.