

## **Guidance for Members observing at a policy committee**

This note sets out details of the issues that should be considered when observing. A simple checklist is appended at Appendix A.

### **The Role of the Committee**

The Committee has a number of complimenting roles, being both the Scrutiny Committee, the Audit Committee, the Standards Committee and the Crime and Disorder Overview and Scrutiny Committee for Ryedale District Council.

The Committee undertakes its work by:

- Scrutinising the decisions made by other committees and using the ability to 'call-in' a decision of a committee of the Council and refer it back if necessary for re-consideration;
- Scrutinising the performance and effect of council services and policies by receiving internal and external audit reports, reports on the Council's counter fraud work, monitoring and reviewing the statement on internal control, examining our approach to the minimization and control of risk, and examining progress on our improvement plans;
- Undertaking and instigating reviews of existing policy and the development of new policy;

Together this enables the Committee to focus on the improvement of services: considering in-depth major issues, examining other areas of the work of the Council or of other local and national agencies, highlighting when things are going wrong and seeking action to address this in the most effective way.

### **Decision-making and call-in**

The main purpose of observing at policy committee meetings is to consider whether or not decision-making has complied with the Council's Constitution. All decisions of the Council will be made in accordance with the following principles:

- (a) the rule of law;
- (b) clarity of aims and desired outcomes.
- (c) proportionality (i.e. the action must be proportionate to the desired outcome);
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants;
- (e) respect for human rights (see below for further details); and
- (f) a presumption in favour of openness.

If Members consider that one of more of these rules have been breached then the decision may be 'called-in'. To call in a decision a proforma, attached at Appendix B, must be completed with the reasons for the call-in clearly stated. It must be signed by either the Chairman or three Members of the Committee and must be handed to the proper officer within 10 working days of the publication of the decisions of the meeting. The Overview and Scrutiny Committee then meets within a further 10 working days of the decision to call-in. Members may request the attendance of relevant officers or Members to answer any questions that they may have. The Committee can then refer the matter back to the decision-making committee, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred back to the decision-making committee, a meeting will be convened to reconsider the decision within a further 10 working days.

Further details can be found in the Council Constitution.

At the heart of the Overview and Scrutiny Committees work should be the consideration of what impact the Policy Committees decisions, plans and policies have on the communities of Ryedale. If the Committee considers the decisions made will have an adverse affect they have a duty to say so and suggest improvements.

Members of Overview and Scrutiny Committees should also make efforts to identify issues of concern to the residents of Ryedale and where the Committee agrees, instigate a Scrutiny review.

## **Appendix A - Checklist**

1. Review decision-making and consider call-in
2. Consider the effect of policy decisions on the community - have the intended policy outcomes been achieved?

Also consider against the implementation of the Council's Equalities Scheme, which is:

- To work towards the elimination of discrimination (either direct or indirect) and harassment
- To ensure that members and officers work towards mainstreaming equality of opportunity across all policies and functions
- To ensure equality, equity and consistency in working practices and conditions
- To ensure that the workforce represents the wider community of the District

3. Identify areas for future policy investigation
4. Identify any issues arising from the strategies and plans of the Council:
  - Corporate Plan
  - Medium Term Financial Plan
  - Capital Strategy
  - Asset Management Plan
  - Crime and Disorder Strategy
  - Housing Strategy
5. Budget issues: capital programme, revenue budgets, borrowing, assets
6. Performance issues
7. Value for Money issues
8. Management issues
9. Audit and Governance issues
10. Environmental issues

**Appendix B – Call-in Proforma**

**Date .....**

**Committee:**

**Decision to be called in:**

Council’s Constitution – Article 12 Decision Making

Principles of decision-making:

All decision of the Council will be made in accordance with the following principles:

- (a) the rule of law
- (b) clarity of aims and desired outcomes
- (c) proportionality
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants
- (e) respect for human rights
- (f) a presumption in favour of openness

Reason for calling in the decision:

This form is to be signed by **either** the Chairman of Overview & Scrutiny Committee **or** 3 Members of the Committee

Signature of Chairman of Overview & Scrutiny Committee **or** Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Date of meeting to consider the Call in .....  
(Must be within 10 working days of call in)