

4.5.14 Call In

- (1) When a Key Decision¹ is made by the Executive or a committee of the Executive, or under joint arrangements, or in line with any delegation within the Constitution, the decision shall be published electronically and shall be available at the main offices of the Council within two working days of being made.
- (2) Copies of the Notice of Decision will be provided to all Members within the same timescale.
- (3) All Key Decisions will come into effect five working days after the publication of the decision unless three Scrutiny Members give notice in writing to the Governance Manager requesting to call in the decision.
- (4) If no notice requesting call in of a Key Decision is received in this five working day period the decision may be implemented.
- (5) The call in request should be on a completed 'call in' request form and include the names and signatures of the three signatories, the decision making principles it is believed have been breached and also the reasons for this. The decision making principles are:-
 - Proportionality (the decision must be proportionate to the desired outcome)
 - Due consultation and the taking of professional advice from officers
 - Respect for human rights
 - A presumption in favour of openness
 - Clarity of aims and desired outcomes
 - Regard for equal opportunities
 - Options are considered and reasons for the decision given
 - Consideration of all relevant factors
 - Decision is in the best interests of the District as a whole

¹ A Key Decision is an Executive decision likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates or which is significant in terms of its effects on communities living or working in an area comprising two or more wards in the District. The Council has decided that revenue income or expenditure of £75,000 or more and capital income or expenditure of £150,000 or more is considered significant.

- (6) Upon receipt of the call in form, the Governance Manager will consider the request to ensure the correct information has been submitted. The Monitoring Officer may reject it if:-
- It relates to a non-Executive decision or is a decision where a statutory appeal is available
 - Insufficient information has been provided
 - It is vexatious, malicious or politically motivated
 - It contains insufficient evidence as to how the decision making principles have been breached
 - The decision has been previously called in
 - The reasons given have been addressed in a previous call in
- (7) Reasonable steps will be taken to make the lead signatory aware of any issues regarding the validity of the call in request prior to the closure of the five working day call in period.
- (8) Upon determining that the call in request is valid the Monitoring Officer will decide, having regard to the functions of each Scrutiny Committee, which Scrutiny Committee will hear the call in. The Executive and relevant Council officers will also be notified of the call in request. The Governance Manager will then call a meeting of the relevant Scrutiny Committee.
- (9) The relevant Scrutiny Committee must meet to consider the call in as soon as reasonably practicable and at the latest within 10 working days of the receipt of the call in notice. If the meeting does not take place in this period then the decision may be implemented. Special meetings of the Scrutiny Committee will be called if necessary to consider call ins in this period.
- (10) The lead signatory, being the first named Member on the call in, will be invited to attend the relevant Scrutiny Committee to present the call in, outline the reasons for the request and answer questions from the Committee. They will not be entitled to vote unless they are a Member of the Scrutiny Committee that considers the call in. The relevant Executive Member/decision making officer will also be entitled to attend the meeting and be invited to address the Scrutiny Committee and answer questions from the Committee. The format for the call in consideration is set out in the Call In Procedure Rules.
- (11) If, having considered the decision, the Scrutiny Committee is still concerned about it; they may refer the matter back to the decision maker setting out in writing the reasons for its concerns. If the decision is a decision made by the Executive, the Executive shall reconsider it at their next meeting (or a special meeting if

necessary), amending the decision or not, before adopting a final decision.

- (12) If the Scrutiny Committee decides not to refer the decision back to the decision-maker it may be implemented on the date of the Scrutiny Committee.
- (13) If the Scrutiny Committee concludes that the decision is outside the Budget and Policy Framework then it may refer the decision to Council. When exercising this option, the Scrutiny Committee must evidence how and why the decision is outside the Framework and give due regard to the advice of the Chief Executive Officer and Monitoring Officer on this matter.
- (14) If the matter is referred to Council and the Council does not object to a decision that has been made then the decision may be implemented on the date of the Council meeting.