

## Minute Extract - Overview and Scrutiny Committee – 1<sup>st</sup> August 2024 – Minute 13

### Scrutiny Protocol

The Committee considered a report of the Chief Officer – Governance, on the introduction of a Pre-Decision Scrutiny Protocol.

Appended to the report were details of the Appendix to the Guidance. This advised of the sections that the protocol may contain. Most of the sections were already fully covered in the Council's Constitution either in the Overview and Scrutiny Procedure rules in Part 3, Section 3 or elsewhere. Having taken this into account and not wishing to duplicate the rules in the Constitution, the area where a protocol would seem to be useful is:

- *The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members.*

It was suggested that, if the Committee wished to recommend the introduction of a Pre-Decision Scrutiny Protocol, Members may wish to consider:

- What the Committee would like to do when they receive the forthcoming list of Key Decisions notice.
- More informal meetings between the Pre-Decision Scrutiny Champion and Scrutiny Chairs and Leader/Deputy Leader/Portfolio Holders.
- Cabinet Briefings
- Centre for |Governance and Scrutiny (CfGS) – Case Studies

After considering the report the Committee.

### **Resolved :-**

- (1) That the Committee recommend the introduction of a Pre-decision Scrutiny Protocol.
- (2) The Committee request that the following be included in a Pre-decision Scrutiny Protocol:
  - The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with Scrutiny members.
  - That the Chair of the Overview and Scrutiny Committee, Vice-Chair and Pre-Scrutiny Committee Champion be invited to Cabinet briefings and be permitted to ask questions at those briefings.
  - That a Pre-Scrutiny meeting be arranged when required by the Chair of the Overview and Scrutiny Committee to consider the forthcoming list of Key Decisions. The meeting would include the Chair and Vice Chair of the Committee, Chair and Vice Chair of the Budget and Performance Panel, the

Pre-Decision Scrutiny Champion and relevant officers identified by the Chief Executive. This enabled those Members to query and question officers on issues that were to be considered at the next Cabinet meeting and obtain information on background papers/list of the documents submitted to the decision taker for consideration in relation to the matter.

- That a meeting with the Overview and Scrutiny Committee, Chair of the Budget and Performance Panel and Cabinet Members be arranged at the beginning of each municipal year to discuss forthcoming Key Decisions, projects and ways in which Scrutiny can be involved at an early stage of the decision-making process.
- That, with regard to the list of Key Decisions, the Committee recommends a commitment to provide an extended list of Key Decisions for a period of 6-12 months to better enable scrutiny identification of future decisions for early Pre-Scrutiny and provide improved transparency.
- That, as part of the consultation process, the Overview and Scrutiny Committee be consulted on all major projects as a matter of course.