

OVERVIEW AND SCRUTINY COMMITTEE

Pre-Decision Scrutiny Protocol

9 April 2025

Report of Senior Manager, Democratic Support and Elections

PURPOSE OF REPORT

To consider a report on the introduction of a Pre-Decision Scrutiny Protocol.

This report is public.

RECOMMENDATIONS

- (1) **The Committee is requested to consider and comment on the content of this report and the draft Pre-Decision Scrutiny Protocol attached with a view to recommending it to Cabinet for adoption.**

1. INTRODUCTION

- 1.1 The Committee asked to consider the introduction of a Cabinet – Scrutiny Protocol. Such arrangements are in place in other authorities with the aim of assisting both Cabinet and Scrutiny to work together more effectively for the good of the district.
- 1.2 At its meeting, held on 6 September 2023, the Committee was provided with a report and a copy of the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, previously reported to the Committee on 14 June 2023.

After considering the report it was agreed:

- (1) That the Pre-Scrutiny Champion meets informally with Democratic Support Officers to consider the Forthcoming Key Decisions on a regular basis.
- (2) That the Committee consider a draft Protocol in the new Municipal Year.
- 1.3 Due to a change in Cabinet Member, this has taken a little longer than anticipated, however the current Cabinet Member with particular responsibility for Corporate Services, Councillor Maddocks, attended the last meeting of this Committee on 8 January 2025 to provide an update and receive comments from Committee members regarding elements they would wish to see in the protocol, as set out below.

2. DRAFT PROTOCOL

2.1 At the January meeting, the Committee put forward the following requests to the Cabinet Member:

- That Cabinet papers are circulated to the Overview and Scrutiny Committee at the same time as for Cabinet before Cabinet briefings. If the Committee wish to receive a briefing on any of the Cabinet items, this would be requested and arranged before the Cabinet meeting the following week to allow any comments or concerns to be shared with Cabinet. This replaced the request for briefings for every Cabinet meeting for the Committee in order to save officer time and resources. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with Scrutiny members.
- That a list of key initiatives for the forthcoming 12 months be shared with both Cabinet and the Overview and Scrutiny Committee (as opposed to a list of forthcoming Key Decisions for the next 12 months).
- That, as part of the consultation process, the Overview and Scrutiny Committee be consulted on all major projects as a matter of course to enable pre-decision scrutiny.

2.2 A draft protocol is now attached for the Committee to consider which addresses the issues in the first bullet point above.

2.3 The second and third bullet points above are not covered in the protocol. Regarding the list of key initiatives for the forthcoming twelve months, Cabinet met recently to discuss priorities and work initiatives and this can be fed back to the Committee by Councillor Maddocks at the meeting. Regarding Overview and Scrutiny being consulted on all major projects, project boards are set up for all major projects where Scrutiny members sit. The Committee may wish to consider adding a standing item on its agendas for Overview and Scrutiny Councillors who sit on major project boards to report back to the Committee.

3 CONCLUSION

3.1 The Committee is asked to consider the attached draft protocol with a view to recommending this to Cabinet for adoption. Member may also wish to consider adding a standing item to future agendas for Members on project boards to update the Committee on progress with major projects.

RELATIONSHIP TO POLICY FRAMEWORK

There are no direct implications as a result of this report.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report.

LEGAL IMPLICATIONS

The Overview and Scrutiny Committee has overall responsibility for the performance of all Overview and Scrutiny functions (under the Local Government Act 2000) on behalf of the Council and ensuring its effectiveness.

There is no legal requirement for the Council to have a Protocol although it is considered best practice in the 'Overview and Scrutiny: Statutory Guidance for Councils and Combined Authorities (MHCLG)' document published in May 2019.

FINANCIAL IMPLICATIONS

There are no financial implications as a direct result of this report.

OTHER RESOURCE IMPLICATIONS, such as Human Resources; Information Services; Property; Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

DLUHC Overview and Scrutiny: statutory guidance for councils, combined authorities and combined county authorities – 22.04.24.
To view please click [here](#)

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