

## 15. Call-in

- a) When a decision is made by the Cabinet, an individual Cabinet portfolio holder or a key decision is made by an officer with delegated authority, the decision shall be published within 2 working days of being made, either through the council's members' information service or the notification of decision process and shall be available at the main offices of the council.
- b) Any decision which is sought to be called in, must be called in within 5 working days after the publication of the decision.
- c) During that period, the city solicitor shall call-in a decision for scrutiny by the ~~overview and~~ scrutiny management panel if so requested by not less than five Members of the council containing sufficient justification, as per these criteria:
  - a) Believe the decision may be based on inaccurate or incorrect information (which is identified)
  - b) Believe the decision may have been taken without adequate information (of which the nature has been identified)
  - c) Believe the decision may be contrary to the council's agreed Budget and policy framework
- d) The call-in request may be made on the Form attached as Appendix One or by email to the local democracy manager. This form can be ~~obtained via the attached link xxxx.~~ found at the end of this section.
- e) Any decision of the Cabinet which is not in accordance with the budget and policy framework, will, if called in, have the effect of preventing the decision being actioned and shall be referred to Full council for decision.
- f) The city solicitor on being satisfied the call in request is valid, shall advise members of the date of the special Scrutiny Management Panel meeting (which is expected to be held within 10 working days, unless placed on existing scheduled meeting if earlier, only if the Chair so approves) to consider a valid call in request of a decision. The city solicitor will not call in:
  - ~~f) The city solicitor shall call-in a decision within twenty-four hours of receiving a valid written request to do so and shall place it on the agenda of the next meeting of the overview and scrutiny management panel on such a date as s/he may determine, where possible after consultation with the chair of the panel, and in any case set the meeting date within five clear working days of the decision to call-in. However, the city solicitor will not call-in:~~
    - i. Any decision which has already been the subject of call-in for the same reasons or with insufficient justification;
    - ii. A decision which is urgent as defined in the Access to Information Procedure Rules; and

- iii. Decisions by regulatory and other committees;
  - iv. Decisions which are not subject to publication on the member information system or notification of decisions process;
  - v. A resolution which merely notes the report or the actions of officers;
  - vi. A resolution making recommendations to full council.
- g) Once a valid call-in is received by the city solicitor, s/he shall then notify the decision-taker of the call-in.
- h) If having considered the decision, the ~~overview and~~ scrutiny management panel is still concerned about it, then it may refer it back to the Cabinet or decision making body for reconsideration, setting out in writing the nature of its concerns and the reasons. If referred to the decision-maker for ~~her/his~~their reconsideration, it shall be reviewed as soon as is reasonably practical thereafter, such review must address the concerns identified by the Scrutiny Management Panel.

### Process of call-in

If a decision is called in, the ~~overview and~~ scrutiny management panel will consider it at its specialty convened or the next scheduled meeting (if earlier as appropriate). The business procedure would then be as follows -

- Presentation of the call-in by one of the call-in members followed by questions from overview and scrutiny management panel members.
- Response from relevant Lead Cabinet members followed by questions from ~~overview and~~ scrutiny management panel members.
- A further response may then be made by the call-in member.
- The call-in member may then sum up their case.
- The lead Cabinet member may then sum up their case.
- General debate among ~~overview and~~ scrutiny management panel members followed by a decision.
- The call-in member who presented to overview and scrutiny management panel would not be allowed to speak again or vote on the item, unless they are a member of the management panel.
- The panel would then either resolve to take no action (in effect endorsing the original decision) or refer the matter back to Cabinet or decision making body for further consideration, setting out the nature of its concerns that are to be addressed in conjunction with the original matter.