

SCRUTINY PROTOCOL FOR SELECT COMMITTEES

REPORT OF DIRECTOR OF LAW AND PROPERTY

1. PURPOSE

- 1.1. To consider a Draft Scrutiny Protocol for Select Committees.

2. BACKGROUND

- 2.1. The scrutiny of decisions taken by or on behalf of the Cabinet and the power of call-in are important elements of the work of the Select Committees, because they make decision-makers accountable.
- 2.2. Our experience of scrutiny and call-in over the last few years has demonstrated that there are gaps in the processes and procedures laid down in the Select Committee Procedure Rules regarding the route to be followed in challenging a decision.
- 2.3. The attached Draft Scrutiny Protocol (Appendix 1) seeks to address these gaps and is largely based on our practical experience of undertaking scrutiny inquiries over the last four years or so.
- 2.4. The Draft attempts to help the process of scrutiny by:-
- Setting out a number of principles
 - Clarifying the procedure that should normally be followed before a decision to scrutinise is taken
 - Identifying a process that should be followed at the meeting of the Select Committee
 - Setting out what should happen afterwards.
- 2.5. Both the Chairmen and the Lead Officers for all Select Committees have been consulted on the Draft and have given it their full support.
- 2.6. When the Draft has been approved by each Select Committee, it will be submitted to the Cabinet and the Council for a final decision and inclusion in the Constitution.

3. PROPOSAL

- 3.1. It is proposed that the Select Committee consider and comment upon the Draft Scrutiny Protocol for Select Committees.

4. FINANCE

4.1. There are no financial implications arising from this report.

5. LAW

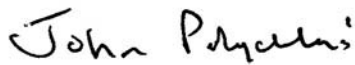
5.1. The Council's Constitution and the scrutiny role of Select Committees is governed by Part II of the Local Government Act 2000.

6. EQUAL OPPORTUNITIES

6.1. This report complies fully with the Council's policies with regard to equal opportunities and diversity.

7. RECOMMENDATION

7.1. It is recommended that the Select Committee consider and comment upon the Draft Scrutiny Protocol for Select Committees.



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Director of Law and Property

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LIST OF BACKGROUND PAPERS

1. Report to the Corporate Board on the 27th July 2004 and the 5th October 2004.
2. Report to the Meeting of Select Committee Chairmen on the 9th December 2004.