# OVERVIEW AND SCRUTINY PROCEDURE RULES

## 1. Arrangements for Overview and Scrutiny

1.1 The Council will appoint an Overview and Scrutiny Committee as set out in Article 6 of this Constitution, with responsibility for:

a. the Council's overview functions;

b. the Council's scrutiny and call-in functions;

c. scrutiny of the budget, Councillor Calls for Action and of the Crime and Disorder Reduction Partnership; and

d. receipt of relevant petitions submitted under the Council's Petitions Protocol.

1.2 The Overview and Scrutiny Committee will comprise the number of Councillors agreed annually at the Council Annual Meeting. All Councillors except members of the Executive Committee may be members of the Overview and Scrutiny Committee.

1.3 The Committee may (except in relation to call-ins) appoint such Task and Finish Groups ('Task Groups') as it considers appropriate to enable it to perform the overview and scrutiny functions on behalf of the Council. Task Groups will operate in accordance with the Task Group Procedure Rules appended to these Overview and Scrutiny Procedure Rules at Appendix A.

1.4 Allocation of members to Task and Finish Groups shall be agreed by the Committee, in consultation with Leaders of Party Groups.

1.5 The Committee will appoint a standing Crime and Disorder Scrutiny Panel, as a formal 'sub-committee' of the Overview and Scrutiny Committee, as detailed separately at Appendix B.

## 2. Co-optees

2.1 The Overview and Scrutiny Committee and its Task Groups, subject to O&S Committee approval, shall be entitled to appoint such non-voting co-optees as they consider appropriate for the conduct of their business.

2.2 Two standing co-optees shall be appointed from the Unison Trade Union, who will have a role only in relation to matters which have employee relations considerations.

## 3. Meetings of the Committee

3.1 The Overview and Scrutiny Committee will normally meet a minimum of 9 times a year at times to be agreed by the Chair. However, in consultation with relevant Officers, the Chair may review this pattern at any time during the municipal year.

3.2 Extraordinary meetings may be called from time to time as and when appropriate.

3.4 An extraordinary meeting may be called by the Committee Chair or by any three Committee members.

## 4. Quorum

The quorum for meetings of the Overview and Scrutiny Committee shall be 3.

## 5. Participation in Meetings

No member may be involved in scrutinising a decision in which he/she has been directly involved. If any Committee or Task Group member finds that a decision in which he/she has been directly involved is to be scrutinised, he/she shall declare the fact and take no part in the discussion and voting in the part of the meeting which relates to that decision.

## 6. Chair

6.1 The appointment of the Chair and Vice-Chair of the Overview and Scrutiny Committee shall be by the Council. Terms of office shall be as the Council shall determine (unless otherwise agreed, this will be until the Council's next Annual Meeting).

6.2 The Chair and Vice-Chair of the committee shall not be members of the controlling political group.

## 7. Work Programme

7.1 The committee will be responsible for setting its own work programme and in doing so shall take into account of:

a. the views of committee members who are not members of the largest political group on the Council;

b. the Forward Plan;

c. suggestions of matters for scrutiny made by the Council or by the Executive Committee;

d. suggestions of matters for scrutiny made by councillors, members of the public or partner organisations;

e. updates from the Council's representative on the County Health Overview & Scrutiny Committee.

and in doing so shall make provision for considering:

i. Councillor Calls for Action;

ii. Scrutiny of the Crime and Disorder Reduction Partnership;

iii. Petitions referred to the Committee in accordance with the adopted Petitions Protocol;

iv. Scrutiny of the budget (Medium Term Financial Plan);

v. the Council Plan and the Sustainable Community Strategy.

## 8. Procedure at meetings

8.1 The Committee shall at each meeting consider the following business:

a. consideration of the accuracy of the minutes of the last meeting;

b. declarations of interest (including whipping declarations);

c. minutes of recent Executive Committee meetings and responses of the Executive Committee to the Committee's reports.

d. the Forward Plan;

e. progress on ongoing Task and Finish Reviews;

f. any petitions referred to the Committee under the Council's adopted Petitions Protocol.

g. any Councillor Calls for Action which have been received;

h. scrutiny of the Medium Term Financial Plan ( if appropriate);

i. scrutiny of the Crime and Disorder Reduction Partnership, via reports of the Crime and Disorder Scrutiny Panel;

j. reports from the quarterly leadings between the Leader of the Council and the chair of the Overview and Scrutiny Committee (if appropriate);

k. other matters set out on the agenda for the meeting in accordance with paragraph 9 below.

## 9. Agenda items

9.1 Any member of the Committee shall be entitled to give notice to the Chief Executive that s/he wishes an item relevant to the functions of the Committee to be included on the agenda for the Committee's next available meeting. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda.

9.2 Where a matter is referred to the Committee by the Council (including a matter referred by the Monitoring Officer under Council Procedure Rule 11.10 – Motion on Notice), it shall be considered at either the first or second ordinary meeting of the Committee following the referral.

9.3 The Committee shall also respond, as soon as its work programme permits, to requests to review particular areas of Council activity from the Council, the Executive Committee or the Leader (arising from his/her quarterly meeting with the committee Chair).

## 10. Rights of committee members to documents

10.1 In addition to their general rights as Councillors, members of the Committee have the right to documents and to notice of meetings as set out in the Access to Information Procedure Rules in part 8 of the Constitution.

## 11. Policy review and development

11.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules in Part 9 of the Constitution.

11.2 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, the Overview and Scrutiny Committee may make proposals to the Executive Committee for developments in so far as they relate to matters within their terms of reference.

11.3 The Committee and any Task Group may:

a. hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process;

b. conduct site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations;

c. ask witnesses to attend to address them on any matter under consideration;

d. pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so, provided that the budget set by the Council each year for such purposes is not exceeded.

## 12. Members and officers giving account

12.1 The Committee or a Task Group may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Executive Committee, the Chief Executive and/or any senior officer to attend before it to explain in relation to matters within their remit:

a. any particular decision or series of decisions;

b. the extent to which the actions taken implement Council policy; and/or

c. his/her performance

and, subject to paragraph 12.2 below, it is the duty of those persons to attend if so required.

12.2 If any councillor or officer is required to attend a meeting of the Committee, or a Task Group under this provision, the councillor or officer will be given reasonable notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee or Task Group. Where the account to be given to the Committee will require the production of a report, then the councillor or officer concerned will be given sufficient notice to allow for preparation of that documentation

12.3 If the councillor or officer is unable to attend on the required date, the Committee or Task Group shall, in consultation with the councillor or officer, arrange an alternative date for attendance.

## 13. Attendance by others

13.1 The Committee and/or Task Groups may invite people other than those people referred to in paragraph 12 above to attend a meeting to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend. The person invited will be given reasonable notice and the notice will state the nature of the item on which he/she is invited to attend and whether any papers are requested.

13.2 If the Committee is to consider a motion referred to it by the Council, the proposer and seconder of the motion shall (if they are not members of the Overview and Scrutiny Committee) have the right to attend the relevant meeting and to explain the reasons for their motion, although they may not propose, second or vote on recommendations by the Committee which arise from that motion.

13.3 If the Committee or a Task Group invites a person to address a meeting or to give evidence, the following principles will be observed:

a. the investigation will be conducted fairly and all members of the Committee or Task Group will be given the opportunity to ask questions of attendees, and to contribute and speak;

b. those assisting the Committee or Task Group by giving evidence will be treated with respect and courtesy (Witness Guidance notes are attached at Appendix C); and

c. the investigation will be conducted so as to maximise the efficiency of the investigation or analysis.

## 14. Reports from the Committee

14.1 Once it has formed recommendations on proposals for development, the Committee will make its report and findings public and will submit a formal report to the Chief Executive for consideration by the Executive Committee.

14.2 If the Committee cannot agree on one single final report to the Council or Executive Committee, as appropriate, then no more than one minority report may be prepared and submitted for consideration by the Council or Executive Committee with the majority report.

14.3 The Executive Committee shall consider the Overview and Scrutiny Committee report within two months of it being submitted to the Chief Executive and shall issue a formal response to the report.

## 15. Consideration of Overview and Scrutiny Committee reports by the Executive Committee

15.1 The agenda for Executive Committee meetings shall include an item to consider Overview and Scrutiny Committee minutes and/or reports and reports of the Overview and Scrutiny Committee referred to the Executive Committee shall be included at this point in the agenda (unless they have been considered in the context of the Executive Committee's deliberations on a substantive item on the agenda) within two months of the Overview and Scrutiny Committee completing its report/recommendations.

15.2 The Executive Committee will consider all reports and recommendations presented by the Overview and Scrutiny Committee and will provide the Overview and Scrutiny Committee with a response.

15.3 An Overview and Scrutiny Committee report which includes one or more proposals which would require a departure from the Budget and Policy Framework will be considered in the first instance by the Executive Committee. The Executive Committee will decide whether to recommend to the Council that those proposals be implemented.

If the Executive Committee decides not to recommend to Council that those proposals be implemented, its decision, together with the reasons for that decision, shall be reported back to the Overview and Scrutiny Committee.

The Overview and Scrutiny Committee may then request the Chief Executive to place an item on the next available meeting of the Council to enable the Council to consider those proposals.

15.4 Once a report has been considered by the Executive Committee and/or the Council, and any questions or issues raised by the Executive Committee and/or Council have been resolved, the Overview and Scrutiny Committee will disband any Task Group appointed in connection with the preparation of that report.

## 16. Review of Overview and Scrutiny Committee reports

The Overview and Scrutiny Committee will review implementation of recommendations made in any report not sooner than 12 months after consideration of its report by the Executive Committee.

## 17. Call-in

17.1 Call-in should be used in only exceptional circumstances when members of the Overview and Scrutiny Committee have evidence which suggests that the Executive Committee did not take a decision in accordance with the principles of Decision Making in Article 13. Those principles are:-

a. consideration of the full facts of a matter;

b. proportionality (i.e. the action must be proportionate to the proposed outcome);

c. due consultation and the taking of professional advice from officers;

d. respect for human rights;

e. a presumption in favour of openness;

f. clarity of aims and desired outcomes;

g. due regard for the Council's environmental objectives;

h. due regard for the Council's duties in relation to crime and disorder;

i. clear explanations of the options considered and the reasons for the decision reached.

17.2 When a decision is made by the Executive Committee, or a Key Decision is made by an Officer with delegated authority from the Executive Committee, or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 3 working days of being made. All members of the Council will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.

17.3 That decision (which may take the form of the minutes of a meeting of the Executive Committee) will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the decision is the subject of a valid request for call-in.

17.4 A valid request is required to initiate call-in a decision referred to at 17.3 above. The request must be in writing addressed to the Monitoring Officer on the approved form (at Appendix D) giving the reasons for the request for call-in and must be:-

- signed by the Overview and Scrutiny Committee Chair; OR
- signed by any other 3 members of the Overview and Scrutiny Committee; OR
- signed by any 5 members of the Council who are not members of the Executive Committee.

and in any case must:-

- state the reason(s) for the call-in; and
- be delivered to the Monitoring Officer by hand, post or email, within 5 clear working days of the publication of the decision.

The decision on whether the call-in is valid will be taken by the Monitoring Officer following consultation with the Overview and Scrutiny Committee Chair. The final decision shall rest with the Monitoring Officer.
If the Monitoring Officer decides the call-in is valid the Monitoring Officer will notify the Chief Executive, who will notify the decision-taker of the request for call-in.

17.5 Implementation of the decision which is the subject of the call-in will be suspended from the date of receipt of the request for call-in pending consideration by the Overview and Scrutiny Committee.

17.6 The call-in will be considered by the Overview and Scrutiny Committee at either:

a. the next scheduled meeting of the Committee; or

b. a special meeting of the Committee to be convened by the Chief Executive within 10 working days of receipt of the request to call-in, or such other date as may be agreed by the Chief Executive in consultation with the author of the call-in and the Overview and Scrutiny Committee Chair.

17.7 The Overview and Scrutiny Committee will determine the call-in in such manner as it considers appropriate but in any event expeditiously and within a maximum of 20 working days from the date of the meeting at which the call-in is first considered by the Overview and Scrutiny Committee.

If more detailed evidence or consideration of the issues is required to determine the call-in, the Overview and Scrutiny Committee may during that period hold one or more additional meetings to determine the call-in.

17.8 The Overview and Scrutiny Committee may require the relevant Executive Committee member with responsibility or another member of the Executive Committee, if appropriate, to attend any meeting and explain the decision taken by Executive Committee.

17.9 Having considered the decision subject to the call-in, the Overview and Scrutiny Committee will either:

a. accept the decision without qualification or comment; or

b. require reconsideration of the decision setting out its reasons in a report; or

c. in exceptional circumstances refer the decision to the Council to consider whether the decision should be accepted without qualification or comment or reconsidered.

17.10 Exceptional circumstances referred to in paragraph 17.9c include, but are not limited to, decisions which the Overview and Scrutiny Committee considers:-

a. the Executive Committee cannot in law take; or

b. is reserved to the Council; or

c. is contrary or not wholly in accordance with the Budget and Policy Framework.

17.11 If the Overview and Scrutiny Committee accepts the decision without qualification or comment under paragraph 17.9a the decision may be implemented with immediate effect.

17.12 If the Overview and Scrutiny Committee refers the decision to the Executive Committee for reconsideration under paragraph 17.9b implementation of the decision is deferred pending the meeting of the Executive Committee at which it is reconsidered.

17.13 If the Overview and Scrutiny Committee refers the decision to the Council under paragraph 17.9c implementation of the decision is deferred pending the meeting of the Council at which it is considered. If the Council decides to request the Executive Committee to reconsider the decision, implementation of the decision remains deferred until the Executive Committee has reconsidered the matter.

17.14 Any report of the Overview and Scrutiny Committee or Council pursuant to paragraph 17.9b or c will be submitted to the Executive Committee which will consider that report within 10 working days and either:-

a. confirm the decision without modification; or

b. confirm the decision with modification; or

c. rescind the decision and if considered appropriate take a new one.

In each case the Executive Committee must give reasons for its decision. The decision taken by the Executive Committee following consideration of the report of the Overview and Scrutiny Committee or Council on the call-in is final.

17.15 The Chair or Vice-Chair of the Overview and Scrutiny Committee or, with the Chair's agreement, the Chair or other designated representative of a relevant Task and Finish Group, may attend any meeting of the Executive Committee at which a report of the Overview and Scrutiny Committee is being considered and may speak but not vote.

17.16 A decision of the Executive Committee may be called in only once.

17.17 The call-in procedure shall not apply where the decision being taken by the Executive Committee is urgent.

A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interest of either the Council or public. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in***.***

The Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Mayor, the Deputy Mayor's consent shall be required. In the absence of both, the Chief Executive or his/her nominees' consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

17.18 The operation of the provisions relating to call-in and urgency shall be monitored annually by the Overview and Scrutiny Committee, and a report submitted to Council with proposals for review if necessary.

## 18. The party whip

When considering any matter in respect of which a member of any of the Overview and Scrutiny Committee is subject to a party whip, the Councillor must declare the existence of the whip and the nature of it before the commencement of the Overview and Scrutiny Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

## 19. Petitions

19.1 All petitions submitted to the Council will be dealt with in accordance with the adopted Petitions Protocol.

19.2 The Overview and Scrutiny Committee will consider relevant petitions, and determine whether any further action is required, which may be action by Officers, by the Executive Committee, or by the full Council.

## 20. Public speaking

20.1 Members of the public, and other interested parties, shall be entitled to participate in Overview and Scrutiny Committee meetings.

20.2 A person wishing to address the Overview and Scrutiny Committee must give notice to the Democratic Services Team of his or her intention to do so by 12 noon two working days before the day of the Overview and Scrutiny Committee meeting in question.

20.3 Members of the public who register to speak at meetings of the Overview and Scrutiny Committee will each be allowed to speak for no more than three minutes.

20.4 Members of the public who register to participate in Overview under the rules set out in this section can do so using one of the three options below:-

- By attending in person and addressing the committee verbally;
- By joining the meeting virtually by video link and addressing the committee verbally; or
- By providing a written statement in advance of the meeting to be read out by an officer (such statement to be provided no later than the cut off point for registration to speak as set out in paragraph 20.2).

20.5 At any meetings not more than 15 minutes in total shall be devoted by the Overview and Scrutiny Committee to Public Speaking, provided that the Chair may at his or her discretion extend the time if the chair and a majority of those present agree.

20.6 The Committee Chair shall have the discretion:

(i) In exceptional circumstances, to allow late additions to the list of public speakers.

(ii) To decide not to allow speeches, which merely repeat representations made in earlier speeches and which are inaccurate.

(iii) Depending on circumstances, to vary the periods of time referred to in paragraphs 20.3 and 20.4 where s/he deems it appropriate.

20.6 Direct or open questioning and discussion / debate between Public speakers and either Members or Officers will not be allowed during Public Speaking. Any such matters raised may be answered by Members / Officers only after the close of Public Speaking, or will be addressed during the subsequent debate. At no time will direct discussion between Members or Officers with a Public Speaker be permitted.

20.7 After the close of Public Speaking, no other inputs will be permitted from the 'public gallery', other than at the discretion of the Chair, and subject to relevant Officer advice, if exceptional circumstances warrant this.

# PART 10

20.5 **APPENDIX A**

# TASK GROUPS PROCEDURE NOTES

## 1. Appointment of Chair

The Chair of a Task Group will be a member of the Overview and Scrutiny Committee and will be appointed by the Overview and Scrutiny Committee.

## 2. Appointment to and membership of Task Groups

2.1 The Overview and Scrutiny Committee will arrange for written notice of the establishment of a Task Group, together with a general description of the nature of the work to be undertaken by the Task Group, to be given to;

- Party Group Leaders; and
- all Councillors who are not members of the Executive Committee

2.2 Members of the Executive Committee cannot become members of Task Groups.

2.3 The size of each Task Group may vary but as a general rule Task Groups should have a minimum of three members (for instance for 'short, sharp reviews) and normally no more than five members.

2.4 For purposes of continuity, Task Group members who cannot attend a meeting of a Task Group may not appoint a substitute member.

## 3. Co-opted members

3.1 The Overview and Scrutiny Committee or, with their agreement, a Task and Finish Group, may co-opt members to the Task Group who are not elected Councillors.

3.2 Co-opted members will have no voting rights.

## 4. Proportional allocation of seats

Task Groups are not covered by the requirement for seats to be allocated on the basis of political group proportionality.

## 5. Terms of reference

5.1 The Overview and Scrutiny Committee will determine the terms of reference for the Task Group by approving a 'Scoping Document' for each review (Appendix E refers).

5.3 The Overview and Scrutiny Committee will consider any request from the Task Group for modification of its terms of reference.

5.4 The Task Group will be responsible for identifying those witnesses who need to be called to give evidence.

## 6. Working

6.1 A Task Group should carry out its investigation in accordance with the Overview and Scrutiny Procedure Rules.

6.2 A Task Group does not have any powers to take any decisions. It should consider the issues it has been asked to investigate and submit a report to the Overview and Scrutiny Committee which will then decide whether or not to make any recommendations to the Executive Committee.

## 7. Timescales

Timescales for the work of Task and Finish Groups will be established in the approved Scoping Document for any given review. Task Groups will not be disbanded until the report of the Overview and Scrutiny Committee has been considered by the Executive Committee and any questions or issues raised by the Executive Committee have been resolved.

## 8. Monitoring

Task Groups will, normally via their Chair, provide the Overview and Scrutiny Committee with regular updates on their work. In considering those regular updates the Overview and Scrutiny Committee may suggest areas of work or issues for consideration or investigation by the Task Group which fall within the terms of reference.

## 9. Final report

9.1 The Overview and Scrutiny Committee will consider in detail the final report of the Task Group and the Task Group will respond to any requests by the Overview and Scrutiny Committee to substantiate and justify any proposals it brings forward.

9.2 Final Overview and Scrutiny Committee reports will be prepared and submitted in a form which the Committee agrees. However, all standard elements required in general Officer reports to the Executive Committee (such as Financial, Legal and other Implications sections) will be expected to be provided by the Overview and Scrutiny Committee, in adequate detail, before the Executive Committee considers a report.

9.2 Members of the Task Group who disagree with the majority report of the Task Group may produce one minority report, which may put forward alternative proposals. This will then be considered alongside the report of the Task Group by the Overview and Scrutiny Committee. The Overview and Scrutiny Committee will then decide which recommendations it wishes to support.

9.3 A Task Group Chair shall be responsible for ensuring that the recommendations in the final report of the Task Group fairly and accurately reflect the findings of the Task Group.

## 10. Agenda, Minutes of and Public Access to Task Group meetings

10.1 Agendas for Task Group meetings are usually only circulated to members of the Task Group, and relevant support / professional Officers / co-optees.

10.2 Members of the Overview and Scrutiny Committee are entitled to attend and participate in meetings of the Task Group at the discretion of the Task Group Chair but have no voting rights at Task Group meetings. The Task Group Chair will balance demand for such participation against the need to maintain the small size of the Task Group.

10.3 The public has no right to attend Task Group meetings, nor a right of access to the agendas and minutes (beyond those rights provided by the Freedom of Information Act). However, wider publication may be permitted, if the Task Group so determines, subject to the agreement of the Overview and Scrutiny Committee Chair.

**APPENDIX B**

# CRIME AND DISORDER SCRUTINY PANEL

## Terms of Reference

### CONSTITUTION

The Panel will operate as a formal 'Sub-Committee' of the Overview and Scrutiny Committee and will be Redditch Borough Council's designated Crime and Disorder Scrutiny Committee in accordance with Sections 19 and 20 of the Police and Justice Act 2006.

The Panel shall comprise such number of Members as may be determined at the Annual Meeting of the Council.

The Chair of the Panel will be a member of a political group not forming part of the ruling administration. The Chair will also be a member of the parent Overview and Scrutiny Committee.

The Panel will have the power to commission specific policy reviews relating to the work of the Community Safety Partnership. These could be undertaken as Task and Finish Groups. Each Task and Finish Group established by the Crime and Disorder Scrutiny Panel will be led by an identified member of the Crime and Disorder Scrutiny Panel.

For the purposes of continuity, substitute membership on Task and Finish Groups is discouraged and allowed only at the Chair's discretion.

### RULES OF OPERATION

The Panel has power to discuss, but no power to make decisions on, matters listed in the Terms of Reference below.

It shall meet as often as necessary, though it shall have at least 1 scheduled meeting per year.

Meetings shall normally take place early evening.

The Panel shall advise and make recommendations to the Overview and Scrutiny Committee. The Chair of the Scrutiny Panel will report on the work of the Panel at meetings of the Overview and Scrutiny Committee.

For the purpose of accountability, adequate notes shall be taken of business transacted, which shall be available for inspection by other Members of the Council, subject to proper control, in accordance with the Code of Conduct, of information deemed by the Proper Officer to be exempt.

## TERMS OF REFERENCE

The Crime and Disorder Scrutiny Panel will be Redditch Borough Council's designated Crime and Disorder Scrutiny Panel in accordance with Sections 19 and 20 of the Police and Justice Act 2006.

The Panel will carry out the following functions:

a) to hold the Redditch Community Safety Partnership to account for its decision making;

b) to scrutinise the performance of the Redditch Community Safety Partnership;

c) to undertake policy reviews of specific crime and disorder issues;

d) to highlight and challenge people's perceptions of crime and disorder in the local area;

e) to undertake community engagement and consultation to establish local people's priorities for crime and disorder issues; and

f) to promote the positive work of the Redditch Community Safety Partnership.

## OFFICER SUPPORT

The work of the Crime and Disorder Scrutiny Panel will be supported by Democratic Services Officers.

**APPENDIX C**

# WITNESS GUIDANCE NOTES

## Guidance for Witnesses Giving Evidence at Overview and Scrutiny Committee Meetings

## What is Overview and Scrutiny?

The Councillors at Redditch Borough Council work to represent the interests of local residents. The Councillors on the Overview and Scrutiny Committee review local policies and make recommendations that are designed to improve existing services. The Committee often delegates review work to Task Groups which investigate an issue in detail and are dissolved once a project has been completed.
The Overview and Scrutiny process draws on evidence from Councillors, Council Officers and from sources outside the Council. The Overview and Scrutiny Committee cannot work successfully in isolation. The Council therefore often calls on the expertise of local people, service partners and community groups.

## Why have I been invited to act as a witness?

You have been invited to act as a witness because your views are important to the Councillors. Your expert opinion can help Councillors to gain an understanding of the issue that they are reviewing. As a guest of the Committee you will not be interrogated or asked questions that seek to catch you out. The Councillors will attempt to put you at your ease as they realise that you have given up your time to help them. Notes will be taken of the proceedings. This is merely for the purpose of producing minutes of the meeting.

## Is it compulsory to attend?

It depends on who you are. Councillors and Council Officers must attend meetings if requested by Overview and Scrutiny Committee members. Attendance is not compulsory for any other witnesses who are asked to attend a meeting.

## Can someone be nominated to attend on my behalf?

If you cannot attend, you can nominate another person to come on your behalf. That person must be fully briefed on the issue. Committees sometimes invite an organisation to give evidence. In this case, it is up to you to decide who should attend.

It may be possible for the Committee to consider a written submission from you. The Committee may then come back to you at a later date if there are matters that have not been dealt with or where the Councillors would appreciate clarification about points you have raised in your written submission. This is something you can discuss with a Democratic Services Officer.

## What if I cannot attend on the date of the Committee meeting?

If you are unable to attend the Committee meeting on the date suggested please contact the Democratic Services Officer to discuss whether attendance on a different date might be an option. Alternatively, if the Officer advises that it is important for the discussions to go ahead on this date you could nominate a representative to attend the meeting on your behalf.

## Do witnesses get paid for attending Overview and Scrutiny meetings?

You will not be paid for giving evidence at an Overview and Scrutiny Committee meeting. However, we will reimburse reasonable expenses. Please retain your receipts and hand these to a Democratic Services Officer. The Officer will ensure that you are reimbursed for these costs.

## Where are Overview and Scrutiny meetings held?

Most of Redditch Borough Council's Overview and Scrutiny meetings are held at Redditch Town Hall. The Town Hall is located in Walter Stranz Square in the Town Centre. The Town Hall's Committee Rooms are air-conditioned and have full access for people with disabilities. Parking facilities are available at the Town Hall during evenings and weekends. During office hours Car Park 2 is available adjacent to the Town Hall. The Democratic Services Officer will inform you of the exact arrangements for your meeting.

When you arrive at the Town Hall please report to reception and ask for the Democratic Services Officer. The Officer will provide you with an ID card, will discuss the proceedings with you and will show you to your seat in the Committee room. .

## Who will be present at the meeting?

A number of Councillors and Council Officers, including the Democratic Services Officer, will be present at the meeting. Co-opted members may also attend the meeting if it addresses a topic which is of interest to them. Other witnesses may also have been invited to give evidence at the meeting.

Many Overview and Scrutiny Committee meetings are open to the public. You may therefore find that members of the public or press attend the proceedings. If you feel that the presence of the public or press would make you feel uncomfortable please contact the Democratic Services Officers to discuss the matter further.

Following recent changes in legislation it is now possible for people present at a public Committee meeting to film or record the proceedings. If you would prefer not to feature in any video recording please contact the Democratic Services Officer in advance of the meeting to discuss the matter further. These filming rights do not extend to Task Group meetings which are held in private.

## Will I have to give a presentation?

Sometimes the Committee asks witnesses to give a short presentation.. The Democratic Services Officers will inform you in advance if you have been invited to deliver a presentation. On other occasions the Councillors will ask you to answer a number of questions. If you are expected to answer questions at the meeting you will be sent a copy of the questions in advance. You may find it convenient to prepare your answers before the meeting takes place. The Councillors may ask you some additional questions based on the answers that you provide. They may also ask for your opinion about evidence provided by other witnesses at the meeting.

Alternatively, you may be asked to submit written evidence to the meeting. Any written evidence should include the main points of your opinion about the subject being discussed. If you submit the written evidence in advance please assume that the Councillors have read the document before the meeting takes place.

## How are witnesses treated at Overview and Scrutiny Committee meetings?

Redditch Borough Council is committed to treating witnesses in a respectful and courteous manner. Please be aware that information about individuals who give evidence, such as addresses, is only available to senior Officers. The Council will not give your personal details to other organisations or individuals.

## What will happen after the meeting?

Once the Councillors have finished collecting evidence, they will produce a report summarising their findings. The report will make recommendations for future action. This report will acknowledge any sources of written and oral evidence provided to the Councillors.

As a valued contributor to the Committee the Council will keep you informed on future progress. We will send you a copy of the Overview and Scrutiny Committee's final report with its recommendations.

The Councillors will monitor the implementation of the group's recommendations. You may be invited to attend future meetings that monitor the outcomes of the proceedings.

## Further Information:

If you have any concerns or wish to have an informal chat about contributing to the Overview and Scrutiny process at Redditch Borough Council please contact one of the Democratic Services Officers.

## Contacts

Jess Bayley
Democratic S's Officer
Tel: (01527) 64252
Extension: 3268

Amanda Scarce
Democratic S's Officer
Tel: (01527) 881443

E-mails: jess.bayley@bromsgroveandredditch.gov.uk / a.scarce@bromsgroveandredditch.gov.uk .

Address: Redditch Borough Council, Town Hall, Walter Stranz Square, Redditch, Worcestershire B98 8AH

**APPENDIX D**

# CALL- IN REQUEST FORM

I am / We are exercising the right to call in a decision in accordance with the Overview & Scrutiny Procedure Rules, on the basis that:

## 1. Details of the decision to be called in

1.1 The decision to be called in is that taken on *[insert date]*:

| |
|---|
| |

1.2 and the decision was to:

| |
|---|
| |

1.3 The decision was: *[delete as appropriate]*

- an Executive Committee Decision; OR
- a Key Decision made by an Officer under delegated powers.

## 2. Grounds for Call In

2.1 The reason for the request for call-in is that I / We have evidence which suggests that the decision was not taken in accordance with one or more of the principles of Decision Making in Article 13 of the Constitution, as indicated below:

*[delete as appropriate]*

- Decisions based on consideration of the full facts.
- Proportionality (action must be proportionate to the proposed outcome).
- Due consultation and the taking of professional officer advice.
- Respect for Human Rights.
- A presumption in favour of openness.
- Clarity of aims and desired outcomes.
- Due regard for the Council's environmental objectives.
- Due regard to the Council's duties in respect of Crime and Disorder.
- Clear explanations of the options considered and the reason for the decisions taken.

2.2 The evidence suggesting the decision was not taken in accordance with the principles indicated in 21.1 above is that:

| |
|---|
| |

**3. Councillors requesting Call In**

3.1 This request is delivered by:

| | |
|---|---|
| Name:<br>Signed: | |
| Name:<br>Signed: | |
| Name:<br>Signed: | |
| Name:<br>Signed: | |
| Name:<br>Signed: | |
| Name:<br>Signed: | |

| | |
|---|---|
| Date: | |

**Note:**

**A request for Call-in may only be made by:**

- **The Chair of the Overview & Scrutiny Committee; OR**
- **3 members of the Overview and Scrutiny Committee; OR**
- **Any 5 members of the Council, who are not members of either the Overview and Scrutiny Committee or the Executive Committee.**

**Please return this form, by hand, post or e.mail, within 5 clear working days of publication of the decision to:**

**The Overview and Scrutiny Support Team,**
**Redditch Borough Council,**
**Town Hall, Walter Stranz Square,**
**Redditch, B98 8AH**
**Email: democratic@redditchbc.gov.uk**

**APPENDIX E**

## SCOPING DOCUMENT

# Scrutiny Proposal Form

(This form should be completed by sponsoring Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

**Note: The matters detailed below have not yet received any detailed consideration. The Overview and Scrutiny Committee reserves the right to reject suggestions for scrutiny that fall outside the Borough Council's remit.**

| | | | |
|---|---|---|---|
| Proposer's name and designation | | Date of referral | |
| Proposed topic title | | | |
| Link to national, regional and local priorities and targets | | | |
| Background to the issue | | | |
| Key Objectives<br>Please keep to SMART objectives (Specific, Measurable, Achievable, Relevant and Timely) | | | |

| | |
|---|---|
| How long do you think is needed to complete this exercise? (Where possible please estimate the number of weeks, months and meetings required) | |

**Please return this form to:**

**The Overview and Scrutiny Support Team,**
**Redditch Borough Council,**
**Town Hall,**
**Walter Stranz Square,**
**Redditch, B98 8AH**
**Email: democratic@redditchbc.gov.uk**