

Agenda Item 2

Ways of Working for Scrutiny Panels:

Where a Scrutiny Panel conducts a review, it may ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:

- (a) the investigation should be conducted fairly and all Members of the Panel be given the opportunity to ask questions of attendees, and to contribute and speak;
- (b) as far as possible the process should be a positive experience for all concerned and those assisting the Panel by giving evidence should be treated with respect and courtesy;
- (c) questioning should not be adversarial and during the review all Members of the Panel should refrain from expressing their own views until all the evidence has been heard;
- (d) witnesses may be provided with a briefing note on the format and conduct of the meeting;
- (e) the investigation should be conducted so as to maximise the efficiency of the investigation or analysis. This may include providing outline questions and details of any documents required to witnesses in advance.
- (f) notwithstanding the provisions of the Access to Information Rules, witnesses may if they wish give their evidence privately or in writing.
- (g) at the end of questioning witnesses should be invited to revisit any points raised or make any general comments. After the meeting, they should also be asked to confirm a written draft of their evidence, permitted to comment on the accuracy of any final draft report if their evidence is directly used in it and provided with a copy of any report to which their evidence has contributed.

Members and officers giving account

Having established the remit of a Scrutiny Review Panel, as well as reviewing relevant documentation, the Panel may require any Member and/or any Director or their nominee to attend before it to explain in relation to matters within their responsibility:

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy;
and/or

(c) their performance;

and it is the duty of those persons to attend if so required (see below).

The requirement to attend shall apply only to a Member or to a senior officer to whom powers are specifically delegated in the Council's Scheme of Delegation to Officers at part 3 of the Council's constitution.

Any Member or officer who is required to attend before a Scrutiny Panel shall be given reasonable notice of the date of their attendance. Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the Scrutiny Panel shall after consultation with the Member or officer arrange an alternative date for attendance.

Where an officer appears before a Scrutiny Panel to answer questions, their evidence should as far as possible be confined to questions of fact and explanation relating to policies and decisions. Officers may explain what the policies are, the justification and objectives of those policies as the decision makers see them, the extent to which those objectives may have been met, and how administrative factors may have affected both the choice of policy measures and the manner of their implementation. Officers may be asked to explain and justify advice they have given to Members prior to decisions being taken.

As far as possible officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by officers on the Council's policies and decision-makers' actions should always be consistent with the requirement for officers to be politically impartial.

Attendance by others

A Scrutiny Panel may invite people other than Members or officers of the Authority to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and representatives from other parts of the public sector. Attendance by such persons is entirely optional.

Public involvement/transparency of the process

As far as possible Scrutiny Panels will meet in public in accordance with the Access to Information Rules in Part 4 of the constitution. They will seek to foster consultation and involvement by local communities and where appropriate will consider when beginning a review how best the public and stakeholders can be invited to contribute - for example as service users, witnesses, expert advisers, local community representatives or co-opted Members.

Membership of Scrutiny Panels

When a Member requests for a matter to be scrutinised, that Member should not be appointed as a Member of the Panel scrutinising the issue. This would not preclude the Member from giving evidence to the Panel as a lay or an expert witness.

Reporting Scrutiny Findings And Recommendations

Overview and Scrutiny Committees and Panels adopt a firmly cross-party approach. To maintain the integrity of the overview and scrutiny function, overview and scrutiny activities including in-depth scrutiny reviews should not be used for party political purposes.

Until a scrutiny Panel report has been finalised and formally adopted by the parent committee, comment on a scrutiny review to the press and media should not be made by any individual Panel Member.

When a Panel's report becomes public the Chair may, on behalf of the whole Panel, describe the work of the Panel to the press and media.