**What is a call-in?**

A 'Call in' is a statutory (legal) process which enables a prescribed number of members of the Council (including statutory co-opted members) request that a decision that has been made but not yet implemented to be reconsidered by the person or body making the decision.

**What decisions can be called-in?**

Any decisions made by the following are subject to the call-in procedure:

* the Cabinet
* a Cabinet Member
* a committee of the Cabinet
* an Officer taking a key decision acting on delegated authority from the Cabinet
* an area committee
* a body under joint arrangements

BUT NOT the decisions of quasi-judicial or Regulatory Committees.

 **Principles governing the call in arrangements**

* There needs to be an appropriate balance between holding the decision-makers to account and the need for effective and efficient executive working.
* A decision-maker will not be asked to reconsider a decision more than once.

These principles will be taken into account by those determining the validity of a call in request.

**What is the call-in process?**

All Cabinet decisions are published and are available at Council offices and on the Council’s website.  Cabinet decisions made by the Cabinet are published as minutes.  Those decisions taken by individual Cabinet Members are published as a decision register entry.

The publication notice will state the date on which the decision is published and will specify that the decision will come into effect, and may then be implemented, on the expiry of a period of 5 clear working days after the date of publication, unless the decision is called in. During that 5 clear day period, any 10 members of the Council (including statutory co-optees) may submit a call-in notice to the Chief Executive asking for the decision to be reconsidered.

The call in notice must state why, in the opinion of the Councillors, it is considered that the decision should be reviewed and / or reconsidered by the decision-maker(s) and a reason for the call- in.

(Councillors and statutory co-optees can sign a maximum of 5 call-in requests per Council year).

The Chief Executive (or the Monitoring Officer on his behalf) shall determine whether a call-in is valid (i.e. whether it has been received within the prescribed period and is signed by the required number of members).  If the call-in is valid, the Policy Development and Scrutiny team shall inform the Chair of the relevant Policy Development and Scrutiny Panel, the Leader and relevant Cabinet Member(s) and the Lead Officer(s).

A meeting of the relevant Policy Development and Scrutiny Panel will then be held within 14 working days from the date of a validated call-in request.  The Panel may wish to meet informally in advance of the open meeting in order to scope how it wishes to consider the issue. The date and agenda for the public meeting will be published on the Council’s website and available at all public inspection points 5 working days in advance of the meeting. Once the agenda is published, members of the public may register to speak at the meeting by contacting Democratic Services.

**What happens at a call-in meeting?**

At the public meeting the Policy Development and Scrutiny Panel will then consider evidence from a range of people including the relevant Cabinet member/decision maker(s), the lead call-in Councillor, invited attendees and members of the public who have registered to speak at the meeting.

After hearing all the evidence, the Panel may determine the following courses for action:

1. Dismiss the call-in and allow the decision to be implemented with immediate effect;
2. Refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of the Panel’s concerns.  The decision-making person or body shall then reconsider the matter within a further 10 working days from the date of the Policy Development and Scrutiny Panel meeting, and may amend the decision or confirm the original decision, giving reasons in either case.
3. To refer the matter to Council to itself undertake the role of the Panel (which may necessitate an additional Council meeting to meet necessary timescales) [NB: the ultimate decision still remains with the original decision maker].

In total, the Panel shall ensure that the period of Policy Development and Scrutiny involvement in an individual call-in shall not exceed 21 working days. This timescale does not apply if the matter is referred to the Full Council.

**Are there any exceptions to the call-in arrangements?**

The call-in procedure set out above shall not apply where

* the executive decision is urgent as defined in the Urgency Procedure Rules at part 4 of the Council's Constitution.

The advice of the Chief Executive, Monitoring Officer or (if necessary) the Chief Financial Officer shall be sought in applying this exception.

OR

* the effect of a call-in alone would be to cause the Council to miss a statutory deadline for action.

**More Information:**

For more information about the call-in process please contact:

* Policy Development and Scrutiny team on 01225 396053 or e-mail scrutiny@bathnes.gov.uk.
* Democratic Services 01225 394435 or e-mail democratic\_services@bathnes.gov.uk