

## SCRUTINY PROTOCOL

### 1. Effective Scrutiny

- The Centre for Governance & Scrutiny has identified the following four principles which underpin effective scrutiny: -
  - Providing constructive “critical friend” challenge to the Cabinet as well as outside agencies.
  - Reflecting the voice and concerns of the public and its communities.
  - Being led by independent people who take responsibility for their role.
  - Delivering improvement in public services.
- There are three further components of good scrutiny and good governance which support and reinforce these principles. These are: -

**Accountability** – where responsibility for services and decisions is clear and decision-makers are answerable for success and failure;

**Transparency** – involving publication of information relating to services and decisions to allow people to hold decision-makers to account;

**Involvement** – whereby a range of stakeholders can play an active role in holding to account and influencing policy.

### 2. Objectives

2.1 The objectives of this Protocol are:

(i) to establish a positive framework and build upon the procedures laid out in the Council's Constitution, which exist to enable the Scrutiny Committees to work effectively;

(ii) to maximise the personal effectiveness of Scrutiny Members, Cabinet Members and officers by enabling them to fully understand their powers, roles and responsibilities in relation to the Scrutiny function;

(iii) to promote and maintain an ethos of mutual respect, trust and courtesy in the inter-relationships between Scrutiny Members, Cabinet Members and officers and a climate of openness that leads to constructive, yet challenging, debate;

(iv) to create a culture of holding the Cabinet to account on behalf of the electorate, by monitoring the effectiveness of the Council's policies and through the regular review of its performance in relation to service delivery, with a view to ensuring service improvements;

(v) to define and clarify the role of the Cabinet as an integral component of the Scrutiny process; and

(vi) to achieve an appropriate level of alignment between the work of Scrutiny and the policies and priorities of the Cabinet and also to the work of the Audit and Governance, Regulatory and Inspection bodies.

### 3. Constitution

3.1 More Information on the Scrutiny process can be found in the Council's Constitution. In summary, within their terms of reference, Scrutiny Committees may:

(i) review or scrutinise decisions made or other actions taken in connection with the discharge of any of the Council's functions (including the draft budget), but with exception of

any matter which is specifically identified in the terms of reference of any other Scrutiny Committee;

(ii) enable members to refer matters relevant to the functions of the Committee to it and should it decide not to exercise those functions further, to give reasons to the member(s) concerned;

(iii) make reports and / or recommendations to the full Council and / or the Cabinet in connection with the discharge of any functions;

(iv) assist the Council and the Cabinet in the development of the policy framework and budget;

(v) consider any matter affecting the area or its inhabitants; and

(vi) exercise the right to "Call-In" for consideration, decisions made but not yet implemented by the Cabinet.

#### **4. Role of the Scrutiny Committees**

4.1 One of the fundamental principles of Scrutiny is the ability to hold the Cabinet to account. The principle of the "Cabinet" style of local government is that, by having a small Cabinet responsible for decision-making, the decision-making process will be quicker and more efficient. However, local people need to be assured that this small group of Members are making decisions effectively and acting in the best interests of the local community they serve.

4.2 Holding the Cabinet to account can involve scrutinising Cabinet decisions at a number of different stages of the decision-making process:

- before decisions are made,
- before they are implemented and
- after they are implemented.

4.3 Holding the Cabinet to account shouldn't be about confrontation. It is more about non-Cabinet Members providing a "critical friend" challenge to the Cabinet and individual Cabinet Portfolio Holders.

4.4 It should be remembered that Scrutiny is not about challenging individuals or personalities but is about challenging decisions and securing improvement where possible. Neither should holding the Cabinet to account be about party-political loyalties.

4.5 There are a number of ways in which the Scrutiny process can operate:

- using the "Call-in Procedure", whereby any individual Member can, within 5 days of publication of a Cabinet decision, challenge or "call in" the decision. This usually leads to the relevant Scrutiny Committee meeting reviewing the decision and the Committee may make specific recommendations to the Cabinet.
- "Requests for Consideration" – any Member can request the inclusion of an item on any Scrutiny Committee. All Members routinely receive an electronic link to all Cabinet agendas.
- examining the Cabinet's Forward Work Programme, which will be published on a monthly basis. The Work Programme will (as far as is possible to do so) give advance notice of issues to be considered by the Cabinet and the date upon which

this will take place. This provides an early opportunity for Scrutiny Members to identify forthcoming issues and to review whether it is considered Scrutiny should play a part in the process. It is also essential that the Cabinet Work Programme is taken into account when Scrutiny committees are drawing up their own Work Programmes;

- calling the Cabinet Portfolio Holder to give account. This may be in relation to an item being considered by the full Scrutiny Committee or the work of a single-issue Task and Finish Group or an annual update on their work;
- specific meetings with Cabinet Portfolio Holders;
- receiving updates on Cabinet responses to Scrutiny Committee recommendations (known as “decision-tracking”).

## **5. Working relationship between Cabinet and Scrutiny**

5.1 The relationship between Cabinet and Scrutiny is governed in part by law and in part by the Council’s Constitution.

5.2 Cabinet and Scrutiny have very different functions and responsibilities. However, the aim of both is to secure the best outcomes for the people who live and work in the District of East Devon.

5.3 The following four principles set out how the working relationship between Cabinet and Scrutiny should operate:

1. Cabinet and Scrutiny recognise that they each have different functions and responsibilities and the contribution that both can make to securing the best outcomes for residents.
2. Cabinet and Scrutiny will work alongside each other in a positive manner. Cabinet recognises that scrutiny has a number of rights, such as “Call-In” and requiring Cabinet Members to attend its meetings and will respect those rights. Scrutiny Committees will exercise those rights responsibly.
3. All participants in the working relationship between Cabinet and Scrutiny will look to work within a spirit of mutual respect and constructive challenge.
4. The relationship will be open and transparent.

## **6. Scrutiny Work Programmes and Agendas**

6.1 Scrutiny is most effective when it is focused on a limited number of in-depth topics and priorities. When considering agenda items, Scrutiny Committees should have regard to the likely value and impact gained from any report or review. This will need to be carefully balanced against the time and resources required to undertake the activity. To be effective, Scrutiny Committees need to focus on strategic issues where it can make an impact. Cross-cutting issues which affect communities across the district rather than single ward issues should be the focus.

6.2 Forward Work Programmes will be prepared to list the subject matters of decisions that the Cabinet intend to take and what business the Scrutiny Committees will be considering and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered. Each of these bodies will be responsible for their own Work Programmes. Annual Forward Work Programmes will be prepared from the beginning of the Municipal Year.

6.3 Regard should be paid by Scrutiny Committees to the need to take into account alignment with the Work Programmes of Audit and other Committees.

6.4 The Cabinet may also request a Scrutiny Committee to assist in undertaking a review to help policy development.

6.5 The Cabinet Forward Programme will include details (as far as is known) of those areas which it is intended will be subject to “Pre-Cabinet Scrutiny” prior to a formal decision being made. This Work Programme should, in turn, form a key element, when the Work Programmes of the Scrutiny Committees are being drawn up.

6.6 Consideration of what items are intended to be subject to “Pre-Cabinet Scrutiny” should be carefully undertaken by the Leader and Cabinet Members. A consistent approach should be adopted when deciding on such items.

6.7 Usually at the first meeting in the Municipal Year, each Scrutiny Committee will consider and determine its priorities for the coming year, which are to be included in the Work Programmes. Again, it is essential that the Cabinet Work Programme is taken into account when Scrutiny committees are drawing up their own Work Programmes.

6.8 The appropriate Cabinet Member(s) may be invited to attend to comment on the Committee’s proposed priorities within the Work Programme. This will inform the selection process and the Cabinet Member(s) may be invited to assist the Committee by providing advice on potential conflict between proposed Scrutiny topics and areas of planned policy development.

6.9 Scrutiny Committees’ Work Programmes will be monitored on a regular basis, with advice provided by officers as to when reports will be presented. This will also allow the Members of the Committees to regularly review and update their work programmes.

6.10 The work programmes of Audit and Regulatory Committees should be closely aligned to the Scrutiny Committees’ work programmes, with relevant reports presented to Members in a timely and consistent manner.

6.11 Scrutiny Committee agendas will, at regular intervals, include any relevant performance management information available. The purpose of this item will be to assist Members with monitoring the performance of services against key targets and to make recommendations.

## **7. Agenda setting meetings**

7.1 Agenda planning for individual meetings of Scrutiny Committees will revolve around a system of “agenda setting” meetings. These are recognised as an invaluable mechanism in the Scrutiny process. In attendance will be the Chair and the Vice-Chair and the relevant senior officers.

## **8. Scrutiny Reports**

8.1 Reports may be submitted to a Scrutiny Committee by one of the following routes:

- (i) Report referred to a Scrutiny Committee by Cabinet for consideration;
- (ii) Report submitted directly to a Scrutiny Committee as part of its Work Programme;
- (iii) As a result of the “Call-In” procedure;
- (iv) As a result of a “Request for Consideration” item submitted by a Member;

(v) in the form of a reference from another Scrutiny Committee or other Committee (e.g. Audit and Governance Committee).

8.2 Reports which are “for information” should be disseminated to Members outside of the formal Cabinet and Scrutiny Committee agenda arrangements via the Democratic Services Team.

## **9. Conduct of Meetings**

9.1 Scrutiny Committees should seek to promote an atmosphere of openness and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust between Scrutiny Committee Members, the Cabinet Member(s), Officers and other participants.

9.2 Scrutiny Committee Members should normally be prepared to ask searching and challenging questions of Cabinet Members and Officers, who, in turn, should be willing to respond to any question put. However, Scrutiny Committee Members should be aware of, and show an understanding, of the fact that Cabinet Members and Officers may not always be in a position to answer every question immediately or in detail.

9.3 Cabinet Members should, in so far as possible, anticipate and be prepared to answer questions on decisions taken, or proposed to be taken, which fall within their remit. Cabinet Members should also value the contribution of Scrutiny Committee Members who raise questions and should respond in an appropriate and professional manner.

9.4 The Chair of the meeting shall at all times ensure that the conduct of the meeting shall be fair and that all participants are treated courteously.

9.5 Officers will be asked questions by Committee Members in a dignified and respectful manner. Responses should be clear and concise with Officers mindful that members of the public, who may be present, may not have a full in-depth knowledge of the topic being discussed.

9.6 The Chair, supported by the Officers, should provide leadership and guidance to the Committee on all Scrutiny matters and should promote the Committee’s role to improve services and monitor the effectiveness of Council policies.

9.7 Meetings of Cabinet and Scrutiny Committees are subject to the relevant provisions in the Council’s Constitution, including that they must normally be held in public, unless factors allowed for by law and the Council’s Constitution are judged to require consideration of a matter with the public and press excluded.

9.8 Meetings should be carried out in a business-like, non-aggressive and non-confrontational manner, with courtesy extended to all participants.

9.9 Members should have regard to the Members’ Code of Conduct and the Protocol on Member/Officer Relations as set out in The Council’s Constitution.

9.10 Scrutiny Committee meetings should be held using a room layout appropriate for the business to be conducted.

9.11 Scrutiny Committees and Scrutiny work should be conducted in a non-party political manner.

## **10. Attendance by Cabinet Members**

10.1 Each Scrutiny Committee Chair will have discretion when deciding upon whether a Cabinet Member is required to attend a Committee meeting. It will be common for Cabinet Members to be invited to attend a Scrutiny Committee meeting for the purpose of being held to account in relation to decisions taken.

10.2 Cabinet Members are also encouraged to attend meetings to listen and gauge the views of Scrutiny Members on any issues falling within their remit.

10.3 An open discussion and exchange of views will be of importance to the Cabinet Member(s) and Scrutiny Members, particularly where consideration is being given to the development of the Council's budget or policy framework.

10.4 Depending on the nature of the agenda item, either the Cabinet Member or Senior Officer will be asked to present the item. Members of the Committee should be aware that although officers can reply to specific questions regarding the operational performance of a service, the reasoning behind why a decision was made should be directed to the Cabinet Member(s).

10.5 If a Cabinet Member is required to attend a Scrutiny Committee for a specific reason, then they should receive sufficient notification of why they are being invited to the meeting. This should be, if possible, notified to them in writing, and copied to the Committee Members so everyone understands the basis on which they are attending. The Overview and Scrutiny Procedure Rules in the Constitution set out the procedure that needs to be followed for requiring a Cabinet Member to attend.

## **11. Annual Portfolio Holder Reports**

11.1 Each Cabinet Member will be invited to present an annual report once during the Council year. The report should summarise the work undertaken since the last report.

11.2 Members of the Committee may submit questions on the portfolio to the Democratic Services Officer at least one month before the report is due. Members are encouraged to submit questions on the report once it has been published.

11.3 The Cabinet Member will present the report at the meeting, after which the Committee will have the opportunity to ask any further questions, to clarify points and to scrutinise the report and the work of the portfolio in more depth. The Cabinet Member will have up to 10 minutes to present the report and it will be assumed that the Committee will have read the report in advance. A total of 35 minutes will be allowed for questions, the Chair has discretion to extend this time if required. The range of responses available to the Cabinet Member are set out in paragraph 13.

## **12. Attendance by Senior Officers**

12.1 Meetings of Scrutiny Committees will normally be attended by Senior Officers with responsibility for any agenda item under discussion. Senior Officers include the Chief Executive, Directors, Assistant Directors or Service Managers. The role of the Senior Officer will be to assist the Committee through the provision of professional advice and to ensure access to relevant information and personnel. However, where the agenda item relates to a "Call-In", the relevant Cabinet Member will respond in the first instance.

12.2 The Overview and Scrutiny Procedure Rules in the Constitution set out the procedure that needs to be followed for requiring a senior officer to attend and is via a request from the Chair to the Chief Executive.

12.3 Senior Officers will be expected to proactively contribute to a debate on an agenda item. Senior Officers can be required to attend a Scrutiny Committee to present an agenda item report and to answer questions or provide advice regarding operational aspects of a particular service. This will allow Members to question Officers on the likely impact of any decisions made by the Cabinet and for Members to gather a greater appreciation of reasons why a course of action was agreed upon.

12.4 Members of a Scrutiny Committee will also regularly question Officers about issues affecting the performance of a specific service and to ask for more detail around the level resources available within a service area.

12.5 Officers in attendance at Scrutiny Committee meetings should also be prepared to assist the Cabinet Member in the provision of information to the Committee in response to any question raised.

12.6 A Senior officer in receipt of a request to attend a Scrutiny Committee meeting should make reasonable efforts to do so. Where they are unable to attend on a particular date, they should notify the Chair (or relevant Officer within Democratic Services) as soon as possible, in order to agree the most appropriate course of action, which may include the attendance of an alternative representative.

12.7 Relevant Senior Officers will normally be expected to attend any meeting of a Scrutiny Committee at which it is intended to consider a 'Call-In' request in relation to their service.

### **13. Cabinet Member responses**

13.1 Following a question raised during a Scrutiny Committee meeting, the Cabinet Member may respond in the following ways: -

- (i) by way of a direct oral answer;
- (ii) where the desired information is in a publication of the Council or other published work, by reference to that publication;
- (iii) where an Officer is in attendance at the meeting, who can reasonably be expected to be in a position to give a reply, by referring the matter to the officer concerned;
- (iv) where the reply cannot conveniently be given orally, by way of a written answer circulated to all Members of the Committee within five working days; and
- (v) where the reply cannot be given within the above timescale, a brief explanation for the delay and the likely timescale for response should be provided to all Members of the Committee.

### **14. Call-in**

14.1 When a decision is made by the Cabinet, the decision shall be published by the Democratic Services team, normally within two working days of the date when the decision was made. The relevant "Call-In" period will expire three clear working days after the publication of the decision.

14.2 If the "Call-In" is accepted by the Chief Executive, the relevant Scrutiny Committee will have the opportunity to discuss and evaluate the merits of the decision. This shall take place within one calendar month of receipt of the "Call-In" request.

14.3 Unless there are extenuating circumstances, the relevant Cabinet Member would be expected to attend a Scrutiny Committee meeting when a "Call-In" is being considered. It is

accepted, however, that officers are often better placed to present greater detailed information that led up to the decision and this is deemed to be acceptable, although it should always be the decision-maker that is held to account.

14.4 The following procedure will be followed when a “Call-In” is being considered:

- (i) The Chair outlines the nature of the request;
- (ii) The Member who “called-in” the decision will be invited to explain the reasons for the request;
- (iii) The Chair will then invite the Cabinet Member to respond;
- (iv) The Committee can then ask questions of the Cabinet Member, who may ask a relevant officer to supply further information if necessary;
- (v) The Committee debates the issue and may form recommendations for consideration by the Cabinet or to Full Council, who may, in turn, refer the matter back to Cabinet for further consideration.

14.5 In the event where the relevant Cabinet Member cannot attend a meeting when a “Call-In” is being considered, another Cabinet Member will seek to attend and be accountable for the decision.

## **15. Minutes of meetings**

15.1 The minutes of each Scrutiny Committee will include any recommendations made during a Committee meeting and the reasons for those recommendations. On a quarterly basis, Scrutiny Committees will monitor progress of each recommendation, with updates provided by the relevant Officers.

15.2 Recommendations from the Scrutiny Committees will be referred to Cabinet at the earliest possible opportunity.

15.3 Where Cabinet has decided not to implement a specific recommendation made by a Scrutiny Committee, the reason for not doing so should be minuted. This will be reported back to the Committee on a quarterly basis when the Committee considers its’ ”decision tracking”.

## **16. Meetings between Scrutiny Committee Chairs and Cabinet Members**

16.1 Whilst the Scrutiny process is essentially a public one, it is recognised that the development of an informal dialogue between the Scrutiny Committee Chair and the relevant Cabinet Member(s) will enhance the interaction between the two functions. Informal dialogue will be encouraged in order to allow the Cabinet Member(s) to understand the Scrutiny Committee Chairmen’s viewpoints and vice versa.

16.2 Such dialogue will also allow the relevant Scrutiny Committee Chair and the Cabinet Member(s) to discuss major policies and key decisions that are likely to be progressed over the forthcoming months and provide an opportunity for further input into the strategic elements of the work programme.

16.3 Such dialogue could also allow consideration of Audit, Regulatory and Inspection work programmes to take place to ensure that reporting arrangements are well-planned and fully “joined up” (particularly within the context of Forward Work Programming for both Cabinet and Scrutiny).



## **17. Public Speaking at Scrutiny Committee Meetings**

16.1 The Council has published a Guide to Public Speaking at Scrutiny Committee Meetings, intended to enhance the ability of members of the public to speak at meetings of the Council's Scrutiny Committees. A copy of the Guide is attached at Appendix A.

## WHAT TO EXPECT WHEN ATTENDING A SCRUTINY MEETING

This guide provides information on what to expect when attending a Scrutiny meeting. It is split into guidance for observers, guidance on public speaking and guidance for external witnesses.

This guide has been approved and adopted by the Overview and Scrutiny Committees.

### 1. GUIDANCE FOR OBSERVERS:

#### Where and when are the meetings held?

Meetings usually take place in the Council Chamber at Blackdown House, Honiton, East Devon.

Occasionally, alternative times and venues may be used, for an up-to-date schedule of meetings please visit our website or contact us (details are at the end of this guide).

Who will be there?

Membership of the Scrutiny Committees is made up of elected Councillors from all political parties on the Council on a proportionate basis. The Council has an Overview Committee and a Scrutiny Committee. The Council also has a Housing Review Board which is a Scrutiny Committee but due to the different make-up of that Committee, this guidance does not apply.

A member of the Democratic Services Team will be present to provide advice to the Committee and a Democratic Services officer will take minutes at the meeting. A representative of the legal section will also be present to provide legal advice. Other officers with an interest in one or more of the topics on the agenda may also be present.

As Scrutiny meetings are open to the community (unless otherwise stated – i.e., confidential matters are being discussed), members of the community are welcome to attend and the press and media may also be present.

Meetings may involve contributions from a wide range of sources, including members, officers, officers from other public bodies, local businesses, voluntary groups, specialists and other members of the community.

#### What happens when I arrive to attend a meeting?

If you are attending the meeting as an observer, you will be greeted by one of the Democratic Services Officers who will show you to the public seating area and provide you with a copy of the agenda (if available).

#### How will the meeting room be set out?

A typical room layout is shown towards the end of this guide.

#### Will a written record of the meeting be produced?

Minutes of the meeting will be taken and the meeting will be aired via YouTube. The minutes will include a summary of the matters discussed and any recommendations made. They will be submitted to the following meeting for approval by the Committee.

## **2. GUIDANCE FOR PUBLIC SPEAKERS**

### **Who Can Speak?**

Anyone who lives or works in the East Devon District Council administrative area, including Town / Parish Councillors and County Councillors, is entitled to speak at a meeting of one of the Council's Scrutiny Committees provided that they have registered to speak.

### **Where do I sit?**

When it is your turn to speak, the Chair will call you forward to the registered speaker's podium. Once you have spoken, you will be asked to return to the public gallery. The typical room layout is shown towards the end of this guide.

### **How Long Do I Have To Speak?**

Each speaker will have three minutes speaking time.

### **What Can I Speak On At The Meeting?**

A member of the community speaking on an agenda item must address their speech to the item they have registered to speak upon on the agenda and cannot address other agenda items or unrelated business. The right of the community to speak, or indeed to attend, does not apply to business on the agenda in respect of which a resolution to exclude the press and public for the consideration of confidential or exempt business has been carried.

### **What can I not Speak on At The Meeting?**

The right to speak does not apply to the following agenda items: Apologies; Minutes; the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report or any agenda item for which the Chair has exercised her or his discretion to withdraw the right of public speaking.

The Chair of the committee will have the discretion to stop a speaker before their allotted time has concluded if, in the Chair's view, the speaker is making any comments that are, or appear to be, defamatory, vexatious, discriminatory, contain offensive language, are unrelated to the agenda item under consideration, or behaviour otherwise not appropriate for a Scrutiny Committee meeting.

The right to speak does not include the right to ask any questions of any District Councillor, Officer of the Council, invited attendee, or any other public speaker.

### **How Do I Register to Speak?**

The agendas for Scrutiny Committee meetings are published on the Council's website five working days before the date of the meeting. Members of the community who wish to register to speak at meetings of the Council's Scrutiny Committees should register to speak by no later than 12.00 noon two working days before the meeting by contacting Democratic Services (see the contact details at the end of this guide). Any requests received after this time will automatically be rejected. In addition, no request to speak will be accepted prior to the publication of the Scrutiny Committee agenda. To assist the Committee, Democratic Services will ask you to provide an outline of the issues you wish to raise at least 24 hours prior to the meeting.

### **3. GUIDANCE FOR EXTERNAL WITNESSES:**

If a Scrutiny Committee decides that they would like to invite you to come along to one of their meetings as a witness, the Democratic Services Officer will contact you informally about the process. There is no obligation for people from outside the Council to attend (except where legislation provides otherwise), but by attending you will be making a valuable contribution in helping the members of the Committee to gain an accurate view of the issue/s being discussed. You can nominate another person to come on your behalf if they are fully briefed on the issue. Occasionally, organisations, rather than an individual, are invited to give evidence. In this case, it is up to you to decide who would be most appropriate to attend.

#### **Where and when are the meetings held?**

The Democratic Services Officer will contact you beforehand and provide details of the date, time and location of the meeting. If you agree to come along you will be sent a formal invitation confirming these details.

Meetings usually take place at 6pm in the Council Chamber, Blackdown House, Honiton. Occasionally, alternative times and venues may be used, but you will be informed accordingly beforehand.

#### **How can I prepare for the meeting?**

The formal invitation will contain details of the relevant inquiry (including any notes of previous evidence sessions) and the way Scrutiny works at the Council. You will also be provided with an outline of the likely questions to be asked of you or issues to be discussed.

If you have been asked to give a presentation, the Democratic Services Officer will discuss with you beforehand the style and length of your presentation and ask you to provide a copy of any PowerPoint presentation before the start of the meeting. If you haven't been asked to give a presentation but feel that it would be beneficial, please contact the Democratic Services Officer to discuss.

You will be informed of any documents that the councillors wish to have produced for them. Councillors will usually find it helpful if you can prepare a brief paper setting out some of the key facts and issues. Please consult with the Democratic Services Officer co-ordinating the meeting about arrangements for copying and distribution. If you have any further information that you think will aid the inquiry then please send it to the Democratic Services Officer (contact details at the end of this guide) who will make sure that it is put on the agenda or circulated to councillors prior to the meeting. If you have any special requirements, please contact the Democratic Services Officer.

#### **Who will be there?**

Membership of the Scrutiny Committees is made up of elected councillors from all political parties on the Council. A Democratic Services Officer will also be present to provide advice and to take minutes at the meeting. A representative of the legal section will also be present to provide legal advice. Other officers with an interest in one or more of the topics on the agenda may also be present.

As Scrutiny meetings are an important means of democratic accountability and are open to the public (unless otherwise stated – i.e. confidential matters are being discussed), members of the community are welcome to attend and the press and media may also be present.

Meetings may involve contributions from a wide range of sources, including members, officers, County Council employees, NHS employees, education representatives, local businesses, voluntary groups, specialists and other members of the community.

### **What happens when I arrive to attend a meeting?**

One of the Democratic Services Officers will show you to your seat.

### **How will the meeting room be set out?**

Please see the diagram of the typical room layout towards the end of this guide. **To be produced**

### **What happens at the meetings?**

At the beginning of the meeting there will be a number of procedural items of business that the Chair will address, such as approving the minutes of the last meeting and taking apologies from absent members etc. Whilst these are formal meetings of the Council, the structure tends to be much more informal, with free and open discussion.

If there is any information that you do not wish to give in public, you should make this clear to the Chair prior to the meeting. The Council is able to conduct some of its business in private provided that the information in question falls within a number of set criteria such as personal information or financial or business details. These categories are set out by statute – further details are available on request. If a meeting (or part of a meeting) is to be conducted in private, the public and press will be asked to leave and, whilst minutes will be produced, they will only be made available on a restricted basis.

### **What happens when I give evidence?**

We will ensure that all witnesses are treated with courtesy and respect and that all questions to witnesses are made in an orderly manner as directed by the Chair of the meeting.

When it is your turn to speak on your agenda item, the Chair will ask you to introduce yourself and to make your presentation. Once you have finished your presentation Members of the Committee will be invited to ask you any questions.

You should try to be honest and open in your responses and to volunteer relevant information and views, even if not specifically asked by the Committee. If there is factual information available to back up any views which you may have, it will be helpful to refer to this, either directly or by stating the source of the information. You should try to be as precise as possible in your responses. If you do not know the answer to a question, simply say so and if appropriate send us the information after the meeting. Also, if you are only able to give an estimate, for example of costs involved in a project or about timescales, explain that it is only an estimate and not a definitive amount. Explain if there are factors or assumptions which may have a significant impact on any figures or estimates given.

If you are attending on behalf of an organisation, you should make it clear whether any views expressed are personal views or those of the organisation.

### **Will a written record of the meeting be produced?**

Minutes of the meeting will be taken and the meeting will be live-streamed to YouTube. The minutes will include a summary of the matters discussed and any recommendations made. They will be submitted to the following meeting for approval by the Committee and will be published on the Council website.

### **What happens next?**

Following the proceedings, you will be written to (where appropriate) and informed of the outcome.

Once the Committee has finished the review, a report will usually be written to present a full picture of the inquiry and recommendations will be made. If the recommendations are accepted, Scrutiny members will monitor progress on changed policies, procedures etc.

## **4. GENERAL DISTURBANCE**

It is recognised that some matters being scrutinised may be controversial. However, to ensure that business is conducted in an orderly fashion, it is essential that the procedures outlined in this guide are followed. In the event of any disorderly conduct, the following rules will apply:-

- If anyone interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.
- If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary.

Contact details for Democratic Services:-

Democratic Services ([democraticservices@eastdevon.gov.uk](mailto:democraticservices@eastdevon.gov.uk))

Blackdown House, Heathpark Industrial Estate, Honiton EX14 1EJ