

### **'Call-in' Procedure**

1. The request to 'call-in' a Combined Authority decision must be made by at least 3 Members of the Overview and Scrutiny Committee (OSC)
2. The Call-In request must be received by the SCR Scrutiny Officer within five working days of the decision being published.
3. Upon receipt of the Call-In request, the SCR Scrutiny Officer will inform the people listed below of the topic of the Call-In request:
  - (a) Chair,
  - (b) Vice-Chair
  - (c) Members of the OSC;
  - (d) Members of the Combined Authority;
  - (e) Chief Executives;
  - (f) Monitoring Officer
  - (g) Statutory Officers.
4. The SCR Scrutiny Officer will arrange for an item to be included on the next Overview and Scrutiny Committee agenda and will arrange for a report to be compiled giving details of issues to be considered.
5. If the decision needs to be implemented within a certain timescale and the agreed Schedule of Meetings does not have a relevant meeting timetabled to allow the Call-In to be discussed, an extra meeting of the relevant body will be called.

The Scrutiny Officer will engage JAGU to call an extra meeting of the OSC

6. At least one of the Members requesting the Call-In will be required to attend the Overview and Scrutiny Committee to explain why the Call-In request has been made and to present any appropriate documents.
7. A representative from the Combined Authority, supported by appropriate executive officers, should attend the Overview and Scrutiny Committee to give the Authority's viewpoint and answer any questions.
8. The Overview and Scrutiny can make any one of two decisions when considering the Called-In item:
  - (a) The first is not to make any recommendations.
  - (b) The second is to make recommendations. If this happens, whatever the recommendations might be, the matter is referred back to the Combined Authority with a request that the decision be reconsidered (with reasons) and if agreed, a stop may be placed on the

implementation of a decision whilst it is under scrutiny. The CA or Mayor must then hold a meeting to reconsider the decision

If (b) prevails, JAGU will make arrangements for an extra meeting of the Combined Authority

9. The Chair of the OSC may attend the Combined Authority to present the OSC's findings.
10. Notwithstanding the OSC's recommendations, the Combined Authority can still decide to go ahead with implementing the decision, but it will have to give publish its reasons if this goes against the scrutiny recommendation.

## Appendix 2 – Proposed Revised SCR OSC Constitutional Amendment

### D. The Overview and Scrutiny Committee

#### General Principles

1. The Authority's Overview and Scrutiny Committee (OSC) shall have the following terms of reference:-
  - 1.1 To act as a focus for the monitoring, scrutiny and challenge of the Authority, its committees and undertakings;
  - 1.2 To investigate matters of strategic importance to residents and businesses within the City Region and to report with recommendations to the Authority;
  - 1.3 To scrutinise the decisions of the Authority, its committees and undertakings and make recommendations for improvement and/or change;
  - 1.4 To review the performance of the Authority
2. The terms of reference for the OSC and its work programme will be subject to an annual review by the Authority.
3. The OSC shall have the power to:-
  - 3.1 Invite Members to attend before it to answer questions;
  - 3.2 Invite other persons, including members of the public, to attend its meetings;
  - 3.3 Review or scrutinise decisions made or other action taken in connection with the discharge of any functions which are the responsibility of the Authority;
  - 3.4 Make reports or recommendations to the Authority with respect to the discharge of any functions which are the responsibility of the Authority;
  - 3.5 Call in decisions of the Mayor and Combined Authority which have been made but not implemented. This applies to all decisions, not just "key decisions" and place a stop on the implementation of the decision once it is under scrutiny
4. OSC Members have enhanced rights to access information held by the authority; any information (including exempt or confidential information, excluding advice) must be provided on request. Where such a request is refused, a reason must be given.
5. Any member of the OSC may refer an issue to the CA OSC. Referral means placing the item on the scrutiny agenda for discussion. A member making a referral may make representations to help the committee decide whether to use its powers to scrutinise that issue.
6. The Scrutiny Committee's power to review or scrutinise a decision made but not implemented under paragraph 3.3 above includes the power to recommend that the decision be reconsidered by the Authority.
7. Where the Scrutiny Committee makes a report or recommendation under paragraph 3.4 above it may:-
  - 7.1 publish the report or recommendations;

- 7.2 by notice in writing require the Combined Authority to:-
- (a) Consider the report or recommendations;
  - (b) Respond to the Scrutiny Committee indicating what (if any) action the Authority proposes to take; or
  - (c) If the Scrutiny Committee has published the report or recommendations under paragraph 5.1 above, publish the response.

### **Membership and Quoracy**

- 8. The OSC will be chaired by either an independent person, or an appropriate person. As defined by Section 3, Schedule 5A, Local Democracy, Economic Development and Construction Act 2009
- 9. The Chair will be elected by the Members of the OSC
- 10. Two-thirds of members of the OSC need to be present for its meetings to be quorate
- 11. Members of the committee appointed from a constituent authority have a vote.
- 12. Members of the committee appointed from a non-constituent authority do not have a vote.
- 13. The committee will reflect the political proportionality in effect across the CA authority area. This means that even though non-constituent members do not have a vote they are taken into account for this purpose.

### **Meeting Frequency**

- 14. OSC meetings will be convened a minimum of quarterly, with additional meetings determined as per the Committee's call-in powers

### **Officer Support**

- 15. **The OSC is supported by a statutory scrutiny officer, not employed by one of the constituent councils.**

### **Openness and Transparency**

- 16. Meeting of the OSC are held in public and webcast live