

Executive / Scrutiny Protocol for City of York Council

Introduction

1. This Protocol applies to all members of scrutiny committees, any member who may be a member of a Task and Finish Group and all members of the Executive.

Policy development, pre-decision scrutiny and review of policy implementation

2. The importance of early input from Scrutiny into policy development is recognised. Executive Members and/or officers should bring to the attention of the relevant scrutiny committee any policy that is being developed or is due for review to ensure timely input.
3. Policy development will be carried out through discussion at the relevant scrutiny committee or through a Task and Finish Group overseen by the relevant scrutiny committee. The Executive and relevant officers will consider the views of scrutiny members in the development of the policy and provide a response to the recommendations of scrutiny. The detail of scrutiny's involvement shall also be included within the body of the Executive report. The Executive/Full Council will continue to be responsible for approving and adopting policy.
4. Executive Members may wish to request views from Scrutiny members on a decision before it is taken in order to be able to consider different views and perspectives prior to a decision being taken.
5. Scrutiny members may wish to review the implementation of new or revised policies, with a view to identifying best practice or lessons learned.

Holding the Executive to account

6. A key role of scrutiny is in holding the Executive to account for decisions taken and the performance of services. In holding the Executive to account Scrutiny members will:
 - Consider decisions taken by the Executive, individually and collectively and items on the Forward Plan;
 - Review service performance and performance against policy and targets;
 - Be prepared to ask searching questions that provide a constructive challenge;
 - Be respectful in their interactions with Executive Members and officers;
 - Represent the voice of the public;
 - Listen to the responses provided and to assist the Executive in identifying areas for further consideration and improvement.
7. In return, Executive Members will:
 - Be willing to be open, honest and engaged in providing a response to constructive challenge;
 - Value the importance of scrutiny;
 - Be supportive of the scrutiny process and invite and seek opinion from Scrutiny members on decisions to be taken, where appropriate;
 - Provide a positive contribution to scrutiny meetings;
 - Attend meetings when able to do so to answer questions and present information;
8. Where a decision is 'called in', it will be considered by the Corporate Scrutiny Committee in accordance with the procedures set out at Appendix 5 of the council constitution¹.

Scrutiny work planning

9. Scrutiny sets its own work programme, with input from Executive Members, officers and residents and taking into account the council's Forward Plan. At the start of each Municipal Year, the

¹ <https://democracy.york.gov.uk/documents/s184985/05%20-%20Appendix%205%20-%20Scrutiny%20Procedure%20Rules.pdf>

scrutiny committees will hold a work planning workshop. As part of this workshop the views of the relevant Executive Members and officers will be sought with a view to ensuring that the Scrutiny function contributes towards effective policy formulation and decision-making.

10. The Chair and Vice Chair of the Corporate Scrutiny Committee will meet regularly with representatives of the Executive in order to ensure a positive working relationship between the two functions.

Scrutiny recommendations to the Executive

11. Scrutiny committees may make recommendations to the Executive on functions the Council is responsible for through formal scrutiny committee meetings and through Task and Finish Group reports.
12. Upon receipt of a recommendation from Scrutiny, Executive Members will:
 - Give due consideration to any recommendations and accept these where they are minded to; and/or
 - Provide an explanation for the reasons why recommendations made by scrutiny have or have not been accepted.
13. Recommendations from Scrutiny will be logged and tracked by Democratic Services and Scrutiny Committees will receive formal reports twice each year on the number of recommendations that have been accepted and incorporated through the decision-making process and the level of progress made against the recommendations.

Ensuring Compliance with the Protocol

14. The Head of Democratic Services and the Monitoring Officer will be responsible for overseeing compliance with the Executive/Scrutiny Protocol which should be used by members to support the wider aim of supporting and promoting a culture of scrutiny. The success of the protocol will be determined by:
 - Recognition of the value of scrutiny;
 - A clear record of constructive challenge;

- Valuable scrutiny reviews that achieve outcomes;
 - An open and accountable decision making process.
15. An Annual Report will be submitted to Full Council each year with the aim of demonstrating the impact of Scrutiny and effectiveness of the Protocol.