



CONTENTS

SECTION 7

7. [Overview and Scrutiny](#)

- 7.1 Introduction
- 7.2 Overview and Scrutiny Committee
- 7.3 Role, Scope and Membership
- 7.4 Specific Functions
- 7.5 Head of Democratic Services
- 7.6 Who May Sit on Overview and Scrutiny Committees?
- 7.7 Co-Optees
- 7.8 Education Representatives
- 7.9 Who Chairs?
- 7.10 Role of the Chair and the Overview and Scrutiny Committee
- 7.11 Work Programme
- 7.12 Meetings
- 7.13 Joint Overview and Scrutiny Committee
- 7.14 Rules of Procedure and Debate
- 7.15 What will be the Number and Arrangements for Overview and Scrutiny Committee?
- 7.16 Meetings of the Overview and Scrutiny Committee
- 7.17 Quorum
- 7.18 Agenda Items
- 7.19 Policy Review and Development
- 7.20 Reports from the Overview and Scrutiny Committee
- 7.21 Making sure that Overview and Scrutiny Reports are considered by the Cabinet
- 7.22 Rights of Members of the Overview and Scrutiny Committee to Documents
- 7.23 Members and Officers Giving Account
- 7.24 Attendance by Others
- 7.25 Call-In
- 7.26 The Party Whip
- 7.27 Procedure at Overview and Scrutiny Committee Meetings
- 7.28 Matters within the Remit of more than one Overview and Scrutiny Committee
- 7.29 Councillor Call for Action

Appendices

[Appendix 1 - Councillor Call for Action: Guidance for Councillors](#)

[Appendix 2 - Scrutiny Topic Selection Form](#)

[Appendix 3a - Overview and Scrutiny Public Engagement Protocol](#)

[Appendix 3b - Overview and Scrutiny Public Engagement Protocol Petitions
\(including E-Petitions\)](#)

[Appendix 4 - Protocol for Questions for Cabinet Members](#)

SECTION 7 - OVERVIEW AND SCRUTINY COMMITTEE

7.1 Introduction

- 7.1.1 The Council is required by Law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. Overview and Scrutiny Committee should be powerful committees that can contribute to the development of Council policies and also hold the Cabinet to account for its decisions. Another key part of the overview and scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.
- 7.1.2 Overview and scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. Overview and Scrutiny Committee should not shy away from the need to challenge and question decisions and make constructive criticism.

7.2 Overview and Scrutiny Committee

The Council has appointed 4 Overview and Scrutiny Committee which between them and within their areas of activity (which may be discharged by the Committee itself or by appointing Task and Finish Groups), will:

- 7.2.1 review or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions whether by the Cabinet or another part of the Council;
- 7.2.2 make reports or recommendations to the Council or the Cabinet in connection with the discharge of any functions;
- 7.2.3 review or scrutinise decisions made, or actions taken by the Public Services Board
- 7.2.4 consider any matter which affects the Council's area or its inhabitants; and
- 7.2.5 exercise the right to call in for reconsideration decisions made but not yet implemented by the Cabinet and Officers.

7.3 Role, Scope and Membership

The role, scope and Membership of the Overview and Scrutiny Committees are described in the table below:

a) Finance & Resources Overview and Scrutiny Committee – Area of activity

To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:

- Business Planning Framework
- Budget monitoring of the Revenue and Capital Budgets
- Corporate Plan
- Asset Management
- Performance Management Arrangements

- Oversight of Corporate Risk Management
- Monitoring of Programme and Significant Projects, as per the Programme and Project Management Framework.
- General Corporate Policy Development and Review
- Coordinating the annual Overview and Scrutiny Report to Council
- Freedom of Information Annual Report (FOI)
- Information and Communications Technology
- Health and Safety Annual Report
- The Welsh Language Policy
- Equalities and Diversity (including the Strategic Equality Plan Annual Report and the Employment Monitoring Report)
- Co-ordinating the Work Programmes of other Overview and Scrutiny Committees and resolving any disputes in relation to the areas of activity of the other Committees.
- Partnership Working including scrutinising the work of the Public Service Board
- Scrutiny of any action plan from external regulatory reports

b) Economy and Place Overview and Scrutiny Committee – Area of activity:

To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:

- Local Development Plan (LDP)
- Place Making Plans
- Supplementary Planning Guidance
- Economic Development and Tourism
- Regeneration and Sustainable Development
- Housing Strategy
- Private Housing including Housing renewal
- Public Protection
- Gypsy Traveller Accommodation Needs Assessment
- Active and Creative Life Styles
- Culture, Libraries and Information
- Theatres and Conference Centre
- Community Transport

- Environment, Roads and Infrastructure - Parks, Countryside, Street Cleansing, Fly tipping removal, Highways, Traffic and Network Management, Recycling and Waste Collection Services, Car parking, flood defence and coastal protection, public conveniences
- Emergency Planning / Civil Contingencies
- Community Safety Partnership
- Regional Waste Management
- Monitoring of Programme and Significant Projects, as per the Programme and Project Management Framework
- Other Partnership Working
- Fulfilling the function of the Crime and Disorder Committee in accordance with section 19(1) of the Police and Justice Act 2006.
- Scrutiny of any action plan from external regulatory reports

c) Social Care and Health Overview and Scrutiny Committee – Area of activity:

To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:

- Adult Services
- Children's Services
- Safeguarding
- Protection of Vulnerable Adults
- Mental Health
- Extra Care Housing/ Residential & Nursing
- Social Services Charging Policy
- Annual Council Report Framework (ACRF)
- Programme and Transformation Reports
- Monitoring of Programme and Significant Projects, as per the Programme and Project Management Framework
- Social Care Transport Services
- Partnership Working with Health, Independent and Voluntary Sector
- Commissioning
- Social Care Inspection and Performance Management
- Tackling Poverty Agenda
- Youth Justice
- Scrutiny of any action plan from external regulatory reports

d) Education and Skills Overview and Scrutiny Committee – Area of activity:

To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:

- School Performance Monitoring
- Financial Performance of Schools
- School Improvement and Modernisation
- Additional Educational Needs Services
- Access to Education Services
- Social Inclusion Services
- School Support Services
- Continuing Education and Apprenticeships
- School Transport
- Monitoring of Programme and Significant Projects, as per the Programme and Project Management Framework
- Partnership Working – GwE
 - Scrutiny of any action plan from external regulatory reports

7.4 Specific Functions

7.4.1 Policy Development and Review

- (a) assist the Council and the Cabinet in the development of its Budget and Policy Framework by in depth analysis of policy issues;
- (b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (c) question Members of the Cabinet and/or Committees and Chief Officers from the Council about their views on issues and proposals affecting the area;
- (d) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working; and
- (e) consider the impact of policies to assess if they have made a difference.

7.4.2 Scrutiny

The Overview and Scrutiny Committees may:

- (a) review and scrutinise the decisions by and performance of the Cabinet and/or Committees and Council Officers in relation to individual decisions and over time;

- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) question Members of the Cabinet and/or Committees and Chief Officers from the Council about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or project;
- (d) make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committees and local people about their activities and performance; and
- (f) question and gather evidence from any person (with their consent).

7.4.3 Scrutiny of the Public Services Board

The Conwy and Denbighshire Joint Overview and Scrutiny Committee of the Public Services Board may:

- (a) review or scrutinise decisions made, or other action taken, by the Public Services Board;
- (b) review or scrutinise the Public Services Board's governance arrangements;
- (c) make reports or recommendations to the Public Services Board with respect to the board's functions or governance arrangements;
- (d) consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly; and
- (e) copy reports to the Public Services Board regarding the board's functions and governance arrangements to: -
 - i. the Welsh Ministers;
 - ii. the Future Generations Commissioner for Wales; and
 - iii. the Auditor General for Wales.
- (f) require one or more of the attendees at the Public Services Board, or anyone designated by such a person, to attend a meeting of the Conwy and Denbighshire Joint Overview and Scrutiny Committee of the Public Services Board and provide it with explanations of such matters as it may specify.

7.4.4 Annual Report

The Overview and Scrutiny Committees must report annually to the Full Council on their workings with recommendations for their future work programme and amended working methods if appropriate.

7.5 Head of Democratic Services

One of the roles of the Head of Democratic Services under Section 8 of The Measure is to promote the role of the Council's Overview and Scrutiny Committee and to promote support and guidance to Council Members and Officers generally about the functions of the Overview and Scrutiny Committee.

7.6 Who May Sit on Overview and Scrutiny Committees?

All councillors except members of the Cabinet and Assistants to the Executive may be members of an overview and scrutiny committee. However, no member may be involved in scrutinising a decision in which he has been directly involved. Any member may attend any meeting of an Overview and Scrutiny Committee and may contribute to the debate, but not vote.

7.7 Co-Optees

Each overview and scrutiny committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees. *In exercising or deciding whether to exercise a co-option, the Authority must, under section 76 of The Measure, have regard to guidance given by the Welsh Ministers and comply with directions given by them.*

7.8 Education Representatives

Parent Governor and representatives of religious faiths will be appointed as required by law and guidance from Senedd Cymru and shall be invited to attend each Overview and Scrutiny Committee where the Authority's education functions are to be discussed and shall be entitled to speak and vote on such matters only.

7.9 Who Chairs?

7.9.1 The arrangements included in sections 66-75 of the Local Government (Wales) Measure 2011 will be followed for appointing persons to chair Overview and Scrutiny Committees.

7.9.2 The Chairs of the Overview and Scrutiny Committees should not be allocated wholly to members of the same political group(s) as those represented in the Cabinet. The political groups represented in the Cabinet can each only appoint as many chairs as are proportionate to their share of the Council's overall membership.

The Chair of the Finance and Resources Overview and Scrutiny Committee shall be the Leader of the largest political group not represented on the Cabinet. If there are two or more such political groups of the same size, the Chair of the Finance and Resources Overview and

Scrutiny Committee shall be appointed from amongst the leaders of those parties by the Council at its Annual Meeting.

7.9.3 A Member may be a Chair of only one Overview and Scrutiny Committee.

7.9.4 There shall be one Vice Chair of each Overview and Scrutiny Committee, who shall be appointed annually by the relevant Committee.

7.10 Role of the Chair and the Overview and Scrutiny Committee

10.10.1 Promote the role of Overview and Scrutiny within and outside the Council, liaising effectively both internally within the Council and externally with the Council's partners.

10.10.2 Develop a balanced work programme of the committee which includes pre decision scrutiny, policy development and review, investigative scrutiny, and performance monitoring.

10.10.3 Ensure the programme takes account of relevant factors such as: the work programmes of the Cabinet and other committees, strategic priorities and risks, and relevant community issues.

10.10.4 Demonstrate an objective and evidence based approach to scrutiny.

7.10.5 Evaluate the impact and added value of scrutiny activity and identify areas for improvement.

10.10.6 To liaise with appropriate Cabinet Member/s.

7.11 Work Programme

7.11.1 The Overview and Scrutiny Committee will be responsible for setting their own Work Programme and in doing so they should take into account wishes of Members of that Committee who are not Members of the largest political group on the Council.

7.11.2 Overview and Scrutiny Committees will decide which items are to be included in their Forward Work Programme by using the Topic Selection Procedure approved by the Finance and Resources Overview and Scrutiny Committee which appears as an appendix to this section.

7.12 Meetings

7.12.1 Ordinary meetings of overview and scrutiny committees shall be convened in accordance with the timetable of meetings agreed by the Council at its Annual Meeting. In addition, extraordinary meetings may be called from time to time as and when appropriate. An overview and scrutiny committee meeting may be called by the chair of the relevant overview and scrutiny committee, or by the proper officer if he/she considers it necessary or appropriate.

7.12.2 Extraordinary meetings may be called from time to time in order to deal with call-ins (Section 0) where the Chair of an Overview and Scrutiny Committee agree it is necessary for that Overview and Scrutiny Committee to consider the called in decision before the next programmed meeting

7.13 Joint Overview and Scrutiny Committee

Under section 58 of The Measure, regulations may be made to permit or require two or more local authorities to appoint a joint [Overview and Scrutiny Committee] [add other arrangements]. This is set out in the Local Authorities (Joint Overview and Scrutiny) (Wales) Regulations 20132.

7.14 Rules of Procedure and Debate

The Overview and Scrutiny Procedure Rules will apply to meetings of the Overview and Scrutiny Committee as Paragraph 7.27.

7.15 What will be the Number and Arrangements for Overview and Scrutiny Committees?

7.15.1 The Council will appoint the following Overview and Scrutiny Committees to discharge the overview and scrutiny functions conferred by section 21 of the Local Government Act 2000:

- Finance and Resources
- Economy and Place
- Education and Skills
- Social Care and Health

See paragraph 7.3 for the terms of reference for each of the Overview and Scrutiny Committees.

7.15.2 Task and Finish Groups

- (i) Overview and Scrutiny Committees may be requested by Cabinet to establish Task and Finish Groups.
- (ii) Similarly if an Overview and Scrutiny Committee itself wishes to establish a Group to assist in its activities or review an area of activity, the proposal to establish such a Group must specify:
 - (a) the Terms of Reference;
 - (b) the reporting target
 - (c) monitoring arrangements
 - (d) consideration of co-opting third sector representatives/expert witnesses if appropriate
- (iii) Political balance should be achieved wherever possible. Any final report will be made to the Overview and Scrutiny Committee who will decide if any matter should be referred on, for example to Cabinet, or to relevant officers.

7.16 Meetings of the Overview and Scrutiny Committee

Ordinary meetings of overview and scrutiny committees shall be convened in accordance with the timetable of meetings agreed by the Council at its Annual Meeting. In addition, extraordinary meetings may be called from time to time as and when appropriate. An overview and scrutiny committee meeting may be called by the chair (or in his or her absence, the Vice Chair) of the relevant overview and scrutiny committee, or by the proper officer if he/she considers it necessary or appropriate.

7.17 Quorum

The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately.

Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

7.18 Agenda Items

10.18.1 Any member of an overview and scrutiny committee shall be entitled to give notice to the Proper Officer that he wishes an item relevant to the functions of the committee to be included on the agenda for, and be discussed at, a meeting of the committee.

10.18.2 The Topic Selection Procedure will then be used to determine whether the item should be included on the Committee's work programme and/or what priority should be given to that item.

10.18.3 This procedure cannot be used to reconsider a decision of the Cabinet. In such cases the call-in procedure set out in Rule 7.25 must be used.

10.18.4 On receipt of such a request the Proper Officer will inform the Chair of the overview and scrutiny committee and ensure that it is included on the next available agenda of the committee provided that the notice has been received by the Proper Officer at least 10 clear days before the date of the meeting.

10.18.5 Overview and Scrutiny Committee shall also respond, as soon as their work programme permits, to requests from the Council and/or the Cabinet to review particular areas of Council activity.

Where they do so, the particular Overview and Scrutiny Committee shall report their findings and any recommendations back to the Cabinet and/or Council.

7.19 Policy Review and Development

10.19.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules in Section 16 **Error! Reference source not found..**

10.19.2 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, Overview and Scrutiny Committee may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.

10.19.3 Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

7.20 Reports from the Overview and Scrutiny Committee

10.20.1 Once it has formed recommendations on proposals for development, an overview and scrutiny committee shall prepare a formal report or submit their Minutes and Recommendations to the Proper Officer for consideration by the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).

10.20.2 If an Overview and Scrutiny Committee cannot agree on one single final report to the Council or Cabinet as appropriate, one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.

10.20.3 The Council or Cabinet shall consider the report of an Overview and Scrutiny Committee within one month of it being submitted to the Head of Law and Governance.

7.21 Making sure that Overview and Scrutiny Reports are considered by the Cabinet

10.21.1 The reports or recommendation of overview and scrutiny committees referred to the Cabinet shall be included on the agenda of the Cabinet (unless they have been considered in the context of the Cabinet's deliberations in a substantive item on the agenda) within six weeks of the overview and scrutiny committee completing its report/recommendations.

Where an item is not considered by the Cabinet within six weeks, the Cabinet will give an explanation of the reasons to the Chair of the relevant Overview and Scrutiny Committee as soon as practicable.

10.21.2 Where an overview and scrutiny committee prepares a report for consideration by the Cabinet in relation to a matter where the Leader has delegated decision making power to another individual member of the Cabinet, then the overview and scrutiny committee will submit a copy of their report to him/her for consideration. At the time of doing so,

the overview and scrutiny committee shall serve a copy on the Proper Officer. The member with delegated decision making power must consider the report and respond in writing to the overview and scrutiny committee within 6 weeks of receiving it. Before doing so, he/she may refer the matter for debate at the next available meeting of the Cabinet. A copy of his/her written response to it shall be sent to the Proper Officer and the Leader. The member will also attend a future meeting of the overview and scrutiny committee to respond.

7.22 Rights of Members of the Overview and Scrutiny Committee to Documents

10.22.1 Members of overview and scrutiny committees have the right to access documents, as set out in Section 15 of this Constitution.

10.22.2 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committees as appropriate depending on the particular matter under consideration.

7.23 Members and Officers Giving Account

10.23.1 Any overview and scrutiny committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions and which fall within that committee's terms of reference. As well as reviewing documentation, in fulfilling the scrutiny role, it may require members of the Cabinet, the Chief Executive, Strategic Directors, Heads of Service and/or any senior officer to attend before it in relation to matters within their remit:

- (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

For this purpose, senior Officer includes any Head of Service, and other appropriate senior Officer. Where there are concerns about the appropriateness of the Officer who should attend, the relevant Chief Officer shall discuss this with the appropriate Overview and Scrutiny Chair or Vice Chair with a view to achieving consensus.

10.23.2 Where any Member or Officer is required to attend an Overview and Scrutiny Committee under this provision, the Chair of that Committee will inform the Proper Officer. The Proper Officer shall inform the Member or Officer, if necessary in writing, giving at least 10 working days' notice of the meeting at which he or she is required to attend (unless agreed otherwise).

Any notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Committee.

10.23.3 Where the account to be given to an Overview and Scrutiny Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.

10.23.4 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in consultation with the Member or Officer arrange an alternative date for attendance.

7.24 Attendance by Others

An Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 0 above to address it on a voluntary basis to discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and shall invite such people to attend.

7.25 Call-In

10.25.1 Rules

- (a) When a decision is made by the Cabinet, an individual member of the Cabinet or a committee of the Cabinet or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council as soon as reasonably practicable and in any event within 7 working days. All members of the Council will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the decision is called-in under these rules

During that period, the Proper Officer shall call-in a decision for scrutiny by the committee if so requested by three non-Cabinet members of the Council, and shall then notify the decision-taker of the call-in.

- (c) The three members who sign the petition, using the appropriate form, shall endeavour to have a discussion with the relevant portfolio holder and/or head of service, prior to utilising the call in procedure.
- (d) The Proper Office shall call a meeting of the committee after consultation with the Chair of the committee, and in any case within 20 working days of the decision to call-in.
- (e) If, having considered the decision, the overview and scrutiny committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, or to the Council if outside the Cabinet's powers setting out in writing the nature of its concerns.

If referred to the Cabinet, the Cabinet shall then reconsider at the next scheduled meeting of the Cabinet, amending the decision or not, before adopting a final decision, which shall not then be subject to the call-in procedure.

- (f) If following an objection to the decision, the overview and scrutiny committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the scrutiny meeting or the expiry of that further 20 working day period.
- (g) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - i) decisions involving expenditure or reductions in services below a value of £10,000;
 - ii) minor or routine business matters such as the approval of Minutes or the creation of (or appointment of Cabinet Members to) Cabinet Sub-Committees;
 - iii) matters that are the subject of recommendation by Cabinet to the Council;
 - vi) matters that have already been considered by Council or an Overview and Scrutiny Committee where Cabinet substantially follows the recommendations of Council or the Overview and Scrutiny Committee.
 - v) decisions made by the Fit and Proper Person, Discretionary Rate Relief and Council Tax Hardship Sub-Committees

If in the opinion of the Monitoring Officer call-in is being abused by Members, the Monitoring Officer shall seek guidance from the Standards Committee as to whether further restrictions on the exercise of call-in should be adopted.

The Monitoring Officer may veto any request for call-in if it falls outside the remit of this scheme

Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.

10.25.2 Call-In and Urgency

The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or other public interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chair of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

In the absence of the Chair and the Vice Chair's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent should be required.

7.26 The Party Whip

If a Member of an Overview and Scrutiny Committee is subject to a party whip in respect of an issue to be considered by it, that Member must declare the existence of the whip and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

7.27 Procedure at Overview and Scrutiny Committee Meetings

7.27.1 Overview and scrutiny committees and sub-committees shall consider the following business:

- i) minutes of the last meeting;
- ii) declarations of interest;
- iii) consideration of any matter referred to the committee for a decision in relation to call in of a decision;
- iv) responses of the Cabinet to reports of the overview and scrutiny committee; and
- v) consideration of the views of persons who live or work in the area on any matter
- vi) consideration of 'a local government' matter referred to Overview and Scrutiny by any member of the Council under the provision of 'Councillor Calls for Action' (CCfA)
- v) the business otherwise set out on the agenda for the meeting.

The Rule of Procedure at an Overview and Scrutiny Committee will be the same as the Council Procedure Rules, except that the Chair of the meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting whether a Member of an Overview and Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.

7.27.2 Where the overview and scrutiny committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:

- i) that the investigation be conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak;

- ii) that attendees shall not be asked questions in relation to specific areas of inquiry, unless notice of those areas of inquiry have been given to the attendee at least 10 working days before the meeting of the committee
- iii) that those assisting the committee by giving evidence be treated with respect and courtesy; and
- (iv) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

7.27.3 Following any investigation or review, the committee/sub-committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

7.28 Matters within the Remit of more than one Overview and Scrutiny Committee

Where a matter for consideration by an Overview and Scrutiny Committee also falls within the remit of one or more other Committee, the decision as to which Committee will consider it will be resolved by the respective Chairs or, if they fail to agree, the decision will be made by the Finance and Resources Overview and Scrutiny Committee.

7.29 Councillor Call for Action

10.29.1 The Councillor Call for Action is a mechanism for enabling elected Members to bring matters of local concern to the attention of the Council via the Scrutiny process. It should be an option of “last resort”.

10.29.2 Any Member may request that an item is placed on the agenda of an Overview and Scrutiny Committee for consideration.

10.29.3 The procedure for dealing with a Call for Action is set out in the Councillor Call for Action - Guidance for Councillors attached to these Rules at Appendix 1

SECTION 7 – APPENDIX 1

COUNCILLOR CALL FOR ACTION: GUIDANCE FOR COUNCILLORS

1 Introduction

- 1.1 The Local Government Wales Measure 2011 introduced a number of new provisions aimed at strengthening local democracy. Section 63 of the Measure introduced a provision for ‘Councillor Calls for Action’ (CCfA) which enables Councillors to refer issues of local importance to Overview and Scrutiny Committees.
- 1.2 CCfAs are intended to enable local Councillors and their electors to obtain a response from their Council Leadership on issues of local importance. CCfAs should be regarded as one of a series of tools which elected Members have at their disposal to resolve local issues and make a positive difference in their community. Previously in Wales, only local Crime and Disorder issues could be referred by the local Member to the designated Crime & Disorder Scrutiny Committee for action and it should be noted that these local crime & disorder referrals will remain in place under separate legislation.
- 1.3 As part of their community leadership role, councillors have always attempted to resolve issues on behalf of their local residents and CCfAs provide an additional avenue for councillors to follow if the normal ways of resolving an issue have not been successful and the issue meets the criteria for a referral. It should be noted that a referral under this process should be seen as a last resort after all other avenues have been exhausted.
- 1.4 CCfAs have been introduced alongside other powers for scrutiny, including powers to scrutinise a wide range of bodies not previously subject to local authority scrutiny. CCfAs are intended to enable any Member of the Council to refer to one of the Overview and Scrutiny Committees ‘a local government matter’ which falls within the Committee’s remit.

2 How should I normally attempt to resolve a local issue in my area?

- 2.1 Local issues can be resolved in a number of ways by Councillors on behalf of their residents as listed in the Welsh Government’s Statutory Guidance from the Local Government Measure 2011:
 - Informal discussions with officers or other Councillors;
 - Informal discussions with partner representatives;
 - Referral to other ‘scrutiny’ bodies such as Community Health Councils or internal audit committee;
 - Formal discussions with officers and Councillors;
 - Formal letters to the Executive Members;
 - Asking questions at Full Council;
 - Submitting a notice of motion to Full Council;
 - Organising public meetings;
 - Use of petitions;
 - Making a complaint;
 - Questions at full Council

- Freedom of Information requests;
- Communication with local AMs or MPs ;
- Use of social media or email based campaigns.

2.2 This is not an exhaustive list and Councillors may choose different routes for specific issues. If an issue has not been resolved after exhausting all possible alternative routes, then a local Councillor can refer it to the appropriate Overview and Scrutiny Committee.

3. What is a Councillor Call for Action

- 3.1 In order for the Committee to accept a CCfA as an agenda item for discussion at one of their meetings, the issue:-
must affect either all or part of a Councillor's electoral division or it must affect someone who lives or works in that area.
- 3.2 A Councillor does not however need a referral from a constituent in order to start the process. It is important to recognise that a CCfA is not guaranteed to solve a given problem, though it can provide a method for discussing such problems and, through discussion, attempt to overcome them.

4. How and when should I make a CCfA

- 4.1 A flowchart showing the process is provided at **Appendix 1**. A Councillor may initiate the process by completing the form at **Appendix 2**. Further copies are available from your Scrutiny Support Officer. It is important that the local Councillor specifies what outcome is expected from the referral. After completion the form should be returned to your Scrutiny Support Officer who will log and acknowledge the referral within 5 working days, to track its progress and forward a copy of the form to the Head of Law and Governance (The Proper Officer).
- 4.2 The Proper Officer will confirm whether or not the referral satisfies the requirements outlined in section 3 above to enable it to be placed on the agenda for discussion at a meeting of the Committee. The Proper Officer reserves the right to exclude from the agenda any matter which is vexatious, discriminatory or otherwise potentially unlawful; and the Councillor will be informed of this outcome as soon as practicable.

5. Criteria to be followed by the Overview and Scrutiny Committee

- 5.1 It is up to the members of the Committee to decide whether, and in what form, to take the matter further. The Committee will use the following criteria to decide whether or not the referral is appropriate to be considered by Committee:-
- Is the Committee satisfied that all reasonable attempts have been made to resolve the issue by the local Councillor? Do the responses received by the referring Councillor demonstrate that the matter is not being progressed?
 - Has the Committee considered a similar issue recently – if so, have the circumstances or evidence changed?
 - Is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA

hearing. Relevant time pressures on resolving the CCfA should be taken into account.

- Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the Councillor received?
- Is this a case that is being or should be pursued via the Council's corporate complaints procedure?
- Is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
- Is the matter an issue of genuine local concern which impacts on the local community rather than a personal matter?
- Is this an issue currently being looked at by another form of local scrutiny?
- And, as with all scrutiny, does the matter have the potential for scrutiny to produce recommendations which could realistically be implemented and lead to improvements for anyone living or working in the member's ward?

Note: Crime and Disorder referrals should be directed to the designated Crime and Disorder Committee.

5.2 If the Committee decides not to accept the CCfA it must inform the Councillor of the decision and the reasons for it.

5.3 If the Committee decides to accept the CCfA the Councillor will be informed and advised of the agreed Protocol e.g. the Councillor will be given adequate notice (a minimum of 10 clear days) of the date of the Committee meeting. The Councillor will be requested to attend to the Committee and informed that he/she will have 5 minutes in which to address the Committee. The Committee may then wish to question the Councillor further before deciding how it intends to take the matter forward. This could include:-

- Asking the relevant responsible authorities to respond to the CCfA
- Setting up a task and finish group to undertake a more in-depth review
- Asking for further evidence and/or witnesses to be brought to a future meeting. The Committee has the power to request 'designated persons' such as representatives from other public bodies/agencies to attend, where relevant, and to request information. (The Welsh Government have yet to publish a list of 'designated persons'.)

6 Potential outcomes from a CCfA

6.1 The Committee could:

- determine that it is a complex issue that requires further investigation and commission a scrutiny review of the issue;
- write a response and make recommendations on the CCfA to a relevant responsible authority;
- Decide that further action is not appropriate giving its reasons.

- 6.2 Once the Committee has completed its work, the Councillor who made the referral will receive a copy of any response or recommendations made.

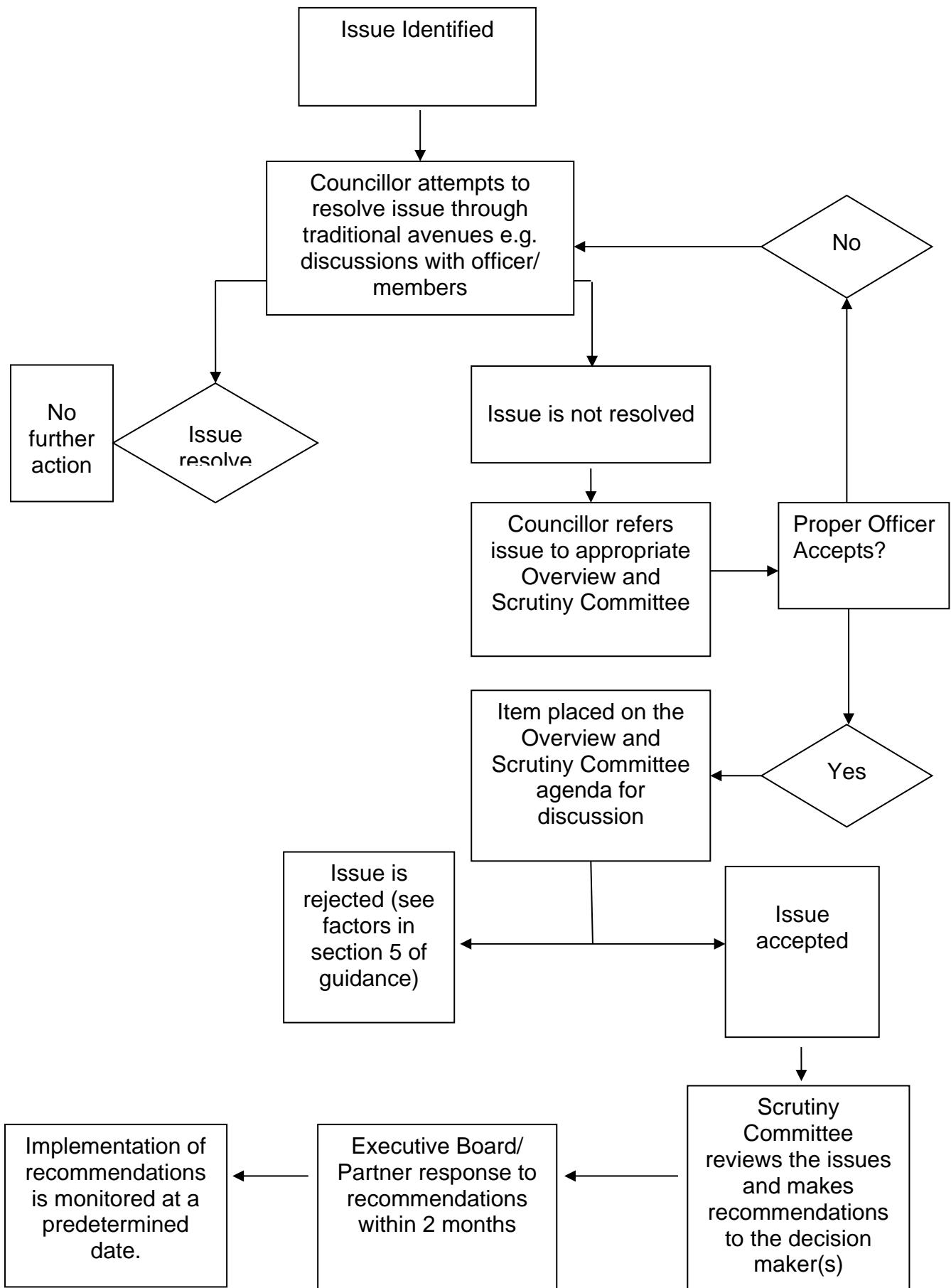
7 Timescales for dealing with a CCfA

- 7.1 In exceptional circumstances, for example where there are unavoidable time constraints, a special Committee meeting may be convened.
- 7.2 Should a CCfA result in recommendations to the Cabinet or responsible authorities, they will be requested to make a response to the recommendations within 28 days and 2 months respectively.
- 7.3 The Committee will monitor implementation of any recommendations as part of its forward work programme.

8 Review of this Guidance

- 8.1 This guidance is based on a model prepared and approved by the Association of County Secretaries and Solicitors (ACSeS) in October 2009. ACSeS will review their model guidance in light of experience of the use of these procedures by local authorities in Wales, and this guidance may therefore be modified accordingly.

Flow Chart for Councillor Call for Action



Councillor Call for Action Referral

For the attention of:(name and title of Proper Officer)

From: Councillor

Electoral Division:

Contact details: Telephone:
E-mail:

SUBJECT	
Details: Please briefly explain what the issue is and how it affects your ward	
Action taken to date: Please explain what steps have been taken, with whom, to try to resolve the issue (please tick the actions you have taken to date)	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 30%;"> <input type="checkbox"/> Informal discussions with officers or other members <input type="checkbox"/> Relevant Neighbourhood Policing Team approached <input type="checkbox"/> Formal discussions with officers and members <input type="checkbox"/> Formal letter to the Cabinet Member on behalf of constituents <input type="checkbox"/> Question at Full Council <input type="checkbox"/> Notice of motion to Full Council <input type="checkbox"/> Public meeting <input type="checkbox"/> Petition <input type="checkbox"/> Complaint <input type="checkbox"/> Freedom of Information (FOI) request <input type="checkbox"/> Communication with local MPs <input type="checkbox"/> Web or email based campaigns <input type="checkbox"/> Additional actions and further detail: </div> </div>
Expected Outcome Please describe the outcome you hope to gain via this referral	

<p>Papers attached: Please list documents attached which should evidence the impact of the issue, the steps taken and any responses received.</p>	
--	--

The following criteria will be taken into consideration when the Committee decide whether to progress with your CCfA:

- Have all reasonable attempts been made to resolve the issue? Do the responses received by you demonstrate that the matter is not being progressed?
- Has the committee considered a similar issue recently – if yes have the circumstances or evidence changed?
- Is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate LCDR hearing. Relevant time pressures on resolving the LCDR should be taken into account.
- Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response have you received?
- Is this a case that is being or should be pursued via the Council's corporate complaints procedure?
- Is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
- Is the matter an issue of genuine local concern, which impacts on the local community rather than a personal matter?
- Is this an issue currently being looked at by another form of local scrutiny?
- And, as with all scrutiny, does the matter referred have the potential for scrutiny to produce recommendations, which could realistically be implemented and lead to improvements for anyone living or working in your electoral division.

Please consider whether your referral might be considered premature by the Committee. Consider whether other potential remedies have been exhausted, before a referral is made. Members should be aware that if a premature referral is made, the Committee is likely to refuse to deal with the issue, based on the criteria outlined above. If the Proper Officer believes that the referral is premature, he/she will advise you accordingly.

SECTION 7 – APPENDIX 2

SCRUTINY TOPIC FORM

Proposed Topic Title	
Is the purpose of the topic to scrutinise or provide a view on policy?	
How has this topic been initiated? <ul style="list-style-type: none"> • Policy; • Discussion with Councillor; • Recommendation from a Committee; or • Other 	
Name of person registering the topic	
Contact email address	
Which Overview and Scrutiny Committee? <ul style="list-style-type: none"> • Economy and Place • Education and Skills • Finance and Resources • Social Care and Health • Don't know 	
Is a Cabinet Decision required? Yes, No, Don't Know	

What is the expected outcome (recommendation)?	
By considering the topic, how will scrutiny be able to add value to the decision making process?	
Could other Councils, partners, external services, voluntary sector or public interest add value to the topic?	

If you tick at least 5 of the eligibility criteria below your topic will be included on the Forward Plan:-	
Is Scrutiny likely to result in service improvements or other measurable benefits?	
Public Interest (ie. in terms of both proposals being in the public interest and resident perceptions)	
Are there adequate resources/realistic opportunities of adequate resources to achieve the objectives?	
National/local/regional significance e.g. A central government priority area, concerns regarding joint working arrangements at a local 'Conwy' level or a wider regional context	
Has the topic been identified as a risk in the Corporate Risk Register or is it subject to an external auditor review?	

Is the topic linked to corporate or scrutiny aims and priorities listed below?	
People in Conwy value and look after the environment	
People in Conwy live in a county which has a prosperous economy with culture at its heart	
People in Conwy are Educated and Skilled	
People in Conwy have access to affordable, appropriate, good quality accommodation that enhances the quality of their lives	

People in Conwy are safe and feel safe	
People in Conwy are Healthy	
People in Conwy live in a county where the use of Welsh is thriving, and people can participate in all aspects of community life through the medium of Welsh	
People in Conwy are informed, included and listened to and can actively contribute to a community where their background and identity are valued and respected	
Conwy County Borough Council is resilient	

SECTION 7 - APPENDIX 3a

OVERVIEW AND SCRUTINY PUBLIC ENGAGEMENT PROTOCOL

1. Purpose of the Protocol

This protocol has been established to provide a clear understanding and provide guidance on the procedure by which members of the public can engage with the work of the Council's Overview and Scrutiny Committees.

The aim of the protocol is to manage public expectations in terms of setting out how any information submitted to the relevant Overview & Scrutiny Committees will be used and detailing how and when feedback will be provided.

2. Application of the Protocol

This protocol applies to members of the public who live or work in the County Borough of Conwy, and local businesses, schools, colleges, and voluntary or community groups.

This protocol does not apply to Conwy County Borough Councillors as there are other processes in place by which they can submit items for consideration and make representation to the Overview and Scrutiny Committees.

3. How to get involved

There are a number of ways in which the public can engage in the Overview and Scrutiny process.

4. The [Forward Work Plan](#) for all of our Overview & Scrutiny Committees is regularly updated and published on the Council's website. Similarly, the [agendas](#) for Overview & Scrutiny Committee meetings are published on our website at least three clear working days before the meeting is due to take place.

5. Register an Interest in certain Topics or Electoral Divisions

The Council's website enables anyone to [register their interest](#) in either certain topic(s) or electoral division(s) and to receive e-mail notification when their chosen item is included on an agenda.

6. Attend a Meeting of the Overview and Scrutiny Committee

There are four Overview & Scrutiny Committees:

- [Finance and Resources](#)
- [Economy and Place](#)
- [Social Care and Health](#)
- [Education and Skills](#)

Together, these committees cover all of the County Borough Council's functions and also those services provided by other public service providers in the area.

All Overview and Scrutiny Committee meetings are held in public and anyone is welcome to attend to listen to the proceedings. The majority of the Overview and Scrutiny meetings are held in the Council Chamber at Bodlondeb, Conwy. Seats are available at the back of the Council Chamber for members of the public and times and dates of [forthcoming meetings](#) are published on the Council's website.

Only on rare occasions, when certain types of information are being discussed, are members of the public not allowed to attend Overview and Scrutiny Committee meetings.

As well as wanting to keep people informed about Overview and Scrutiny the Council is keen to hear your views on the topics they are looking at. There are a number of ways in which your views can be heard by the Councillors.

7. Submit a comment

If you have a particular interest in a topic being discussed you can write to or e-mail the [Scrutiny & Committee Services Officer](#) who will make sure your views are passed on to the Chair and the Committee (if appropriate).

8. Suggest a topic for consideration

Our Overview and Scrutiny Committees welcome suggestions for topics for review and will consider issues put forward by anyone who lives, works or studies in the County Borough of Conwy.

This can be done by writing in to the Council's Scrutiny Support Officer or by completing the [Overview and Scrutiny suggestion form](#) on the council's website.

To qualify, requests must:

- affect a group or community of people (scrutiny will not usually look at individual service complaints)
- relate to a service, event or issue in which the Council has a significant stake
- not be an issue which scrutiny has considered during the last 12 months
- not be a matter dealt with by another County Borough Council Committee (e.g. planning issues) except where the issue relates to the Council's decision-making process

Receipt of your request will be acknowledged within 5 working days. Your suggestion form will be considered by the Chair and Vice-Chair of the relevant Overview & Scrutiny Committee, together with the Head of Service responsible for the subject matter you have raised.

There are three possible outcomes for issues raised through Scrutiny referral forms:

- Accepted for immediate scrutiny – the issue will be programmed into the Scrutiny Committee's work schedule.
- Defer the issue to a later date – the issue will be addressed when Committee time permits.
- Decline issue for scrutiny – the issue will not be considered at the present time, however the issue will be logged and may be addressed at a later date.

If it is decided that an issue is not appropriate for discussion, or is too similar to a topic which has recently been considered, the Scrutiny Support Officer will contact the member of the public to explain why it has not been accepted.

The topics which Overview & Scrutiny Committees are due to consider form part of the Council's [Forward Work Plan](#).

We cannot accept topics which relate to the following: judicial or quasi-judicial matters or which are currently being investigated; individual planning, licensing or grant applications or appeals; named members or employees of the Council; confidential or exempt information (as described in the Council's Access to Information procedure rules) or which requires its disclosure; party political matters or defamatory material.

9. Petitions

Creating or taking part in a petition is one way individuals, community groups and organisations can get involved in what the Council does. It allows people to raise issues of public concern, giving Councillors the opportunity to consider the need for change.

In general, a petition should include a brief title and a short statement covering the subject matter of the petition. The petition should clearly state what action the petitioner wishes the Council to take and display the following:

- The name of the petitioner
- The contact address of the principal petitioner to which all communications concerning the petition should be sent
- The name and address of any person supporting the petition
- Paper petitions should also include a signature

Petitions must be presented by a Councillor and they can be presented at a meeting of the Council, the Cabinet or an Overview and Scrutiny Committee (depending on the subject matter and advice from the Council's Monitoring Officer). The rules relating to the presentation of petitions are included in the Council's Constitution.

Further information on preparing a petition is available on the Council's website.

10. Become a Witness

One of the main ways in which the Overview and Scrutiny Committees (and any Task and Finish Groups that they set up) can gather the evidence they need to inform their deliberations is through inviting individuals with a particular knowledge of the topic to attend their meetings. This enables the Councillors to make better informed recommendations but it also gives individuals and organisations from outside the Council a way of having their voice heard.

In the main, these will be representatives from recognised community networks and representative groups, the third sector, Town and Community Councils, public sector agencies.

Contributions put forward by witnesses will be summarised in the minutes of the meeting and appropriately recognised in any final report.

The outcome will be promptly fed back to all contributors along with an invitation to attend the meeting to which the final report will be submitted. Contributors will be given the same right to speak, but not vote, at the meeting as a member of the committee.

Further [information](#) on being a witness is available on the Council's website.

11. Public speaking arrangements at Overview & Scrutiny Committees

Anyone who lives or works within the County Borough of Conwy can request to speak at a meeting of an Overview and Scrutiny Committee to contribute to a subject under discussion. To do this, they must register to speak by completing the appropriate [application form](#) which must be received by the [Scrutiny & Committee Services Officer](#) at least 24 hours before the meeting. Any requests received after this time will automatically be rejected.

The application form requests information on the nature of the interest and the contribution which they think that they could make. The Committee Services Officer, together with the Scrutiny Support Officer, will discuss the approach with the Committee's Chair and/or Vice-Chair, explaining the nature of the contribution.

If the Chair is of the opinion that a member of the public in such circumstances could make a valid contribution to the committee's understanding of the issue, s/he will give their agreement. Bearing in mind that there are likely to be other items on the agenda which should also be afforded an appropriate amount of time for discussion, the Chair will limit the number of public contributors to two. Members of the public who attend a committee meeting to speak will be limited to three minutes each.

The Chair's decision as to whether or not a member of the public is able to make a contribution is final.

A member of the public attending and speaking at an Overview & Scrutiny Committee meeting will be bound by the rules of conduct and procedure contained within the Council's Constitution and will be expected to respect the rulings of the Chair.

Potential contributors should be aware that the Council cannot accept topics which relate to the following: judicial or quasi-judicial matters or which are currently being investigated; individual planning, licensing or grant applications or appeals; named members or employees of the Council; confidential or exempt information (as described in the Council's Access to Information procedure rules) or which requires its disclosure; party political matters or defamatory material.

Further [guidance](#) on public speaking arrangements is available on the Council's website.

Contact details:

Scrutiny & Committee Services Officer
Conwy County Borough Council
Bodlondeb
Conwy
LL32 8DU

Email: committees@conwy.gov.uk

Committee Services Officer
Conwy County Borough Council
Bodlondeb
Conwy
LL32 8DU

Email: committees@conwy.gov.uk

SECTION 7 - APPENDIX 3B

OVERVIEW AND SCRUTINY PUBLIC ENGAGEMENT PROTOCOL PETITIONS (INCLUDING E-PETITIONS)

1. Petitions (including E-Petitions)

Creating or taking part in a petition is one way individuals, community groups and organisation can get involved in what the Council does. It allows people to raise issues of concern, giving Councillors the opportunity to consider the need for change. With a view to making submission of petitions easier, the Council has introduced an e-petition facility.

Before submitting a petition you should first check with your local Councillor to see if the Council is already acting on your concerns and that the Council is the most appropriate body to receive your petition.

If you create a-petition you will become the 'lead' petitioner and you will be required to provide the Council with basic personal information so that we can contact you.

If you sign an e-petition you will be required to provide us with basic personal information, including an e-mail address, to enable us to verify the 'signatures' collected are genuine. When you have submitted this information you will be sent an e-mail to the e-mail address you have provided. This e-mail will include a link which you must click on in order to confirm the e-mail address is valid. Once this step is complete your 'signature' will be added to the e-petition. Your name (but no other details) will be published on the e-petition website.

2. What happens when the petition (including e-petition) is complete and how is it submitted?

Your petition will need to include:

- Title
- A statement explicitly setting out what action you would like the Council to take.
- Any information which you feel is relevant to the petition and reasons why you consider the action requested to be necessary. You may include links to other relevant websites on an e-petition
- If you submit an e-petition,
 - A date for when you would like your e-petition to go live on the website. It may take Democratic Services up to 5 days to check your e-petition request and discuss any issues with you, so please ensure that you submit the request in sufficient time.
 - A date for when your e-petition will stop collecting signatures.

In order to achieve the maximum impact, you may want to set this date so that the e-petition will be submitted before a date on which a debate is to be held or a decision taken on the issue. We will host your e-petition for up to four months but would expect most to be shorter in length than this.

- Your name - as lead petitioner, your name will be displayed with your e-petition on the website.
- When an e-petition reaches its closing date, you will no longer be able to sign it online. The list of signatories will be collated by Democratic Services and the lead petitioner will be contacted regarding the submission of the completed e-petition
- Petitions must be signed by at least 100 people but the Council will use its discretion where there are fewer than 100 signatories in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures).

Depending on the subject matter and advice from the Council's Monitoring Officer the petition can be presented at a meeting of the Council, the Cabinet or an Overview and Scrutiny Committee. The Overview and Scrutiny Committee can fully debate the issue and make recommendation(s) to Council or Cabinet, as appropriate.

If the petition is presented to an Overview and Scrutiny Committee the lead petitioner will be invited to attend the meeting and will be offered the opportunity to present the petition, which will involve a brief three minute summary of what the petition is about and how many signatories there are. Alternatively, the lead petitioner can ask a Councillor to present the petition (this would normally be the local Councillor). If the lead petitioner does not attend to present the petition, and the local Councillor has not been asked to present on their behalf, it will be read out by the Chair. Following the meeting a response will be sent to the lead petitioner within 15 working days of the meeting and will be posted on the Council's website.

Any petition going direct to Council or Cabinet must be presented by a Councillor.

3. What issues can my petition relate to?

Your petition should be relevant to an issue that the Council has powers or duties or on which it has shared delivery responsibilities. It should also be submitted in good faith and be decent, honest and respectful.

Your petition may be rejected if the Council's Monitoring Officer considers it:

- contains intemperate, inflammatory, abusive or provocative language
- is defamatory, frivolous, vexatious, discriminatory or otherwise offensive, or contains false statements
- is too similar to another petition submitted within the past six months

- discloses confidential or exempt information, including information protected by a court order or government department
- discloses material, which is otherwise commercially sensitive
- names individuals, or provides information where they may be easily identified, eg individual officers of public bodies, or makes criminal accusations
- contains advertising statements
- refers to an issue which is currently the subject of a formal Council complaint, consultation, Public Services Ombudsman for Wales complaint or any legal proceedings
- relates to the Council's planning or licensing functions as there are separate statutory processes in place for dealing with these matters
- does not relate to an issue upon which the council has powers or duties or on which it has shared delivery responsibilities

If we decide that a petition is not acceptable then we will let the petition organiser know our reasons.

During politically sensitive periods, such as prior to an election, politically controversial material may need to be restricted.

The Council accepts no liability for the e-petitions on these web pages. The views expressed in the e-petitions do not necessarily reflect those of the Council.

If your petition relates to an issue which is beyond the powers of the Council to address, it may be more appropriate to start an e-petition on the Senedd Cymru website. Advice on the admissibility of e-petitions can be obtained from Democratic Services.

SECTION 7 - APPENDIX 4

PROTOCOL FOR QUESTIONS FOR CABINET MEMBERS

The Council's Rules of Procedure specify that there should be a standing item on Overview and Scrutiny Committee agendas 'Questions for Cabinet Members'.

Members who wish to ask formal questions of the Cabinet that are not related to items on the agenda should be done by prior notice, giving at least 5 working days' notice, but with the flexibility for Members to raise urgent questions at the meeting, on the understanding that a full response by the Cabinet Member may not be available if prior notice is not given.

Questions must not relate to operational issues.

Process for submitting Questions:

A member may ask a question if either:

- (i) they have given at least 5 working days notice in writing of the question to the Scrutiny Support Officer; or
- (ii) with the consent of the Chair at which Committee the question is to be put, as there is some flexibility to accept urgent questions without prior notice, on the understanding that a full response by the Cabinet Member may not be available, if prior notice is not given. Urgent items will be determined in accordance with Rule 8 of the Rules of Procedure.

Response to Questions:

- (i) Every question shall be put and answered without discussion, but the Cabinet Member to whom it is asked may decline to answer.
- (ii) An answer may take the form of:
 - A direct oral answer;
 - Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.
- (iii) A member asking a question may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.
- (iv) No more than 10 minutes may be spent on questions at Overview and Scrutiny Committees. If questions remain unanswered at the expiration of that time, the questions and answers shall be circulated in a written form to the members and included in due course in the minutes of the meeting.