

## Call-in Procedure - Extract from Scheme of Administration relating to the Performance, Review and Scrutiny Committee

**Call-in Procedure** - The following "call-in" procedure shall apply in respect of Cabinet decisions:-

- (a) a "call-in" need not await publication of the Cabinet minutes;
- (b) a "call-in" may only take place where it is supported by a majority of the members of the Performance, Review and Scrutiny Committee (ie requires the support of at least seven of its thirteen members);
- (c) each "call-in" must be in writing; specify the reason(s) for the "call-in"; be signed by at least seven members of the Performance, Review and Scrutiny Committee; and delivered to the Director, Corporate Resources, before the deadline specified at paragraph (f) below;
- (d) the Cabinet decision in relation to any item of "called-in" business will be frozen pending resolution through the process described at paragraph (h) below;
- (e) the Performance, Review and Scrutiny Committee may not "call-in" a decision where a financial or contractual commitment has already been entered into on behalf of the Council;
- (f) a deadline of 9.00am five working days after each Cabinet meeting will be set for the submission of any "call-ins" arising from the meeting (eg for a Tuesday Cabinet meeting the deadline will be 9.00am the following Tuesday, assuming no intervening public holidays);
- (g) a Special Meeting of the Performance, Review and Scrutiny Committee may be called to consider "called-in" business where, in the opinion of the Director, Corporate Resources, unnecessary delay or difficulty would otherwise arise;
- (h) after having considered any "called-in" business, the Performance, Review and Scrutiny Committee shall decide only in accordance with one of the following two options:-
  - (i) **Option 1** - To note the Cabinet's decision. (This will have the effect of immediately unfreezing the "called-in" decision); or
  - (ii) **Option 2** - To make specific recommendation(s) back to the Cabinet on the "called-in" item. Such recommendation(s) shall be reported to the next available Cabinet meeting without the need for prior publication or approval of the Performance, Review and Scrutiny Committee minutes. Where the Cabinet declines to accept any or all of these, the matter shall continue to be frozen and referred *simpliciter* by the Director, Corporate

Resources to the full Midlothian Council for determination. Should he deem it appropriate, the Director may call a Special Council and/or Cabinet meetings to facilitate the determination of the matter.

- (i) a "call-in" may be withdrawn only where all of the signatories so agree and the Director, Corporate Resources receives written intimation signed by them to that effect.