

Annex 1: Cabinet Scrutiny Protocol

Introduction

Effective scrutiny relies not just on the work of Scrutiny members, but also on positive and constructive engagement with the Cabinet.

Objectives

1. To promote a strong organisational culture of mutual respect, trust, and openness between the Cabinet and Scrutiny members with a view to ensuring service improvements.
2. To enable Cabinet members Scrutiny members to fully understand their roles and responsibilities in relation to the scrutiny function and its powers.
3. To set out principles of engagement between Cabinet members and Scrutiny members including procedures to mitigate any differences of opinion and manage disagreement and debate.

Principles of engagement

The following principles of engagement highlight scrutiny's powers and sets out the expectations required of all parties in delivering an effective scrutiny function.

Cabinet members should:

1. Attend scrutiny meetings when required including special meetings (call-in) and work programming sessions to answer questions and discuss issues where required to do so (or in their absence, the relevant lead member).
2. Provide information including performance, financial and risk information where required to do so.
3. Recognise scrutiny's independent and non-partisan role
4. Ensure the Cabinet's priorities are communicated to scrutiny to inform work planning to ensure that it is adding value.
5. Keep scrutiny chairs and deputies and support officers informed of the outlines of major decisions as they are being developed, to allow for discussion of scrutiny's potential involvement in policy and strategy development.
6. Provide a clear written response to scrutiny recommendations within two months of receipt.

Scrutiny members including co-opted members should:

1. Engage with and support the scrutiny function and its priorities.
2. Take responsibility for their role by acting independently and in a non-partisan capacity.
3. Provide an environment conducive to effective scrutiny by setting and maintaining a strong culture of mutual respect.

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4. Hold the Cabinet to account on decisions or other action taken.
5. Not view the call-in process as a party-political tool or as a substitute for early involvement in the decision-making process.
6. Work proactively to identify any potential contentious issues and plan how to manage them.
7. Amplify the voices and concerns of the people of Lancashire.
8. Assist in the development of work programmes in consultation with Cabinet members and officers.
9. Provide constructive challenge and not a de facto opposition to the Cabinet.
10. Share key findings, drafts of scrutiny reports and recommendations with Cabinet members and officers to ensure no surprises.

Compliance with the protocol and mediation

To support the wider aim of promoting a strong organisational culture with scrutiny and good governance, the oversight of compliance will be managed in the following ways:

1. Matters relating to compliance with the protocol and the scrutiny function's powers not being adhered to can be raised by any councillor and should be brought to the attention of the county council's Statutory Scrutiny Officer and Monitoring Officer for consideration and action.
2. Where disagreement or breakdown in relations occurs between scrutiny and the Cabinet, the scrutiny committee should refer the matter to the Chief Executive, Monitoring Officer, and the Statutory Scrutiny Officer together with the relevant scrutiny Chair and Cabinet member and the Leader of the Council to reach an agreement.

