

Report to Governance and Constitution Review Committee

21 September 2023

Subject:	Centre for Governance and Scrutiny – The use of call-in: guidance for English authorities
Director:	Surjit Tour Director of Law and Governance & Monitoring Officer
Contact Officer:	Suky Suthi-Nagra Democratic & Member Services Manager and Statutory Scrutiny Officer Suky_Suthinagra@sandwell.gov.uk

1 Recommendations

- 1.1 That the Governance and Constitution Review Committee recommend to Council changes to the Council’s Scrutiny Procedure Rules as set out in Appendix 1, in response to the key points arising from the Centre for Governance and Scrutiny publication – The use of call-in: guidance for English authorities.

2 Reasons for Recommendations

- 2.1 As part of the ongoing work to strengthen and develop the Council’s Overview and Scrutiny function, the Council has sought to understand and address the key points raised by the Centre for Governance and Scrutiny (CfGS) in its April 2023 publication “The use of call-in: guidance for English authorities.



2.2 Currently only key decisions (i.e. over £1m in spend/savings or significantly affects two or more wards) can be made by Cabinet and are subject to call in. Individual Cabinet Member decisions below this financial threshold are not subject to call in.

3 How does this deliver objectives of the Corporate Plan?

		Effective governance arrangements support the delivery of all corporate objectives.
		
		

4 Context and Key Issues

4.1 Whilst almost all of the guidance points are addressed within the revised Scrutiny Procedure Rules and supplementary guidance published by the Council, the views of the Scrutiny Management Board were sought at their meeting on 27 July 2023, in particular, around the threshold for call-in – i.e. whether it should remain for key decisions only as is currently set out in Sandwell’s Constitution or whether it should include all Cabinet or Cabinet Member decisions.

4.2 Any changes made to the Council’s Constitution, which includes changes to call in threshold, will require approval by the Council.



4.3 Benchmarking has been conducted across the West Midlands local authorities to ascertain their call-in thresholds as follows:

Local Authority	Call in threshold
Coventry CC	All Cabinet and Cabinet Member decisions are subject to call in
Dudley MBC	All Cabinet and Cabinet Member decisions are subject to call in
Solihull MBC	All key and non key decisions made by Cabinet and Cabinet Members are subject to call in
Walsall MBC	<p>Cabinet decisions (key and non key) are all subject to call in</p> <p>Cabinet members do not make decisions as these are delegated to officers within the Scheme of Delegations</p>
Wolverhampton CC	<p>Key decisions made by Cabinet are subject to call in. Cabinet Members and officers are not permitted to make key decisions and are therefore not subject to call in.</p>

4.4 At its meeting on 27 July 2023, the Budget and Corporate Scrutiny Management Board considered the call-in guidance and, subsequently resolved to recommend that the Governance and Constitution Review Committee consider and recommend to Council the inclusion of the use of call-in to all executive decisions, including individual Cabinet Member decisions as per the CfGS guidance for call-in.



5 Implications

Resources:	The call-in function of Scrutiny is supported within existing resources.
Legal and Governance:	The call-in function was introduced by the Local Government Act 2000.
Risk:	There are no direct risk implications arising from this report.
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct implications for health and wellbeing from this report.
Social Value	There are no direct implications for social value arising from this report.
Climate Change	There are no direct implications for climate change arising from this report.
Corporate Parenting	There are no direct implications for corporate parenting arising from this report.

Whilst there are no direct implications relating to many of the above areas, an effective call-in function can contribute to holding decision makers to account around all of the above issues.

6 Appendices

Appendix 1 – Revised Scrutiny Procedure Rules

Appendix 2 - Commentary on key points from CfGS

7. Background Papers

[CfGS – The use of call-in: guidance for English authorities](#)

