

## **EAST AYRSHIRE COUNCIL**

### **GOVERNANCE AND SCRUTINY COMMITTEE – 27 AUGUST 2010**

#### **ARRANGEMENTS FOR DEALING WITH INFORMATION REQUESTS MADE BY MEMBERS AT MEETINGS OF THE GOVERNANCE AND SCRUTINY COMMITTEE**

##### **Report by the Executive Director of Finance and Corporate Support**

### **1. PURPOSE OF REPORT**

- 1.1** The purpose of this report is to propose formal arrangements for dealing with information requests made by Members at meetings of the Governance and Scrutiny Committee, to ensure the continued effectiveness of the Committee's scrutiny role.

### **2. BACKGROUND**

- 2.1** During the course of discussion at meetings of the Governance and Scrutiny Committee, Members from time to time seek information or clarification from Officers on particular matters which, due to its detailed nature, requires to be provided at a future meeting. Such requests should arise from, and reflect the role of the Committee in respect of its scrutiny function. As Members are aware, the arrangements in place for dealing with such requests have evolved since establishment of the Governance and Scrutiny Committee and currently provide that responses are reported to the next appropriate meeting of the Committee within the "Matters Arising Update Report".
- 2.2** Guidance and support documentation with regard to the Governance and Scrutiny function is comprehensively set out within a document entitled "Governance and Scrutiny Guidelines", published in September 2007, and it is indicated therein that processes attached to the Governance and Scrutiny function are subject to modification by this Committee as and when required to ensure that the process remains fit for purpose. In essence, therefore, this Committee is able to put in place such processes as it considers appropriate to its function and, as in the case of approval of a revised Hearing Procedure for dealing with call-ins at the meeting on 23 April, to develop specific processes and arrangements in pursuit of this aim.

### **3. PROPOSED ARRANGEMENTS**

- 3.1** Since the establishment of the Committee, there has been an increase in the number of information requests made by Members at Governance and Scrutiny Committee meetings, which have been dealt with in accordance with the established process as set out in paragraph 2.1 above. Whilst Officers will endeavour to provide relevant information in response to Member's requests, there is a clear need to ensure that Members of the Committee focus on their scrutiny role with regard to the issues under consideration. It is suggested, therefore, that it would be appropriate for the Committee to be given the

opportunity to make a determination as to the appropriateness of Members' information requests made at meetings, specifically in terms of relevance and value to the scrutiny function of the Committee, taking due cognisance of the extent to which requests are considered to be reasonable, practicable and achievable and having regard to the need to ensure the best use of Officers' time.

**3.2** It is therefore, proposed that, where an information request is made by a Member at a meeting of the Governance and Scrutiny Committee, the process be:

- the Chair will initially invite the relevant Member to elaborate on the reasons for the request, with specific reference as to why the Committee would require such information, in terms of its scrutiny role;
- the Chair would then establish from officers the extent to which a response to the request is practicable and achievable;
- Committee Members will be invited to comment on the relevance and value to the Committee of the information if it were to be provided;
- the Committee will then determine, whether, in light of the comments made, the request should be actioned, by a show of hands, if required. There would be no formal motion and amendment, but rather, when required, Members would be invited by the Chair to vote for or against acceding to the request, with the Chair having a casting vote in the event of an equality of votes.

**3.3** Committee Members can of course seek information arising from, or relative to, a Committee report by contacting the relevant Officers, identified at the end of each report, in advance of Committee meetings. This is the established practice in respect of all Committee papers. The process proposed in paragraph 3.2, above, would provide for the introduction of a process by which the Committee can determine requests from Members without compromising Members' access to relevant information.

**3.4** The proposed process is being introduced to support the Committee's evidenced based approach to scrutiny and in recognition that the emphasis should be on constructive challenge and not opposition politics. The new information request process should not be politicised and Members are requested to make decisions on such requests on their merits and in recognition of the role of the Governance and Scrutiny Committee.

**4. FINANCIAL/LEGAL/POLICY/COMMUNITY PLANNING IMPLICATIONS -** None arising directly from this report.

**5. RISK IMPLICATIONS -** Application of appropriate arrangements for dealing with information requests made by Members at Governance and Scrutiny Committee meetings will assist in ensuring that the Committee's focus is

directed towards relevant matters to ensure effective discharge of the scrutiny function.

## **6. RECOMMENDATIONS**

- 5.1** The Committee is asked to consider and approve the arrangements for dealing with information requests made by Members at meetings of the Governance and Scrutiny Committee, as set out in paragraph 3.2 above.

Alex McPhee  
Executive Director of Finance Corporate Support

19 August 2010  
SN/KS

### **LIST OF BACKGROUND PAPERS**

1. Governance and Scrutiny Guidelines September 2007.

Any person wishing to inspect the background papers relative to this report should contact Stuart Nelson, Administrative Officer on Tel No (01563) 576151. Any person wishing further information on this report should contact Bill Walkinshaw, Head of Democratic Services on Tel No (01563) 576135.

**Implementation Officer: Stuart Nelson, Administrative Officer.**