



<b>Title:</b>	<b>Constitution of the Council (Part 3le: Protocol for public participation during Scrutiny Committees)</b>
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**Adopted by Full Council on 11th December 2023**



## 1 INTRODUCTION

- 1.1 Scrutiny Committees play a vital role in holding an authority's decision-makers to account.
- 1.2 Scrutiny is fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself.
- 1.3 Scrutiny will be conducted in ways that are open and transparent to everyone, whilst focusing on the needs and concerns of the public.
- 1.4 As a general principle, members of the public are not invited to take part in discussions or debates during committee meetings of East Staffordshire Borough Council, except where provided for in the Constitution e.g. planning. However, to reflect the work of Scrutiny Committees in seeking information on issues specifically relating to the people who live and work within the Borough, the Council supports public participation of its Citizens during Scrutiny meetings, also.
- 1.5 However, it should be noted that public participation is subject to Council policy and procedure. For example, if an individual is listed on the Council's Violent, Threatening and Abusive Behaviour Register, that individual would not be able to participate in Scrutiny Committee.
- 1.6 The following information provides guidance to those members of the public who wish to speak at any of the Council's Scrutiny Committee meetings.

## 2 GUIDANCE ON ASKING QUESTIONS

- 2.1 Questions should be set out in full, stating the name, time and date of the Scrutiny Committee a person wishes to speak at. The correspondence submitting the question should also include the full name and address of the individual, along with a contact telephone number.
- 2.2 Citizens should submit their question to Democratic Services at least three working days before the meeting. The contact details are as follows:

**Email:** [democratic.services@eaststaffsbc.gov.uk](mailto:democratic.services@eaststaffsbc.gov.uk)

**Telephone:** 01283 508306.

- 2.3 Assistance on how to present questions is available upon request from Democratic Services but as a general rule, questions should not be frivolous, defamatory or offensive.
- 2.4 Citizens will be invited to raise their questions at the beginning of each meeting. A maximum of 20 minutes will be allocated for this purpose.
- 2.5 The question must be relevant to the business of the Scrutiny Committee to which it is put. If it is not possible to answer the question at the meeting, a response will be provided within ten working days of the meeting.
- 2.6 The Chairman of the relevant Scrutiny Committee will decide whether the question is appropriate and whether the question will be taken at the meeting.
- 2.7 In order to allow each member of the public wishing to participate at the meeting to speak, an allocated time limit of 5 minutes per speaker will be given. If a question cannot be heard within the 20 minutes allocated for public participation, the remaining question(s) will be brought forward to the next meeting of the relevant Scrutiny Committee.
- 2.8 The overall time allocated for questions by members of the public can be extended by the Chairman if they feel it is necessary.
- 2.9 The Chairman of the relevant Scrutiny Committee will invite those people to speak in the order which the questions have been received by Democratic Services.

### 3 SUGGESTING TOPICS FOR SCRUTINY

- 3.1 Members of the public may suggest items for consideration by:
  - a) Writing to or emailing the relevant Chairman of a Scrutiny Committee;
  - b) Through their ward councillor.

## 4 PROVIDING EVIDENCE TO SCRUTINY

- 4.1 The Scrutiny Committees may invite members of the public to provide evidence or to discuss issues of local concern as part of their investigation. It may, for example, wish to hear from residents, stakeholders or members and officers in other parts of the public sector.
- 4.2 Where a person is invited to attend a Scrutiny Committee meeting, an initial telephone call will be made to enquire whether the person is able to attend the meeting, followed by a letter, giving the maximum possible notice in writing.
- 4.3 The letter will state the nature of the item on which the person is invited to give evidence and whether any papers are required to be produced for the committee. The letter will inform the person of the subject being scrutinised, and where appropriate, a list of questions to be answered.
- 4.4 Where the committee requires the person to provide a written report, sufficient time will be given to allow for the preparation of the document.
- 4.5 At the meeting, the Chairman will provide a brief introduction to the members of the committee and the persons invited to give evidence. The Chairman will also provide an overview of the item under investigation, including the aims, objectives and timescale.
- 4.6 The Chairman will remind those people invited to give evidence why the committee has invited them to attend the meeting and request that they give a brief statement regarding the item under scrutiny.
- 4.7 Once the statement has been made, the committee will be given an opportunity to ask questions in a concise and clear manner. The person providing the evidence will be allowed to summarise the information.
- 4.8 The committee will then be given an opportunity to discuss and review the evidence that has been presented before providing feedback on how they viewed the information and any actions they feel might be appropriate.
- 4.9 The person providing evidence will be formally thanked for their contribution and given the opportunity to provide written feedback on the scrutiny process they have been involved in. They will also be informed of the outcome of any further consideration given by the committee.

## 5 CONDUCT

- 5.1 Members of the public must not abuse the privilege of participation by personal attacks on elected members or officers, other participants or members of the public.
- 5.2 Speakers will be required to respond politely to any question from the Chairman and elected members of the Scrutiny Committees and must not interrupt other speakers or the debate.
- 5.3 Where a number of speakers share the same viewpoint, a spokesperson may be required.
- 5.4 Any speaker who makes a statement, which, in the opinion of the Chairman, is defamatory, abusive, racially motivated or discriminatory, will be required to stop speaking and leave the meeting. The committee will be advised to disregard such comments.
- 5.5 The Chairman will have complete discretion on how public participation is conducted. If the above principles are not adhered to, the Chairman may close that part of the meeting or address the matter accordingly in accordance with Part 3A of this Constitution.

## 6 MEDIA ACCESS

- 6.1 The media will have interview, filming and reporting opportunities, whenever possible.
- 6.2 The Council supports the Ofcom Code and Guidelines on broadcasting standards. All arrangements for filming will be expected to adhere to these provisions, in particular those relating to the 'obligations of fairness and respect for truth' and 'fairness and impartiality' in the editing and transmission of interviews.