

Appendix C –Task & Finish Group report

Committee: Task & Finish Group – Rule 2.4

Date:

Title: Review of pilot scheme Rule 2.4: Time permitted for questions to the Executive and Committee Chairs

8 November 2021

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Summary

1. At the Annual Council meeting held on 18 May 2021, Members approved a pilot scheme in relation to [Rule 2.4 – ‘Time permitted for questions to the executive and Committee Chairs’](#) at Full Council meetings. The amended rule and accompanying protocol can be found at Appendix B.
2. It was agreed to trial the scheme for two Full Council meetings. The scheme has been trialled at the meetings held on 20 July 2021 and 5 October 2021.
3. Members’ comments have been received relating to the trial. A summary of member comments relating to the Rule 2.4. pilot scheme have been attached at Appendix A. Comments range from agreement with the piloted scheme, to those that feel it constrains a ‘dynamic’ question and answer session.
4. In light of such comments, it is possible that the pilot scheme will not be approved in its current form following the end of the trial. Therefore, the Task & Finish has been re-established in order for a report to be prepared for the Governance, Audit and Performance Committee’s (GAP) consideration on 22 November 2021.
5. Headline areas for review include:
 - a. The provision of supplementary questions instead of clarification questions.
 - b. Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes.
 - c. To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day of the meeting is the cut-off for urgent questions.
 - d. Whether non-urgent oral questions are to be permitted, alongside written questions.
6. Any recommendations arising from the GAP Committee meeting on 22 November will be taken to the Full Council meeting on 7 December 2021.

Recommendations

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7. The Task and Finish Group is recommended to:

- I. To consider member comments in relation to the trial scheme of Rule 2.4 and the headline areas for review.
- II. In light of such consideration, to determine whether the piloted Rule 2.4 and the associated protocol require amendment.
- III. To finalise a recommendation to GAP Committee in respect of Rule 2.4 and the associated protocol.

Financial Implication

8. None.

Background Papers

9. [Full Council report considered on 18 May 2021 and appendices \(Item 14\).](#)
10. [GAP Committee report - 28 September 2021](#)

Impact

- 11.

| | |
|---------------------------------|--|
| Communication/Consultation | The Task & Finish Group initially met on 26 February to discuss the options available. Their proposals were subsequently considered and recommended for approval by both GAP and Full Council. Any recommendation arising from this Task and Finish Group will again be considered by both GAP and Full Council. |
| Community Safety | None |
| Equalities | None |
| Health and Safety | None |
| Human Rights/Legal Implications | Notice of questions will allow for advance consideration of any legal implications. |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | The workplace impact of collating written questions and answers will continue to be monitored. |

Background

Headline Areas for Review:

12. **The provision of supplementary questions instead of clarification questions** – Members may wish to consider the re-introduction of supplementary questions to the protocol. During the meeting of 20 July 2021, there was some confusion over what constituted a ‘question of clarification’ – by definition, the scope of such questions are limited to clarifying the content of the response. A supplementary question would be less constrained. This may satisfy Members who have called for a more ‘dynamic’ question and answer session. Equally, Members may feel that the procedure was better understood at the meeting of 5 October 2021 and that, by removing the ‘ambush’ nature of supplementary questions, the answers were better informed and more detailed by virtue of having had advance notice of the question.
13. **Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes** – The pilot scheme currently has no mechanism to deal with questions that have not been dealt within the 30 minutes’ limit. As written answers are published the day before in response to substantive questions, this issue is only in relation to ‘follow-up’ questions (currently, only questions of clarification are permitted but you may recommend that all supplementary questions are to be allowed). A potential solution is to incorporate the following wording into the protocol,

“In the event that it is not possible to ask a question of clarification due to lack of time, such questions will be put to the Leader, Chair or relevant Portfolio Holder in writing after the meeting. A written answer to the question will be produced and circulated to all Members.”

Alternatively, Members may feel that 30 minutes is sufficient and, as the substantive questions will have been answered in writing, there is no need to introduce a specific mechanism to deal with questions of clarification that have not been asked within the time limit.
14. **To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day of the meeting is the cut-off for urgent questions** – The current scheme stipulates that urgent oral questions need to be provided no later than 9.00am on the day of the meeting. As it is conceivable that matters will arise on the day of a meeting, it is recommended to allow scope for late questions where it was not possible to anticipate the question before the deadline. As the Chair has a role in consenting to the urgent question, it is suggested to amend the protocol to the following (additional wording ‘**where possible**’):

A Member may put an oral question to Cabinet Members and Committee Chairs regarding any urgent matter that has arisen in the 8 working days preceding the meeting, subject to attaining the consent of the Chair of Council. The question should be provided in writing to Democratic Services, and copied

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*to the relevant member from who a response is requested, no later than 9.00am on the day of the meeting **where possible**.*

15. Whether non-urgent oral questions are to be permitted, alongside written questions

– There has been some demand for non-urgent oral questions to be asked alongside written questions, in order to provide a more ‘dynamic’ question and answer session at Full Council. One of the primary motivators for introducing advanced notice of written questions was to facilitate the conditions required to give well-informed and detailed answers at Full Council. Furthermore, there was a consensus at the previous T&F Group meeting that question time at Council was antagonistic and the working environment might be improved if the ‘ambush/surprise’ element of questions was removed. Members are asked to consider the pros and cons of non-urgent questions and whether a mechanism is to be added to the protocol. If so, Members may wish to consider how non-urgent oral questions integrate with written and urgent questions e.g. are non-urgent oral questions to be taken after all other questions have been dealt with? If non-urgent questions are not heard in the 30 minutes, are they to be asked in writing after the meeting?

Next steps

16. The Task and Finish Group are asked to consider and discuss these headline topics and to reach agreement on the final version of rule 2.4 to be presented to GAP Committee in November. Comments arising from the discussion will be incorporated into the draft GAP report, including the finalised protocol, and will be circulated for the Task & Finish Group’s review before it is published with the Committee’s next agenda.

Risk Analysis

17.

| Risk | Likelihood | Impact | Mitigating actions |
|--|------------|--------|--|
| That the pilot scheme is not fit for use at UDC and/or incompatible with the culture at UDC. | 3 | 3 | Consider member feedback on the pilot scheme and amend as appropriate. |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.