

Cambridgeshire & Peterborough Combined Authority Overview & Scrutiny Committee:  
Information Sharing Protocol

1. Sharing information can enhance scrutiny and benefit the decision-makers as well as bringing benefits to the ways of working of the Committee. Early sight of draft reports by the Committee adds value to decision-making which is a key tenet in effective scrutiny. The Committee needs access to relevant information, and to receive it in good time, if it is to be effective in its role; and this need is recognised in law.
2. The then Ministry of Housing, Communities and Local Government (MHCLG) Overview and Scrutiny: statutory guidance for councils and combined authorities states “when considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny’s role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively”. This protocol seeks to clarify the relationship between scrutiny members and the Authority to ensure the smooth conduct of business and maintain effective communication. It will promote an effective role for Scrutiny and foster a good working relationship, ensuring the Committee makes a valuable contribution to the effectiveness of the Combined Authority.
3. Overview and Scrutiny members should have access to a regularly available source of key information about the Combined Authority.
4. In addition to the individual rights of Members, Overview and Scrutiny Members have rights to see documents relating to any business that has been transacted at a public or private meeting of any of the Boards and Committees of the Combined Authority, and any decision taken by an individual decision-maker.
5. It is expected that when the Overview and Scrutiny Committee makes formal requests for information, that information will be delivered to Members within seven working days of the request (where possible). The request should be made to the statutory Scrutiny Officer or Legal and Governance team and be shared with the Committee. Unless the identification of an individual is necessary or appropriate in order to enable the Committee to properly exercise its powers or disclosure is permitted by or under the Data Protection Laws, Information will be depersonalised. Scrutiny members should speak to officers to ensure they understand the reasons why information is needed, thereby making officers better able to provide information that is relevant and timely, as well as ensuring that they comply with legal requirements.
6. Although any Committee member may request information in writing detailing the item(s) requested and the reasons for the request, it is proposed that formal requests come through the identified Lead Members of the Committee. The type of information requested (e.g. a full report, background information, research, data, statistics, etc.) should be specified, and if applicable, an indication of the questions and the likely topics to be raised on the item(s), should also be included. Where the request for

information relates to an item on the Forward Plan the relevant Director and the Combined Authority Lead Member will be notified accordingly.

7. The scrutiny of an item may need to be deferred pending the receipt of information, particularly where a request for additional information is made or where the information requested is voluminous and/or where there are costs implications associated with providing the information. In these circumstances the Combined Authority Legal & Governance team will advise the Overview and Scrutiny Chair and Vice-Chair accordingly.
8. Exempt or confidential information may only be requested where the Committee is undertaking a review or scrutinising an action or decision. Please note the Combined Authority or the Mayor may decline that request.

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 states:

*“No member of an overview and scrutiny committee is entitled to a copy—*

*(a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—*

*(i) an action or decision that that member is reviewing or scrutinising;*  
*or,*

*(ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or*

*(b) of a document or part of a document containing advice provided by a political adviser.*

*Where the combined authority or the mayor determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph, it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.”*