

6.1 URGENCY POWERS

6.1.1 To ensure transparency and accountability, there is a presumption that all decisions required to be made by the Authority and not delegated to the officers will be made through the Authority's normal committee processes. There is provision on the agendas of each standing committee of the MPA to deal with urgent matters within that committee's terms of reference. The Strategic and Operational Policing Committee exercises an urgency function and can deal with urgent matters that cannot wait for the next meeting of the relevant committee or the full Authority.¹

6.1.2 Where these urgency committee arrangements cannot be invoked, and only in such circumstances, the Chief Executive and/or Treasurer may proceed to take the necessary decision (after consultation with the Commissioner as appropriate) in accordance with the procedure outlined below.

6.1.3 The fundamental principle is that members who under normal procedures would have considered the matter in committee or the full Authority should have the opportunity to make their views known before an urgent decision is taken. Of those members some will be asked to indicate in writing whether they support the decision that is being sought, as follows:

- Where the decision would normally be taken by the full Authority, the Chairman and / or Vice Chairman of the Authority and the Chairs of the Authority's standing committees shall give their view in writing on the urgent action form
- Where the decision would normally be delegated to a committee or sub-committee, the Chairman and/ or Vice Chairman of the Authority and the Chairman of that committee or sub-committee shall give their view in writing on the urgent action form

6.1.4 Exceptionally, however, and only in cases of extreme urgency or extreme sensitivity the following shall be the minimum requirement. (In these circumstances where it may not be possible to communicate with all members of the committee, sub-committee or Authority before the decision is taken, they shall be informed as soon as possible afterwards of that decision.)

- Where the decision would normally be taken by the full Authority, the Chief Executive / Treasurer shall consult with the Chairman and / or Vice Chairman of the Authority and *at least two* Chairs of the Authority's standing committees.
- Where the decision would normally be delegated to a committee or sub-committee, the Chief Executive / Treasurer shall consult with the Chairman and/ or Vice Chairman of the Authority and the Chairman of that committee or sub-committee.

¹ As required by the Local Government Act 1972 (as amended) the chairman of the committee must agree to the matter being considered as urgent and the reason for urgency must be recorded in the minutes.

- 6.1.5 The Chief Executive / Treasurer shall use the most appropriate method of consulting with these members. This may be by way of a meeting, or by telephone, letter or email. However, unless circumstances do not allow it, the general presumption is that members will be consulted in writing and supplied with sufficient supporting information to enable them to come to an informed view.
- 6.1.6 The Chairman and Vice Chairman of the Authority or the Chair of a committee or sub-committee can nominate another member in their place if they are going to be unavailable
- 6.1.7 Urgent decisions taken under delegated authority in this way must be reported to the next meeting of the Authority for information. In doing so, the Chief Executive / Treasurer shall indicate which members were consulted before the decision was taken, report any dissension from the decision and give details of the reason for urgency. An annual report shall be submitted to the Corporate Governance Committee on the operation of the urgency procedure so that the committee can satisfy itself on the correct application of the process.

MPA URGENCY PROCEDURE

The MPA's urgency provisions are set out in paragraph 6.1 of the procedural Standing Orders - attached.

Initial request for an urgent decision

1. The urgency procedure is a way of getting *urgent* decisions. It is not a way of getting decisions without having to apply the rigour and transparency required of a formal committee report.
2. Therefore, the person applying for an urgent decision must give the Chief Executive or Treasurer, as appropriate, in writing the following information, using the MPA's delegated action form (copy attached)² (Further references to the Chief Executive in this procedure apply equally to the Treasurer)
 - a) what urgent decision is being sought and why it is not possible to report to a committee for this decision
 - b) sufficient supporting information to enable an informed decision and to provide a subsequent audit trail. As a general rule, as much information should be provided as would normally be included in a report to an MPA committee. This must include any financial and legal implications. All requests must address the equality and diversity implications or confirm that there are none
 - c) The *genuine* deadline by which a decision is needed
 - d) The earliest date at which an informed decision could have been taken and, if earlier than the current request, why a decision was not sought then via the normal committee procedures.

Making decisions

3. The Chief Executive will then:
 - a) Refer the urgency request to Committee Services to be logged. Committee Services will be responsible for managing the process of member consultation and will ensure that the decision taken is properly recorded
 - b) Assess the urgency and decide whether or not the urgency procedure is the appropriate mechanism (as opposed, for instance, to a report to the appropriate committee). Committee Services will log all decisions, including those where the Chief Executive has decided that the urgency procedure should not be used. This information will form part of an annual report to the Corporate Governance Committee on the use of the urgency provisions
 - c) decide whether the decision would normally be a matter for a particular committee/sub-committee or would have been taken by the full Authority. This will determine which Chairs and members will be consulted – see Standing Order 6.1.2

² Also available from Nick Baker, Head of Committee Services on 7202 0183 or nick.baker@mpa.gov.uk

- d) decide how to consult with these members. Unless there is a good reason why this is not possible, consultation should be in writing (hard copy or email), including all the supporting information. The members' view on the request should also be confirmed in writing (Standing Order 6.1.3)
 - e) In a very small number of cases, the Chief Executive may decide that, because of the extreme urgency or sensitivity of the subject matter, circulation in advance of a decision should be restricted to those members referred to in Standing Order 6.1.4. In taking this decision she will balance the need for accountability against the risks to the Authority of delay or the details of a proposed decision being made public. Situations where this might apply could include negotiated settlements before an Employment Tribunal or similar situations where disclosure would prejudice the Authority's negotiating position. Where a decision is taken to restrict circulation, in reporting the urgent action to the next full Authority meeting the Chief Executive will explain the reasons for this decision.
4. The Chief Executive takes the final decision on whether to agree the urgency request or not. In doing so she will take account of the views of those members who have been consulted.

Follow up action

5. Once the decision has been taken and confirmed in writing, Committee Services will
- a) copy the decision to the originating officer
 - b) arrange for the decision to be reported to the next meeting of the full Authority. This will include details of which members were consulted in taking a decision, any dissension from the decision and the reason for urgency
 - c) retain the original on file
6. An annual report will be made to the Corporate Governance Committee on the operation of the urgency procedure.



Metropolitan Police Authority

A request has been made for the Chief Executive and/or the Treasurer to take the following action as a matter of urgency.

In taking this urgent action the Chief Executive and/or the Treasurer will do so in accordance with MPA Standing Order 6.1 which requires officers to consult with appropriate members.

Committee Services are responsible for processing urgency requests and must therefore be informed at an early stage of any such requests

	Is information considered to be exempt/confidential? no/yes
1.	Subject:
2.	Decision sought:
3.	Deadline for a decision:
4.	What was the earliest date at which an informed decision could have been taken? If earlier than the current request, why was a decision not sought then via the normal committee procedures?
5.	Supporting information (attach a report if necessary):
6.	Financial implications:
7.	Legal implications
8.	Equality and diversity implications
9.	Reason for urgency or details of the specific delegation agreed by the authority or a committee:
10.	Originating officer and contact details

If the Chief Executive/Treasurer has decided that the urgency procedure is not appropriate for this matter, this should be recorded below with the reasons for that decision.

I authorise the action recommended in section 2 above, in exercise of my delegated authority.

Signed -----
Chief Executive/Treasurer

Position: -----

Date -----

I agree to the Chief Executive / Treasurer taking the decision recommended in section 2 above.

Signed -----

Position: ----- Chair or Vice Chair of Authority -----

Date -----

Signed -----

Position: Chairman of XXXXXX Committee

Date -----

To be completed by Committee Services:
All members of the Committee / Authority (delete as appropriate) were informed of this matter by email on:

This decision was reported to the Authority on: