

CHESHIRE EAST COUNCIL

Health and Adult Social Care Overview and Scrutiny Committee

Date of meeting: 7th August 2014
Report of: Head of Corporate Governance and Stewardship
Title: Moving to Local and Personalised Carer Respite - Update

1.0 Report Summary

This report sets out the procedure for the Call-in of the decision of the Cabinet made on 30 June 2015.

2.0 Recommendations

- 2.1 That the Overview and Scrutiny Committee considers whether or not it wishes to offer advice to the decision maker(Cabinet)in response to the Call In.

3.0 Wards Affected

- 3.1 All Wards

4.0 Local Ward Members

- 4.1 All Members for the above Wards.

5.0 Policy Implications

- 5.1 Contained within the attached report.

6.0 Financial Implications

- 6.1 Contained within the attached report.

7.0 Legal Implications

- 7.1 Contained within the attached report.

8.0 Risk Assessment

- 8.1 Contained within the attached report.

9.0 Background and Options

- 9.1 In accordance with Scrutiny Procedure Rule 12.3 any 6 or more Councillors can call in a decision. In this case, 6 Members have called in the above decision for the reasons identified in Appendix 1.
- 9.2 In accordance with Scrutiny Procedure Rule 12.8 the Committee has two options in respect of any further action. The Committee may decide to offer no advice, in which case the decision may be implemented. Alternatively, the Committee may decide to offer advice, in which case, the matter must be referred to the decision maker, in this case the Cabinet, in order for a decision to be made upon it. In accordance with Scrutiny Procedure Rule 12.10, the decision maker is not bound to accept any advice offered to it and will have sole discretion on any further action to be taken. Such action may include:
- (1) Confirming with or without amendment the original decision; or
 - (2) Deferring the matter pending further consideration; or
 - (3) Making a different decision.
- 9.3 Where the Overview and Scrutiny Committee decides to offer advice, this must be clearly documented in the minutes
- 9.4 If the Overview and Scrutiny Committee decides not to offer any advice, then the decision of the Cabinet can be implemented immediately.
- 9.5 Full details of the Call-In Procedure can be found at Scrutiny Procedure Rule 12
- 9.6 The Cabinet Member for Adults, Health and Leisure and relevant officers will attend the meeting to explain the background and reasons for the decision and to answer any questions the Committee may have.
- 9.7 The following records the decision of the Cabinet of 30 June 2015:
- “RESOLVED - That
- 1. Residential carer respite provision cease to be provided at the Hollins View and Lincoln House sites as of 31st December 2015 and alternative carer respite support be secured via a formal tender process in various areas across the Borough; Lincoln House and Hollins View continue to offer carer respite beds until 31st December 2015;
 - 2. Residential carer respite provision for adults with learning disability continue to be provided at the Lincoln House site; and

3. The officers in consultation with the Portfolio Holder as appropriate be authorised to take all necessary steps to implement the decisions.

9.8 The Report of the Director of Adult Social Care and Independent Living considered by the Cabinet is attached at Appendix 2.

9.9 A response to the issues raised in the Call-In Notice is attached at Appendix 3.

10.0 **Appendices**

Appendix 1 – Call In Notice(p11)

Appendix 2 – Report of the Director of Adult Social Care and Independent Living(p13)

Appendix 3 – Response to the issues raised in the Call-in Notice(p67)

11.0 **Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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