

CHESHIRE EAST COUNCIL

Health and Adult Social Care Overview and Scrutiny Committee

Date of meeting:	7 th August 2014
Report of:	Head of Governance and Democratic Services
Title:	Call-in of Key Decision (Ref CE 14/15-3) Mountview Services Review – Block Purchasing Respite Provision in the Independent Sector

1.0 Report Summary

This report sets out the procedure for the Call-in of the decision of the Cabinet made on 1 July 2014.

2.0 Recommendations

- 2.1 That the Scrutiny Committee considers whether or not it wishes to offer advice to the decision maker 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 (as amended by Council on 14 May 2014), 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 him 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 Scrutiny Committee decides to offer advice, this must be clearly documented in the minutes
- 9.4 If the 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 Care and Adults in the Community 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 1 July 2014:
- “RESOLVED**
- That
- 1. Cabinet notes the block purchase of three residential respite care beds in the independent sector in the Congleton Area representing 1,095 respite bed nights per annum to be reviewed in 12 months’ time; and
 - 2. officers be authorised to take all necessary steps to implement the decision taken by Cabinet on 24th June 2013 to commission residential respite care in the independent sector.”

9.8 The Report of the Director of Adult Social Care and Independent Living considered by the Cabinet is attached at Appendix 2. There is an error in the report at 2.2 where it refers to a Cabinet decision on 24th June 2014 which was actually made on 24th July 2013 which was corrected by the minutes of the meeting, shown above.

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

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

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

11.0 **Access to Information**

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

Name: James Morley

Designation: Scrutiny Officer

Tel No: 01270 6 86468

Email: james.morley@cheshireeast.gov.uk