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| <b>DECISION-MAKER:</b>        | COUNCIL  |  |                           |
| <b>SUBJECT:</b>               | OVERVIEW AND SCRUTINY: SUMMARY OF CALL-IN ACTIVITY |  |                           |
| <b>DATE OF DECISION:</b>      | 20 <sup>th</sup> MARCH 2013                        |  |                           |
| <b>REPORT OF:</b>             | HEAD OF COMMUNITIES, CHANGE AND PARTNERSHIPS       |  |                           |
| <b><u>CONTACT DETAILS</u></b> |  |  |                           |
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| <b>STATEMENT OF CONFIDENTIALITY</b> |
| None                                |

**BRIEF SUMMARY**

This report provides the Council with a summary of the use of the Call-in procedure over the last six months.

**RECOMMENDATION:**

- (i) That the report be noted.

**REASON FOR REPORT RECOMMENDATIONS**

1. Following changes agreed at 12<sup>th</sup> May 2010 meeting of Full Council, the Council's Constitution requires the use of Call-in to be reported to Council on a half yearly basis.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. None.

**DETAIL (Including consultation carried out)**

3. Following an amendment approved at the Full Council meeting on 12<sup>th</sup> May 2010, Overview and Scrutiny Procedure Rules requires Full Council to receive a report every six months on the use of the Call-in procedure.
4. Two executive decisions have been called-in since the previous update report to Full Council in July 2012. The details of these Call-ins and the outcomes resulting from the Call-In meetings are summarised in this report.
5. **CAB 12/13 9155 Townhill Park Regeneration Framework – Scheme Approval for Phase 1**

**Reasons given for the Call-in:**

- Concerns about the consultation undertaken with residents and the use of Affordable Rents.

### **Recommendations from the Call-in meeting:**

The OSMC considered the Call-in report at its meeting on 3<sup>rd</sup> December 2012. Following discussion with the Cabinet Member for Housing and Leisure the Committee agreed that the decision should not be reconsidered. However, the Committee did recommend that:

- a. the Cabinet Member request that officers make an effort to contact the remaining residents that had not responded to the consultation process;
- b. details of the consultation be fed back to the Committee at a future date;
- c. the Cabinet Member draw lessons from the consultation process for future regeneration schemes; and
- d. the Cabinet Member should ensure that the information relating to affordable rents be circulated to Scrutiny Panel A for consideration in the review they are conducting on welfare reforms.

At the 18 December 2012 meeting, Cabinet noted the decision by the OSMC not to call in the decision, and information has subsequently been provided to the OSMC on the outcomes of the additional consultation undertaken, and to Scrutiny Panel A to support the Welfare Reforms Review.

## **6. CAB 12/13 9136 - Revisions to the Adult Social Care Non-Residential Services Policy**

### **Reasons given for the Call-in:**

- Insufficient time available at the pre cabinet scrutiny meeting to fully explore this very important issue. The Cabinet Member had to leave early, thereby limiting the time available to the panel. To compound this, the Cabinet Member insisted on delivering a long speech and further limited the time available to question him. Questions were largely limited to attempting to establish what element of the increase in charges was discretionary and purely to raise funds and what element was due to officer advice in order to make the charging structure more equitable. It took a long time to get a simple answer to this and so time was not available to explore the individual elements of the charging increases.
- At Cabinet, neither the Cabinet Member or Leader of the Council were present and so the opportunity to question them was denied to both Members and members of the public.
- Concern about the Cabinet Member's lack of understanding of the detail of the charging increases.

### **Recommendations from the Call-in meeting:**

The OSMC considered the Call-in report at its meeting on 19<sup>th</sup> February 2013. Following discussion with the Cabinet Member for Adult Services the Committee agreed that the decision should be referred back to Cabinet for further consideration, and that Cabinet:

- defers the decision to enable further consideration and thorough consultation with all parties affected. Should this impact on the Council's Budget, funding should be drawn from reserves;
- ensures, if the proposals are implemented, that by 31<sup>st</sup> December 2013 every family carer and service user affected by the proposals will receive a one to one assessment, and provides assurance that one to one advice will not be just through telephone advice;
- evaluates the effectiveness of the People's Panel in this process from the Council's, facilitators' and participants' perspective;
- explores ways to improve information provision for service users and carers on issues such as assessment of need and financial assessment;
- have worked examples of the impact of the proposals on individuals in advance of the Cabinet meeting to ensure the decision is informed;
- ensures future communications are sent to both service users and carers;
- monitors the impact of the proposals, if implemented, on admissions to Accident and Emergency within the City;
- ensures that the advocacy groups are involved and fully engaged throughout the process;
- Identifies how, if changes proceed, the service will improve and how the future model will ensure rising standards and evidence improvements; and
- monitor and review the impact of the charging proposals, if implemented, and report them to the Overview and Scrutiny Management Committee within the first year of implementation.

Cabinet is scheduled to consider the recommendations made by the OSMC at a future meeting of Cabinet.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

7. None

### **Property/Other**

8. None.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

9. The duty to undertake overview and scrutiny is set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.

### **Other Legal Implications:**

10. None

## **POLICY FRAMEWORK IMPLICATIONS**

11. None.

**KEY DECISION?** No

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| <b>WARDS/COMMUNITIES AFFECTED:</b> | None directly as a result of this report |
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**SUPPORTING DOCUMENTATION**

**Appendices**

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|  | None |
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**Documents In Members' Rooms**

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|  | None |
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**Equality Impact Assessment**

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| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | No |
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**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
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| 1. None                      |  |