

**Name of meeting:** Children's Scrutiny Panel

**Date:** 7<sup>th</sup> August 2019

**Title of report:** Call-in of Cabinet Decision in relation to Almondbury Community School

**Purpose of report**

To provide members of the Children's Scrutiny Panel with background information in respect of the Call-In.

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the <a href="#">Council's Forward Plan</a> ?	Yes
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
<b>Date signed off by <u>Director</u> &amp; name</b>	
Is it signed off by the Director of Finance?	N/A
Is it signed off by the Service Director - Legal Governance and Commissioning?	N/A For Information purposes only
Cabinet member <a href="#">portfolio</a>	Learning Aspiration and Communities - Cllr Carole Pattison Children's Services – Cllr Viv Kendrick

Electoral [wards](#) affected: All

Ward councillors consulted: N/A

Public or private: Public Report

**(Have you considered GDPR?)**

Yes GDPR has been considered. The information in this report does not identify any individuals.

## Summary

### 2. Key Points

- 2.1 On 23<sup>rd</sup> July 2019, the Service Director for Legal, Governance & Commissioning received written notification from 5 non-executive councillors of their wish to call-in a decision of Cabinet made on 16<sup>th</sup> July 2019. The decision was in relation to Future Options for Almondbury Community School. Following a validation exercise of the Call-in request form by the Chair of Scrutiny and the Service Director for Legal, Governance and Commissioning, a validated Call-in request has been produced. A copy of the validated call-in notice, including reasons for the call-in, is attached at Appendix 1.
- 2.2 The Panel has access to all papers considered by the Cabinet when making the decision, and will be able to question the relevant officers and Cabinet Members. Committee Members are also able to hear from other interested parties including other councillors and members of the public. A detailed timetable for the Panel meeting is attached at Appendix 2.
- 2.4 The Panel should focus its attention and questions on those issues that are set out in the validated Call-in request.
- 2.5 Once the Panel has considered the points raised and all supporting information and evidence, it must resolve either to:
- (1) Free the decision for implementation
  - (2) Refer it back to the Cabinet with a recommendation for amendment
  - (3) In exceptional circumstances, refer the issue to the next Council meeting if the decision is not consistent with the budget or any policy previously agreed by the Council. This can only be done with advice from the relevant senior officers and the Service Director: for Legal, Governance and Commissioning.
- 2.6 If the decision is referred back to Cabinet, it will be considered at the next meeting of Cabinet. Cabinet may:
- Accept the recommendation of the Scrutiny Panel and amend its decision;
  - Decide that further work needs to be done and defer the item until this is completed. The Children's Scrutiny Panel should be kept informed of the work as it progresses and be formally notified when it is to be reconsidered;
  - Not accept the view of the Scrutiny Panel and confirm its original decision;
  - Refer the issue for discussion at the next appropriate Council meeting.
- 2.7 If the Cabinet confirms its original decision, it can be implemented immediately as there is no scope for further review and challenge. A decision may only be reviewed once.

### **3. Implications for the Council**

There are no specific implications for the Council within this report as the Panel does not have decision making powers. However as a result of hearing the call in evidence, recommendations may be made to Cabinet to amend its decision which, if accepted, could result in implications for the Council.

### **4. Consultees and their opinions**

No consultation was appropriate in respect of the contents of this report.

### **5. Next steps**

Following consideration of all the information and evidence, Members of the Panel need to make one of the following three recommendations, in accordance with the Council Procedure Rules:

- (1) Take no further action and free the decision for implementation.
- (2) Refer it back to the Cabinet with recommendation(s) for amendment.
- (3) In exceptional circumstances, refer to the next Council meeting (only if the decision is not in line with the budget or any policy previously agreed by the Council. This can only be done with advice from the relevant senior officers and the Service Director for Legal, Governance and Commissioning.)

### **6. Officer recommendations and reasons**

That Members of the Panel consider all of the information and evidence and make one of the three recommendations as set out in Section 5, in accordance with the Council Procedure Rules.

### **7. Cabinet portfolio holder recommendation**

Not applicable

### **8. Contact officer and relevant papers**

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### **9. Service Director responsible**

Julie Muscroft, Service Director, Legal, Governance & Commissioning