

Name of meeting: Cabinet

Date: 13th August 2019

Title of report: Outcome of Call-in review meeting into the Cabinet Decision in relation to Future Options for Almondbury Community School

Purpose of report:

To inform the Cabinet on the outcome of the Scrutiny call in review meeting into the Cabinet decision of 16 July 2019 on Future Options for Almondbury Community School. The scrutiny review meeting will take place on 7 August 2019 and the outcomes, including potential recommendations for Cabinet to consider, will be made available after that meeting.

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 - the original Cabinet decision that has been reviewed was a key decision
Is it in the Council's Forward Plan?	Yes
Is it eligible for "call in" by Scrutiny?	No
Date signed off by Director & name	Rachel Spencer-Henshall 05.08.2019
Is it signed off by the Director of Finance?	N/A
Is it signed off by the Service Director - Legal Governance and Commissioning?	Yes 05.08.2019
Cabinet member portfolio	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.

1. Key Points

- 1.1 On 7th August 2019, the Children’s Scrutiny Panel will consider a call in request on the decision made by Cabinet on 16 July 2019 on ‘Future options for Almondbury Community School – Final Decision.
- 1.2 The Panel will consider evidence from the Councillors who are signatories to the Call-In, the Cabinet Member for Learning Aspiration and Communities, the Cabinet Member for Children’s Services, officers from the Children’s Service, and members of the public.

Set out below are the three decision making principles that the panel will look at and the specific area of focus:

1. Relevant considerations	Issues connected with the capacity of secondary school places
2. Openness	Issues relating to the availability of information
3. Lawfulness and financial propriety	Clarity of the legislation relevant to the issue of the statutory notice

- 1.3 At the time of writing the call in review meeting has not taken place. According to the Overview and Scrutiny Procedure Rules, the panel will have three options available to it:

- (1) To take no further action and free the decision for implementation.
- (2) To refer it back to Cabinet with recommendations for amendment.
- (3) In exceptional circumstances (and after advice from relevant senior officers and the Service Director Legal, Governance and Commissioning) to refer it back to the next Council, if the Panel consider that the decision was not consistent with the budget or any policy previously agreed by the Council.

- 1.4 The outcome of the review meeting will be available at the conclusion of the scrutiny meeting and will be forwarded to Cabinet for consideration and added as an appendix to this report.

2. 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.

3. Consultees and their opinions

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

4. Next steps

(1) If there are any recommendations made to Cabinet as a result of the call in review meeting on 7 August 2019, these will be considered by Cabinet and officers will implement any agreed actions.

(2) As required constitutionally the call in and its outcomes will be reported to Council in September 2019.

5. Officer recommendations and reasons

That Cabinet consider the Children's Scrutiny Panel findings as set out at appendix one and determine one of the following courses of action:

a. To note that the decision taken in respect of Future Options for Almondbury Community School has been subject to a call in review and freed for implementation;

OR; in the event that the Panel do not free the decision for implementation;

b. To accept the recommendations (in full or in part) of the Scrutiny Panel and amend the original decision accordingly;

c. To decide that further work needs to be done and defer the item until this is completed. If this action is taken then the Children's Scrutiny Panel should be kept informed on the work as it progresses and be formally notified when it is to be reconsidered;

d. Not to accept the view of the Scrutiny Panel and confirm the original decision;

e. To refer the issue for discussion at the next appropriate Council meeting.

6. Cabinet portfolio holder recommendation

As this is a Scrutiny referral, this is not applicable.

7. Contact officer and relevant papers

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Relevant papers: Agenda papers of Children's Scrutiny Panel 7 August 2019 and the Cabinet meeting held on 16 July 2019 .

8. Service Director responsible

Julie Muscroft, Service Director, Legal, Governance & Commissioning