



Name of meeting: Health and Adult Care Scrutiny Panel

Date: 17 November 2023

Title of report: Call in of Decision in relation to Carephones

Purpose of report: To provide members of the Health and Adult Social Care Panel with background information in respect of the Call-In.

Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Yes/ no or Not Applicable Yes
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes/No or Not Applicable <i>(if No or Not applicable – please explain why) – No – report is subject of call-in</i>
Date signed off by <u>Strategic Director</u> & name	N/A
Is it also signed off by the Service Director for Finance?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 8 November 2023
Cabinet member portfolio	Cllr Jackie Ramsey – Health & Social Care

Electoral wards affected: N/A

Ward councillors consulted:N/A

Public or private: Public

Has GDPR been considered? Yes

1. Summary

Key Points

- 1.1 On 6 November 2023, the Service Director for Legal, Governance & Commissioning received written notification from 2 councillors from the Health and Adult Social Care Scrutiny Panel (including the Chair) of their wish to call-in a decision of the Strategic Director for Adults and Health. The decision was in relation to Carephones. 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 document has been produced, including the validated reasons for the call-in (attached at Appendix 1).
- 1.2 The Panel has access to all papers considered by the Strategic Director when making the decision, and will be able to question the relevant officers and the Cabinet Member. 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.
- 1.3 The Panel and the public should focus its attention and questions on those issues that are set out in the validated Call-in request.
- 1.4 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 Strategic Director/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.
- 1.5 If the decision is referred back to the Strategic Director/Cabinet, the options available will include:
 - Accept the recommendation of the Scrutiny Panel and amend the decision;
 - Decide that further work needs to be done and defer the item until this is completed. The Health and Adult Social Care 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 the original decision;
 - Refer the issue for discussion at the next appropriate Council meeting.

- 1.6 If the Strategic Director/ Cabinet confirms the original decision, it can be implemented immediately as there is no scope for further review and challenge. A decision may only be reviewed once.

2. Information required to take a decision

The Panel will have access to all the information considered by the Strategic Director when making the original decision.

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.

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving outcomes for children

N/A

3.6 Financial Implications for the people living or working in Kirklees

N/A

3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions

4 Next steps and timelines

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 Strategic Director/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.)

5 Officer recommendations and reasons

That Members of the Panel consider all of the information and evidence and make one of the three recommendations in accordance with the Overview and Scrutiny rules as set out in the Constitution.

6 Cabinet Portfolio Holder's recommendations

N/A

7 Contact officer

Leigh Webb, Governance Manager, Tel: 01484 221000
email:leigh.webb@kirklees.gov.uk

8 Background Papers and History of Decisions

Overview and Scrutiny Rules – Council Constitution.

9 Service Director responsible

Julie Muscroft, Service Director, Legal, Governance & Commissioning.