

Scrutiny Areas of Focus following Call In request relating to the Carephones Decision made on 30th October 2023

Following consideration of the call in request form, the following areas have been validated as the focus of the call in review meeting 17 November 2023.

| Decision making principle | Area of focus |
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| 1.Relevant considerations | <p>There is no indication within the Decision Notice and associated documents that “due regard” has been given to the fact that very many, if not all, affected service users are by definition disabled people. More weight appears to have been given to carers/relatives of service users rather than to the impact on users themselves.</p> <p>Whilst mention is made of an associated I.I.A., which in theory includes or replaces an E.I.A., it appears that the Assessment has only considered the income levels of service users and has not considered the fact that most are disabled people and, as such, the impact upon them must be considered within the terms of the current Equality Act and other relevant legislation. In particular, it needs to be considered whether these service users are suffering hardship or disadvantage as a result.</p> <p>It is arguable that “due regard” has not been demonstrated to have been given to relevant factors around disability, whilst the potentially irrelevant effects upon relatives and carers have been considered when they should have been disregarded.</p> <p>It is not made clear that this decision meets the requirements of the Public Sector Equality Duty, which include:</p> <ul style="list-style-type: none"> • removing or reduce the disadvantage that people with protected characteristics face • taking steps to meet the specific needs of people with protected characteristics • encouraging people with protected characteristic to participate fully in all activities, especially where they are underrepresented |

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| | <p>List supporting evidence:</p> <p>“Issue Details: Carephones Restructure and Full Cost Recovery” at: https://democracy.kirklees.gov.uk/mglIssueHistoryHome.aspx?lId=31633&Opt=0</p> <p>“Carephones Restructure and Full Cost Recovery” at: https://democracy.kirklees.gov.uk/ieDecisionDetails.aspx?ID=11488</p> <p>“Officer Delegated Decisions” at: https://democracy.kirklees.gov.uk/documents/s54149/329.%20Appendix%20-%20Carephones%20Restructure%20and%20Full%20Cost%20Recovery.pdf</p> <p>https://www.equalityhumanrights.com/guidance/public-sector-equality-duty</p> |
| 2. Consult | <p>There has been no consultation with service users:</p> <p>“No consultation has taken place with our service users to date and this is primarily down to the service exploring all other options first rather than the increased costs passing onto service users.”</p> <p>List supporting evidence:</p> <p>https://democracy.kirklees.gov.uk/mglIssueHistoryHome.aspx?lId=31633&Opt=0</p> |
| 3. Options | <p>Although the “Issue Details” report declares that “All options of alternative funding streams have been explored and exhausted”, no detail is given of such options, nor any reason why they were disregarded.</p> <p>List supporting evidence:</p> <p>https://democracy.kirklees.gov.uk/mglIssueHistoryHome.aspx?lId=31633&Opt=0</p> |