
**Scrutiny Management Committee
(Calling – In)**

4 April 2011

Report of the Head of Civic, Democratic and Legal Services

Called-in Item: Update on Reablement Service

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive on 15 March 2011 regarding a report which provided an update on the opportunities offered by a remodelled reablement service (as discussed in a previous report to Executive on 14 December 2010) and sought a decision on the next steps for the service. This covering report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

Background

2. An extract from the decision list published after the relevant Executive Meeting is attached as Annex A to this report. This sets out the decisions taken by the Executive on the called-in item. The original report to the Executive is attached as Annex B.
3. Councillors Alexander, Fraser, and Simpson-Laing have called in the Executive's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are that:
 - *The Executive failed to properly assess the performance of the previously privatised part of the Home Care Service, and analyse the reason for its many failures*
 - *Inadequate consultation has taken place with the Council's major partner affected by the performance of the Reablement Service, York Teaching Hospitals Foundation Trust, the Council Leader and Executive Member having only met with the hospital Chief Executive the day prior to the Executive Meeting*
 - *No analysis of the reasons for the escalating hospital delayed discharge statistics has taken place*

- *The financial comparisons of the costs of providing the service between the in-house team and the private sector are flawed*
- *The decision runs contrary to previous assurances given to the Council's staff in 2005/6, at the time of the privatisation of the Long-term Care Service.*

Consultation

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-In meeting, as appropriate.

Options

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
 - (a) To confirm the decisions of the Executive, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the decisions will take effect from the date of the SMC (Calling-In) meeting.
 - (b) To refer the matter back to the Executive, for them to reconsider their original decisions. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 22 March 2011.

Analysis

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive and form a view on whether there are grounds for reconsideration of those decisions.

Corporate Priorities

7. An indication of the Corporate Priorities to which the Executive's decisions are expected to contribute is provided in paragraph 55-57 of Annex B to this report.

Implications

8. There are no known financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

Risk Management

9. There are no risk management implications associated with the call in of this matter.

Recommendations

10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive or refer the matter back for re-consideration at the scheduled Executive Calling-In meeting.

Reason:

11. To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

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Report Approved

Date

21 March 2011

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – decisions of the Executive on Update on Reablement Service (extract from decision list published after the meeting on 15/3/11)

Annex B – report to Executive meeting held on 15/3/11

Background Papers

Agenda and minutes relating to the above meeting (published on the Council's website)