

AGENDA ITEM: 3

SPECIAL OVERVIEW AND SCRUTINY BOARD

7 JULY 2006

CALL-IN:

OLDER PERSONS CHANGE PROGRAMME

PURPOSE OF THE REPORT

1. To allow Members of the Overview and Scrutiny Board (OSB) the opportunity to review a decision made at an Executive Meeting on 20 June 2006, in accordance with the Authority's Call-In Procedure.

EXECUTIVE DECISION – 20 June 2006

2. At the Executive meeting held on 20 June, consideration was given to a report titled 'Older Persons Change Programme'.
3. At this meeting, the report, detailed at **appendix 1**, set out the following:
 1. The outcomes of consultation regarding Albert Cocks and Levick House residential care establishments.
 2. To provide a number of options regarding the date for the closure of Albert Cocks and Levick House.
4. In doing so, the Executive ordered the following:
 - a) The approval of Option 1 – the transfer of residents to a new care home, operated by the Independent Sector, in July 2006.
 - b) It was recommended that the Executive approve in principle, the submission of a capital bid to the Council to create extra care housing on the Levick site in partnership with a registered social landlord, subject to the agreement of Levick Trustees.

CALL-IN PROCEDURE

5. The Call-In Procedure allows Members the opportunity to Call-In a decision for scrutiny by the OSB which was made by:
 - i) The Executive;

- ii) An individual Member of the Executive;
 - iii) A Committee of the Executive;
 - iv) A key decision made by an officer with delegated authority from the Executive;
or
 - v) Under Joint Arrangements.
6. The Call-In Procedure may only be implemented if so requested by any five Members of the Council and upon receipt of any such request by the Proper Officer before the end of the third working day after the making of that decision.
7. Following the Older Persons Change Programme report, which was approved by the Executive on 20 June, six Members supported the request to Call-In such decision, in accordance with the Call-In procedure.
8. Throughout this special meeting of the OSB, Members will have the opportunity to review the decision. Having considered the decision the OSB may, if they feel it appropriate, refer the decision back to the decision-making body for re-consideration, setting out in writing the nature of their concerns.
9. If the decision is referred back, then a further Executive Meeting will be held within ten further working days. The Executive can then make a final decision in the light of any recommendations made by OSB.
10. If the recommendations of the OSB are not accepted in full, then the Executive should notify the OSB and give reasons for not accepting the recommendations.

REASONS GIVEN FOR THE CALL-IN

11. The reason given to the Authority's Proper Officer which initiated the Call-In Procedure is as follows:
- i) The precipitousness of the date of closure, which does not permit for due and considered reflection on the futures of the parties thereby affected.

Older Persons Change Programme

12. To assist Members of the OSB to review the decision made by the in relation to the Older Persons Change Programme report, the following key witnesses will be in attendance during this Special Meeting:
- i) The Executive Member for Social Care and Health (to present how the decision was reached); and
 - ii) Executive Director of Social Care – (to present the background to the report presented to the Executive on 20 June 2006);
 - iii) The Member who initiated the Call-In request (to present their views and concerns with regard to decision made by the Executive).

PROPOSED CALL-IN TIMETABLE

13. To ensure the Call-In procedure is adhered to, the following Call-In timetable is as outlined below:

MEETING	DATE/TIME	PURPOSE
Special Meeting - Overview and Scrutiny Board	10am Friday 7 July	To review the decision taken by the Executive on 20 June in accordance with the Call-In Procedure.
Executive Meeting	5.30pm 18 July	To re-consider the decision (if required to do so)
Overview and Scrutiny Board	4.00pm 25 July	To notify the OSB of the reasons for not accepting the OSB recommendations (if applicable).

RECOMMENDATION

14. It is recommended that the Overview and Scrutiny Board consider the content of this report, to enable the Call-In procedure to be adhered to.

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

- i) Middlesbrough Council's Constitution / Call-In Procedure; and
- ii) Middlesbrough Council's Scrutiny Handbook 2005/06.

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