

## **SCRUTINY BOARD (HEALTH AND WELL-BEING AND ADULT SOCIAL CARE)**

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**Meeting to be held in Civic Hall, Leeds on  
Thursday, 9th August, 2012 at 2.30 pm**

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### **MEMBERSHIP**

#### **Councillors**

P Truswell - Middleton Park;  
G Hussain - Roundhay;  
T Murray - Garforth and Swillington;  
J Walker - Headingley;  
C Fox - Adel and Wharfedale;  
S Armitage - Cross Gates and Whinmoor;  
K Bruce - Rothwell;  
J Illingworth (Chair) - Kirkstall;  
S Varley - Morley South;  
S Bentley - Weetwood;  
M Robinson - Harewood;

#### **Co-optees**

Emma Stewart Alliance of Service Users  
Sally Morgan Equality Issues  
Betty Smithson Leeds LINK  
Joy Fisher Leeds LINK

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*Please note: Certain or all items on this agenda may be recorded*

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**Agenda compiled by:  
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## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND THE PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.</p>	

3

**LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

**DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS**

To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct

5

**APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

To receive any apologies for absence and notification of substitutes.

6

**CALL IN DECISION - BRIEFING PAPER**

To consider a report of the Head of Scrutiny and Member Development advising the Scrutiny Board on the procedural aspects of Calling In the decision

(report attached)

1 - 6

7

10.4(3)

**CALL IN - SHARED SERVICE PARTNERSHIP  
WITH CALDERDALE METROPOLITAN  
BOROUGH COUNCIL TO MEET ADULT SOCIAL  
CARE TECHNOLOGY REQUIREMENTS**

7 - 50

To consider the report of the Head of Scrutiny and Member Development presenting the background papers to the decision which has been Call In in accordance with the Council's Constitution regarding a proposed '*Shared service partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care technology requirements*'

(report attached)

8

**OUTCOME OF CALL IN**

In accordance with the Executive and Decision Making Procedure Rules, to consider the Board's formal conclusions and recommendation(s) arising from the consideration of the called-in decision

9

**DATE AND TIME OF NEXT MEETING**

Wednesday 26<sup>th</sup> September 2012 at 10.00am (Pre-meeting for all Board Members at 9.30am)