

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

THURSDAY, 9TH AUGUST, 2012

**PRESENT:** Councillor J Illingworth in the Chair

Councillors P Truswell, G Hussain, C Fox,  
S Armitage, K Bruce, S Varley, S Bentley,  
M Robinson, P Grahame and J McKenna

**CO-OPTED MEMBERS** Betty Smithson and Emma Stewart

## 27 Chair's Opening Remarks

The Chair welcomed everyone to the call-in meeting

## 28 Exempt Information - Possible Exclusion of the Press and the Public

**RESOLVED** – That the public be excluded from the meeting during the consideration of the following parts of the agenda designated as exempt on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings it is likely that if members of the public were present there would be disclosure to them of the following designated exempt information:

Appendix 1 to the report referred to in Minute No. 33. Under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council and/or proposed partner. It is therefore deemed in the public interest not to disclose such information

## 29 Late Items

The Chair admitted to the agenda exempt supplementary information which supported the documentation outlined in Appendix 1 of the report prepared by the Director of Adult Social Services (Agenda Item 7) (Minute 33 refers)

Under the terms of Access to Information Procedure Rule 10.4(3) and therefore as part of the private element of the meeting, the submission of further additional information was agreed later in the meeting (minute 33 refers)

### **30 Declaration of Disclosable Pecuniary and other Interests**

There were no disclosable pecuniary and other interests declared at the meeting

### **31 Apologies for Absence and Notification of Substitutes**

Apologies for absence were received on behalf of Councillor T Murray, Councillor J Walker, Sally Morgan and Joy Fisher

Notification had been received for Councillor P Grahame to substitute for Councillor T Murray and Councillor J McKenna to substitute for Councillor J Walker

### **32 Call in Decision - Briefing Paper**

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the call-in process.

Members were advised of the process for reviewing the decision was as follows:

- Members who have requested the Call In invited to explain their concern/reason for Call In request
- Relevant Executive Board Member (supported by appropriate officers) asked to explain decision
- Further questioning from the Board as appropriate

Members were further advised of the options available to the Board in respect of this particular called-in decision as follows:

Option 1 – **Release the decision for implementation.** Having reviewed the decision, the Scrutiny Board (Health and Well-being and Adult Social Care) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – **Recommend that the decision be reconsidered.** Having reviewed the decision, the Scrutiny Board (Health and Well-being and Adult Social Care) may decide to recommend to the decision maker that the decision be reconsidered. This option requiring a report to be submitted to the Executive Board, outlining the Scrutiny Board's reasons for doing so

In the case of an Executive Board decision, the report of the Scrutiny Board would be prepared within three working days of the Scrutiny Board meeting and submitted to the Executive Board. The Executive Board would reconsider its decision at its next meeting and publish the outcome of its

deliberations within the minutes of the meeting. Any subsequent decision would not be eligible for further 'call in', whether or not the decision was varied

**Option 3 - Recommend that the decision be reconsidered and refer the matter to full Council if recommendation not accepted**

This course of action would only apply if the Scrutiny Board determined that a decision **fell outside the Council's Budget and Policy Framework** and this determination were confirmed by the Council's Section 151 Officer (in relation to the budget) or Monitoring Officer (in relation to other policies)

If, at the conclusion of this meeting, the Scrutiny Board forms an initial determination that the decision in question should be challenged on the basis of contravening the Budget and Policy Framework, then confirmation will subsequently be sought from the appropriate statutory officer

**RESOLVED** – That the report outlining the process of the call-in meeting be noted

**33 Call In - Shared Service Partnership with Calderdale Metropolitan Borough Council to Meet Adult Social Care Technology Requirements**

The Head of Scrutiny and Member Development submitted a report, together with background papers, relating to a review of a decision made by the Executive Board on 18<sup>th</sup> July 2012 in relation to 'Shared service partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care technology requirements'.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Copy of the completed call-in request form
- Shared service partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care technology requirements – Report of the Director of Adult Social Services submitted to the Executive Board meeting held on 18<sup>th</sup> July 2012
- Relevant extract of the Executive Board draft minutes of 18<sup>th</sup> July 2012

In addition to the above documents, a copy of exempt supplementary information which supported the documentation outlined in Appendix 1 of the report prepared by the Director of Adult Social Services was circulated for Members' information. The information was exempt under the same terms of Access to Information Procedure Rule 10.4(3) as Appendix 1 of the Executive Board report. That is, on the grounds it contained information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council and/or proposed partner. It is therefore deemed in the public interest not to disclose such information.

The decision had been called-in for review by Councillors A Lamb, B Anderson, R Wood, C Fox and N Buckley on the following grounds:-

- The report failed to make reference of the history of this scheme, in particular the estimated costs set out in June 2010 which were almost £10m less than the total costs for this scheme overall
- There was a lack of clarity as to why the costs had inflated to such an extent and around the reasons for abandoning the joint procurement approach, especially given the increase in the project costs
- The outcomes that had now been delivered in the report did not seem proportional to the desired outcome of delivering a replacement system for the ESCR system and that a like for like replacement that addressed the concerns raised in inspection reports would not have been as expensive as the option approved in the report
- The need for clarification as to whether the possibility of pursuing joint procurement and then adjusting to meet the different needs of the two departments had been considered
- The need for clarification of the aims of the project when initially developed in 2010 and the reasons why the costs had inflated to such an extent and whether or not details of these costs had been explained to elected members

Councillor A Lamb attended the meeting and was invited by the Chair to explain the reasons for 'calling-in' the decision. In summary the main points raised were as follows:

- A brief history behind the management system covering the period 2003-2011
- Concerns about the Executive Board decision to enter into a partnership arrangements with Calderdale
- Concerns that an 'in-house' solution had not been deemed 'fit for purpose' in 2010
- The need for an in-house Social Care Record System
- Concerns about the delay in delivering a replacement system, the associated implications for front-line staff and alleged increases in estimated costs since June 2010
- The need to incorporate a flexible system that would be capable of interacting with various health service systems and the new Children's Services system

The following representatives were also in attendance at the meeting and were invited to comment/respond to the points raised by Councillor Lamb:

- Councillor L Yeadon, Executive Member with portfolio responsibility for Adult Social Care
- Dennis Holmes, Deputy Director Adult Social Services
- John Malone, Senior Project Manger, Resources

In explaining the reasons for the Executive Board decision, Councillor Yeadon and officers made the following comments:-

- The importance of making the right decision was recognised and further scrutiny of the decision welcomed
- A partnership arrangement with Calderdale was viewed as the right decision, especially in terms of developing 'shared services' between Councils
- Across local government, shared services were likely to become more prominent in the future
- Calderdale had the necessary skills and expertise for developing and implementing systems in this area
- Significant changes had occurred over the past decade, which had seen the separation of Social Care for Adults and Children – with the latter becoming part of the Council's wider Children's Services Directorate
- The future of Adult Social Care would see more integration health partners, both in terms of commissioning and delivering services
- Calderdale had an established track record (of over 30 years) of providing in-house IT solutions and support
- It was reinforced that a partnership arrangement with Calderdale was the right decision

The Chair invited questions and comments from Board members for the Executive Board Member and officers present on the evidence submitted.

In summary, the main areas of discussion were:-

- Ensuring the proposed partnership arrangement was fit for purpose now and for the future – including the integration/ability for the system to be adaptable and able to work with a range of other systems, including health and Children's Services
- The need for efficient use of resources and the increasing likelihood for more shared service arrangements across local government in the future
- The safeguards built into the agreement to share risks and protect the Council
- Additional developments since 2010/2011 across health and social care that have informed the decision to recommend a solution based on a partnership arrangement
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The Chair then moved to consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), together with the exempt supplementary information be considered in private. Members of the press and public were asked to leave for this part of the meeting

This gave Board members an opportunity to ask specific detailed questions on the financial aspects of the partnership agreement and other options considered, as detailed in the report

As part of his evidence to the Board, Councillor Lamb referred to a copy of a report in relation to 'Social Care Systems Review' which was previously considered at an Executive Board meeting held on 22<sup>nd</sup> June 2010 and contained exempt financial information in Appendix 2 of the report.

Following discussions by Board Members, it was agreed that a copy of this report be circulated at the meeting and detailed discussion of the exempt financial information outlined in Appendix 2 took place as part of the private discussion

Following this process, the Chair allowed officers and the Call-In signatories to sum up and make any final comments

In conclusion, the Chair thanked Councillor Lamb, together with Councillor Yeadon and the officers present for their attendance and contribution to the call in meeting.

**RESOLVED-** That the report and information provided be noted.

#### **34 Outcome of Call In**

Having considered the evidence presented Councillor Hussain proposed that the decision be released for implementation. The Chair put this proposal to all voting members of the Board, which was subsequently agreed

**RESOLVED** – To release the decision for implementation.