



Report of the Assistant Chief Executive (Corporate Governance)

Executive Board

Date: 16th July 2008

Subject: Key Decision Taken Under Special Urgency Provisions

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

1.00 PURPOSE OF REPORT

To inform the Executive Board of a Key Decision taken under 'Special Urgency' provisions contained in the Constitution and to recommend the Board to forward this report to Council as the quarterly report on such decisions in accordance with paragraph 16.3 of the Access to Information Procedure Rules

2.00 BACKGROUND

2.01 The general requirement of the Council Constitution is that notice of Key Decisions will be given in the Forward Plan of Key Decisions. There is also provision for the five day notification of the intention to take a decision by general exception where it has not been entered on the Forward Plan.

2.02 Paragraph 16 of the Access to Information Procedure Rules allows for 'Special Urgency' and states: "If by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the chair of the body making the decision, obtains the agreement of the chair of a relevant Scrutiny Board that the taking of the decision cannot be reasonably deferred and the decision is urgent. If there is no chair of a relevant Scrutiny Board, or if the chair of the relevant Scrutiny Board is unable to act, then the agreement of the Lord Mayor of the Council, or in his/her absence the Deputy Lord Mayor will suffice"

- 2.03 Paragraph 16.3 of the Access to Information Procedure Rules requires that reports on special urgency decisions should be made in the following terms: "In any event, the leader will submit quarterly reports to the Council on the executive decisions taken in the circumstances set out in Rule 15 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken"
- 2.04 The last decision taken under the special urgency provisions was in 2003 and in view of this the view was taken that the quarterly report requirement was superfluous until such time as such a decision might be taken.
- 2.05 The decision subject to the Special Urgency provisions relates to the invocation of a 6 months contract extension for the continuation of supported independent living services for vulnerable people with learning disabilities provided by UBU.
- 2.06 UBU are a well established provider of care and supported independent living in the North of England with services in Harrogate, York, Sheffield, Scarborough and Selby. They are currently contracted to provide 7 supported living services in Leeds for 27 people with a range of learning and physical disabilities to live in the community, as opposed to residential care. UBU are registered with CSCI (Commission for Social Care Inspectorate) as a domiciliary care provider.
- 2.07 The supported independent living services in Leeds are jointly funded through Supporting People Programme grant and Adult Social Care through the pooled learning disability budget. As a result the services are jointly contract managed by officers from both departments and the contract has been subject to quarterly performance reviews. The services are performing well and the quality of the services is good and continually improving against the Supporting People quality standards. The staff are well trained and the services are very enabling. An inspection by CSCI (Commission for Social Care Inspectorate) in August 2006 found that the services in Leeds were good and delivering very good outcomes for service users.
- 2.08 The Leeds Supporting People Commissioning Body agreed at its meeting in June to commission the UBU services for a further period of 18 months, when the extension to the existing contract expires in December 2008. Approval for the Council to enter into an 18 month contract will be sought through the Council's Delegated Decision process in August.

3.00 DECISION TAKEN

- 3.01 A decision has recently been taken under the special urgency provisions as follows:

The Director of Environment and Neighbourhoods approved the invocation of a 6 month contract extension to an existing Supporting People contract with an organisation called UBU. The contract is to provide accommodation and support services for vulnerable people with a learning disability.

The value of the six month extension is £350,000. The recent change in definition of a Key Decision and the new financial threshold means that the decision had just become Key. At the time of publication of the forward plan the decision was classified as Major. A decision of Council on 22nd May gave effect to the designation of the decision as Key and recording as such on the forward plan was not possible

- 3.02 The Chair of the Scrutiny Board (Environment and Neighbourhoods) agreed the urgency and the decision was taken on 6th June and recorded, following the receipt of full documentation, on 12th June 2008.
- 3.03 The provisions have been invoked because of a failure of the service to commence the process of initiating a contract extension in a timely way. Consequently, the Environment and Neighbourhoods Directorate have reviewed and revised existing procedures relating to such work, so that this error does not occur again. This has involved the development of a database holding detail of all Supporting People contracts, including contract expiry dates. This will enable contract lead officers to process contract extension requests more effectively in future.

4.00 RECOMMENDATION

- 4.01 That the Executive Board approve this report for submission to Council as the quarterly report in accordance with Access to Information Procedure Rule 16.3