

# Report to Committee

<b>Report Title</b>	Call-in to Cabinet Decision: Shared Lives Scheme
<b>Date of Meeting</b>	Thursday, 6 February 2025
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<b>Corporate Director</b>	Executive Director Corporate Services/Monitoring Officer
<b>Lead Cabinet Member(s)</b>	Cabinet Member for Health and Wellbeing
<b>Wards Affected</b>	All Wards
<b>Identify exempt information and exemption category</b>	Choose an item.  This report is public.
<b>Appendices (if any)</b>	<ul style="list-style-type: none"> <li>• Appendix 1 – Call-In Procedure Rules</li> <li>• Appendix 2 – Report from Cabinet: 22<sup>nd</sup> January 2025</li> <li>• Appendix 2.1 – Shared Lives Existing Banding-level of need April 2022 to October 2025</li> <li>• Appendix 2.2 – Shared Lives Stage one form – Approval to proceed to tender</li> <li>• Appendix 3 – Excerpt from the minutes of the Cabinet meeting: 22<sup>nd</sup> January 2025</li> </ul>

## 1. Executive Summary

This report provides advice to the People Overview and Scrutiny (O&S) Committee on the call-in process, the decision taken by Cabinet on 22<sup>nd</sup> January 2025 in relation to the Shared Lives Scheme, the reasons why the call-in was made and the alternative proposals being put forward.

## 2. Recommendations

**That the People O&S Committee can either:**

- 2.1 Having considered the call-in, refer the decision (Shared Lives Scheme) back to Cabinet for reconsideration, setting out in writing any recommendations, in which case, the decision maker will reconsider the decision as soon as practicable.**

**2.2 Reject the call-in, in which case the original Cabinet decision will proceed.**

### **3. Commissioner's Comments**

3.1 Not applicable.

### **4. Proposals – the rationale and evidence for the recommendations**

4.1 The Call-in Procedure Rules (the Rules) appear at Chapter 4, Part 2 of the Constitution and are reproduced at Appendix 1 to this report.

4.2 The Rules outline that requests for Call-In may be made by any four Members and must cite a lead Member.

4.3 On 22<sup>nd</sup> January 2025, in relation to the Shared Lives Scheme, the Cabinet agreed to:

1. Support the decision that the Council go out to tender for the Shared Lives contract. The proposed start date of this contract would be October 1st, 2025, until March 31st, 2031, with an option to extend for two years in one-year increments. If growth targets are met total during the life of the 7.5-year term the total contract value will rise to £3,920,250.
2. Approve the delegation to award the contract to the Executive Director of Adults and Health in consultation with the Lead Portfolio Holder.

4.4 As per the call-in rules surrounding a key decision, a call-in was received from Councillor Neil Speight on 28<sup>th</sup> January 2025 for consideration.

4.5 In accordance with the call-in procedure rules in Chapter 4, Part 2 of the Constitution, the call-in was validated for progression to the relevant O&S Committee (People O&S).

4.6 The reason for making the call-in has been reproduced in full below:

*4.6.1 "This matter, relating to a long term contract of at least five years and an expenditure of approaching £4 million as written and possibly going over that, has not at any point been subject to independent scrutiny.*

*4.6.2 The agreed approval also delegates power of decision-making to the appropriate portfolio holder and SLT member.*

*4.6.3 The only public discussion or scrutiny on this decision took place at Cabinet and lasted barely a couple of minutes, with little detail shared.*

*4.6.4 I note within the attached documentation, there is no comment on the 'Financial' or 'Legal' implications, which surprised me as I thought this is a pre-requisite.*

- 4.6.5 *The appendix detailing financial provenance says 'no savings are anticipated'.*
- 4.6.6 *The entire Raison d'être for the scheme is to better serve our residents.*
- 4.6.7 *The scheme is entirely laudable and I support it. It is exactly what the council should be aiming to do.*
- 4.6.8 *But there is an unescapable contradiction. In recent times this authority has done many things and reached many decisions that appeared laudable and would have been of undoubted benefit to the community. But they were rejected because of financial necessity.*
- 4.6.9 *I am surprised therefore there is no significant argument for 'financial necessity' in this decision other than it may be cheaper than what we are doing now. The alternative to accepting the recommendation is spelled out in two short paragraphs. (Attached to accompanying email).*
- 4.6.10 *The report actually confirms: "No savings are anticipated, it is however anticipated that the maintenance and growth of the scheme will represent external purchasing budget expenditure avoidance." This council has been damned in peer reviews and in the BVI for being myopic when chasing a good idea without checking all the potential consequences.*
- 4.6.11 *A Call-in, or more singularly the debate on a call-in request in public, gives the chance to ask those alternative questions, for the record, in public, so they are logged and registered - as are the answers.*
- 4.6.12 *We will have followed the processes of good governance. We will have dotted the 'i's and crossed the 't's.*
- 4.6.13 *Even then, if the call-in request is rejected because those questions were asked and answered appropriately, external scrutiny will have taken place. A scrutiny committee will have been engaged - making it a more democratically-reached decision, not one approved by seven members of the same ruling group.*
- 4.6.14 *I should add, that Cllr Mark Hooper, portfolio for adult social care, has acknowledged that in his opinion, this matter should have been brought to the People O&S. I am sure we can find a quick and pragmatic - but open way - to correct this matter.*
- 4.6.15 *An alternative proposal would be for Thurrock Council to directly market and engage with families in Thurrock who might be able to play host to the people in need. Thereby saving the cost of paying a third party to carry out that administrative work. Each service user already has an in place Thurrock Council allocated social worker who should have knowledge of the providers.*

4.6.16 *I am also concerned that the scheme suggests the number of service users will double over the length of the project. So I presume we are budgeting for a total amount. Can we not budget on a year by year basis?*

4.6.17 *A third concern is whether we should be engaging in a five (possibly seven year contract) at a time when the very existence of the council is in significant doubt. What happens to any contracts in place with a service user if the new authority management does not wish to support the scheme. What financial safeguards do Thurrock residents have under this scheme? I see none in the agreed presentation.”*

- 4.7 When considering the call-in the People O&S Committee is recommended to adhere to the following schedule:
- The person who made the call-in to briefly introduce the reasons for the call-in and their alternative proposals;
  - The Portfolio Holder and Officers to respond to the call-in and advise the Committee of any relevant key points;
  - The Committee should consider this evidence and ask any relevant questions to those in attendance;
  - The Committee should then decide on one of the options, as outlined in the recommendations above.

## **5. Alternative Options Considered**

- 5.1 As part of the call-in process, an alternative proposal has been put forward as follows:

*An alternative proposal would be for Thurrock Council to directly market and engage with families in Thurrock who might be able to play host to the people in need. Thereby saving the cost of paying a third party to carry out that administrative work. Each service user already has an in place Thurrock Council allocated social worker who should have knowledge of the providers.*

- 5.2 The Committee is expected to consider this alternative proposal in accordance with the call-in provisions set out in Chapter 4, Part 2 of the Constitution. The Committee is expected to take its own decision regarding the call-in.

## **6. Consultation**

- 6.1 Not applicable.

## **7. Financial Implications**

- 7.1 Financial implications are included in the Cabinet report dated 22<sup>nd</sup> January 2025, attached as Appendix 2 of this report.

## **8. Risks**

8.1 Risk implications are included in the Cabinet report dated 22<sup>nd</sup> January 2025, attached as Appendix 2 of this report.

## **9. Legal and Governance Implications**

9.1 Legal implications are included in the Cabinet report dated 22<sup>nd</sup> January 2025, attached as Appendix 2 of this report.

## **10. Equality and Diversity Implications (including the public sector equality duty)**

10.1 Diversity implications are included in the Cabinet report dated 22<sup>nd</sup> January 2025, attached as Appendix 2 of this report.

## **11. Other Relevant Implications**

11.1 None.

## **12. Background Documents**

12.1 None.