



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2023/24**

**SPECIAL OVERVIEW & SCRUTINY COMMITTEE**

**31 OCTOBER 2023**

**CALL IN OF THE CABINET DECISION OF THE COMMISSIONING OF  
DOMICILIARY HOME CARE SERVICES**

**REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES &  
COMMUNICATION**

**1. MEMBERS WILL FIND ENCLOSED:**

**Appendix A** – Report to accompany Cabinet Decision of the Cabinet Member for Health and Social Care titled [Commissioning of Domiciliary Home Care Services](#)

**Appendix B** - Copy of the [Cabinet Decision](#)

**Appendix C** –Extract of the Council’s Overview and Scrutiny Procedure Rules re: Call-in

**Appendix D** – Copy of the Call in form received from Councillor K Morgan, Councillor C Lises and Councillor K Johnson

**2. RECOMMENDATIONS:**

- 2.1 To note the procedure for the conduct of the meeting as set out in paragraph 4.1 below; and
- 2.2 To determine whether or not to refer the matter back to Cabinet for reconsideration.

**3. BACKGROUND**

- 3.1 On the 23 October 2023, a report was considered by Cabinet in respect of the decision to approve the recommendations outlined below:

- To consider the information provided in the report, the Equality Impact Assessment (including Socio-Economic Duty) and Welsh Language Impact Assessment;
- To approve that all reablement and intermediate care services continue to be delivered by the Council's in-house 'Support@Home' Service as set out in paragraph 5.1 of the [report](#)
- To approve that all long-term home care is commissioned from external home care providers as part of a full retender of the current framework contract and a new contract awarded from 1st October 2024 as set out in paragraph 5.2 of the [report](#);
- To approve the retender of the long-term home care on the basis of outcomes to be achieved and organised within specified geographical zoned areas as set out in paragraph 5.6 of the report; and
- That the Director of Social Services is delegated authority, in conjunction with the Portfolio Holder, to award contracts following completion of the retender process and to make all necessary arrangements for the subsequent transfer.

3.2 Following consideration at the Cabinet meeting, a further three recommendations were proposed and agreed as follows:

- The protection of membership for staff within the Local Government Pension Scheme to be factored into the procurement process to be taken forward;
- The recognition of Trade Unions to be factored into the procurement process to be taken forward; and
- That no compulsory redundancies are taken forward through the implementation of these proposals.

3.3 The decision in respect of the above was published on the 23<sup>rd</sup> October 2023 and is attached at Appendix B.

3.4 Members are able to view the Cabinet meeting where the matter was considered by clicking [here](#) to view the recording.

3.5 Rule 17 of the Overview and Scrutiny Procedure Rules dealing with call-in is attached as Appendix C of this report.

3.6 The call-in form was received on the 26<sup>th</sup> October 2023 which complied with the relevant criteria. (A copy of the prescribed call in form is attached as Appendix D)

3.7 The reasons for the call-in which were considered valid by the Proper Officer are presented for the Committees consideration below.

#### 4. **PROCEDURE**

- 4.1 Each case for Call-in must be considered on its merits and the procedure for the conduct of the meeting will be in accordance with the Overview and Scrutiny Procedure Rule 17.1B, as shown below:-

**17.1 Procedure at call-in meetings held under Rule 17.1**

1. Declarations of interest (including whipping declarations);
2. Welcome by the Chair followed by the outlining of the reason for the call-in meeting, to be undertaken by the Head of Democratic Services as per detailed below:-

**Call –in matters raised for consideration by the committee supported by the Proper Officer :**

- 1) There has been no consultation with staff, trade unions, service users or the public prior to cabinet adopting a major change in policy, i.e. commissioning 100% of the long-term homecare service, despite the council’s public participation strategy claiming it values the users voice and the reasons for doing so being good practice.
- 2) There has been no opportunity for the Overview and Scrutiny Committee or the Community Services Scrutiny Committee to pre-scrutinise the proposal before cabinet made the decision. Until the cabinet member put out a press statement a few days before cabinet considered the proposal no other members knew that such a matter was even being considered.
- 3) There is no precise information given as to the potential for budget savings, however the proposal has been described as cost effective.
- 4) There is a need to gain a better understanding of the potential impact of the decision both positive and negative.
- 5) There is an obvious need to hold cabinet to account and pre scrutinise decisions that affect our constituents and staff.

**3. Chair to invite the three Members, namely County Borough Councillors:**

***Councillor K Morgan, Councillor C Lises and Councillor K Johnson** who have signed the call-in form to present their submissions to the Overview and Scrutiny Committee as to why they consider the relevant decision should be referred back to the decision maker for reconsideration, having regard to the accepted valid reasons set out in the ‘notice of call-in form.*

4. *Chair to invite relevant Director(s) to respond.*
5. *Chair to give any Cabinet Member(s) present the opportunity to address the Committee.*
6. *Chair to invite any other Members of the Committee to speak (and with the Chair’s permission any non-Committee Members present, who are eligible to*

*attend, and wish to speak).*

- 7. If necessary, the Chair to invite any relevant Director/Cabinet Member present to respond to a Member's question.*
  - 8. Chair to invite one of the three signatories to the call-in to make a final address to the Committee membership.*
  - 9. Chair to put the matter to the vote.*
  - 10. Legal Officer present to summarise the effect of the Committee's decision in accordance with Overview and Scrutiny Procedure Rules 17.1(e) and 17.1(f)*
- 4.2 If the proposal to refer the matter back for reconsideration is passed then the matter will be referred back to the decision maker, namely the Cabinet. If the proposal is lost then the decision will take effect from the conclusion of this meeting.
  - 4.3 The relevant Cabinet portfolio holder(s) will be invited to the meeting to answer any questions Members of the Committee may have with regards to the subject matter of the Call In.
  - 4.4 Should any public speaker requests be received, they will be considered in accordance with the Council Scrutiny participation arrangements.