

By: Anna Taylor – Scrutiny Research Officer

To: Scrutiny Committee – 17 May 2022

Subject: Call-in of Decision 21/00091 – Making a Difference Every Day: Our Strategy for Adult Social Care in Kent, 2022 – 2027

Background

1. The proposed Strategy was discussed at the Adult Social Care Cabinet Committee in **June**, **September** and most recently **December 2021** at which the proposed decision to adopt the strategy was endorsed. At the December Adult Social Care Cabinet Committee the draft Strategy was presented reflecting the outcome of the consultation which closed on 24 October 2021. The key decision, 21/00091, was taken by the Cabinet Member for Adult Social Care and Public Health on 20 April 2022 (decision paperwork appended to this report and linked below).
2. An additional update on the proposed Strategy was given at County Council on **4 November 2021**.
3. Following the decision being taken, the call-in request was submitted by Mrs Meade and Mr Streatfeild, thus meeting the requirements for any call-in to be supported by a minimum of two Members from different political Groups.
4. The reasons of the call-in were duly considered by the Scrutiny Officer and determined to be valid under the call-in arrangements set out in the Constitution. Call-in reasons must align to one or more of the following criteria under s17.73 of the Constitution:

Members can call-in a decision for one or more of the following reasons:

- (a) The decision is not in line with the Council's Policy Framework,
 - (b) The decision is not in accordance with the Council's Budget,
 - (c) The decision was not taken in accordance with the principles of decision making set out in 8.5, and/or
 - (d) The decision was not taken in accordance with the arrangements set out in Section 12.
5. The reasons submitted for this call-in all relate to section 17.73 (c) and are as follows:
 6. *8.5 All decisions of full Council or made on behalf of full Council will be made in accordance with the following principles:*

(a) Action proportionate to the desired outcome.

Given this strategy contains within it a substantial proportion of the KCC overall budget and activity, this 8 page flagship document lacks any form of detail and fails to communicate the approach, the how these significant changes will be achieved and with a decreasing budget. Given the strategy, which looks more like a leaflet, is meant to be the governing document in which Members and Directors steer officers in setting the work and priorities, it does not be the meaningful guide for officers for the forthcoming changes. We would argue here that the end product is disproportionate to the desired outcome – the desired outcome is to know how these ideas will be implemented, where the potential risks are, expectations on how this fits with other practices and policies and how this will directly affect in a positive way our constituents and what is the risk, the consequences and accountabilities in this being implemented and how can our constituents ensure this meets their needs.

(d) A presumption in favour of openness.

This is key strategy for the council and in line with the Nolan Principles all Cabinet Members and Senior Officers should welcome a chance to present their work at Scrutiny Committee to help inform decision making, and make better decisions. Also given this document is intended to be read alongside the strategic priorities programme, without seeing this finalised programme it will be taken as read that this section has been agreed without the further clarity required to make the informed decision of members. What assurances do we have as Members that this is not the final opportunity to scrutinise this programme and all further sections of this as a part of the decision making and Scrutiny process.

We have asked many questions in public and in private, and while some answers have been given in many cases they have not, and this is the fundamental right of all Members on behalf of our constituents and this is to ensure that we can be firm that we have been given sufficient opportunity to have full understanding of this strategy and its proposed impact in order to comment and take informed decisions.

(e) Clarity of aims and desired outcomes.

This 8 page strategy document is a document written for the public and as members we are entitled to all information and the details and depth needed from our Officers who we hire for their professional expertise in their field to offer their advice given their experience so that we get greater clarity regarding the strategic direction and the underpinning aims and objectives that support this strategic direction which of course will be available for Scrutiny. At present we feel the aims and objectives are unclear other than to save money somehow and are not clear on how the aims and outcomes will be achieved. This is an incredibly high level strategy which does not explain how these changes and significant financial savings will be achieved and this is a member led authority supposedly where we are entitled to all information subject to it not being advice to the administration so it begs the question of where this detail is? While some outcomes and intentions are listed there is insufficient context to meet the clarity context of the clarity argument. The previous strategy is referenced in the decisions report and shows a

stark contrast as to how the council has previously approached a detailed strategy document.

Process

7. As per the call-in procedure, Democratic Services must consider all call-in requests against the criteria detailed in the constitution. This call-in has been assessed as valid in that it meets the requirement that a coherent justification, that aligns with the headings contained within the constitution, has been provided. In determining its validity no judgement is passed on the reasons put forward by the Members, this is for the Scrutiny Committee to review and determine.
8. The Cabinet Member and relevant Officers will be attending the Scrutiny Committee meeting to present their response to the call-in.
9. The Scrutiny Committee should consider the reasons set out by the Members calling-in the decision and the response from the Executive, giving due attention to the information made available during questioning and discussion on this item.

Options for the Scrutiny Committee

10. The Scrutiny Committee may:
 - a) make no comments
 - b) express comments but not require reconsideration of the decision
 - c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or
 - d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

Appendix

Decision 21/00091 - Making A Difference Every Day – Our Strategy for Adult Social in Kent 2022 to 2027

Record of Decision

Appendix A – Making a Difference Every Day Strategy

Appendix B – Engagement and Consultation Outcome Report

Appendix C - EQIA

Background Documents

[Adult Social Care Cabinet Committee 22nd June, 2021](#),
[Adult Social Care Cabinet Committee 29th September, 2021](#)
[Adult Social Care Cabinet Committee 1st December, 2021](#)

[County Council 4th November, 2021](#)

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