

## Council Cabinet Response to Scrutiny Recommendations

### SUMMARY

- 1.1 This report outlines the recommendations made by the Executive Scrutiny Board to Council Cabinet and Council Cabinet's responses to these recommendations. The relevant responses have been extracted (and condensed where appropriate) from the Council Cabinet Minutes and included in Section 4 of this report.

### RECOMMENDATION

- 2.1 To note the responses from Council Cabinet recorded in the Council Cabinet Minutes.

### REASON FOR RECOMMENDATION

- 3.1 To ensure that the Executive Scrutiny Board receives a response from Council Cabinet to the recommendations made.

### SUPPORTING INFORMATION

#### Council Cabinet Meeting of 06 December 2017

##### 4.1 85/17 Recommendations from Corporate Scrutiny and Governance Board

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The Board met and discussed items contained within the Council Cabinet Agenda. The report enabled the views and recommendations resulting from these discussions to be formally shared with Council Cabinet. These were submitted to Council Cabinet as Appendix 2, prior to commencement of the meeting.

#### Council Cabinet Decision

1. To receive the report and consider the recommendations alongside the relevant report.
2. *To reject the recommendation of the Executive Scrutiny Board to provide at least a minimum level of resource in the budget for 2018/19 for engagement, education and enforcement action in all wards across the city because priority areas were being considered as part of the budget consultation and therefore the recommendation was not required.*

## Key Decisions

### 4.2 **86/17 Procurement of Educational Placements for Children and Young People with Special Educational Needs and Disabilities (SEND)**

The Council Cabinet considered a report which stated that the Local Authority was currently in the process of further strengthening procurement and placement procedures for independent and non-maintained special school and college placements for children and young people with special educational needs and disabilities (SEND).

The Executive Scrutiny Board recommended to Council Cabinet that officers reassure them that the delegation at paragraph 2.4 of the report is acceptable in-line with the scheme of delegation and financial procedure rules.

#### **Decision**

1. To approve the establishment of a procurement compliant solution, for the procurement of SEND educational placements from independent and non-maintained special schools/colleges.
2. To note a procurement compliant solution may be a framework, dynamic purchasing system or pseudo solution – set out in paragraphs 4.2 to 4.4 of the report.
3. To note that options were being explored to establish a regional SEND procurement framework/dynamic purchasing system.
4. To accept the recommendation of the Executive Scrutiny Board that officers reassure them that the delegation at paragraph 2.4 of the report is acceptable in-line with the scheme of delegation and financial procedure rules.

### 4.3 **88/17 Contract and Financial Procedure Matters**

The Council Cabinet considered a report and an addendum which dealt with the items which required reporting to and approval by Council Cabinet under the Contract and Financial Procedure rules.

The Executive Scrutiny Board resolved the recommend that Council Cabinet

- 1) reject the recommendations in the report unless further details are provided, included breakdowns of; what funds are required for; if the purchase of equipment is considered value for money; if the time for investing in equipment is the right time; and for any relevant background information to be provided, including if items over key decision levels have received relevant Council Cabinet approvals.
- 2) asks for all aforementioned information to be included in all future Contract and Financial Procedure Matters Report, including the relevant Officer details for each decision to enable Members to request further information if needed.

## Council Cabinet Decision

- 1) To approve the acceptance of £965,084 external funding from the DCLG, Controlling Migration Fund detailed in paragraph 4.1 of the report.
- 2) To approve additional and use of external borrowing of £1.627m from Salix detailed in paragraph 4.5 of the report.
- 3) To approve the addition of £110,000 service finance charges to fund additions within the Vehicles Plant & Equipment programme detailed in paragraph 4.7 of the report.
- 4) To approve the write off of debt £13,053, from the Councils systems outlined in section 4.9 of the report.
- 5) To approve the use of the Peoples service reserves to fund the improvement works and staffing at Perth House and Arboretum House to improve hospital discharge within the Health and Social Care system detailed in paragraph 4.12 of the report.
- 6) To approve the delegation for the schools capital programme additions set out in the addendum report, to add new schemes to the schools funded capital programme where the schemes are funded within the approved capital programme budget envelope.
- 7) To approve the capital changes detailed in appendix 2 of the addendum report for the schools capital programme.
- 8) *To note the recommendations from the Executive Scrutiny Board in relation to the need for further details to be included in future reports to allow effective scrutiny.*
- 9) *To note that the S151 Officer would meet with the Chair of the Executive Scrutiny Board to discuss the level of detail required in future reports.*

### OTHER OPTIONS CONSIDERED

5.1 None.

**This report has been approved by the following officers:**

<b>Legal officer</b>	N/A
<b>Financial officer</b>	N/A
<b>Human Resources officer</b>	N/A
<b>Service Director(s)</b>	N/A
<b>Other(s)</b>	David Walsh – Democratic Services Manager

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<b>Background papers:</b>	Council Cabinet Minutes and Reports 04 October 2017.
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 Costs associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**Legal**

- 2.1 Rule OS23 of the Council's Constitution relate are relevant to this report in its final submissions to Council Cabinet. Rule OS23 states that the Council or Council Cabinet shall consider the report of the overview and scrutiny board within one month of it being submitted to the proper officer.
- 2.2 Legal implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**Personnel**

- 3.1 Personnel implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**IT**

- 4.1 IT implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**Equalities Impact**

- 5.1 Effective scrutiny benefits all Derby people and the very nature of the Scrutiny Board's work means that equality issues are addressed.

**Health and Safety**

- 6.1 None directly arising from this report.

**Environmental Sustainability**

- 7.1 None directly arising from this report.

**Property and Asset Management**

- 8.1 Asset management and acquisition implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**Risk Management**

- 9.1 Risks management implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

**Corporate objectives and priorities for change**

- 10.1 Our aim is to work together so that Derby and its people will enjoy a thriving sustainable economy, good health and well-being and an active cultural life.