

Cheltenham Borough Council

SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY – 21ST NOVEMBER 2007

INQUIRY INTO EVENTS SURROUNDING THE DECISION BY THE CABINET TO ADOPT A SINGLE BENEFITS AND HOUSING ADVICE CONTRACT

REPORT OF THE CHAIR OF SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

1. Executive Summary and recommendation

1.1 The issue

- 1.2** There has been considerable disquiet about the policy and process relating to the adoption of a single advice contract for Housing and Benefits, and why the views of Overview and Scrutiny and Full Council were ignored. This disquiet led to O&S at its meeting of 10th September adopting a resolution to inquire into events surrounding the issue (Appendix 1).

1.3 I therefore recommend that:

- 1.3.1 O&S conduct an Inquiry to establish why the decision was taken to pursue only a contract approach, and what the implications are of the decision and the way it was reached.**

1.4 Summary of implications

1.4.1 Financial

There are no financial implications directly arising from this report however, the award of the single advice contract may result in a saving to the council in 2008/09.

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1.4.2 Legal

S.21(13-15) of the Local Government Act 2000 sets out provisions in relation to the powers of an O&S Committee regarding the calling and questioning of witnesses in connection with Council business.

The Council has sought to incorporate this into its own constitutional rules in Part 4C Rule 13.

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1.4.3 Human Resources

The move to a single advice contract and a potential change in the provider may result in one compulsory redundancy, and redeployment policies will need to be followed and advice on the process sought from the HR division.

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1.5 Implications on corporate and community plan priorities

1.5.1 None arising from this report

1.6 Statement on Risk

1.6.1 Corporate risk 1.9 on the Council's risk register states that "the delivery of many of the council's priorities relies on partnerships with the third sector and other public organisations, and there is a risk that without a consistent approach to partnership working we could fail to deliver our own agenda and damage our reputation"

2. Introduction & Background

2.1.1 The Cabinet first agreed there should be a Single Housing and Benefits Advice Contract on 12th December 2006 in a report written by the AD Community Services. The decision was taken in closed session. There had been no previous consultation with the Voluntary Sector organisations currently involved in delivering the service. An attempt to call the decision in by members of Social and Community O&S was refused by the Chief Executive.

2.1.2 Following the intervention of O&S a working party was established and a report produced that recommended Partnership working as an alternative to the contract approach.

2.1.3 At the Cabinet meeting of 17th April 2007 it was agreed that a 'twin-track' approach be followed which looked at both the contract and the Partnership options.

- 2.1.4** At the Cabinet meeting of 18th July 2007 the Cabinet accepted a final report that recommended the contract approach. The Partnership alternative was dismissed as an option in this report despite the Cabinet resolution of April 17th to include it.
- 2.1.5** A request as expressed by Full Council on 28th June to include the wide range of services currently provided by the CAB and funded partly by CBC was also rejected by the Cabinet.
- 2.1.6** A further attempt to call the decision in by members of O&S was rejected a second time.
- 2.2** The resolution to establish an Inquiry agreed by O&S on 10th September poses the following questions that need to be examined. A series of witnesses have been identified (*italics*) to help in clarifying what decisions were taken, and why they were taken.

- Why was the twin track approach agreed by the Cabinet at its meeting of 17th April ignored so that the 'Partnership' approach did not feature in the report back to Cabinet on 18th July?

Nicolas Wheatley, Angela Cox, Cllr Christine Ryder, Peter Wooley, Angela Gilbert, Andrew Banfield

- Why was the request by full Council to include the broad range of advisory services in the contract ignored?

Cllr Steve Jordon, Peter Wooley and Cllr Christine Ryder

- What are the implications of this? How and where can such advice as not being directly concerned with the role of a district housing authority be accessed in future by Cheltenham's citizens?

Cllr Christine Ryder, Peter Wooley, Mary Apperly, Andrew Banfield

- What is in and what is not in the contract, and how much will it save? *Peter Wooley.*

- 2.3** Background information relating to the second call-in is attached (Appendix 2). Further attached documents include a report from the Assistant Director Community Services entitled 'Single Advice Contract' agreed by Cabinet on 18th July 2007 (Agenda item 7), and another report by him to the Cabinet of 30th October (Agenda item 10) entitled 'Future Procurement of Services from the Third (Voluntary) sector in Cheltenham'. (Appendix 3)
- 2.4** The inquiry will be conducted according to the procedure outlined in Part 4C para 18.2 and 3 of the Constitution. It will be held in public.

'18.2 Where the Overview and Scrutiny Committee conducts investigations (e.g. with a view to policy development), the Committee may ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:

(a) that the investigation be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees and to contribute and speak;

(b) that those assisting the Committee by giving evidence be treated with respect and courtesy; and

(c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

18.3 Following any investigation or review, the Committee shall prepare a report for submission to the Cabinet or the Council as appropriate and shall make its report and findings public.'

Background Papers	Motion to Sept 10 th meeting of Social and Community Overview and Scrutiny Committee (Appendix 1). Application for Call-in of Cabinet decision 49/2007 taken on 18 th July 2007 plus full appendices (Appendix 2). Report of AD on Single Advice Contract to 18 th July Cabinet; and report of AD on Future Procurement of Services from the Third (Voluntary) sector to 30 th October Cabinet. (Appendix 3).
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Scrutiny Function	Social and Community Overview and Scrutiny Committee