

Reference Number: PAF/10/23

Report title: Call-in: Recommissioning of Short Breaks Provision for Children with Disabilities (FP/032/02/23)	
Report to: People and Families Policy and Scrutiny Committee	
Report author: Graham Hughes, Senior Democratic Services Officer	
Date: 6 April 2023	For: Decision with options indicated below
Enquiries to: Graham Hughes, Senior Democratic Services Officer at graham.hughes@essex.gov.uk.	
County Divisions affected: Not applicable	

1. Introduction

This agenda item is to consider the call-in of proposed Cabinet Decision Recommissioning of Short Breaks Provision for Children with Disabilities (FP/032/02/23) - and take one of the actions described below.

2. Action required

The Committee is asked to agree one of the following courses of action as defined in the Constitution for a scrutiny committee when considering a call-in:

- (i) **allow the proposed decision to be implemented without further delay;**
- (ii) **refer the proposed decision back to the decision taker setting out in writing its concerns; or**
- (iii) **refer the matter to Full Council, also with a record of its concerns.**

3. Background

- 3.1 On 24 March 2023 the proposed Cabinet Decision - Recommissioning of Short Breaks Provision for Children with Disabilities (FP/032/02/23) - was called-in by Councillor Mike Mackrory with the support of Councillors Marie Goldman (a member of the People and Families Policy and Scrutiny Committee), David King and Stephen Robinson.
- 3.2 A copy of the Cabinet decision paper is attached at **Appendix A**. A copy of the Notification of Call-in received from Councillor Mackrory is attached at **Appendix B**.
- 3.3 In line with the procedure for handling the call in of a decision, an offer to hold an informal meeting between the Member calling in the decision and the

Call-in: Recommissioning of Short Breaks Provision for Children with Disabilities

decision taker to discuss the issue was offered. However, Councillor Mackrory advised that this was not required and that he wished the call-in to proceed straight to formal committee for consideration.

- 3.4 The Committee has previously specifically looked at short breaks provision for children with disabilities, in 2019 and 2020. A petition on proposals for future respite care at Lavender and Maples residential facilities was submitted to the County Council on 18 March 2019. Issues raised in the petition were included in a discussion on the provision of respite care at the Committee's meeting on 27 June 2019 - the petitioners also attended and gave evidence.
[Link to 27 June 2019 meeting papers](#)

The Committee made five recommendations on the day – see Minute 5 of [PAF 27 June 2019 minutes](#) .

- 3.5 Thereafter, on 10 October 2019 the Committee considered updates on the broader review of the service at the time and the specific recommendations made at the June 2019 meeting – see Minute 4 of [PAF 10 October 2019 minutes](#) . See also [Link to 10 October 2019 meeting papers](#)
- 3.6 A further specific update was considered during the pandemic via Zoom enabled virtual meeting on 18 June 2020 - see Minute 4 of [PAF 18 June 2020 minutes](#) . You will see from this set of minutes that some momentum was lost due to pandemic and thereafter any further updates were only part of broader Children's and Families services updates on the pressures being faced during and coming out of the pandemic. [Link to 18 June 2020 meeting papers](#)

4. Next Steps

- 4.1 Since the call-in was received, the Cabinet Member has provided three pages of additional information (**Appendix C**).
- 4.2 **Appendix D** is the procedure for managing call-ins reflecting the provisions contained within the County Council's Constitution. Councillor Mike Mackrory with the support of Councillors Marie Goldman (a member of the People and Families Policy and Scrutiny Committee), David King and Stephen Robinson will be invited to detail their grounds for the call-in and then the Cabinet Member with Lead Officer(s) will be invited to respond before detailed questioning from members of the Committee.
- 4.3 Having considered the proposed decision, the Committee may:
- (i) allow the proposed decision to be implemented without further delay;
 - (ii) refer the proposed decision back to the decision taker setting out in writing its concerns; or
 - (iii) refer the matter to Full Council, also with a record of its concerns.
- 4.4 Upon a referral to a decision taker, the proposed decision shall be reconsidered

Call-in: Recommissioning of Short Breaks Provision for Children with Disabilities

within five clear working days amending the decision or not before adopting a final decision.

- 4.5 If the Committee does not refer a decision to either the decision taker or the Council, the decision shall take effect at the conclusion of the meeting of the Committee.

5 List of Appendices

- A. Cabinet Decision - Recommissioning of Short Breaks Provision for Children with Disabilities (FP/032/02/23) (also attached the Equalities Comprehensive Impact Assessment).
- B. Notification of Call-in from Councillor Mike Mackrory.
- C. Three pages of additional information provided by the Cabinet Member since the call-in, titled 'Overnight Short Breaks Provision 2023 (Forward Plan reference number: FP/032/02/23).
- D. Procedure for managing call-ins reflecting the provisions contained within the County Council's Constitution.