

## **NOTIFICATION OF A CALL-IN UNDER THE PROTOCOL ON THE COUNCIL'S DECISION MAKING PROCESS**

We the undersigned wish to apply the Call-In procedure in respect of the following decision:

### **The Cabinet held on Thursday 11 July 2019**

Minute number / reference number and title of report:

### **18 (19/20) – Developing a Strategic Partnership for Public Health between Hampshire County Council and IW Council**

Decision Resolution:-

THAT

- a) the council enter into a long-term public health strategic partnership with Hampshire County Council consistent with the terms of agreement set out in Appendix A, with appropriate reviews and break clauses,
- b) delegation be given to the chief executive in consultation with the Cabinet member for adult social care, public health and housing needs authority to determine the partnership outcomes, required performance outputs and resource requirements for the long-term strategic partnership agreement.

In accordance with the Council's Constitution the following **cannot** be called in :-

- A recommendation by the Cabinet and Cabinet member to full Council for adoption or approval;
- If the item has already been the subject of an agenda item on the Scrutiny Committee arising from the forward plan and observations were made to Cabinet and it is demonstrated that these were taken into account when making the decision.
- if concerns were raised following the publication of the Cabinet agenda item, or at the meeting of the Cabinet, and were taken into account, or in relation to a Cabinet member delegated decision, such concerns were raised in writing with the Cabinet Member during the notification period prior to the actual decision being taken, and were taken into account.

**The brief statement supporting the reason for the call-in is as follows:-**

1. The Cabinet's decision in regard to entering a permanent strategic partnership with Hampshire in managing IW Council's Public Health Service was based on a report that does not provide detailed supportive information that would have enabled Cabinet Members to make an objective decision. This includes the lack of any detailed analysis report explaining why IW Council's Public Health Service

was facing difficulties and needed Hampshire County Council's Statutory Director of Public Health to take over management.

2. From the content of the Hampshire County Council cabinet reports a review had been undertaken of the public health delivery on the Island. This was not mentioned in the report to this council's Cabinet. In April 2018, there was a report on the interim arrangement put before Hampshire County Council's Cabinet but no similar report was put before IW Council's Cabinet. There has been no opportunity by relevant IW Council Scrutiny committees to scrutinise and question this review. This review is essential in the whole rationale of why IW Council entered into an interim arrangement and now seeking a permanent arrangement with Hampshire County Council. By admittance of the Cabinet Member all dealings with Hampshire were done through telephone conversations and informal meetings with no recorded evidence available which brings into question whether proper constitutional process has been followed. The report that is being considered by Hampshire County Council's Cabinet on 22 July 2019 regarding the public health partnership, which was not made available to IW Council Cabinet members does raise a number of issues. It has to be noted that the Hampshire reports were not made available to Cabinet or Scrutiny Members until after the IW Cabinet meeting.

The issues are as follows:

- Firstly paragraph 3.3 indicates that during the interim arrangements a detailed analysis was undertaken on the viability of a permanent partnership and concerns that needed to be addressed. This has not been made available to IW Council Cabinet, Scrutiny Committee or Policy and Scrutiny Committee for Adult Social Care and Health.
  - Secondly paragraph 4.8 refers to Hampshire's cabinet agreeing to the start of an interim partnership which might lead to a longer term one. This was in April 2018. There is no record of a similar report that went to or approved by IW Council Cabinet. Again, no reference to relevant Scrutiny Committees.
  - Thirdly paragraph 5.5 states that there is a clear principle of at least full cost recovery. This possibly indicates that Hampshire can charge more for the service and see this arrangement as a commercial activity. There was no presentation to IW Council Cabinet of any value for money or cost analysis. In questions put to the Cabinet Member (Appendix 1) and indicated in the report that the cost to IW Council would be retained in the budget and the budgeted figure of £132,000. However, there is a difference between retaining an expenditure item within budget and whether the expenditure is value for money.
3. There is also an absence of evidence to demonstrate that the interim arrangements with Hampshire have been effective. It does appear that there has been no IW Public Health Annual Report published for 2017-18. In addition, there does not appear to be an annual report regarding public health complaints for 2017-18 with no report going to Audit Committee. The External Auditor did raise questions about anomalies within Public Health within the IW Council Audit Report 2017-18. These are statutory duties. The Cabinet has not been made

4. aware of these failings in statutory duty or the anomalies raised by the Auditor in the report presented to them on the 11<sup>th</sup> July. Hampshire CC has published reports (Annual and Complaints) on their website which is not the case in regard IW Council although this was during the interim management arrangement. Further investigation also revealed that over the past 12 months there has been little information about the failings of the IW Council public health service and the need for Hampshire County Council to take over the management through a strategic partnership. Leaders update to Full Council on 18<sup>th</sup> July 2018, 19<sup>th</sup> September 2018, 21<sup>st</sup> November 2018, 16<sup>th</sup> January 2019, 27<sup>th</sup> February 2019, 13<sup>th</sup> March 2019 did not make mention of the partnership arrangements either as his strategic partnership section or that of Adult Social Care and Public Health. Quarterly performance reports to Cabinet on 14<sup>th</sup> June 2018, 13<sup>th</sup> September 2018, 10<sup>th</sup> January 2019, 14<sup>th</sup> March 2019 and 13<sup>th</sup> June does not include any reference to this Public Health Strategic Partnership. This raises concerns about transparency.
5. See Appendix 1 which provides more detailed questions that remain unanswered and resulted in this call-in.

**Desired outcome:**

- A. IW Council and the IW Public can through proper transparent scrutiny get detailed analysis (review) of the past and current position of IW public health services that provide the rationale of going into a strategic partnership with Hampshire County Council including value for money, needs assessment, and risk analysis.
- B. Cabinet is able to make an objective decision through provision of detailed information on par with information supplied and available to Hampshire County Council in choosing a relevant option for the improvement of Public Health Services that has beneficial outcomes for residents and is value for money. Scrutiny would be able to make a clear recommendation which it could not previously due to lack of information in the report.
- C. The Lessons learnt through the Call-In can enable better processes in development of other strategic partnerships with other relevant organisations in the future such as proposed in regard Coroner's Services.

Names of members with signatures (minimum of three required with two being members of the scrutiny committee together with the support of the chairman of the scrutiny committee)

- 1 Cllr Michael Lilley (Lead Member for the call-in)
- 2 Cllr Debbie Andre
- 3 Cllr Rodney Downer
- 4 Chairman of the Corporate Scrutiny Committee – Cllr Andrew Garrett

Dated: 22<sup>nd</sup> July 2019

**APPENDICES**

[Appendix 1:](#) Emails with Questions and Responses

[Appendix 2:](#) Minute Extracts from Relevant Committees

[Appendix 3:](#) Cabinet Report