

**REPORT OF THE CHAIRMAN OF OVERVIEW COMMITTEE****OUTCOME OF CALL-IN OF DECISION - NOTTINGHAMSHIRE HEALTHY  
FAMILIES PROGRAMME: 2024 AND BEYOND****Purpose of the Report**

1. To advise Cabinet of the outcome of the Call-in of Cabinet's decision relating to the Nottinghamshire Healthy Families Programme originally taken on 9 March.

**Information**

2. A call-in request was received by the Monitoring Officer relating to the above decision citing the following grounds:
  - a. That it may not have been made in accordance with the law – this related to concerns about the way in which informal meetings of scrutiny members had taken place, the way in which their views had been represented within the Cabinet report and safeguarding and corporate parenting concerns regarding one aspect of the Healthy Families Programme;
  - b. May not have sufficiently described options or given reasons
  - c. May not be in accordance with the Council's budget and policy framework
3. Following consideration of the request, the Monitoring Officer made arrangements for a meeting of the Overview Committee to be convened to hear the concerns of the signatories to the call-in request. That meeting was held on 31 March.
4. The meeting heard from 6 of the signatories to the call-in request setting out their concerns about the decision. Further information about the Cabinet decision was then provided by the Cabinet member for Adult Social Care and Public Health, the Corporate Director for Adult Social Care and Public Health and the Director of Public Health.
5. The Monitoring Officer also provided further information about an informal dialogue meeting held between officers and various members of the Adult Social Care and Public Health Select Committee, the Children and Families Select Committee and the Health Scrutiny Committee.
6. Members of the Overview Committee then asked questions of the officers present about the concerns raised by members who initiated the call-in.
7. The Overview Committee felt that the concerns raised about the application of the Council's scrutiny process were best dealt with by way of review by the Members Working Group already established by Governance and Ethics Committee to review the implementation of the

Council's governance arrangements following the change to the Leader and Cabinet model last May. The Chairman and Vice Chairman of the Overview Committee asked to join that working group for any sessions relating to the scrutiny process.

8. The Committee considered the options for a decision open to them following a call-in request which were:
  - a. to take no further action in connection with the decision
  - b. to refer the decision back to Cabinet for reconsideration in light of the concerns outlined by the Overview Committee
  - c. to refer the matter to Full Council where a decision had been taken in breach of the Council's budget and policy framework.
9. The Monitoring Officer explained that as this decision was not contrary to the Council's budget and policy framework, option c above was not available to the Committee but that options a and b were available to them.
10. A variety of comments and views were discussed in the meeting and a range of issues were raised by Overview Committee members. Points raised included the Council's approach to scrutiny, the commissioning approach relating to the Healthy Families Programme and a general reference to matters which were characterised as safeguarding concerns. In respect of the latter point, it was acknowledged that any safeguarding concerns should be referred promptly through the Council's established routes for such reporting to ensure that they were appropriately addressed. Further assurance was also provided to the Committee on this point by the Corporate Director for Adult Social Care and Public Health following a meeting of Health Scrutiny Committee held on 28<sup>th</sup> March, which also looked at aspects of the Healthy Families Programme services.
11. The Committee considered all the information which they had heard from the members and officers attending the call-in meeting and felt that on balance there was sufficient basis to warrant further consideration of the decision by Cabinet, in respect of formal scrutiny and in respect of options. As a result, the Committee resolved to refer the decision back to Cabinet for further consideration.

### **Other Options Considered**

12. Overview Committee could have decided to take no further action in respect of the decision but felt that there was sufficient basis to refer the matter back to Cabinet for reconsideration. Once the Overview Committee have taken that decision, there is no other option as it is a requirement to refer the concerns raised at Overview Committee back to Cabinet for reconsideration of their decision in these circumstances.

### **Reason/s for Recommendation/s**

13. To inform Cabinet of the outcome of the call-in meeting of Overview Committee and their resolution to refer the decision back to Cabinet for reconsideration to consider the concerns which the Committee identified.

### **Statutory and Policy Implications**

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

15. There are no direct financial implications arising from this report which purely relates to the outcome of the call-in process.

## **RECOMMENDATION/S**

- 1) That Cabinet is asked to reconsider its decision in respect of the Nottinghamshire Healthy Families Programme: 2024 and beyond, in light of Overview Committee members' comments in relation to formal scrutiny of the proposals by both Adults and Children's Select Committees and further consideration of the options available.

**COUNCILLOR BOYD ELLIOTT**  
**CHAIRMAN OF OVERVIEW COMMITTEE**

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### **Constitutional Comments (CEH – 12.4.2023)**

16. Cabinet has the responsibility to consider reports from Overview Committee in accordance with the Overview and Select Committee Procedure Rules in Section 6 of the Constitution.

### **Financial Comments (SES 12/04/2023)**

17. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to Overview Committee dated 31 March 2023 (published)

### **Electoral Division(s) and Member(s) Affected**

- All