

Scrutiny call-in request form

This form is to be used when requesting a call-in. It has been created to elicit the required information, and to provide an audit trail of the process.

Requesting a call-in

To request a call-in, please complete section 1 and arrange for the form to be countersigned by four other members of the council and email to scrutinyteam2@southwark.gov.uk before the end of the scrutiny call-in period indicated on the decision notification issued by the constitutional team.

SECTION 1

1. Title of decision to be called in, and decision taker

Decision title:	Decision taker:
GATEWAY 1 HOUSING – PROCUREMENT SUPPORT AND SUPPLY CHAIN MANAGEMENT SYSTEM	CABINET

2. Have you [applicable to all councillors requesting the call-in] participated in taking the decision?

No:

Note: A member who participates in taking an executive decision shall not sign a call-in request on the same decision (thus avoiding any conflict of interests).

3. Does the request for call-in relate to a single recommendation in the report or the whole report?

Please specify: the recommendation to procure Plentific’s platform, and subsequent recommendations to that end within the report.

4. Which of the principles of decision making in Article 1.3 of the constitution have failed to be applied? (see scrutiny call-in guidance for explanation)

Mark all that you believe have failed to be applied and state reasons:

Decision making principle:	Failed to be applied? (mark with an X)
<p>(a) The link between strategy and implementation must be maintained</p> <p>Reason: The council’s delivery plan, Southwark 2030, includes value for money, creating jobs for local people, a greener environment, better employment conditions and working with residents.</p> <p>The report alludes to these, but does not demonstrate how or offer any guarantees with respect to this.</p> <p>A number of key facts and assumptions are not included, for example:</p> <ul style="list-style-type: none"> • How many local contractors are on this framework, • How many will sign up to the councils fairer future procurement framework, • What the cost of managing this contract is <p>Further, the report suggests that there will be no extra back-office cost to this decision. However, on Plentific’s <u>own website</u> is testimonial from a Head of Maintenance at L&Q who said that they “created a large team to manage the platform” – which suggests that</p>	<p>x</p>

<p>a great deal more back-office time is needed than the report anticipates.</p>	
<p>(b) Decision making generally, whether by individual officers, individual cabinet members or the cabinet collectively, should have reference to the policy framework</p> <p>Reason:</p>	
<p>(c) Respect for human rights, law, probity and the constitution</p> <p>Reason:</p>	
<p>(d) reasonable and proportionate consultation</p> <p>Reason: There is no evidence that residents, even through the residents improvement board, have been consulted on this change. This is especially important given that it has been suggested that the platform could be used to collect feedback from residents – so the fact that residents have not been consulted on their needs and requirements is especially important to note.</p> <p>We also understand that consultation with Unions was very limited, to the extent that trade unions were not consulted before it was put on the forward plan. A meeting was held to discuss the issue once it was on the forward plan which led to it being deferred, but the evening before Cabinet the unions were informed that it was still to be tabled.</p>	<p>x</p>
<p>(e) the taking of reasonable and appropriate professional advice from officers</p> <p>Reason:</p>	

<p>(f) proportionality (i.e. the action must be proportionate to the desired outcome)</p> <p>Reason: Proportionality is not clear from the report given the significant financial risk the council is undertaking in making this procurement decision – primarily the variable fees that the platform charges.</p> <p>Comments from relevant officers in the report allude to this risk:</p> <p>Strategic Director of Resources: <i>‘Pricing: Whilst access to a competitive market place could drive down prices, there is no guarantee that Plentific will offer better value than direct award to current contractors. Contractors will factor in Plentific’s fee (currently up to 10% of work costs, which could total £640k annually) into their rates. This percentage could change at any point without the knowledge of the council as this fee is not part of the Southwark’s contract with Plentific. Additionally, contractors bidding for individual jobs rather than large volumes of work could result in higher average job costs. Any increase in the cost of works is particularly concerning given current HRA budget constraints’</i></p> <p>Director of Exchequer (For Housing contracts only): <i>‘The report does not make it clear whether this additional cost will lead to other costs efficiencies which would compensate, or how the system will provide an improved service to residents’</i></p>	<p>x</p>
<p>(g) a presumption in favour of openness</p> <p>Reason:</p>	
<p>(h) clarity of aims and desired outcomes, including of the options considered</p> <p>Reason:</p>	

i) consideration of the likely climate consequences and the likely equality (including socio-economic disadvantage and health inequality) consequences of the relevant decision and therefore reports for decision should include advice from officers of the likely climate and equality impacts of the decision

Reason:

5. Is the decision believed to be outside the policy or budget framework

No

Signatures of those members requesting the call-in of the decision:

Note: each member must insert his or her name in the table below. A separate email from the member communicating support for the call-in is sufficient, but should be evidenced upon submission of the form.

- 1) Councillor Victor Chamberlain
- 2) Councillor Rachel Bentley
- 3) Councillor David Watson
- 4) Councillor Jane Salmon
- 5) Councillor Irina Von Wiese

Section 2

To be completed by Head of Scrutiny (or officer of the scrutiny team)

6. Does the request meet the Call-in threshold? (All must apply for threshold to be met):	Mark with an X
(a) Five members of the council have requested the decision be called-in ¹ .	X
(b) A member who has participated in taking the executive decision has not signed a call-in request on the same decision.	X
(c) Evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in Article 1.3 of the constitution has been provided.	X
(d) The request has stated whether the members believe that the decision is outside the policy or budget framework.	X

7. Request for call-in considered valid?

(Yes / No): Yes

Reasons:

I consider that there are sufficient grounds provided to warrant the request for call-in, as detailed in section 1 above (a, d and f). The call-in will allow for the overview and scrutiny committee to seek

¹This can include education representatives (for the purpose of education decisions only)

clarification on issues around consultation, and the opportunity to explore the risks highlighted in the request, which have been arrived at from information contained in the decision making report.

Signed: Everton Roberts, Head of Scrutiny

Date: 25 October 2024

Note: If the call-in is considered to be valid, the scrutiny officer shall notify the decision taker and the relevant chief officer, who shall suspend implementation of the decision. The scrutiny officer shall a) refer the called-in decision to the next meeting of the overview and scrutiny committee, if that meeting is within ten clear working days of the receipt of the call-in request, or b) call an extraordinary meeting of the overview and scrutiny committee to consider the called-in decision, to take place as soon as possible and in any case within ten clear working days of the call-in request, or c) if appropriate arrange an extraordinary meeting of the overview and scrutiny committee to consider the matter outside the normal timetable, unless in the view of the monitoring officer and/or the chief finance officer, in consultation with the relevant chief officer, the matter cannot wait and in which case it shall be considered in accordance with the timescale set out above.

Invalid Call-in Request

Where a call-in has been ruled invalid by the scrutiny officer, a request can be made by those requesting call-in for the monitoring officer to review the ruling. The request shall be made by 4pm on the second working day after the day of the notification of the decision by the scrutiny officer.

In the event of dispute, the decision of the monitoring officer shall be final.

Request for review of scrutiny officer ruling. Please send this form to Doreen Forrester-Brown, Monitoring Officer by 4pm, @ date

(Email: Doreen.forrester-brown@southwark.gov.uk)

Section 3

To be completed by the monitoring officer upon receipt of request for review

I have reviewed the grounds for call-in and reasons given for an invalid request and conclude that the request for call-in is (Valid / Invalid)

Reasons:

Doreen Forrester-Brown, Monitoring Officer

Dated: