

<b>Item No:</b> <b>1</b>	<b>Classification:</b> OPEN	<b>Date:</b> 13 July 2004	<b>Meeting Name:</b> OVERVIEW & SCRUTINY COMMITTEE
<b>Report Title:</b>		Call-In: Executive Decision of 22 June 2004, Item 9: Integrated Cleaning Contract – First Year Review.	
<b>Ward(s) or Group affected:</b>		All Wards	
<b>From:</b>		Head of Overview and Scrutiny	

### RECOMMENDATION

1. That the Committee considers a call-in request relating to the decision taken by the Executive on 22 June 2004 in respect of the review of the Integrated Cleaning Contract.

### BACKGROUND INFORMATION

2. On 22 June 2004 Executive considered a report about the Integrated Cleaning Contract. The report reviewed the progress and performance of the service, which had been provided internally for the previous year following a decision taken by Executive in December 2002. Comments from the Chair of Leaseholder Council were also circulated.
3. Executive noted the progress and performance of the Integrated Cleaning Contract and Southwark Cleaning and congratulated the management and staff on the improved performance and success. It agreed that the current service delivery arrangements be continued for a further three years subject to satisfactory performance and an annual review; and that officers convey Executive's decision for future service delivery arrangements to Tenant's Council and Leaseholder's Council and discuss with both bodies annual improvement plans. Executive also noted the proposal for Southwark to lead a benchmarking group over the next year.
4. On 2nd July 2004 the Chair of Overview & Scrutiny Committee - Councillor Kim Humphreys - and three members of the Committee (Councillors Fiona Colley, Barrie Hargrove and Andy Simmons) requested a call-in of this decision.

The reason given for the call-in request was as follows:

*"Concerns shared by Councillors, tenants and leaseholders regarding*

- 1. Insufficient justification for a three-year contact extension*
- 2. Accuracy of performance information in the report*
- 3. Absence of current stakeholder views of the service*
- 4. Accuracy of consultation results in the report*
- 5. Financial management of the service"*

5. Previous reports/minutes relating to this item are attached as follows, i.e.
- Appendix A: Executive report [22 June 2004]: Item 9: Integrated Cleaning Contract – First Year Review
  - Appendix B: Executive Minutes of 22 June 2004 meeting.
  - Appendix C: Comments from Leaseholder Council, circulated at Executive on 22 June 2004
  - Appendix D: Call-in request dated 2 July 2004.

### **KEY ISSUES FOR CONSIDERATION**

6. Requests for call-in should normally only be made if there is evidence that the Executive did not take a decision in accordance with the principles of decision making as set out in the Constitution:
- (a) Proportionality (i.e. the action must be proportionate to the outcome);
  - (b) Due consultation and the taking of professional advice from Officers;
  - (c) Respect for human rights;
  - (d) Presumption in favour of openness;
  - (e) Clarity of aims and desired outcomes;
  - (f) The link between strategy and implementation must be maintained;
  - (g) Decision-making generally, whether by individual Officers, individual Executive Members or the Executive collectively, should have reference to the policy framework and be in accordance with the budget.
8. The Overview and Scrutiny Procedure Rules require the Committee to consider any call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget. Advice should be sought from appropriate Chief Officers including the Monitoring Officer and the Chief Finance Officer.
9. If, having considered the decision and all relevant advice, the Overview & Scrutiny Committee is still concerned about it, then it may either:
- refer it back to the decision-making body [*or officer to whom responsibility for that decision was delegated*] for reconsideration, setting out in writing the nature of its concerns; or
  - refer the matter to Council Assembly if the decision is deemed to be outside the policy and budget framework.

10. The Executive Member with relevant portfolio responsibilities has been advised of this meeting.

### LEGAL & FINANCIAL IMPLICATIONS

11. Rule 18.6 of the Overview and Scrutiny Procedure Rules requires a call-in request to be signed by the Chair or Vice-Chair of the Overview and Scrutiny Committee plus three members of the Committee; the call-in request has been validly made in accordance with this rule. Rule 18.2 which sets out the circumstances in which call-in requests should normally be made is reflected in paragraph 5 of this report. The decision of the Executive is not contrary to the policy framework and accords with the budget.

### BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Executive Agenda, Reports and Minutes	Constitutional Team Town Hall, Peckham Road, London SE5 8UB	Everton Roberts Tel: 0207 525 7221

### AUDIT TRAIL

<b>Lead Officer</b>	Shelley Burke, Head of Overview & Scrutiny	
<b>Report Author</b>	Carina Kane, Scrutiny Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	6 July 2004	
<b>Key Decision ?</b>		
<b>CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/EXECUTIVE MEMBERS</b>		
Officer Title	Comments Sought	Comments Included
Borough Solicitor & Secretary	No	-
Chief Finance Officer	No	-
Executive Member	No	-