

- 1.1 On 22nd January 2019 Cabinet took a decision to:
- x Approve the final revised proposals for

- x The report fails to make reference to or take account of relevant financial and budgetary issues which should have been considered. Specifically the extra £5.6 million in ring-fenced funding which has been made available for adult social care by central government which additional resources could have been used to support the social care transitioning pathway and is not mentioned.
- x Overlooking relevant considerations including failing to reflect the feedback from a consultation adequately

Cabinet Member and Officer Response

- 2.2 Birmingham City Council wants to provide a sustainable, in-house enablement service which delivers value for money and also meets the needs of staff and service users.
- 2.3 The aim of the report was to seek approval of Option 1 but not implement the recommendation whilst further seeking a negotiated settlement with Unison resulting in ambiguity.
- 2.4 The wider context which needs to be understood is that hospitals are coming under increasing pressure resulting in the need to facilitate quicker discharge of patients and the current enablement service is not responsive to this need.
- 2.5 Currently only 20% of service users have been enabled to become independent when they leave the service after six weeks. Whereas 80% were not enabled and needed further care. These outcomes compare unfavourably when compared with other local authorities and the proposed model aims for 80% of service users to be enabled when they leave the service.
- 2.6 In relation to the financial position it was established that all figures are currently theoretical until staff have been consulted on an individual basis about their preferences.
- 2.7 It was acknowledged that it may be necessary for another report to be brought back to Cabinet following detailed consideration of the Unison proposals.

Discussion

2.8 In the ensuing discussion, the following points were made by members of the Committee:

- x The scrutiny members had difficulty in understanding why the report was put forward as a late and urgent report at the Cabinet meeting on 22nd January after it had been agreed that Unison would be given 6.2 (t)1 (i)3.7 .7 (d)-4.1 1.3 (r)-1.8 (s) (me)1.2 (3 (n)0.6 (g)4.1 11446 T

- x Members questioned what legal advice had been sought in relation to the consultation with individual members of staff and the potential implications for the collective bargaining process. The response was that the advice was that there was a need to consult on a one to one basis as an integral part of the consultation.
- x The point was made that patients with multiple health issues are referred to the enablement service on discharge from hospital when in many cases referrals to other services where their needs would be better catered for would be more suitable. Assurances were given that the proposed model incorporated a more targeted approach to help improve efficiency and appropriateness of the service.

The Committee Resolution

2.9 The Committee resolved unanimously to call-in the decision for reconsideration by Cabinet, on the grounds that:

5. – the Executive appears to have overlooked some relevant consideration in arriving at its decision.

- x The overriding issue with the decision was that the scrutiny members had difficulty in understanding why the report was put forward as a late and urgent report at the Cabinet meeting on 22nd January after it had been agreed that Unison would be given until 1st February to bring forward proposals. Members struggled to understand why the Cabinet did not wait until after the further Unison proposals had been made and considered to make their decision. Members also felt that the reasons given for the report being late and urgent were inadequate.

6. – the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely to do so. (Tw 41.859 0 Td ()Tj EM.6 (Tw .f

information about the collective bargaining agreement and legal advice in relation to that;
and

an expansion of Newton's proposals under s