

CABINET

Wednesday, 3 September 2014 at 5.30 p.m.

TABLED PAPERS

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5. OVERVIEW & SCRUTINY COMMITTEE	
5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee - DAAT Commissioning	
(Under provisions of Article 6 Para 6.02 V of the Constitution).	1 - 4

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Agenda Item 5.2

Committee: Cabinet	Date: 3 rd September, 2014	Classification: Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services Originating Officer: David Knight, Democratic Services			Title: Cabinet Decision Called In: Drug and Alcohol Action Team (DAAT) Commissioning Intentions: Ward: All	

1. SUMMARY

- 1.1 The Commissioning Intentions report had been considered by the Mayor in Cabinet on 23rd July 2014 and was "Called In" by Councillors Rachael Saunders, Shiria Khatun, Danny Hassell, Sirajul Islam and Clare Harrisson. This was in accordance with the provisions of rule 16 of the Overview and Scrutiny Procedure Rules in Part 4 of the Council's Constitution.

2. DECISION OF THE OVERVIEW AND SCRUTINY COMMITTEE

2.1 The Overview and Scrutiny Committee:

1. Considered the contents of the attached report, the Mayor in Cabinet's decision (provisional, subject to Call In) and the information provided by officers; and
2. Agreed that the decision be referred back to the Mayor and Cabinet for reconsideration with recommendations as set out in this report.

3. RECOMMENDATIONS

- 3.1 That the Cabinet notes and comments on the matters set out in this report

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

Brief description of "background paper"

Name and telephone number of holder and address where open to inspection

Overview and Scrutiny Committee
Agenda 2nd September, 2014.

David Knight
0207 364 4878

4. THE MAYOR IN CABINET'S PROVISIONAL DECISION

4.1 The Mayor in Cabinet's decision was published on 25th July, 2014 to:-

1. agree to the re-procurement of drug / alcohol treatment services in Tower Hamlets
2. agree Option 3 as the preferred option for re-procurement subject to the Cabinet Members for Resources and Community Safety being given a strategic and design oversight of the proposals.
3. agree to a consortium approach to commissioning to ensure local third sector partners can be properly engaged.
4. agree the timescales detailed in the report
5. note the risks detailed in the report and the mitigating actions.

5. THE 'CALL IN' REQUISITION

5.1 The Call-in requisition signed by the five Councillors listed above gave the following reasons for the Call-in:

- From the outset we must make clear that we do not oppose DAAT re-commissioning, nor the principle of consortium commissioning with local providers. This call in is to seek further clarification from the Mayor and Cabinet Members for Resources and Community Safety as to their remit as agreed at Cabinet.
- At Cabinet a proposal was agreed that gave Councillors Choudhury and Ahmed responsibility for developing the commissioning strategic direction and encouraging a consortium approach that involves local providers.
- The Mayor has previously spoken of his desire to uphold the "highest standards of probity and transparency" in this regard we hope that this call in is welcomed as an opportunity to further clarify the details of this decision.
- Whilst we support the principle of local providers being engaged and bought on-board it is unclear what remit is being given to Cllr Choudhury and Ahmed given that this approach, of multiple providers, is effectively the opposite of the officer recommendation that the service providers be reconciled from 23 currently to just two.
- It is important to work closely with local voluntary sector groups; however it is equally important that the process of procurement, and the reasons behind that process, is clear to all potential providers.
- We also have to be careful to avoid any perception of inappropriate interference in a commissioning process, especially in light of recent concerns. This call in will give the Mayor opportunity to fully explain his

plan for the re-commissioning of DAAT services, and for members to further understand the basis of the Cabinet members' role.

6. ALTERNATIVE ACTION PROPOSED

6.1 The Call-in Councillors proposed the following alternative course of action:

That the Mayor fully explains his strategic vision for the re-commissioning of DAAT services and the basis on which he made his decision.

- That the Mayor clearly sets out the role he has mandated the Cabinet Members for Resources and Community Safety to have in the re-commissioning of DAAT services.
- The call-In was presented by Councillor Rachael Saunders on behalf of the Call-in Councillors.

7. CONSIDERATION OF THE "CALL IN"

7.1 In addition to the business papers presented to the Overview and Scrutiny Committee, the Committee considered:

1. The views and comments made by Councillors Rachael Saunders in presenting the call-in;
2. The information provided by Councillor Alibor Choudhury Cabinet Member for Resources and Councillor Abdul Asad Cabinet Member for Health and Adult Services;
3. The information provided by Andy Bamber. Service Head Safer Communities and Rachel Sadegh the Joint Commissioning Manager for Tower Hamlets Drug and Alcohol Action Team.

7.2 Councillor Rachael Saunders gave a presentation to the Committee outlining the reasons for the Call In and the concerns highlighted. Councillor Saunders then responded to questions from the Committee. There was concern that the recommendations made by officers had been modified, so that the decision made in Cabinet provided a role for the two lead members. Both the reason for the modification and the role of the two lead members were considered to be unclear.

7.4 Councillor Alibor Choudhury; Councillor Ohid Ahmed; Andy Bamber and Rachel Sadegh responded to the concerns raised. Their responses to questions raised are summarised below:

The recommendations in the report before the Committee were the result of a full and wide ranging consultation of local providers and service users on the best way to deliver the DAAT programme.

That further reports would be coming to Cabinet regarding the stages of this commissioning and procurement process. This it was noted would ensure that the process is fully transparent and by the adoption of the consortium model it

would reduce the number of contracts whilst maintain the diversity of the existing experienced provider agencies. The next report to Cabinet, it was noted, would provide details on the next steps in the process and what needs to be agreed so as to develop the new model. It will also ensure that all decisions take place in a clear and transparent manner.

It was noted that the Council wishes to ensure these services are provided by agencies which have a sound knowledge of Tower Hamlets and the needs of its diverse community e.g. knowledge of the economic; social and cultural dynamics of the Borough. It was noted that such values are critical for the DAAT programme

That commissioned drug / alcohol treatment services needed to be better integrated and therefore the whole system is to be overhauled so as to ensure that desired outcomes are deliverable. To this end there was an ongoing dialogue with all relevant partners and providers to take forward this process.

8. When determining to refer the matter back for reconsideration, the Committee was concerned that mechanisms should be in place to ensure that the process was clear and transparent.
9. The Committee was also of the view that the Mayor and Cabinet should make clear the following:
 1. The Mayor's strategic vision for the re-commissioning of DAAT services;
 2. Basis on which he made his decision.