

## Summary Sheet

### Committee Name and Date of Committee Meeting

Overview and Scrutiny Management Board – 10 April 2019

### Report Title

Request for Review of Response to Petition – Apologise to every individual who did not have an annual assessment under the Care Act 2014

### Is this a Key Decision and has it been included on the Forward Plan?

No

### Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

### Report Author(s)

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### Ward(s) Affected

All

### Summary

A request has been received for Overview and Scrutiny Management Board to review the response provided by the Council to a petition calling for the Chief Executive to apologise to every individual who did not have an annual assessment under the Care Act 2014 and publicly state how many individuals this affected.

Under the petition scheme, Overview and Scrutiny Management Board will determine the request for the review and may take various actions depending on the information provided to it. This report is submitted to enable the Board to discharge its responsibilities in accordance with the scheme.

### Recommendations

1. That consideration be given to the request to review the Council's response to the petition calling on the Chief Executive to apologise to every individual who did not have an annual assessment under the Care Act 2014
2. That the Chair of the Overview and Scrutiny Management Board write to the lead petitioner to outline the outcome of the board's consideration.

### List of Appendices Included

Appendix 1 Request for Review by OSMB by the Lead Petitioner

**Background Papers**

Minutes of the Council Meeting held on 5 September 2018

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Request for Review of Response to Petition – Apologise to every individual who did not have an annual assessment under the Care Act 2014**

### **1. Background**

- 1.1 The Council's Petition Scheme was amended in May 2017 to provide the public with a clear route to call for action on particular issues of concern and to register support or opposition in respect of any proposal.
- 1.2 Under the petition scheme, a lead petitioner may request a review of the Council's response by the Overview and Scrutiny Management Board. In doing so, the lead petitioner must set out in writing why the Council's response is considered to be inadequate.
- 1.3 On 5 September 2018, the Council received a petition requesting the Chief Executive to apologise to every individual who did not have an annual assessment under the Care Act 2014 and publicly state how many individuals this affected. As the petition had more than 20 signatures, the lead petitioner addressed the Council meeting and, in accordance with the scheme, the petition was referred to the relevant officer for response.
- 1.4 On 26 October 2018, a response was sent by the Chief Executive to the lead petitioner. A copy of the response is enclosed within the Lead Petitioner's submission at Appendix 1.

### **2. Key Issues**

- 2.1 The lead petitioner has submitted a request for Overview and Scrutiny Management Board to review the response received to the petition. A copy of the request is attached as Appendix 1.
- 2.2 The lead petitioner has been invited to attend the Board and may make verbal representations for up to five minutes. The Board then has the opportunity to seek further information from the lead petitioner through questions.
- 2.3 In considering the request to review the response to the petition, Members may seek and have regard to additional information to inform the review.

### **3. Options considered and recommended proposal**

- 3.1 Should the Board determine that the petition has not been dealt with adequately it may instigate an investigation and make recommendations to the relevant officer or the Council's Cabinet.
- 3.2 The Overview and Scrutiny Management Board may also decide that the authority's response to the petition should be discussed at a meeting of the Council.
- 3.3 Once the review request has been considered the lead petitioner will be informed of the result in writing by the Chair of the Overview and Scrutiny Management Board within 10 working days of the meeting.

#### **4. Timetable and Accountability for Implementing this Decision**

- 4.1 Overview and Scrutiny Management Board is responsible for considering the request to review the petition and communicating the outcome of the review within ten working days to the lead petitioner.
- 4.2 If Members determine that the request is valid and requires further investigation then Overview and Scrutiny Management Board will provide direction on whether it requires further consideration by an officer, the Cabinet or whether the response should be considered by the Council. The petition scheme does not provide a timescale for this to be completed, but where consideration is required by either Cabinet or Council this will be listed on the agenda for the next available meeting.

#### **5. Financial and Procurement Implications**

- 5.1 There are no financial or procurement implications associated with this report.

#### **6. Legal Implications**

- 6.1 There are no legal implications directly associated with this report.

#### **7. Human Resources Implications**

- 7.1 There are no human resources implications directly associated with this report.

#### **8. Implications for Children and Young People and Vulnerable Adults**

- 8.1 The petition itself was concerned with securing an apology for every individual who did not have an annual assessment under the Care Act 2014. However, this report in itself does directly not have implications for children and young people or vulnerable.

#### **9. Equalities and Human Rights Implications**

- 9.1 There are no equalities or human rights implications associated with this report.

#### **10. Implications for Partners**

- 10.1 There are no implications for partners arising directly from this report.

#### **11. Risks and Mitigation**

- 11.1 There are no identified risks associated with this report.

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