

CALL-IN NOTICE

To be completed by Members of the Public, as per the provisions of Committee Procedure Rule 46.5.

To: The Director of Legal and Governance Services

1. Notice of Call-In of Executive Decision

In accordance with Committee Procedure Rule 46.5, we, the 150 signatories to this call-in notice (see numbered continuation sheets overleaf), being members of the public registered on the electoral roll of the London Borough of Harrow, hereby give notice that we wish to call-in the Executive decision detailed in section 2 below.

2. Details of Executive Decision

The details of the Executive decision are as follows:-

Decision: Special Needs Transport Change Programme 3 (SNT 3)
.....

Made by: Cabinet Thursday 11th April 2013
.....
(Cabinet/relevant Portfolio Holder)

Published on: Friday 12th April 2013
.....
(Date)

3. Grounds for Call-In

(Please specify below the grounds for the call-in, in accordance with Committee Procedure Rule 46.5. Please note that, in the event that this call-in is referred to the Call-in Sub-Committee, the considerations of the Sub-Committee will focus on the grounds stated, and the Sub-Committee will seek evidence to support them. Please therefore also set out below details of the evidence to support the grounds for call-in, continuing on a separate sheet if necessary).

1) Inadequate consultation with stakeholders prior to the decision: No consultation took place with trade

.....
unions/staff prior to the decision to outsource SNT even though UNISON had requested a halt

.....
to proceedings on the 2nd April 2013 but did not receive a response before Cabinet agreed the project.

No evidence of consultation with all service users e.g. Children & Adults and any other departments.

2) The absence of adequate evidence on which to base a decision: The accompanying EqIA dated 25th February 2013 is inadequate, was not disclosed to any stakeholder other than senior internal staff and completely fails to recognise and pay "due regard" to all of the protected characteristic groups under the Equality Act 2010. It is not robust and did not follow normal EqIA processes prior to Cabinet submission.

3) Insufficient consideration of legal and financial advice: As above no "due regard" under the PSED.

Once completed, please forward this form to Nicola Fletcher, Legal & Governance Services, Harrow Council, Room M22, Civic Centre, HA1 2UH or send it by fax to 020 8424 1557 WITHIN 5 CLEAR WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.

Call-in Notice: 'Grounds for Call-in'

Decision: Special Needs Transport Change Programme 3 (SNT 3)

Made by: Cabinet Thursday 11 April 2013

Published on: Friday 12 April 2013

(NB- Below are details in support of the Grounds for Call-in for signatories & the Director of Legal and Governance, Harrow Council)

1. Inadequate consultation with stakeholders prior to the decision:

No consultation took place with trade unions/staff prior to the decision to outsource SNT even though UNISON had requested a halt to proceedings on the 2nd April 2013 in a letter written to the Leader of the Council which has not been responded to.

There is no evidence of adequate consultation methods used with staff/unions and service users during the equality impact assessing stage demonstrated in the 'SNT 3 Programme' Equality Impact Assessment (EqIA). This assessment was not widely circulated or shared with any stake holding party prior to Cabinet decision.

No evidence has been provided to confirm that a consultation process had taken place with all 515 children and adult service users and their families concerning the direction of overall provision of the service, service standards, health & safety and on the proposals to change and inevitably restrict service eligibility criteria for many users.

There is no evidence of consultation with other departments who use the in-house Special Needs Transport Service such as the Community Health & Wellbeing department.

2. The absence of adequate evidence on which to base a decision:

The accompanying EqIA dated 25th February 2013 is inadequate and fail's to compile robust assessment findings as to the potential impact upon all individuals i.e. staff and users within the Protected Characteristic Groups, failing to even assess or profile the impact on several Protected Groups.

The EqIA was not tabled at the Children & Families Directorate Equalities Group nor was it tabled and agreed at the Corporate Equalities Group, given its cross-directorate impact on service users, before it was agreed by Cabinet.

3. Insufficient consideration of legal and financial advice:

The SNT 3 Report for Cabinet did not contain a specific Legal Implications section for Equalities ensuring that members have due regard to the Public Sector Equality Duty (PSED), under section 149 of the Equality Act 2010, in the undertaking of decisions before they are made ensuring that all of the protected characteristics are listed and taken into account. It is clear the EqIA did not have sufficient 'due regard' and that advice was not fully included and considered by members.