
CALL-IN OF EXECUTIVE DECISION
Review of Ash Field Academy's Residential Provision
funded from the Education budget

CHILDREN, YOUNG PEOPLE AND EDUCATION
SCRUTINY COMMISSION

– 2 November 2023

COUNCIL – 23 November 2023

REPORT OF THE MONITORING OFFICER

Useful information

- Ward(s) affected: All
- Report author: Jacob Mann
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- Report version number: V1

1. Summary

An Executive decision taken by the Assistant City Mayor for Education on 28 September 2023 relating to withdrawing the funding for the Residential Provision at Ash Field Academy totalling over £400k per annum, with effect from 1 September 2024 has been the subject of a seven-member call-in under the procedures at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules, of the Council's Constitution.

The procedure rules state that a scrutiny committee or any five councillors may request formally that the decision be called-in for a further review by giving notice in writing to the Monitoring Officer within five working days of the decision.

The seven Councillors who signed the call in were: Councillor Bajaj (Proposer), Councillor Haq (Seconder), Councillor Gregg, Councillor Kennedy-Lount, Councillor Kitterick, Councillor Porter, and Councillor Sahu.

2. Recommended actions/decision

The Children, Young People, and Education Scrutiny Commission is recommended to either:

- a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at Council on 23 November 2023);* or
- b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at Council on 23 November 2023);* or
- c) Resolve that the call-in be withdrawn *(If the committee wish for there to be no further action on the call-in, then they must actively withdraw it. If withdrawal is agreed the call-in process stops, the call-in will not be considered at Council on 23 November 2023 and the original decision takes immediate affect without amendment).*

Council is recommended to either:

- a) Support the Assistant City Mayor's decision, and thus confirming the decision with immediate effect; or
- b) Recommend a different decision to the Assistant City Mayor. (The original decision will still stand, unless the Assistant City Mayor takes a further decision to amend the original.)

3. Scrutiny / stakeholder engagement

The decision was considered at the Children, Young People, and Education Scrutiny Commission on two occasions on:

25 October 2022

11 July 2023

4. Background and options with supporting evidence

The Executive Decision Report and Decision Notice are attached at Appendix A and Appendix B.

5. Detailed report

The call-in submitted to the Monitoring Officer was in the following terms:

“We the undersigned wish to call in the Cabinet Decision to withdraw the funding for the Residential Provision at Ash Field Academy, with effect from 1 September 2024. This Call In is in order to examine the impact of the decision on the children, their carers and families.”

The Monitoring Officer has confirmed that the call-in satisfies the requirements of the procedure rules and it has, therefore, proceeded as per the process set out at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules of the Council’s Constitution.

Where a call-in has been made, officers are to take no further legally binding action, unless the circumstances of Rule 12 (f) are fulfilled, and the matter shall be referred to a meeting of the full Council. Prior to this it shall be referred to the relevant Scrutiny Committee if one is programmed or a special scrutiny committee if one is convened.

The call-in may however be withdrawn if:

The relevant scrutiny committee/commission makes a resolution to withdraw; or

The sponsor and seconder of the call-in inform the Monitoring Officer that they wish the call-in to be withdrawn.

Following consideration of a call-in by full Council, the original decision will be deemed to be revived in its entirety. Any agreement by the decision maker to change the original decision will require a further formal Executive Decision.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no direct financial implications arising from the call-in in addition to those in the decision report.

Kirsty Cowell, Head of Finance, Ext. 37 2377

6.2 Legal implications

The legal implications arising from the call-in are explained in sections 2 and 5 above

Kamal Adata, Monitoring Officer, Extn 371401

6.3 Equalities implications

There are no comments in addition to those in the decision report.

Kalvaran Sandhu, Equalities Manager, Extn 376344

6.4 Climate Emergency implications

There are no further climate emergency implications to those provided in the decision report.

Aidan Davis, Sustainability Officer, Ext 372284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

7. Background information and other papers:

None

8. Summary of appendices:

Appendix A Executive Decision Report – Ash Field Academy Residential Provision dated 28 September 2023

Appendix B Decision Notice - Ash Field Academy Residential Provision dated 28 September 2023

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No