

WIRRAL COUNCIL

Notice of executive decision by individual Cabinet Member

This notice is made in accordance with Rule 18.4 of the Council's Access to Information Procedure Rules which provides that:

As soon as reasonably practicable after an Executive decision has been taken by an individual member of the Cabinet or key decision has been taken by an officer, he/she will prepare, or instruct the proper officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected. The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of decisions by individual members of the Cabinet. This does not require the disclosure of exempt or confidential information or advice from a political assistant.

Decision maker: Councillor Jeff Green, Leader, Wirral Council.

Decision title: Appointment of an independent person to review the Council's response to the concerns raised by Mr Martin Morton.

Substance of decision taken: To instruct the Chief Executive to invite Anna Klonowski to undertake a thorough independent review of the Council's response to the concerns raised by Mr Martin Morton to:

- determine whether, in her professional opinion, all of the issues raised by Mr Morton have been properly and adequately addressed;
- determine if all lessons to be learned across the Council have been properly and thoroughly heeded; and
- reassure the Leader and the Portfolio Holder that no similar matters need to be addressed.

Authority under which decision is made: As Leader of the Council.

Is this a key decision? No.

Statement of the Reasons for the decision:

In 2007 Mr Martin Morton raised a number of concerns with the Audit Commission under the Public Interest Disclosure Act (PIDA). These concerns included matters relating to the application of a Special Charging Policy for adult social care service users at Supported Living Units in Wirral between 1997 and 2006. In August 2008 the Audit Commission delivered its PIDA Report to the Council. This was then the subject of internal investigation by officers which lead the Council to acknowledge that a group of vulnerable people with learning disabilities in the care of the Authority were subjected to excessive charging over many years, whilst other service users were neither assessed nor charged.

In view of the seriousness of the issues raised by Mr Morton, I believe that it is in the public interest for a thorough independent review of the Council's response to the concerns raised by him. This review will determine whether all the issues raised by Mr Morton have been properly and adequately addressed: and if all lessons to be learned across the Council have been properly and thoroughly heeded. The review will also reassure the Leader and the Portfolio Holder that no similar matters need to be addressed.

I have therefore decided to instruct the Chief Executive to invite Anna Klonowski to undertake an independent review of the Council's response to the concerns raised by Mr Martin Morton and to report back to the Cabinet by 30 September 2010, if possible. Anna Klonowski is a highly respected public sector professional, with over twenty years

experience, who is committed to improving services for customers and stakeholders. She is a CIPFA Council member and has spoken at many national events as well as delivering training to Wirral Councillors for a number of years. I believe she is respected by all Members who have met her and is the ideal person to bring a truly independent view on this difficult and long running issue.

I believe that Anna Klonowski is the most appropriate person to undertake this review and that it would not be in the Council's best interest to invite any other persons to tender for this work. Therefore, this will be an exception to the Council's Contract Procedure Rules, so far as they require the submission of more than one estimate or quotation.

Any alternative options considered and rejected.

Not to appoint an independent person.

Legal implications and risks

The Director of Law HR and Asset Management has advised that this decision is not a key decision and complies with the law and the Council's Constitution.

Financial implications and risks

The Director of Adult Social Services has confirmed that he can contain the anticipated costs of this independent review within his department's budget for 2010/11.

Human resources implications and risks

None directly arising from this decision

Equalities and social inclusion implications and risks

A group of vulnerable people with learning disabilities in the care of the Authority were subjected to excessive charging over many years. It is imperative that the Council's response to this failure is reviewed by a highly respected and independent person.

Signed: 

Date: 12.7.2010

Councillor Jeff Green, Leader, Wirral Council

Call-in: This decision may be subject to Call-in within five working days of its publication by the Proper Officer and shall not be implemented during that period.

Lodging this Notice: This Notice must be delivered to the Director of Law HR and Asset Management, as Proper Officer, for publication.

For use by the Proper Officer:

I confirm that this Notice was lodged with me on: 12/7/2010

Signed: 

Name and job title: DIRECTOR OF LAW, HR & ASSET MANAGEMENT