

Stockton-on-Tees Borough Council

Call-In Request Form

I/We request that the following matter be called-in for consideration by the Executive Scrutiny Committee for the reason(s) stated below.

I/We understand that a minimum of six Members of the Council excluding Cabinet Members, or two Education representatives with voting rights in respect of education matters, must submit this request before the call-in procedure is implemented.

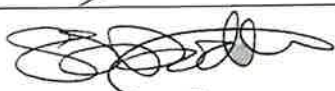
Decision making body ie. Cabinet, Officer, or Joint Arrangement	Cabinet
--	---------

Details of decision	SEND Reform Programme - Education White Paper and Local Area Reform Plan Update
Ref. number (if any)	Cabinet decision record - 17 September 2026
Date of decision	17 September 2026

Reasons for call-in	
Constitutional principle(s)	Specific evidence and reasons

• proportionality (the action must be proportionate to the desired outcome) • due consultation and the taking of professional advice from Officers • a presumption in favour of openness • clarity of aims and desired outcomes • an explanation of what options have been considered and the reasons for decisions • relevant matters have not been ignored • clarity and explanation of information provided	This call-in supports the objective of increasing local SEND capacity. The concern is whether Cabinet was given sufficiently clear and complete information before approving an £8.01 million capital programme and extensive governance, procurement and financial delegations. 1. Substantive recommendations were added at the meeting The decision record states that an addendum containing two additional recommendations was circulated at the Cabinet meeting. These appointed the Director of Children's Services as the Council's authorised representative in Spark of Genius LLP and delegated authority for contract awards and subsequent contract decisions required for the SEMH school project. These were substantive governance and procurement decisions, not minor corrections. The published record does not explain when the addendum was prepared, how much opportunity Cabinet had to examine it, or what legal, financial, procurement and governance advice accompanied it. This engages the principles of due consultation and professional advice, openness, and clarity of information. 2. The recorded decision is materially ambiguous Recommendation 11 delegates authority to award a construction contract of up to £1.7 million "to deliver recommendation 1". However, recommendation 1 merely notes the closure of the national SEND consultation and submission of the Local Area Reform Plan; it does not authorise a construction project. If the intended reference was to recommendation 5, concerning the new SEMH school, the formal decision record does not say so. A delegation involving a contract of this value should identify precisely the project and authority being approved. This directly engages clarity of aims, desired outcomes and information. 3. No alternatives are recorded as having been considered The decision record states "None" under alternative options considered and rejected, despite decisions on three capital schemes, the use of Spark of Genius LLP, the allocation of an £860,000 contingency, and the proposed contracting and delivery arrangements. The record does not explain what alternative sites, delivery models, procurement approaches, phasing arrangements or use of the available capital were considered and why the chosen approach was preferred. This engages the requirement to explain options and reasons for decisions. 4. The breadth of delegation requires scrutiny Cabinet delegated authority to take all necessary steps to deliver the schemes, transfer budgets between them because of cost variations, allocate the full £860,000 contingency, and make contract awards, variations, inflationary uplifts and extension decisions for all contracts required for the SEMH project. The record
--	--

	does not clearly state the limits, reporting requirements or safeguards attached to all of these powers. Scrutiny is required to establish whether these delegations are proportionate and whether relevant financial, legal and procurement risks were fully considered. 5. Relevant dependencies are not clearly explained At the time of the decision, the Council was still awaiting the Department for Education's assessment of the Local Area Reform Plan, expected in October 2026. The record does not clearly explain whether that outcome affects the timing, affordability or delivery of any of the capital schemes, or what would happen if assumptions change. This should have been clearly addressed as a relevant matter. Requested outcome Executive Scrutiny is asked to refer the decision back to Cabinet for reconsideration with: a corrected and unambiguous set of resolutions; the full addendum and supporting professional advice; a clear explanation of the options considered; the governance and contractual implications of the Spark of Genius LLP arrangement; and clearly defined limits and reporting arrangements for the delegated powers.
Questions likely to be asked	
• When was the addendum prepared and circulated, and what legal, financial, procurement and governance advice accompanied it? • What is the correct project reference in recommendation 11, and can the Council lawfully implement an ambiguous recorded delegation? • What alternative sites, delivery models, procurement routes and phasing options were considered, and why are none recorded? • What are the Council's rights, liabilities, financial exposure and governance arrangements as a member of Spark of Genius LLP, and how will conflicts of interest be managed? • What financial ceilings, consultation requirements and reporting arrangements apply to budget transfers, contingency use, contract variations, inflationary uplifts and extensions? • How does the pending Department for Education assessment affect the schemes and what contingency exists if assumptions or funding change?	

We request that the following Cabinet Member(s)/Officer(s) to be required to attend the Executive Scrutiny Committee	
Director of Children's Services; Section 151 Officer; Director of Corporate Services; Cabinet Member for Children and Young People; Cabinet Member for Resources and Transport.	
Signed	Print Name
	CLLR TONY RIORDAN
	CLLR MARCUS VICKERS
	CLLR STEVE DODDS
	CLLR EMILY TATE

	CLLR HUGO STRATTON
	CLLR NIALL INNES

This form must be submitted to the Proper Officer (via Democratic Services) within four working days of the publication of the decision i.e. by 12 midnight on the fourth day.

Multiple forms (including faxed and e-mailed versions) may be submitted in respect of the same decision. If the form is e-mailed it must be subscribed to by one person only.

This form may be returned as follows:

By hand to any Democratic Services Officer

Email – 'DL Democratic Services'

Office use only	
Date received:	Initials:
Valid: Yes/No Reasons for invalidity: Reasons notified	
Executive Scrutiny Committee date:	

Extract from Constitution – Paragraph 1.35

Decisions of the Council will usually be made in accordance with the following principles:

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from Officers;
- respect for human rights and equality of opportunity;
- a presumption in favour of openness;
- clarity of aims and desired outcomes; and
- an explanation of what options have been considered and giving the reasons for decisions
- relevant matters have not been ignored
- clarity and explanation of information provided

Please also see the guidance contained with the Scrutiny Toolkit, and Constitution.