

Emergency Powers Decision Report



MioCare Group: Governance Renewal and Permanent Leadership Appointments

Decision Maker: Chief Executive

Service Area: Health & Care

Directorate: Health & Care

Report Author: Mike Barker, Deputy Chief Executive

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Date of Decision: 21st September 2026

1. Power to make the decision

The decision is being taken under the authorisation contained in Section 9C – Delegations to Specific Officers of Part 3 (Responsibility for Functions) of the Council Constitution for the Chief Executive to take any emergency decisions in respect of the Council's executive functions which cannot be delayed until the next Cabinet meeting.

2. Decision Sought

To agree to proceed with a programme of governance and leadership renewal for MioCare following the findings of an independent interim Commercial and Sustainability Review.

3. Reason for urgency

To provide stability and clear leadership arrangements for MioCare following the findings of the independent Commercial and Sustainability Review. The review identified significant weaknesses in governance, accountability and strategic leadership which require prompt action to mitigate ongoing organisational and financial risks. Delaying a decision would prolong uncertainty, hinder the implementation of necessary governance improvements, and potentially impact the organisation's ability to deliver its strategic objectives and long-term sustainability. Approval at this stage will enable the recruitment process to commence without delay and support the timely strengthening of governance and leadership arrangements.

4. Risk(s) of not taking the decision

- Continued uncertainty regarding leadership and governance arrangements, potentially impacting organisational stability and staff confidence.
- Delays in implementing the recommendations arising from the independent review, increasing the risk that identified governance weaknesses remain unaddressed.
- Ongoing exposure to financial, operational and reputational risks due to a lack of clear accountability and strategic oversight.
- Reduced ability to drive organisational improvement and deliver strategic objectives in a timely and effective manner.
- Potential negative impact on stakeholder confidence, including the Council, partners, employees and service users.
- Further delays to recruitment and organisational development activity, which could impede the long-term sustainability and effectiveness of the organisation.
- Missed opportunities to strengthen governance arrangements and ensure the organisation is appropriately positioned to respond to future challenges and opportunities.

5. Financial impact if decision not taken forward

Failure to take this decision forward could result in continued financial risk to the organisation through delayed implementation of governance improvements and reduced financial oversight. This may lead to inefficiencies remaining unaddressed, missed opportunities to deliver savings, and an increased likelihood of budget pressures escalating. There is also a risk that prolonged uncertainty and the need for ongoing interim arrangements could incur additional costs, impacting the organisation's ability to achieve long-term financial sustainability and deliver value for money.

6. Statutory Officer clearances

Name: Lee Walsh

Date 14 September 2026

Comments

There will be financial implications arising from the remuneration of the permanent Chair, additional Non-Executive Directors and permanent Managing Director. The precise costs will depend on the final remuneration packages agreed following consultation with the MioCare Board and MioCare's independent Remuneration Committee. These packages will be developed using independent HR advice and external benchmarking to ensure they are appropriate and competitive. At this stage, the report is for overview only.

It must be noted that MioCare is a company limited by guarantee wholly owned by the Council as sole shareholder. Whilst the Council has a legitimate interest in the governance, performance and sustainability of the company, it is important that the respective roles of the shareholder, Board of Directors and executive management

remain distinct and are exercised in accordance with company law and the company's own Governance structure and processes.

b. Monitoring Officer

Name: Alex Bougatef

Date: 14 September 2026

Comments:

The exercise of emergency powers should be undertaken in consultation with the Leader or Deputy Leader of the Council. However, the Council has not yet appointed a Leader or Deputy Leader for the current municipal year so it is not possible to consult them. In addition, there is no certainty about when a Leader or Deputy Leader will be appointed, as the Council has failed at successive meetings to do so. For the reasons given in the report an urgent decision is required and the matter cannot await the appointment of a Leader and Deputy Leader at some undetermined future date.