

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.15 P.M. ON MONDAY, 30 NOVEMBER 2015

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor John Pierce (Chair)	
Councillor Danny Hassell (Vice-Chair)	
Councillor Mahbub Alam	–
Councillor Amina Ali	– Scrutiny Lead for Adult Health and Wellbeing
Councillor Peter Golds	– Scrutiny Lead for Law Probity and Governance
Councillor Denise Jones	– Scrutiny Lead for Communities, Localities & Culture
Councillor Md. Maium Miah	– Scrutiny Lead for Resources
Councillor Shah Alam	–

Co-opted Members Present:

Nozrul Mustafa	– (Parent Governor Representative)
Victoria Ekubia	– (Roman Catholic Church Representative)
Dr Phillip Rice	– (Church of England Representative)
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Other Councillors Present:

Councillor Shiria Khatun
Councillor Rachael Saunders

Apologies:

Rev James Olanipekun	– (Parent Governor Representative)
Councillor Oliur Rahman	–
Councillor Helal Uddin	– Scrutiny Lead for Development and Renewal

Others Present:

Andy Bamber	– (Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture)
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Kate Bingham	– (Service Head, Children's and Adults Resources)
Mark Cairns	– (Senior Strategy, Policy and Performance Officer)
Ruth Dowden	– (Complaints & Information Manager, Legal Services, Law Probity & Governance)
Borough Commander Andrew Ewing	– (Borough Commander, Tower Hamlets Metropolitan Police Service)
Debbie Jones	– (Interim Corporate Director, Children's Services)
Kevin Kewin	– (Service Manager, Strategy & Performance)
Graham White	– (Interim Head of Legal Operations, Law Probity and Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Rev James Olanipekun; Councillor Oliur Rahman and Councillor Helal Uddin.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

3. UNRESTRICTED MINUTES

The Chair **Moved** and it was:-

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 2nd November, 2015 be approved as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items

5. UNRESTRICTED REPORTS 'CALLED IN'

Nil items

6. SCRUTINY SPOTLIGHT

6.1 Crime and Disorder Spotlight Session

The Committee heard from the Police Borough Commander, Andrew Ewing regarding police performance in Tower Hamlets including the importance of raising

public confidence. He then received feedback from Members in a range of areas, including neighbourhood policing, response times, knife crime and the enforcement of the 20 mph limit. The main points of the discussion may be summarised as follows:

1. The Treasury had now indicated that police spending would be protected in line with inflation, which would represent an increase of £900m by 2019-20;
2. With regard to the MOPAC7 Performance the Borough had not seen the reduction in car and property crimes as evidenced elsewhere in London;
3. The Borough's Wards each have a panel made up of members of the community who live or work within that ward. These panels meet regularly to discuss the concerns facing the local community around crime and anti-social behaviour, and help set the priorities that the local police team will tackle e.g. knife and drug crimes. They also get involved in working proactively with the police team and local partner agencies such as the Council to find lasting solutions to these priorities;
4. The Borough Commander is happy to attend other local community meetings to hear what needs to be addressed and to build trust with all communities;
5. The police service considers that if accompanied by proper engagement and education with the local communities then the 20mph limit can be enforced.
6. Mobile Police Office (MPO) Community safety surgeries and ward walkabouts are being held. These will be targeting specific locations in each ward that are ASB/crime hot spots. This will be an ideal opportunity for partners to visit individual wards together and experience first-hand the local issues affecting residents. Issues identified at the walkabouts will be taken away by the relevant partners to action and respond to promptly.
7. Details of the Community safety surgeries and ward walkabouts are available on the [website](#)
8. The police service want to encourage wider use of the police non-emergency number [101](#)
9. There would be an increase in the counter-terrorism budget by 30%; investment in new border security and increased protective measures around key locations and increase reassurance to all communities within the metropolis.

In conclusion the Chair placed on record his thanks to Borough Commander and the Portfolio Lead Member for their attendance and participation at tonight's committee meeting.

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Transparency Report

The Committee received and noted the final report that outlined the evidence, findings and recommendations of the Transparency Commission (Appendix 1 of the report refers), which ran over the course of three Committee meetings in July, September and October 2015. The main points of the discussion maybe summarised as follows:

The Committee:

1. Welcomed the report which was considered to be thorough and reflected well the key issues and findings of Members;
2. Heard that in Tower Hamlets, a lack of transparency was an issue identified in the Best Value inspection of the Council in 2014, particularly in relation to decision-making on grants. While the specific problems highlighted in the inspection are being addressed through the Council's Best Value Action Plan, transparency was also a key theme of the recent local mayoral election, and it remains a matter of real interest and concern to local people;
3. Heard that The Commission's evidence-gathering sessions took place at meetings on 27th July, 7th September and 5th October 2015, where it heard from the Mayor, officers, local journalists and bloggers, trade unions, and professional experts involved in improving transparency in other authorities and organisations. It also consulted other sources, and held a public consultation to gauge perceptions of council transparency;
4. Acknowledged that transparent open data is essential for accountability, and providing access to Council held data can empower individuals, the media, civil society and businesses to achieve better outcomes for themselves and for public services;
5. Welcomed the recommendation regarding a new process for deciding on the spending of planning contributions that is both open and transparent, and includes resident involvement;
6. Heard that the challenges for the Council in the coming years are unprecedented. Therefore, there is a need to enhance the role of the Overview and Scrutiny Committee to support the Council to meet these challenges, along with the requirements of the Best Value Improvement Plan;
7. Wished to see that there was a properly developed dialogue between the community; the Third Sector and the Council to ensure meaningful and lasting change; and
8. Indicated that with regard to the draft Commission report the following changes be made:
 1. That "where it is appropriate" should be removed from Recommendation 1;
 2. Addition of an Open Data Champion recommendation;
 3. Addition of a recommendation on six-monthly progress updates on open data recommendations (Pages 5 and 25)
 4. Additional brief context on the Best Value Inspection and the Secretary of State's view within the introduction (Page 5).

Accordingly, the Chair **Moved** and it was:-

RESOLVED

To agree the report and recommendations included in Appendix 1 subject to the amendment referred to in 8 (1) above, for submission to the Mayor in Cabinet.

7.2 Planning for School Places

The Committee received and noted a report that followed up from the scrutiny challenge session on tackling the school places gap – pupil place planning and the impact of academies and free schools. The main points of the discussion may be summarised as follows:

The Committee heard that:

1. Decisions were taken by Cabinet in May 2015 to create 5FE of new primary capacity by development of the Former Bromley Hall School site and the Former site of Bow Boys' School. The places are expected to be available from September 2018. Further options for other sites will be brought forward to meet the programme needs. The options will take account of other capacity being created as part of other development schemes, such as the Wood Wharf site;
2. Where new schools are agreed LBTH have continued to build positive relationships with them at the Member and officer level and sell the benefits of the family of schools, including council services on offer. Accordingly, the Council facilitates network meetings for head teachers to ensure they are kept up-to-date with policy and other developments in Tower Hamlets. All head teachers, including those from academies and free schools, are invited to these meetings. In addition, the Council provides a weekly e-bulletin during term time to heads and academy and free school heads are invited to subscribe to this. This being part of the process to develop good schools rooted within the communities that they seek to serve;
3. The Council is working with the Canary Wharf Group on the details of the proposed primary capacity at Wood Wharf. It is anticipated that this will be available in 2020. Whilst the development of a scheme at 3 Millharbour has been approved for consent by Strategic Development Committee although there is no programme for implementation at this stage.
4. The Council is currently undertaking a public [consultation](#) on its school admission arrangements for 2017/18. An analysis of the responses and recommendations will be presented to Cabinet in February 2016.
5. A breakdown of outcomes by Council ward and parental preference for both the 2015/16 secondary transfer and primary coordination exercises had been provided to Members via Council bulletins in March and April 2015, including an analysis of Tower Hamlets performance as compared with the other 32 London Boroughs;
6. Action on this is now being taken forward to develop the Tower Hamlets Schools Partnership. This is a schools-led approach which aims to promote and extend existing joint working. The value of the existing partnership and collaborative working arrangements it was noted are recognised and valued. The Partnership proposal will seek to establish an organisational vehicle to embed a more formal organisation; and
7. LBTH has a duty to secure sufficient primary and secondary schools in their area. Schools are regarded as sufficient if they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. However, the Committee commented that the development of schools in LBTH must continue to be mindful of the impact any such expansion has upon the existing infrastructure e.g. libraries and play space.

Accordingly, the Chair **Moved** and it was:-

RESOLVED

1. To note the contents of this report.

7.3 Complaints and Information Annual Report

The Committee received a report that provided information regarding the Council's handling of complaints and information requests in the year 2014/15. An outline of the key elements of the discussion is set out below:

The Committee:

1. Heard that whilst the response times for information requests improved, however these are still below target, although there has been a significant increase in the number of requests by 12%;
2. Noted that overall, the number of corporate complaints increased during 2014/2015 with Stage 1 complaints had increased by 17%. The reasons for this it was noted were unclear, however the population continues to increase in the borough and effects of the Government's social welfare reforms may have also had an effect;
3. Was advised that the most successful organisations encourage service users to complain, and as such a high volume of complaints is often an indication of a healthy relationship with service users. However, complaints should be resolved at the lowest possible point and the escalation of complaints can indicate difficulties in addressing matters at the service level. With these objectives in mind, the Council has adopted corporate performance standards, designed to ensure complaints are dealt with in a timely fashion;
4. Heard that performance is regularly reviewed by both the Corporate Management team and elected Members. The Complaints and Information Team identifies themes and works with the service areas to bring about effective change;
5. Noted that the overall response rate has improved with 80% being answered within the statutory timeframe. However, the performance had been impeded during the implementation of new software and that many of the complaints were very complex in size and nature;
6. Heard that work is being done to raise this performance by (i) improving the internal processes and raising awareness; (ii) modifying the database to ensure automated reminders are sent; (iii) producing weekly due and outstanding lists; (iv) more formal training has and will be provided to relevant staff; and (v) introducing new software which should also assist in improving performance;
7. Whilst noting the figures relating to Tower Hamlets Homes (THH) Complaints by Division and Section, the Committee indicated that it wished to receive a further report that provided more details on what THH is doing to address those issues raised by tenants and leaseholders especially those arising from the Decent Homes Programme e.g. the response times to resolve any complaints and a breakdown of the issues raised by THH tenants and leaseholders;
8. Heard that the Local Government Ombudsmen (LGO) in their Annual Review Letter 2015 had stated that the total number of complaints will not, by itself, give a clear picture of how well complaints are being responded to. Accordingly, over the coming year the LGO will be gathering more comprehensive information about the way complaints are being remedied so that in the future their annual letter focuses less on the total numbers and more on the outcomes of those complaints;
9. Noted that one of the purposes of the annual letter from the LGO to LBTH is to help ensure that learning from complaints informs scrutiny at the local level.

Supporting local scrutiny is one of the key business plan objectives of the LGO for this year and they will continue to work with elected members to help them understand how they can contribute to the complaints process;

10. Noted that the Localism Act 2011 had provided tenants of housing associations and local authorities are able to ask for their complaints to be considered by a “designated person” when their landlord’s internal complaints procedure is finished. The “designated person” can be an MP; local councillor and or a recognised Tenant Panels in resolving complaints. If the “designated person” cannot help they can refer a complaint to the Ombudsman. The Committee looked forward to receiving details of the “designated person” in LBTH;
11. Heard that the LGO had recently worked in partnership with the Local Government Association to produce a workbook for councillors which explains how they can support local people with their complaints and identifies opportunities for using complaints data as part of their scrutiny tool kit. The Committee also noted that this can be found on this [link](#) and the LGO would be writing to encourage LBTH councillors to make use of this resource; and
12. Noted that the Complaints and Information Team have organised training sessions for councillors regarding the handling of complaints and information requests.

Accordingly, the Chair **Moved** and it was:-

RESOLVED to:

1. Note the performance figures for 2014/2015 under the complaints procedures and for requests under the Freedom of Information Act and Data Protection Act;
2. Note the work of Council in relation to Information Governance matters;
3. Note that remedial action in respect of complaints and lessons learnt are will be drawn out further in the 6 month update report;
4. Receive details of the “designated person” in LBTH;
5. Receive details of the when Complaints and Information Team organise training sessions for councillors regarding the handling of complaints and information requests; and
6. Receive details on what THH is doing to address those issues raised by tenants and leaseholders especially those arising from the Decent Homes Programme.

8. VERBAL UPDATES FROM SCRUTINY LEADS

The Committee received and noted a series of following verbal updates from the Scrutiny Lead Members. Which is summarised as follows:

1. Councillor Jones was holding a Recycling Challenge Session;
2. Councillor Danny Hassell was undertaking a Challenge Session on SEN;
3. Councillor Amina Ali was undertaking Scrutiny Sessions to consider Maternity Services and Children’s Mental Health Services.
4. Councillor John Pierce indicated that he wanted to involve the Young Mayor in the Prevent Review; and
5. Councillor Md. Maium Miah advised that he would be arranging a Challenge Session on the Workforce.

In addition:

6. The Committee asked for details on a schedule of the Challenge Sessions to be circulated so that all Scrutiny Members could attend; and
7. Councillor Peter Golds suggested that consideration should be given to revising the Work Plan to include a Spotlight Session on the work of the Governance Review Working Group.

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The following pre-decision questions were submitted to the Mayor in Cabinet for 1st December, 2015:

Agenda Item 5.1 – Our Borough, Our Plan – Local Plan First Steps

The Overview & Scrutiny Committee:

The Committee received and noted this report and felt that it needed to be as meaningful as possible they wanted:

1. the consultation period to be extended to 12 weeks to ensure it was a truly meaningful process;
2. to see a large scale promotion of the consultation activities in East End Life in advance of the events;
3. to know if the Council has local planning standards; and
4. to know if the Council has the ability to insist on particular area guidelines for school such as those outlined in Building Bulletins 98 and 99.

Response received: At Cabinet on 1st December, 2015 Councillor Rachel Blake, Cabinet Member for Strategic Development, reported that the effective consultation period was 11 weeks and that plans to promote the consultation were set out. She had agreed that planning standards for play areas were important and she would work with the Cabinet Member for Education and Children's Services on that issue. This needed to look at all play spaces and not just in schools.

Agenda Item 5.6 – Scrutiny Review – Literacy Across Early Years, Primary, Secondary and Adult Learning

The Committee noted that:

1. The Triage tool referred to in recommendation 9 and 13 (**Page 168 Paragraph 3.7 refers**) has now been discontinued. Therefore, the Committee wished to know what this means for those adults with poor reading skills who cannot read prescriptions and are reluctant to ask for clarification from their GP as this will show that they have poor literacy skills; and
2. The scope of Recommendation 1 is restricted by financial priorities of the Council (**P169 Paragraph 3.8 refers**). The Committee wished to know what are the Council's future intentions regarding the funding of nursery education in Tower Hamlets.

Response received: At Cabinet on 1st December, 2015 Councillor Rachael Saunders, Cabinet Member for Education and Children's Services, reported that Skills Match had decided to stop using the Triage Tool which directed users to various support services. She would work with the Cabinet Member for Work and Economic Growth on the best way of providing that service. She also provided a summary of the Council's plans for nursery provision including that the Council was reviewing provision with the aim of improving the options available.

10. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

Nil items

11. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no exempt/confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

14. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil items

15. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

Nil items

The meeting ended at 10.15 a.m.

Chair, Councillor John Pierce

Overview & Scrutiny Committee