

OVERVIEW & SCRUTINY COMMITTEE

Wednesday, 25 October 2017 at 6.30 p.m., Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

This meeting is open to the public to attend.

Members:

Chair: Councillor Dave Chesterton

Vice Chair: Councillor Clare Harrisson Scrutiny Lead for Health, Adults & Community

Councillor Danny Hassell Scrutiny Lead for Children's Services

Councillor Muhammad Ansar Mustaqim

Councillor Oliur Rahman

Councillor Rabina Khan

Councillor Ayas Miah Scrutiny Lead for Governance

Councillor Helal Uddin Scrutiny Lead for Place

Councillor Andrew Wood Scrutiny Lead for Resources

Co-opted Members:

Shabbir Chowdhury Parent Governors

Joanna Hannan Representative of Diocese of Westminster

Asad M Jaman Muslim Faith Community

Fatiha Kassouri Parent Governors

Dr Phillip Rice Church of England Representative

Christine Trumper Parent Governors

Deputies:

Councillor Abdul Asad, Councillor Ohid Ahmed, Councillor Rajib Ahmed, Councillor Chris Chapman, Councillor Gulam Kibria Choudhury, Councillor Md. Maium Miah and Councillor Candida Ronald

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

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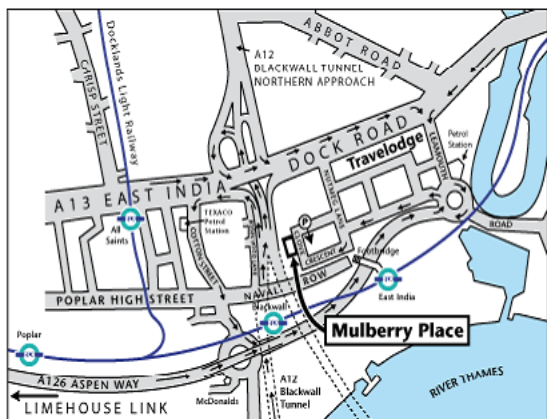
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SECTION ONE	WARD	PAGE NUMBER(S)
1. APOLOGIES FOR ABSENCE		
To receive any apologies for absence.		
2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST	All Wards	7 - 10
To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Interim Monitoring Officer.		
3. UNRESTRICTED MINUTES - THURSDAY 14TH SEPTEMBER, 2017	All Wards	11 - 28
To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee that was held on Thursday 14 th September, 2017.		
4. REQUESTS TO SUBMIT PETITIONS	All Wards	
To receive any petitions (to be notified at the meeting).		
5. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG 2017/18	All Wards	
The Committee is asked to consider an update on the outstanding actions arising from the last meeting (to be notified prior to the meeting).		
6. UNRESTRICTED REPORTS 'CALLED IN'	All Wards	
No decisions of the Mayor in Cabinet held on Tuesday 19 th September, 2017 in respect of unrestricted reports on the agenda had been 'called in'.		
7. SCRUTINY SPOTLIGHT	All Wards	
7.1 Medium Term Financial Strategy 2018 – 2021	All Wards	29 - 44
The Council is under a duty to set a balanced and		

sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities.

A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.

8. UNRESTRICTED REPORTS FOR CONSIDERATION

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|------------|---|------------------|----------------|
| 8.1 | Plan Challenge session progress update - Improving disabled and ethnic minority staff representation at the senior management (LPO7+) level [Workforce Diversity Action] | All Wards | 45 - 80 |
|------------|---|------------------|----------------|

This report follows up from the scrutiny challenge session on improving disabled and ethnic minority staff representation at the senior manager (LPO7+) level, which went to Overview and Scrutiny Committee (OSC) on 10 February 2016, and a subsequent report and action plan considered by OSC in September 2016. This report reviews the progress against the action plan.

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| 8.2 | Adults Safeguarding | All Wards |
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To follow

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|------------|--|------------------|
| 8.3 | Community Safety Partnership Plan 2017 - 21 | All Wards |
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To follow

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| 9. | VERBAL UPDATES FROM SCRUTINY LEADS | All Wards |
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The Committee with received 5 minute presentations from the Scrutiny Lead Members on those matters relating to their individual portfolios.

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| 10. | PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS | All Wards |
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To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet. (Time allocated – 30 minutes).

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|------------|--|
| 11. | ANY OTHER UNRESTRICTED BUSINESS |
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WHICH THE CHAIR CONSIDERS TO BE URGENT

To consider any other unrestricted business that the Chair considers to be urgent.

12. EXCLUSION OF THE PRESS AND PUBLIC **All Wards**

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

SECTION TWO

WARD

**PAGE
NUMBER(S)**

13. EXEMPT/ CONFIDENTIAL MINUTES **All Wards**

Nil items

14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet held on Tuesday 19th September, 2017 in respect of exempt/ confidential reports on the agenda had been 'called in'.

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

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated 15 minutes).

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

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Overview and Scrutiny Committee

Thursday, 23 November 2017 at 6.30 p.m. to be held in Room C1, 1st Floor, Town Hall,
Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE INTERIM MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Interim Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Interim Monitoring Officer following consideration by the Dispositions Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Interim Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer. Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD ON THURSDAY, 14 SEPTEMBER 2017

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

Members Present:

Councillor Clare Harrisson (Vice-Chair in the Chair)
Councillor Danny Hassell – Scrutiny Lead for Children's Services
Councillor Rabina Khan
Councillor Ayas Miah – Scrutiny Lead for Governance
Councillor Helal Uddin – Scrutiny Lead for Place
Councillor Andrew Wood – Scrutiny Lead for Resources

Co-opted Members Present:

Shabbir Chowdhury – Parent Governors
Fatiha Kassouri – Parent Governors
Dr Phillip Rice – Church of England Representative
Christine Trumper – Parent Governors

Other Councillors Present:

Mayor John Biggs
Councillor Rachel Blake – Cabinet Member for Strategic
Development & Waste
Councillor David Edgar – Cabinet Member for Resources
Councillor Amy Whitelock Gibbs – Cabinet Member for Education and
Children's Services
Councillor John Pierce – Mayoral Advisor on Anti-Social
Behaviour

Apologies:

Councillor Muhammad Ansar Mustaqim
Councillor Oliur Rahman
Joanna Hannan – Representative of Diocese of
Westminster
Asad M Jaman – Muslim Faith Community

Officers Present:

Janet Fasan	– (Divisional Director, Legal)
Afazul Hoque	– (Interim Service Manager, Strategy, Policy & Performance)
David Knight	– (Principal Committee Services Officer)
Christine McInnes	– (Divisional Director, Education and Partnership, Children's)
Nancy Meehan	– (Interim Divisional Director, Children's Social Care)
Neville Murton	– (Divisional Director, Finance, Procurement & Audit)
Roy Ormsby	– (Divisional Director, Public Realm, Place)
Matthew Pullen	– (Infrastructure Planning Manager)
Ann Sutcliffe	– (Acting Corporate Director, Place)
Brian Snary	– Financial Accountant - Resources
David Tolley	– (Head of Environmental Health and Trading Standards)
Philip Wadsworth	– (Local Plan Place Team Leader)
Owen Whalley	– (Divisional Director, Planning & Building Control)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Oliur Rahman and Councillor Muhammad Ansar Mustaqim

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES

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

RESOLVED

That the unrestricted minutes of the meetings of the Overview and Scrutiny Committee held on 20th July, 2017 was 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 Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (Regulation 19 consultation) AND Adoption of the Statement of Community Involvement (SCI) Refresh

The Committee received a presentation from Councillor Rachel Blake (Cabinet Member for Strategic Development & Waste) highlighting a number of key issues in relation to Waste Management and the Local Plan.

The questions and comments from Members on the report may be summarised as follows:

Regarding the collection, transportation, disposal or recycling and monitoring of waste the Committee:

- Asked when LBTH will have new Underground Refuse System [URS] Trucks; access to clear sacks for plastics and improving educational awareness on recycling Food Waste;
- Noted in response that the current 3 URS trucks are too old and maintenance is an issue given their age. However, two new URS Trucks will be purchased in April 2018. Then the 3rd and oldest URS Truck will be taken out of service leaving 4 operational trucks;
- Commented that it was important to keep landlords informed when any of the fleet of URS trucks are out of service and when LBTH will have to use cadged refuse vehicles instead;
- Noted that clear sacks for plastics are available at major retail outlets and officers are working on options to increase access to such bags so as to help residents recycle;
- Noted that regarding food waste residents need proper education on how to recycle this type of waste and what they can do so as to facilitate the recycling of such waste;
- Indicated that there was more face to face work was needed to improve recycling and garden composting;
- Noted recycling in June hit 30% instead of the anticipated 27% which whilst a positive improvement it was accepted that LBTH needs to do better;
- Noted that in new local plan LBTH will be looking at how homes in developments can be design from the outset to accommodate storage of dry recycling and food waste and address noise pollution e.g. Education is a good idea as

then children to act as a lever to get their parents to recycle;

- Noted that “missed bins” are a significant issue for local residents especially relating to the collection from URS sites and the actual numbers of “missed bins” in LBTH is currently running at under 1%. However, residents have indicated that apparently when they contact the Streetline Team to arrange for bulky or large waste to be collected it can be very frustrating due to the poor response times;
- Noted that regarding the contamination of re-cycling bins the solution to this can be down to proactivity of the crews. Although the cost of waste recycling is an issue as this can vary significantly.

With regard to the Local Plan it was noted that this is the Council’s most important planning document, guiding development and to help manage future growth across LBTH. A new Local Plan has therefore been prepared to respond to local requirements and to reflect national and regional policy changes that have emerged in recent years, such as the Borough’s housing target which was substantially increased through the London Plan in 2015. The Local Plan has been informed by comments received during the two previous rounds of consultation and an up-to-date evidence base the Committee:

- Noted that in terms of air quality residents want LBTH to take a robust stance;
- Noted that LBTH have 90 monitoring sites in total across the Borough that checks air quality;
- Commented that they would like to know what is happening to address air quality around primary schools and what is being done to address pollution from commercial vehicles emissions especially in those areas where there is a large foot fall;
- Commented that residents have raised concerns about general smoke control areas and the use of the waterways (**e.g.** complaints of the smoke/odour from canal boats using their generators whilst docked which becomes an issue in the Autumn and Winter);
- Indicated that the location of schools should give consideration to not locating in areas of high pollution (**e.g.** Building of school on London Dock);
- Noted that in new Local Plan all schools need to have air quality impact assessments;
- Noted that 9,000 Londoners die due to poor air quality and there is a major issue on the impact on the quality of life in the metropolis;
- Stated that there needs to be a national intervention on these issues (**e.g.** pollution from vehicles that have had

their engines left idling whilst parked);

- Felt that there was a need to look at impact of the Night Time Economy [NTE] on residents;
- Asked will the Local Plan should address the provision of affordable housing and social and physical infrastructure. In response it was noted that under the new policies that new developments should have social/living rents;
- Asked how LBTH can address residents' concerns at changes to an area and the actual/perceive negative impacts upon residents. In response it was noted that schemes need to be liveable for the local residents and working to address that;
- Noted that the Local Plan is in alignment with the Regional Plans and it is intended also to align it to the London Mayor's 30 priorities (**e.g.** GLA has been in consultation with London Boroughs and LBTH have also consulted internally);
- Noted that Whitechapel is in the City Fringe OAPF [Opportunity Area Planning Framework] and not overlooked especially the infrastructure required. However, the Committee wished to see the infrastructure to be in place before any development or alongside. However, it was noted that national guidance is very prescriptive and does not allow LBTH to be that inflexible;
- Noted that LBTH is awaiting for the outcome of the Grenfell enquiry on clear guidance on cladding; building and fire regulations;
- Noted that LBTH aim to be flexible to respond to those outcomes and changes in demand as a consequence of decision to leave the European Union;
- Noted that LBTH needed to look at the population churn and that the communities do need to have a real voice in these developments (**e.g.** LBTH has established a Self-Builders forum where both self-builders and construction professionals can gather information, ask questions and share the benefit of their knowledge and experience);
- Whilst noting that there seems to be positive progress in LBTH but there remains the consequences of poor regulation which has been referenced in the Plan;
- Noted that the Plan looks to make as much land as possible be accessible to the public **e.g.** A key proposal in the Plan is to create a continuous walk along banks of Thames;
- Noted the Plan aims to address safety issues around homes in new developments especially safety around kitchen areas and having homes with adequate space for families.

6.2 New Strategy for Children and Young People with SEND: proposed consultation update

The Committee received and noted an external review of Special educational needs and disability (SEND) and high needs which had identified some support for children and young people with special needs and disabilities is good but there were significant areas in urgent need of review and improvement. Benchmarking showed the demand for Education, Health and Care Plans in Tower Hamlets to be relatively high and growing whilst national funding is relatively static. It was noted that the development of a new SEND strategy is needed to provide a clear and transparent framework to support the difficult decisions we need to make to ensure good value for money, fairness and equity. This paper provides

- Data on children and young people with SEND and available funding
- The rationale for the development of a new SEND strategy
- The proposed structure of the draft strategy and an outline of the development process; and
- Proposed governance of SEND.

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- Work is being undertaken to engage families to shape and develop the Strategy and ensure that these children have fulfilling lives;
- The undertaking of a full strategy review has meant families are now more aware and they are asking for help earlier than before;
- There has been some concerns raised about the diversity of Free Schools [e.g. the provision in Free Schools; their offer and approach may not be one that fulfils the SEND needs of family's children] whilst some of the Grant Maintained Schools are doing an outstanding job in supporting the diversity agenda;
- Some Councils take a different approach than rather than issuing an Education, Health and Care Plan [EHCP] they use funding differently as based on a councils own method of identifying additional support than the EHCP route. Also they identify SEND needs earlier which means needs can be addressed and held at the SEN support stage than through an EHCP.
- In past the process of producing a Statement of Special Educational Needs (SEN) focused on a Child's Educational Needs but now the EHCP considers health care and Social Needs as well;

- That LBTH are confident that LBTH will meet its statutory deadline to convert all statements to EHCP's;
- That the DfE very interested in work being done in LBTH to develop children's EHCPs and they have reported very positively on the progress made and they have been assured by this progress;
- Felt that the development of this Strategy means the needs of children can be addressed and addressed well against the back drop of the current financial climate;
- Noted that officers are confident that the Tower Hamlets Educational Partnership will fully support this process; and
- LBTH is in dialogue with local schools on supporting the establishment of specialist units where they have significant number of SEN pupils on roll needing support. Plus the development of such units will attract extra funding.

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Best Value Improvement Plan Update

The Committee received a report that provides an update on the Council's Best Value Improvement Plan 2017-18 covering the period April-September 2017. The report built upon the June 2017 submission to the Secretary of State and detailed the continuous progress against the five areas of Communications, Property, Elections, Organisational Culture and Grants and the 26 actions found within the Improvement Plan. As a result of consideration of this report:

The Committee **noted**:

- The preparations for 2018 elections;
- That the lessons learnt and areas for improvement from the 2017 General Election will be incorporated into poll staff training;
- That whilst the Returning Officer was in favour of ID at polling stations LBTH was no longer participating in the Cabinet Office ID Pilot Scheme. It was noted that whilst initial meetings had taken place during 2017 along with General Election review meetings. The next meeting was not scheduled until September 2018 and whilst it was noted that there had been no clear direction received from the Cabinet Office the view was expressed that this was a miss opportunity to participate in this scheme;
- That the Revised Register of Electors 2018 to be published in December 2017; and
- That there will be awareness raising and publicity for 2018 elections;
- Due to the complexity of the combined elections in 2018, mandatory face to face training will take place in April 2018.

7.2 Creating a Balanced Night Time Economy in Tower Hamlets

The Committee received a report that outlined the recommendations of the scrutiny review on creating a balanced night time economy in Tower Hamlets. The focus of this review being the delivery of a balanced Night Time Economy [NTE] in the Borough, ensuring that the benefits of a thriving local NTE are balanced against mitigating the negative impacts that the NTE can have on local people. The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- There was a need to develop a balance economy and a voice for local people and the apparent failure of the cumulative impact zone. Also it was felt that the value of the night time economy is unclear in LBTH whereas in Westminster there is considered to be a clear understanding of the NTE e.g. the level of ASB in local Accident & Emergency Units and how best to address it and apparent increase in unlicensed guest houses and hotels;
- The Council should develop a vision for the coming five to ten years for the Night Time Economy in the Borough;
- The Council should appoint a “Night Czar” for the Borough who is a champion for a balanced Night Time Economy, a voice for all and not just businesses and their customers;
- The Council urgently needs to review its Cumulative Impact Zone as the policy has failed to control the growth of licensed premises;
- The Council ensures that if a Late Night Levy is introduced, funds raised by the Levy fund additional activity, clarity is gained about what the 70% of funding allocated to the Police will be used for and explores the Soho model of using the Late Night Levy as a way of bringing businesses and residents together;
- The Council maps the “customer journey” for local residents through the licensing and enforcement process, with the aim of creating a clear guide for local people on who to contact and when if they are being affected by the NTE, accompanied by service improvement;
- The Council should review its staffing approach for enforcement officers for issues such as noise nuisance and anti-social behaviour (ASB) to ensure that officers are available at times of high demand such as late night at weekends;
- The Council should ensure that its skills and employment support provides local residents and young people with the assistance that they need to take advantage of opportunities for employment in night time economy employers;
- The Council undertakes a review of its Assets of Community Value process, and ensures that provisions in the Local Plan are robustly and consistently applied to save pubs and clubs as community assets;
- The Council should explore licensing and enforcement options for new, “sharing economy” entrants to the NTE in the Borough;

- The Council should undertake a review of its approach to ensuring adequate public toilet facilities for those using the NTE and travelling between venues to reduce the impact of public fouling on residents local to NTE zones;
- The Council should conduct a comprehensive impact assessment of the impact of the Night Time Economy on residents, services and businesses.

Accordingly, the Chair Moved and it was:-

RESOLVED

To:

1. Agree the draft report and the recommendations; and
2. Authorise the Divisional Director for Strategy, Policy and Partnership to amend the draft report before submission to Cabinet, after consultation with the Chair of the Overview and Scrutiny Committee.

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Committee received and noted the Cabinet papers for the 19th September, 2017 and made particular references to those reports set out below. In addition, the Chair asked the Committee to submit any further pre decision scrutiny of the unrestricted Cabinet papers by 12:00 noon on the 15th September. These submitted pre-decision scrutiny questions of the unrestricted Cabinet papers for the 19th September, 2017 will then be circulated with the agenda papers for the October meeting [**Attached**].

8.1 Children's Services Improvement- progress report

The Committee received a report that provided an update on progress in delivering improvements to Children's Services in response to the report published by Ofsted in April 2017 which rated LBTH services 'inadequate'. The Council's improvement plan aims to achieve a standard of 'good' by April 2019, which is the minimum our children and families deserve.

The body of the report it was noted included a commentary on progress in the four themes of our improvement plan, which was submitted to the Department for Education and Ofsted in July 2017. Whilst some progress has been made in all four themes, this first quarterly report identifies that there remain significant challenges in moving the service towards a 'good' standard.

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- Progress will be monitored by Ofsted through quarterly monitoring visits. The first of these visits took place on 30-31 August, 2017. In their informal feedback, Ofsted noted the considerable progress that had been made in improving the management of contacts, referrals and assessments in our Multi Agency Safeguarding Hub (MASH) and Assessment and Intervention service, which was the focus of their visit. In their next visit, to take place in December, 2017 they will focus on the Family Support and Protection service where further progress needs to be made. As this was the first monitoring visit they recognised that it is early in the improvement journey and whilst good progress has been made, there is still a lot of work to do to ensure that improvement is fully embedded and the Service meets a consistently good standard;
- Whilst Ofsted feel LBTH are ambitious with the initial targets the longer term aim is for an outstanding service;
- LBTH is working to ensure that the Service needs to provide early help to families and there needs to be robust measurers in place;
- After a judgement as received by LBTH from Ofsted the number of referrals a Service can anticipate will increase;
- The 3 Divisional Directors will have over sight to ensure the families have the correct offer;
- The improvement in social work training;
- Both Staff and Managers are getting a clear message the focus of the changes needs to be what children need in LBTH not just about performance indicators;
- Supervision audits give social workers the support that they need and the recruitment is in hand to establish a stable work force and to lower of individual caseloads **e.g.** the volume of caseloads coming through the front door has surged after the Ofsted judgement and that this increase is working its way through the system;
- Concerning the recruitment and retention strategy LBTH is working to provide incentives for staff to remain with the Council for a number of year's **e.g.** Many LBTH staff have a real passion to meet the needs of those families that they are supporting; Need to use the passion of LBTH staff to illustrate why it is the best place to work and to convince staff to stay on from being on either agency/short term contracts;
- Noted we do now have a stable agency cohort and have addressed poor performance so that the Service is the one needed to support LBTH children in their journey;
- Noted in October there will be a Children's Spotlight session to allow there to be a really focused debate;
- Agreed that LBTH need to ensure that families have the confidence in staff to come forward to ask for their help and that the necessary structures are in place to address trafficking and adoption; and
- The Portfolio Lead Member wanted the Scrutiny Lead to identify areas of concern for discussion at the Spotlight Session.

8.2 Corporate Budget Monitoring Report Period 3 (June 2017) 2017-18

The Committee received a report that detailed the financial outturn position of the Council at the end of Quarter 1 for 2017-18 compared to budget, and service performance against targets. It also included the quarter 1 position for the:

- I. General Fund (GF) Revenue Budget Position
- II. Housing Revenue Account (HRA) Budget Position
- III. GF and HRA Capital Programme Performance
- IV. Savings
- V. Progress delivering Council Growth Priorities, including Mayoral Priority Growth
- VI. Forecast use of Reserves
- VII. S106, CIL and Capital Receipts Income
- VIII. Council Tax and Business Rates Income
- IX. Debtors & Creditors
- X. Treasury Management Activities
- XI. Pension Fund Investments Position

The questions and comments from Members on the report may be summarised as follows:

The Committee:

- Questioned if the areas to be addressed will make up the ground. In response it was noted that whilst the forecasts indicate underspends it is recognised that there are pressures on the Budget they may have an impact; and
- Noted that the benefits that will come from the Brexit process will need to be carefully considered against the needs of the communities in the Borough.

8.3 Q1 (April-June) Strategic Performance Monitoring Report

The Committee received a report that provided details of the Council's performance against Strategic Measures during quarter one (April-June 2017).

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- The Council's Strategic Plan and Strategic Measures are focused upon meeting the needs of the diverse communities living in Tower Hamlets and supporting delivery of One Tower Hamlets. In particular, strategic priorities include the reduction of inequalities and the fostering of community cohesion;
- The Strategic Measure set contains the measures "Proportion of people with mental health problems in employment"; "Employment gap for women: reducing the gap between the Borough employment rate and employment rate for women"; and "Employment gap for BME residents: reducing the gap between the Borough employment rate and employment rate for BME residents";
- The data for Quarter 1 2017/18 shows that 5.8% of those aged 18-69 years old with an open CPA (care pathway approach) were in employment, just below the Council's stretch target of 5.9% of people with mental health problems in employment;
- On the measures of the employment gap for women and BME residents, performance did not meet the Council's minimum expectation for the quarter, however the Council's WorkPath service and wider WorkPath partnership continue to support residents into employment and has seen an 87% increase of 93 more jobs recorded compared to this time last year. 133 (85.3%) of the 156 Job Starts recorded by the WorkPath service were for BME residents, 150 of which delivered employment in excess of 16 hours per week. 361 (86%) of the 420 residents engaging with WorkPath were from the BME community. 67 out of the 156 (42.9%) Job Starts recorded by the WorkPath service were for female residents, 50 of which delivered employment of more than 16 hours per week;
- The Council was also successful in supporting 199 local people into employment during the quarter through the WorkPath Partnership. This is an increase of 93 residents that have been helped into employment compared to the same period last year. The WorkPath service has seen 27 more reported Job Starts for BME residents, 15 more reported for female residents, 18 more for BME female and 9 more Lone Parents compared to the same period in 2016/17; and
- The WorkPath Service works with key Council services and external partners including the Supporting Stronger Families, Job Centre Plus, Poplar HARCA, Housing Options, the Careers Service, Drug and Alcohol Team, Integrated Offender Management project (Probation service) and Ideas Stores to identify those residents who would benefit most from support, maximising engagement of women, disabled and BAME residents. WorkPath focuses on supporting economically inactive and long-term unemployed groups of residents (Residents furthest from the Labour Market, potentially with multiple barriers to employment), those that require extensive support over a longer period of time to get them job ready and into employment.

9. DRAFT OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

The Committee stated that it wanted a quarterly item on OSC agenda for Children's Improvement Plan.

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

**Chair,
Overview & Scrutiny Committee**

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LONDON BOROUGH OF TOWER HAMLETS
Pre-Decision Questions - Overview and Scrutiny Committee – 14th September 2017

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Cabinet Report	Questions / Responses
<p>Item 5.2 - Proposal for Mayoral Growth Funding - Additional Police Officers for Neighbourhoods</p>	<p>In the appendices of the report a number of options are set out for consideration however not clear if it will be big teams or within one ward.</p> <p>Response:</p> <p>The recommended option is based upon having four teams (the existing Partnership Task Force and three new teams) who will operate on a neighbourhood basis as set out within the recently published ‘Anti-Social Behaviour – A Blueprint for Local Action’. The focus will be on protecting neighbourhood policing and directing the resources to priority areas which are of concern to Tower Hamlets residents.</p> <p>The appendices set out the options considered for increasing the existing council funded policing team (Partnership Task Force - PTF). These options vary in terms of number of officers, size and number of teams. The options also considered different models including:</p> <ol style="list-style-type: none"> I. Purchasing additional officers to supplement existing Metropolitan Police Safer Neighbourhood Teams within the wards II. Focusing on selected hotspot wards III. Setting up another PTF to respond to other hotspots across the borough IV. Setting-up further dedicated teams to cover geographical areas (clusters of wards) – this is the recommended option
<p>Item 5.3 - Electric Vehicle Charging Points</p>	<p>1. To note that Tesla & Ubitricity are looking for an East London Borough to work with on a trial</p> <p>Response:</p> <p>This point is noted and we will engage with these and several other providers who are also interested in bringing forward trials in the area.</p>

Cabinet Report	Questions / Responses
<p>Item 5.7- Planning for School Places – 2017/18 Review</p>	<p>1. Do the findings reflect the GLA Isle of Dogs and South Poplar Opportunity Area Planning Framework DIFS which calculates we need 5 new schools in the next 5 years and 12 in the next 10 years in that area? Between 15 and 20 schools in the next 20 years depending on growth options.</p> <p>Response:</p> <p>The Isle of Dogs and South Poplar Opportunity Area Planning Framework (IoDSP OAPF) is currently still in development and is not expected to be finalised until early 2018, after a period of consultation. The GLA’s Development Infrastructure Funding Study (DIFS) which supports the OAPF is also still in draft form, is based on a snapshot of information available in Q1 2017 and considers a strategic 25 year period until 2041.</p> <p>The projections presented in this report are not directly comparable to the methodology, timescale or planning policy position utilised by the long term strategic OAPF and DIFS. This report uses the GLA’s School Roll Projection Service which uses a different, more sophisticated methodology than that used in the draft IoDSP OAPF, more suitable for considering shorter term needs. These projections are not only based on future housing development, but also take into account historical trends in migration, birth and the school rolls. The timescale considered is different to the DIFS and the housing development taken into account is the Local Plan development trajectory which is the most appropriate current planning policy position for LBTH.</p> <p>We will continue to work closely with LBTH Planners and the GLA to understand the need for school places in this area and the borough more widely on a regular and on-going basis.</p>
<p>Item 5.19 - Medium Term Financial Strategy 2018 – 2021</p>	<p>1. Does the capital strategy include the findings of the GLA Isle of Dogs and South Poplar Opportunity Area Planning Framework DIFS which calculates a capital programme in the area of between £1bn and £1.3bn in the next 25 years?</p> <p>Response:</p> <p>As set out in the response against item 5.7 the GLA OAPF DIFS remains in draft form but will be used to inform the Council’s Capital Strategy work taking into account the Council’s priorities and affordability.</p>

Cabinet Report	Questions / Responses
	<p><i>Capital Strategy and Programme 2017/18 onwards</i></p> <p>2. Why is the Infrastructure Development Board so un-transparent? No detail of meetings, no details of programme, almost nothing on the website? We only see proposed spend in Cabinet</p> <p>Response:</p> <p>We are currently considering all aspects of Governance relating to capital expenditure including the IDB. In addition to the IDB any resources which are given as grants are subject to the approval of the Grants Sub-Committee. We are also including further information on S106 and CIL resources as part of the normal budget monitoring information and this will continue to be developed.</p>
<p>5.20 - Mayor's Individual Executive Decisions – List of Recently Published - Appendix 3 - No168 Additional Police Resources on LBTH Housing Estates</p>	<p>Decision - Additional Police Resources on LBTH Housing Estates</p> <p>What was the urgency of this decision, given size why did it not go through normal Cabinet process? Why did it need to be Mayor's Individual Executive Decisions? For example further extension of police officers is a Cabinet decision this week?</p> <p>Response:</p> <p>A Cabinet Report in February 2017 agreed an initiative to reduce ASB on council estates at £2.4m. The IMD was required in order to enter into a legal agreement that would commit £1.4m of the agreed programme to match funded police resources on estates.</p>

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<p>Overview and Scrutiny Committee</p> <p>25th October, 2017</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Matthew Mannion, Committee Services Manager</p>	<p>Classification: Unrestricted</p>
<p>Medium Term Financial Strategy 2018 – 2021 – Cover Sheet</p>	

Originating Officer(s)	David Knight, Principal Committee Services Officer
Wards affected	All wards

The Committee are asked to note and comment on the contents of the attached report that was considered by the Cabinet at its meeting held on Tuesday 19th September, 2017.

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Cabinet 19 September 2017	 TOWER HAMLETS
Report of: Zena Cooke (Corporate Director of Resources)	Classification: Unrestricted
Medium Term Financial Strategy 2018 – 2021	

Lead Member	Councillor David Edgar, Cabinet Member for Resources
Originating Officer(s)	Neville Murton (Divisional Director, Finance and Procurement)
Wards affected	All
Key Decision?	No
Community Plan Theme	All

Executive Summary

In February 2017 the Council agreed its budget for 2017/18 and set out a Medium Term Financial Strategy (MTFS) covering the period to 2020. Savings of £52m were identified and approved to be delivered over the MTFS period thereby setting a balanced budget for 3 years with a requirement of £2.8m from general fund reserves. The Council's Capital programme was also reviewed and updated taking into account the current programme and decisions made during the year and new schemes added on and extended to 2021/22.

In 2016/17, the Council adopted an Outcomes Based Budgeting approach to revenue budget setting thereby putting the Council's Strategic Priorities and outcomes for its residents at the heart of financial planning and decision making. This aims to directly link how resources are allocated to the strategic priorities of the Council. An outcomes based approach considers the efficiency and effectiveness of the Council's services by evaluating comparable information such as financial benchmarking and outcome performance measures. This information provides the starting point for critically reviewing the Council's relative performance and provides the basis and evidence for its budget decisions.

Furthermore, the Council published a revised Capital Strategy marking a fundamental review of the Council's capital priorities that will begin to reshape the capital programme and decision making going forward, focusing on an outcomes based approach and aligning it more explicitly to the Council's strategic priorities. Further work has been undertaken in 2017 to review the current programme, its links to other key strategies such as the Housing Strategy, ICT Strategy, Leisure Strategy, Asset Management Strategy and Parks and Open Spaces Strategy and the capital investment needs arising from them and consider Members' capital aspirations over the longer term to refresh the capital programme and develop a funding strategy that

supports the implementation of that vision.

Since that time the Council has

- Set up the Corporate programme office to deliver the 3 year approved savings programme of £52m;
- Held 2 initial workshops in June and July to review the current capital programme and align it to strategic priorities adopting the Outcomes based budgeting approach
- Children Services directorate has undergone an OFSTED inspection and an Ofsted improvement plan is being devised to address the recommendations arising from the inspection

In addition to this, announcements in the Chancellor's spring budget on 8th March 2017 and the Queen's speech on 21st June 2017 included a commitment to publish a green paper this year on the future of Social Care Funding, new business rates reliefs for small business, those adversely affected by business rate revaluations and public houses, which should be cost neutral for local authorities. The government also announced an efficiency review to deliver £3.5 billion savings in 2019/20, but in light of the multi-year funding settlement the impact on local government is expected to be minimal.

Given the previously agreed multi-year settlement there are unlikely to be any fundamental changes to Government grant which means that the Council does not envisage making any significant changes to the current Medium Term Financial Strategy, subject to any minor changes that may be announced in the provisional finance settlement during expected in November/December this year and the final settlement due in February 2017.

This report updates the Cabinet on the progress to date since the MTFS was agreed in February 2017, key announcements since then and sets out the next steps in updating the MTFS and agreeing a final budget for 2018/19. This is aimed at consulting on and agreeing a balanced budget position across the MTFS period, extended to 2020/21, as part of its annual budget setting process which will conclude in February 2018. As in previous years this will also include proposals relating to the Council's Housing Revenue Account (HRA) including rent setting considerations and the Dedicated Schools Budget (DSB) strategy.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the Council's Outcomes Based Budgeting approach to prioritising resources over the Medium Term Financial Strategy from 2018-19 to 2020-21.
2. Note the issues and actions set out in this report which are informing the development of the Council's MTFS for 2018 – 2021;
3. Note the timescales and next steps for reviewing and consulting on budget proposals;
4. Authorise the Corporate Director Resources after consultation with the

Mayor and Lead Member for Resources, to confirm to London Councils the in principle decision to proceed with participation in the London wide pilot for 100% business rates retention.

1. REASONS FOR THE DECISIONS

- 1.1. The Council is under a duty to set a balanced and sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities.
- 1.2. A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.

2. ALTERNATIVE OPTIONS

- 2.1. Whilst the Council will adopt a number of approaches to the identification of measures aimed at delivering its MTFS there is no alternative other than to set a legal and balanced budget and agree its Council Tax before the statutory deadline.
- 2.2. The Council could return to the approach of agreeing proposals on an annual basis but this does not support a strategic approach which allows for proposals to be managed and implemented over a longer period of time leading to evidenced based policy decisions and better overall outcomes.

3. DETAILS OF REPORT

3.1. Background

- 3.1.1. The medium term financial planning process is an essential part of the Council's resource allocation and strategic service planning framework. The Medium Term Financial Strategy (MTFS) integrates strategic and financial planning over a three year period. It translates the Strategic Plan priorities into a financial framework that enables the Mayor and officers to ensure policy initiatives can be delivered within available resources, and can be aligned to priority outcomes.
- 3.1.2. The drivers for the Council's financial strategy are:
 - To set a balanced budget over the life of the MTFS whilst protecting residents from Council Tax increases as far as possible.
 - To fund priorities agreed within the Strategic Plan, ensuring that service and financial planning delivers these priorities.
 - To deliver a programme of planned reviews and savings initiatives designed to keep reductions to service outcomes for residents to a minimum.

- To maintain and strengthen the Council’s financial position so that it has sufficient reserves and balances to address any future risks and unforeseen events without jeopardising key services and delivery of service outcomes for residents.
 - Ensuring the Council maximises the impact of its spend to deliver priority outcomes.
- 3.1.3. Since 2011/12 in the face of unprecedented reductions in Government funding and increasing demand on services, the need to make savings has dominated the Council’s financial planning process.
- 3.1.4. In February 2017 the Council agreed a balanced budget for 2017-18 and a Medium Term Financial Plan (MTFP) to 2019/20 identifying savings of £52m to be delivered over the medium term period and a requirement to use £2.8m of general fund reserves.
- 3.1.5. This report begins to explore the challenges facing the Council in the context of a number of fundamental changes to the financial environment in which Local Authorities operate. In particular it outlines a process that will deliver a balanced budget position over the course of the MTFS period; and gives a commitment to report a more granular analysis by the December Cabinet meeting.

3.2. Strategic Approach

- 3.2.1. The Council has a well-embedded approach to strategic and resource planning. Key priorities are agreed with residents and partners and these are reflected in a set of strategic objectives in the Council’s three year Strategic Plan and these underpin the Medium Term Financial Strategy.
- 3.2.2. The Strategic Plan focuses on two priority outcomes and an enabling objective. These are:

Priority 1 - To create opportunity by supporting aspiration and tackling poverty.

Priority 2 - To create and maintain a vibrant and successful place.

The Council aims to deliver its two key priority outcomes by designing and delivering services that meet the following objectives:

- 1.1 A dynamic local economy, with high levels of growth benefiting us.
- 1.2 More residents in good-quality, well-paid jobs.
- 1.3 Young people realising their potential.
- 1.4 More people living healthily and independently for longer.
- 1.5 Reducing inequality and embracing diversity.
- 2.1 An improved local environment.
- 2.2 Better quality homes for all.
- 2.3 Less crime and anti-social behaviour.
- 2.4 Engaged, resilient and cohesive communities.

These two key priority areas are supported by a third **enabling objective** which focusses on “Working smarter together as one team with our partners and community” to ensure we;

- 3.1 Make best use of Council Resources
- 3.2 Support an organisational culture based on transparency, trust and effective relationships
- 3.3 Deliver an organisational transformation programme
- 3.4 Develop an effective workforce strategy
- 3.5 Nurture an outward looking culture, by asserting our place and relationships in London
- 3.6 Deliver an effective communication plan

3.3. Outcome Based Budgeting

3.3.1. Outcome Based Budgeting (OBB) aims to directly link how resources are allocated by having our budget mapped to the strategic priorities of the Council. The Council’s Medium Term Financial Strategy (MTFS) 2017-2020 reflects OBB principles, delivering the Council’s priority outcomes as set out in the Strategic Plan, while making savings through planned budget reductions rather than cutting costs on a service by service basis.

3.3.2. Star Chamber and budget style meetings are planned for September to November which will;

- Review and challenge the Current Capital programme which needs to be a priority of this year’s planning process; agree governance arrangements, capital resources prioritisation, funding and new programmes for inclusion in the capital programme;
- Review the current MTFS savings and growth proposals, mayoral priority items;
- Extend the MTFP to 2020/21; identifying the gap arising from recent funding announcements and options;
- Consider the impact of the Fair Funding Review, which is likely to be further in the future than previously anticipated;
- and the potential pan London Pilot for 100% Business Rates retention due to be implemented in 2018/19.

3.4. Future Outlook for the Council’s Finances

Government Funding

3.4.1. The current guaranteed funding settlement to 2020 indicates a reduced amount for the Revenue Support Grant (RSG) meaning the Council will need to generate income or deliver more savings to fund service needs going forward. This has not fundamentally changed although there may be some minor changes in the settlement for 2018/19.

Business Rates

- 3.4.2. In the December 2016 Cabinet report members received details of the impact of the business rate revaluation process which has resulted in the Council moving from being a top-up authority to a tariff authority; one of only two authorities in London to have done so.
- 3.4.3. There still remains a risk of the impact of revaluation on the business rates multiplier and appeals by business rates payers.
- 3.4.4. The government's policy intentions with regards to 100% retention of business rates remain unclear following the general election in June. Draft proposals regarding an expanded London business rates retention pilot via a pan-London pool has been issued by London Councils in July 2017 for each of the 34 prospective pooling authority's consideration.

London Business Rates Pilot pool 2018/19

- 3.4.5. In April 2017, the government established pilots in 6 areas of the country including London where the Greater London Authority's (GLA) level of retained business rates increased from 20% to 37%.; replacing Transport for London (TfL) grants and RSG. An expanded London pilot in 2018-19 would require all 33 London Boroughs and the Mayor of London to agree to pool income from business rates.
- 3.4.6. This arrangement will mean no authority participating in the pool would be worse off than they would otherwise be under the 50% scheme and all members would receive some share of any net financial benefits arising from the pool pilot.
- 3.4.7. This would deliver early retention of 100% growth across London; savings from the scrapping of levy on growth; and potentially transfer of Central list properties such as water companies, Network Rail stations and the London Underground Network to London increasing the pool's capacity to benefit from growth and possibly trialling greater flexibility over some mandatory reliefs. There could also be broader strategic benefits to developing some governance arrangements resulting in the ability to influence the DCLG and HM Treasury departments of central government.
- 3.4.8. The development of the government's 100% business rate retention scheme will potentially have wide ranging impacts on other funding sources as the assumption is that a number of existing funding streams will be subsumed into this new source of funding.
- 3.4.9. How such a pilot would operate including how any additional benefits would be shared are being developed and will be consulted on in due course. However, based on current proposals, participating in the pilot would mean that the Council is no worse off than the current levels of business rates income built into the MTFs. On balance Council is more likely to benefit from increased amounts it can retain through the stopping of the levy payment and a share of any overall growth going forward.
- 3.4.10. A 2018/19 pilot would require agreement with the government at or around the autumn Budget, most likely November. This in turn requires all London Councils to agree in principle by the 10th October 2017 whether they wish to proceed with participation in the pilot.

- 3.4.11. The Corporate Director Resources considers on balance that it makes sense for the Council to participate in the pilot and this report includes a recommendation that Cabinet authorises the Corporate Director Resources, after consultation with the Mayor and Lead Member for Resources, to make the necessary “in principle” decision to proceed on that basis. Participation in the pilot does not bind an authority to operate under a pooled arrangement should the government proceed with countrywide proposals for a 100% retention scheme at some future date.
- 3.4.12. Final details of the pooling agreement would be negotiated with the DCLG to be published in February 2018 to commence in April 2018.

Council Tax

- 3.4.13. In addition to the increasing importance of Business Rates, Council Tax will continue to be an important source of revenue. As part of the provisional settlement in 2017, the government announced changes to the Adult Social care precept. Local authorities could increase the ASC precept by up to 3% per annum in 2017/18 and 2018/19. However, authorities are only permitted to go ahead with a maximum of 3% increase each year provided that the total increase over the three-year period to 2020 does not exceed 6%.
- 3.4.14. However, in the context of the need for savings being front loaded and the significant cost pressures being seen in ASC services, the Council considered it appropriate to phase the remaining maximum 6% rise in the ASC precept over the period to 2020 on the basis of increases of 3%, 2%, and 1%. This was agreed in principle and there appears to be no financial reason to vary this.
- 3.4.15. A further general increase of 1.99% was applied in 2017-18 for inflation; no increases from 2018-19 onwards are currently planned but it is anticipated the council tax base could rise by up to 3%. This will need to be reviewed and the MTFS updated accordingly.

Improved Better Care Fund

- 3.4.16. The initial tranche of Improved Better Care Fund was allocated as part of the government’s 2015 Spending Review, as follows £1.6m; £7.7m & £12.8m for 2017/18; 2018/19 and 2019/20 respectively.
- 3.4.17. In the Chancellor’s spring budget, another tranche of one-off IBCF funding was announced as follows for 3 years: £7m; £4.2m & 2.1m for 2017/18; 2018/19 and 2019/20 respectively.
- 3.4.18. New schemes are being identified by the service to utilise in the current year as well as investment in adult social care sustainability.

Fair Funding Review

- 3.4.19. Following the general election, the government confirmed its continued commitment to the Fair Funding Review as an important way to address concerns about fairness of current funding distributions to local authorities.

- 3.4.20. The Fair Funding Review will:
- Set new baseline funding allocations for local authorities
 - deliver an up-to-date assessment of the relative needs of local authorities
 - examine the relative resources of local authorities
 - focus initially on the services currently funded through the local government finance settlement; and
 - be developed through close collaboration with local government to seek views on the right approach.

Ofsted Improvement Plan

- 3.4.21. Ofsted Improvement Plan - Following the outcome of the Ofsted Report published in April 2017, Children's Services have recently submitted their Ofsted Improvement plan; initial costings are estimated at £5.1m over two years and will be funded from the Councils Risk Reserve. The outcome of the Ofsted report will also result in additional short term pressures in staffing and placements.

3.5. Capital Strategy and Programme 2017/18 onwards

- 3.5.1. The capital strategy published in February 2017 marks a fundamental review of the council's capital priorities which will reshape the capital programme and decision making
- 3.5.2. Initial capital workshops have been held in June and July to review the current capital programme; aligning current planned spend to strategic priorities; identifying future capital ambitions and to discuss prioritisation of capital schemes.
- 3.5.3. The council currently holds significant balances in S106 funding and CIL with future projected income over the MTFs period. These resources will need to be considered fully alongside all other funding sources for the Council's Capital Strategy to ensure that outcomes for residents and businesses are maximised
- 3.5.4. Next steps will include a review of the governance arrangements, prioritisation of capital schemes , long term capital ambition and aligning priorities to key strategies

3.6. Savings Programme

- 3.6.1. The Council approved a 3 year savings programme to 2019-20 as part of addressing the £58m funding gap. The delivery of the savings is currently underway with full equalities impact analyses being undertaken in all areas to ensure public consultations in advance of any changes.
- 3.6.2. Star Chamber sessions have been set up through September to review the progress of savings for 2017/18. A savings tracker identifies the

progress being made, any challenges services are facing in delivering the savings and any mitigating actions where savings are not being achieved.

3.7. Refresh of the MTFP to 2020/21

- 3.7.1. Growth and inflation requirements for 2017/18 to 2019/20 will be reviewed to establish service growth requirements. Additional growth will mean the need to identify more savings in the relevant year or funding from reserves.
- 3.7.2. Assumptions for Council Tax base growth is 3%; there will need to be some consideration on amounts to be raised for supporting increased pressures in adult social care.
- 3.7.3. Business rates will be reviewed in light of the deficit balance on the Collection Fund brought forward from 2016/17.

3.8. Next Steps

- 3.8.1. A further report will be brought to the December Cabinet which will provide a detailed update of the financial planning assumptions underpinning the current MTFS. The outcome of this will be a confirmation of the estimated funding gap over the period to 2021.
- 3.8.2. In the December Cabinet report, Members will be presented with updated information relating to our assumptions for Council tax and Business Rates and any impact those changes have on the MTFS.
- 3.8.3. The report will also bring forward a number of draft savings and investment proposals, covering in full the medium term planning period to 2021 alongside a strategy that fully meets the identified funding gap and with the intention of initiating formal consultation.

3.9. Budget Star Chamber and Scrutiny

- 3.9.1. The draft timetable for the budget setting process is as follows:

Activity	
Capital Strategy and long term capital programme; MTFS savings and growth, impact of London wide business rates pilot and fair funding review; investment strategy discussions.	September – November 2017
London Wide Business Rates Pilot/ Fair Funding Review	31 st October 2017 Cabinet
Review of Capital Strategy And Long term capital programme and Governance arrangements	28 th November 2017 Cabinet

Consultation with Business rates payers	
Review of the Existing MTFP in light of the settlement; Capital Strategy & programme (OBB) and additional One year 2020/21 identification of potential gap and options to close the gap	19 th December 2017 Cabinet
First Full Council meeting to Consider Budget and Council Tax 2018/19	21st February 2018 Full Council
Agree Final budget and setting of the Council Tax	1 st March 2018 Full Council

Budget Scrutiny Process 2018/21

- 3.9.2. The Overview and Scrutiny Committee (OSC) is developing its capacity to meet the challenge of providing effective budget scrutiny, especially as a three year budget is now in place. The following sets out the role of overview and scrutiny in the budget preparation process. Some of these reflect the formal constitutional arrangements and others propose additional activity to strengthen the role of OSC in the development of the rolling three year budget.
- 3.9.3. In addition to the scrutiny of relevant revenue savings and investment proposals the Committee will undertake similar scrutiny of capital programme proposals. They will also have an overview of the Medium Term Financial proposals being considered for approval by the Board of Tower Hamlets Homes (THH), including proposals for rent setting, and also the budget strategy for the Dedicated Schools Budget (DSB) which will be proposed for approval by the Cabinet, from the Schools Forum.

Activity	Date	Outcome
London Wide Business Rates Pilot/ Fair Funding Review	25th October 2017	London Wide Business Rates Pilot/ Fair Funding Review
Budget and Policy Framework – Budget Scrutiny meeting	15th & 24th January 2018 5th February 2018 (if there are any changes to budget following Cabinet on 30th Jan)	Review final Cabinet budget proposals and provide comments for consideration by Cabinet and Full Council.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. All financial issues have been fully considered within this report and there are no additional points to make.

5. LEGAL COMMENTS

- 5.1. The report proposes consideration of a revised medium term financial plan. This is a matter that informs the budget process and may be viewed as a related function. It is, in any event, consistent with sound financial management and the Council's obligation under section 151 of the Local Government Act 1972 for the Council to adopt and monitor a medium term financial plan.
- 5.2. The report provides information about risks associated with the medium term financial plan and the budget. This is, again, consistent with the Council's obligation under section 151 of the Local Government Act 1972 to make proper arrangements for the management of its financial affairs. It is also consistent with the Council's obligation under the Accounts and Audit Regulations 2015 to have a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk. The maintenance and consideration of information about risk, such as is provided in the report, is part of the way in which the Council fulfils this duty.
- 5.3. The Council is a best value authority within the meaning of section 1 of the Local Government Act 1999. As such the Council is required under section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness (the best value duty). The setting of a medium term financial plan is one of the ways in which the Council can achieve best value.
- 5.4. The Council is required to consult for the purposes of deciding how to fulfil its best value duty. It must consult with representatives of council tax payer, business rates payers, persons likely to use services and persons appearing

to have an interest in any area within which the Council carries out functions. As the adoption of a medium term financial plan is one of the Council's existing arrangements, it is arguable that consultation is not required prior to its amendment. However, best value consultation will likely be required at the time of preparing the 2018/2019 budget.

- 5.5. When considering the medium term financial plan, any savings proposals and the strategic plan, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). A proportionate level of equality analysis is required to inform the consideration required by the public sector equality duty. The report provides the borough equality analysis and sets out how equality impacts are addressed in relation to savings proposals. To the extent that savings proposals involve service changes which impact on individuals, consultation may be required to understand the impacts on those people.
- 5.6. Any consultation carried out for the purposes of either the best value duty or the public sector equality duty will need to comply with the following requirements: (1) it should be at a time when proposals are still at a formative stage; (2) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response; (3) adequate time must be given for consideration and response; and (4) the product of consultation must be conscientiously taken into account. The duty to act fairly applies and this may require a greater deal of specificity when consulting people who are economically disadvantaged. It may require inviting and considering views about possible alternatives.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The development of a rolling three year Medium Term Financial Strategy will support the more effective delivery of One Tower Hamlets priorities.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1. The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. It is important that, in considering the budget, Members satisfy themselves that resources are allocated in accordance with priorities and that full value is achieved.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1. The sustainable action for a greener environment implications of individual proposals in the budget will be set out in the papers relating to those proposals.

9. RISK MANAGEMENT IMPLICATIONS

9.1. Managing financial risk is of critical importance to the Council and maintaining financial health is essential for sustaining and improving service performance. Setting a balanced and realistic budget is a key element in this process. Specific budget risks will be reported to Cabinet as the budget process develops.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1. The crime and disorder implications of individual proposals in the budget will be set out in the papers relating to those proposals.

11. SAFEGUARDING IMPLICATIONS

11.1. The safeguarding implications of individual proposals in the budget will be set out in the papers relating to those proposals.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- None.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None.

Officer contact details for documents:

N/A

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<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>25th October 2017</p>	
<p>Report of: Zena Cooke, Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Challenge session progress update – Improving disabled and ethnic minority staff representation at the senior management (LPO7+) level</p>	

<p>Originating Officer(s)</p>	<p>Heather Daley, Divisional Director HR and Transformation</p> <p>Anna Finch-Smith, Employee Relations and Policy Manager</p>
<p>Wards affected</p>	<p>All</p>

Summary

This report follows up from the scrutiny challenge session on improving disabled and ethnic minority staff representation at the senior manager (LPO7+) level, which went to Overview and Scrutiny Committee (OSC) on 10 February 2016, and a subsequent report and action plan considered by OSC in September 2016. This report reviews the progress against the action plan.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the updates in the report.

1. DETAILS OF REPORT

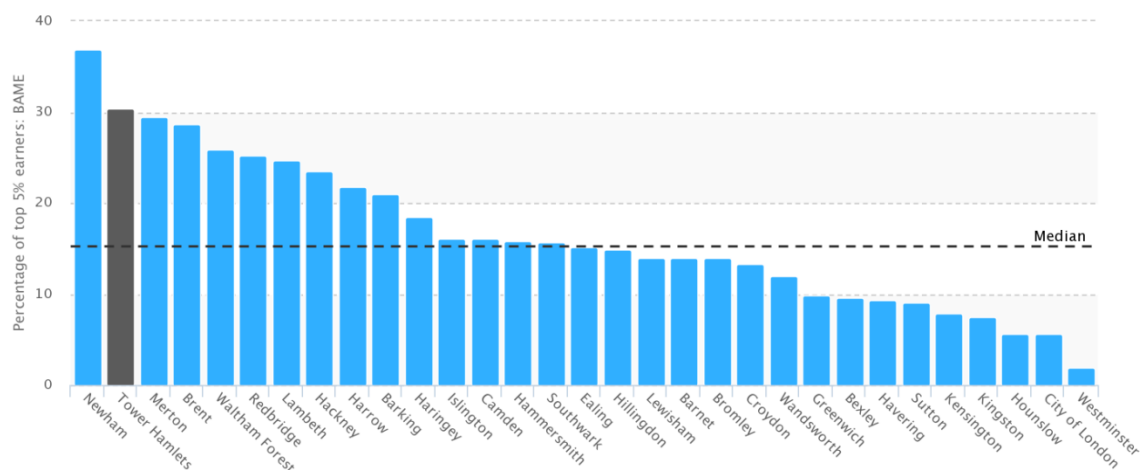
- 1.1 The challenge session took place on 10 February 2016. Overview and Scrutiny members identified a concern around the slow progress against the Council's commitment to have a senior management that is reflective of the local disabled and ethnic minority communities.
- 1.2 The focus of the challenge session was therefore to explore ways in which the Council could improve ethnic minority and disabled staff representation at the senior management level (LPO7+).
- 1.3 The objectives of the challenge session were to answer the following questions:
- Is there a perception of a glass ceiling for ethnic minority and disabled staff?
 - Are there any positive action schemes in place and if so, are they having an effect?
 - How do we manage talent within the Council?
- 1.4 Since the challenge session was held, the statistics around representation of ethnic minority and disabled staff at senior manager (LPO7+) level have changed. At the time of the challenge session, the figures were: -

March 2016				
	% of workforce	No. of workforce	% target	% of working age population of borough (2011 census)
BAME staff at LPO7+	26.96%	64.20 FTE	30%	49.3%
Disabled staff at LPO7+	8.65%	18.00 FTE	11.8%	11.8%

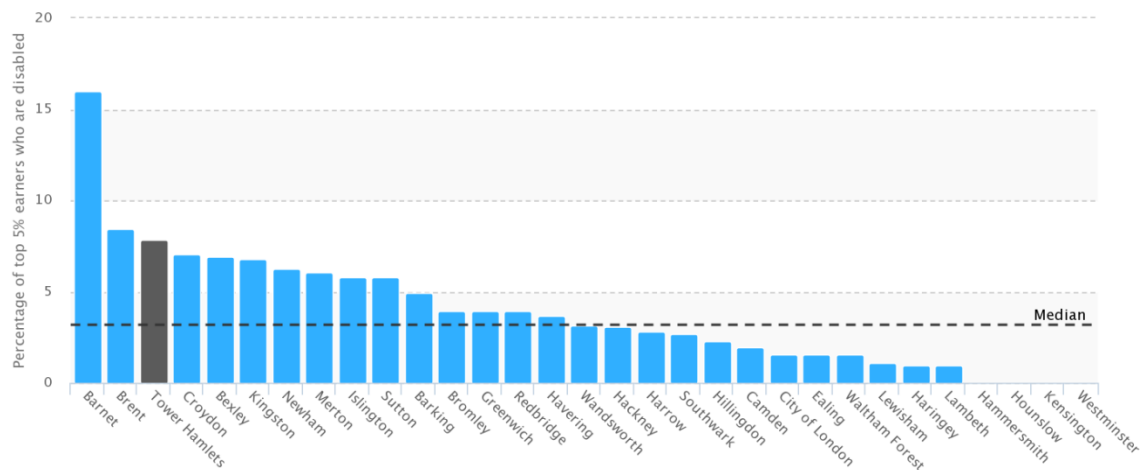
- 1.5 The latest figures are: -

September 2017				
	% of workforce	No. of workforce	% target	% of working age population of borough (2011 census)
BAME staff at LPO7+	32.02%	73.05 FTE	N/A	49.3%
Disabled staff at LPO7+	6.49%	13.60 FTE	N/A	11.8%

- 1.6 There has been an increase in the percentage of staff disclosing an ethnic minority at LPO7+ from 26.96% to 32.02% since the challenge session; and this exceeds the 30% target set as part of the Workforce to Reflect the Community Strategy. There are also 190 (4.12%) of staff who have not disclosed their ethnic minority status. Actions with regards to ethnicity have been picked up in the Annual Workforce Equalities Report 2017/18 Action Plan and are referred to in the updates below.
- 1.7 There has been a reduction though in representation of staff disclosing a disability at LPO7+ from 8.65% to 6.49% since the last challenge session; and this is less than the 11.8% target set as part of the Workforce to Reflect the Community Strategy. There are also 733 (15.87%) of staff who have not disclosed if they have a disability or not. Actions with regards to disability have been picked up in the Annual Workforce Equalities Report 2017/18 Action Plan and are referred to in the updates below.
- 1.8 It is important to note that relatively small changes in workforce numbers can have a significant impact on the percentages given the relatively small number of staff at LPO7+ (which was 238.13 FTE) in March 2016 and 228.13 FTE in September 2017). There are currently 73.05 FTE BME staff at LPO7+ and 13.60 FTE disabled staff at LPO7+.
- 1.9 The Council no longer has a Workforce to Reflect the Community Strategy or workforce diversity targets. The focus is now on ensuring that the Council has a workforce to serve the community. Although targets have been removed, there is still monitoring to keep under review performance in relation to protected characteristics.
- 1.10 Instead of targets, the Council's aim is to be in the top quartile of London Councils for each of the protected groups, which includes the top 5% of earners from an ethnic minority and who are disabled.
- 1.11 The latest information available through London Councils shows, with regards to top 5% earners from an ethnic minority background:-



- 1.12 Tower Hamlets is second highest authority in London and in the top quartile with regards to top 5% of earners from an ethnic minority background.
- 1.13 The latest information available through London Councils shows, with regards to top 5% earners with a disability:-



- 1.14 Tower Hamlets is the third highest authority in London and in the top quartile with regards to top 5% of earners with a disability.
- 1.15 Through compiling the Annual Workforce Equality Report, we identify any areas of under or over representation against any of the protected characteristics in a wide range of areas of employment, including new starters, leavers, recruitment etc, and also by salary range.
- 1.16 It is within this context that diversity within the workforce is now managed.
- 1.17 The original report made six recommendations which were agreed by OSC. The body of this report outlines the progress against these recommendations. The original report with recommendations and the action plan which accompanies the report are attached as **Appendix 1** and **Appendix 2**.
- 1.18 **Recommendation 1:** The Council should adopt a new talent management process for all staff to replace Navigate and actively promote the scheme to ethnic minority and disabled staff through all available communication channels.
- 1.19 Service comment at action planning stage - 06 September 2016: This action is already in the Workforce Strategy and is scheduled for 2018/19. We will promote the talent management scheme which will aim to develop the most talented individuals within the Council. We will promote this to all employees with particular publicity to encourage interest from ethnic minority and disabled staff. The service drew up two actions to support the implementation of this recommendation as follows:

- Implement a talent management programme, in partnership with other boroughs, to develop the attributes of a 21st century public sector worker. This will include targeted elements of staff engagement based on best practice to actively promote the scheme to ethnic minority and disabled staff.
 - Regular engagement and publicity through staff forums
- 1.20 Update from service – 25 October 2017: An updated HR Strategy is being developed which puts continuous performance improvement and the relationship between managers and employees at the heart of day to day relationships. The identification and nurturing of talent is therefore cross-cutting across the HR strategy and a factor that needs to be addressed in all employment policies (the guiding principles); provisions (terms and conditions) and procedures (sets to be taken). Given this, there is no specific programme but rather talent management will be embedded across the board. As agreed, when the strategy is introduced, it will be promoted to all employees, with particular publicity (for example, through staff network groups representing disabled and ethnic minority staff) to ensure ethnic minority and disabled staff are aware of the opportunities to develop their talent.
- 1.21 **Recommendation 2:** The Council to ensure that all HR schemes and policies to improve ethnic minority and disabled staff representation at the senior manager level include clear objectives and intended results. These need to be communicated to all staff. Additionally, the impact of any implemented scheme and policy will need to be monitored.
- 1.22 Service comment at action planning stage – 06 September 2016: Agreed. The annual equalities report will identify any areas of inequality within the workforce and identify mitigating actions, where appropriate. Where HR schemes or policies are agreed in relation to this area, the recommendation will be enforced. One action was drawn up by the service to implement this recommendation:
- Annual equalities report presented to CMT, setting out objectives, with results publicised to staff
- 1.23 Update from service – 25 October 2017: This years report identified the following issues and actions that could have an impact on the representation of ethnic minority and disabled staff at the senior level of the organisation: -

Issue	Action(s)
Ethnicity	
Mentoring scheme - Mentorwise	Continue to promote and encourage BAME take up
Staff network group	Promotion of staff network group for ethnic minority staff; and senior stakeholder sponsorship for ethnic minority staff
Disparity in the ethnicity of applicants for posts, and also proportion of	Work with ENEI and LGA to look at different ways to attract a diverse

applicants applying for posts who are successful thereafter.	range of candidates Include summary of interview panel ethnicity in monitoring
Talent management	Development of the Leadership and Management Development offer – with a particular module or modules for (a) ethnic minority and (b) disabled staff.
Disability	
Continue to support the Time to Change Pledge to reduce stigma and end discrimination with regards to mental health	Hold events in relation to national and international mental health days for staff
Staff network group	Promotion of staff network group for disabled staff; and senior stakeholder sponsorship for ethnic minority staff
Continue to support the work of the Time to Change Employers Forum	Support work stream 2 – ‘Make best use of resources and best practice based on case studies that can be shared with local employers’
The relationship between disability and sickness	Pick up as part of the Wellbeing Review
Reasonable adjustments	Review current arrangements for putting reasonable adjustments in place
Increase levels of staff declaration around disability	Write out to staff explaining why we gather the information, what we do with it and encourage staff to declare
Talent management	Development of the Leadership and Management Development offer – with a particular module or modules for disabled staff.

- 1.24 The actions above are ongoing and progress will be reported in the next Annual Workforce Equalities Report, which having been produced based on the calendar year, will in future be produced based on the financial year. This means the next report will be produced in April/May 2018.
- 1.25 In addition, the Council has recently undertaken a pilot programme of the Outcomes Based Accountability (OBA) approach, which helps determine whether actions taken have had any impact and what return on investment has been achieved. This approach is being piloted with regards to sickness and wellbeing, so that any interventions introduced can be measured in terms of their success. This approach can in future be used to show the impact of any actions taken with regards to equality and diversity.
- 1.26 **Recommendation 3:** The Council should reinvigorate the BAME and disabled staff forums and ensure that they are fit for purpose, are representative, are

led by effective chairs and have senior champions whose roles are communicated clearly to all staff.

- 1.27 Service comment at action planning stage – 06 September 2016: Agreed. This will form part of a wider review of staff engagement, which is detailed in the Workforce Strategy for 2016/17. We will support and promote initiatives to encourage the forums to take a full and active role in staff engagement and relevant Council business. One action was drawn up by the service to implement this recommendation:
- Undertake a wider, full review of staff engagement systems and processes to ensure effective opportunities to consult and engage staff.
- 1.28 Update from the service – 25 October 2017: At present responsibility for the staff forums sit within the Strategy, Policy and Performance (SPP) service, however it is proposed on restructure of the HR and Transformation division that responsibility for them will move to HR and Transformation at which time they will be reinvigorated to ensure they are fit for purpose, representative and led by effective chairs and supported by senior sponsors. Work has already started to ensure there are senior champions for each of the groups and this will continue. In order to improve engagement across the board, engagement frameworks will be looked at in 2018/19.
- 1.29 **Recommendation 4:** The Council undergoes an organisational culture audit focusing on diversity and inclusion. Specific areas of focus should include line management practice; talent management processes; the effectiveness of current equality and diversity training and staff engagement.
- 1.30 Comment from service at action planning stage – 06 September 2016: Agreed. Discussions have taken place with the LGA and ENEI (Employers Network for Equality and Inclusion) to complete a joint audit in this area, for which LGA have indicated they may provide funding. This would be used as a pilot for other authorities to follow. One action was drawn up by the service to implement this recommendation:
- Progress discussions regarding the partnership audit approach, agreeing scope, desired outcomes, timescales and funding to complete the audit.
- 1.31 Update from the service – 25 October 2017: Due to changes in personnel at the external organisations involved in this action, there has been a delay to the work. The proposal is specifically to look at recruitment and how the process could be made more inclusive and reduce barriers to minority groups.
- 1.32 There have already been engagement pieces with staff that touch on the culture of the organisation, including an independent review of the industrial relations culture and an independent review of whistleblowing. In addition, there will be a staff survey undertaken in November this year as part of Investors in People and as part of the wellbeing review that has taken place, it has been agreed that a wellbeing audit involving all staff will also be undertaken.

- 1.33 The Council has just introduced new core values, which are part of the engagement work to change the culture of the organisation. The new values include Respect, which highlights the importance of equality and diversity in the borough and Council. The new core values are:-

Together
Open
Willing
Excellent
Respect

- 1.34 In addition, there is work taking place at present on what it means to be a manager in Tower Hamlets, and this is the Tower Manager project. The information gained from this engagement with staff will allow the organisation to define what we want our managers to be like in future and this will also help change the culture of the organisation.
- 1.35 **Recommendation 5:** The Council should roll out a survey for all staff to provide their views on career development and any barriers, if any, that are perceived. The survey should seek a representative response, including from BAME and disabled staff.
- 1.36 Comments from the service at action planning stage – 06 September 2016: Agreed. This will be included in the staff survey, which is an action identified in the Workforce Strategy for 2017/18. One action was drawn up by the service to implement this recommendation:
- Undertake a staff survey to identify areas of organisational strength and weakness
- 1.37 Update from service – 25 October 2017: As set out in the comments on recommendation 4, a staff survey will be conducted in November this year as part of the Investors in People work. The findings of this survey will then result in actions to address any areas as necessary.
- 1.38 **Recommendation 6:** The Council's HR service to provide a detailed action plan on how they will address any concerns raised through the survey with regular performance monitoring reports provided to the Tower Hamlets Equality Steering Group (THESG).
- 1.39 Comments from the service at action planning stage – 06 September 2016: Agreed. This will be undertaken following analysis of recommendation 5 and will be monitored as appropriate. The promotion of a detailed action plan is likely to require ownership across the organisation. HR will develop this plan with a view to agreement by CMT following discussion with THESG. Two actions were drawn up by the service to implement this recommendation:
- Outcome of the Staff Survey report produced and reported to the Equalities Steering Group
 - Outcome of the Staff Survey report produced and reported to the Corporate Management Team, with recommended actions

- 1.40 Update from service – 25 October 2017: This action follows on from recommendation 5 above and as said there, the findings of this survey will then result in actions to address any areas as necessary. This will include picking up any actions in the next Annual Workforce Equalities Action Plan.
- 1.41 A number of the actions resulting from the recommendations are for future action but the approach that will be taken is set out above. The general approach in terms of identifying any equality and diversity issues within the workforce, and then setting out actions to address these, is driven by the Annual Workforce Equality Monitoring Report. This allows an evidence driven approach, which compares the Council's performance against other London boroughs and against the working age population of the borough's population.
- 1.42 The focus of the Council's approach to workforce equality and diversity is to ensure that we have a workforce that can best serve the community. Our target now is to be in the top quartile of London boroughs and this information is regularly monitored. We seek to embed equality and diversity in everything we do and this can be evidenced by, for example the requirement for equality analysis with regards to service reviews and policies and procedures.
- 1.43 Representation of ethnic minority staff at LPO7+ has improved since the last challenge session whilst representation of disabled staff at LPO7+ has reduced, although the Council remains in the upper quartile compared to other London boroughs in terms of both, which means we are achieving the benchmark we have set ourselves. The actions set out above, along with other actions related to wellbeing, will continue to be implemented with the representation of ethnic minority and disabled staff at LPO7+ will continue to be monitored, along with all other protected characteristics, both at a senior level and within the workforce generally.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 Following a Scrutiny challenge session on 10 February 2016, this report provides an update on on improving disabled and ethnic minority staff representation at the senior manager (LPO7+) level.
- 4.2 It identifies actions to improve ethnic minority and disabled staff representation at the senior management level (LPO7+). These recommendations are expected to be delivered through existing budgets within HR and directorates. However, should additional resources be required to deliver the action plan, officers will be obliged to seek appropriate approval through the Council's financial approval process.

5. LEGAL COMMENTS

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area

or its inhabitants. The Committee may also make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions.

- 5.2 This report provides an update on the progress of the actions taken to increase BAME and disabled staff representation at LP07 and above.
- 5.3 The Equality Act 2010 (s.159) permits the Council to treat a person with an identified protected characteristic (in this case race and disability) more favourably in respect of recruitment and promotion opportunities provided that there is evidence that persons who share that characteristic suffer a disadvantage connected to that characteristic or that participation in an activity by persons with that characteristic is disproportionately low. The positive action permitted is that the Council can encourage or enable such persons to overcome or minimise the disadvantage suffered or to participate in the identified activity.
- 5.4 The Council can only go so far as to recruit or promote a person with that identified characteristic when there is no other difference between the candidates i.e. they have equal qualifications for the role and the only difference is the protected characteristic. The Council cannot have a policy that treats a person with that protected characteristic more favourably in respect of recruitment and promotion and the action proposed must be a proportionate means of achieving the aim referred to. Our aim is to increase the representation of BAME and disabled senior managers. To rely on the positive action provisions of the Equality Act to achieve these aims means that the Council should be able to demonstrate that such employees suffer a disadvantage connected to that identified characteristic and that the number of staff with those characteristics is disproportionately low. Once that imbalance has been addressed the Council will no longer be able to rely on the positive action provisions.
- 5.5 Where the proposed actions provide for developmental activities to improve the representation of BAME and disabled staff, the Council can only take positive action steps which encourage such staff to participate in these activities. The actions set out in this report are within the permissible range of positive action.
- 5.6 The Council must take care to ensure that policies and initiatives are implemented in a manner that remains within the permissible range of positive action under the Equality Act 2010 and not to interpret policies and guidance in such a way as to disadvantage those persons whom are not part of those initiatives and who do not share the targeted protected characteristic. Further advice should be sought in respect of any specific policies and initiatives which are created as a consequence of this action plan. The Council must also have regard to the Public Sector Equality Duty when implementing the proposed actions i.e. the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. A proportionate level of equality analysis

is required to discharge the duty and to ensure that the steps proposed remain necessary.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 Workforce diversity is an activity in the Council's Strategic Plan and Single Equality Framework. Having a workforce that is able to serve the community and deliver services that appropriate to local needs is a key priority for the Council.

7. BEST VALUE (BV) IMPLICATIONS

7.1 Section 3 of the Local Government Act 1999 requires the Council as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The activities and measures in this report will be monitored helping to fulfil this obligation.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 Not applicable.

9. RISK MANAGEMENT IMPLICATIONS

9.1 Workforce diversity activities and milestones are found in the Council's Strategy Plan and Single Equality Framework. The Strategic Plan and Single Equality Framework provide a strategic framework for other strategies and plans. Risks relating to the achievement of its objectives are therefore monitored through the Council's corporate risk register and directorate risk registers. Risks are assessed for likelihood and impact, and have responsible owners and programmes of mitigating actions.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 Not applicable

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices


- Appendix 1 – Update report 06 September 2016
- Appendix 2 – Action Plan 06 September 2016
- Appendix 3 – Scrutiny Challenge Session Report March 2016

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

- NONE

Officer contact details for documents:

- N/A

<p>Cabinet</p> <p>6th September 2016</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Zena Cooke, Corporate Director Resources Melanie Clay, Corporate Director Law, Probity and Governance</p>	<p>Classification: Unrestricted</p>
<p>Report of the Overview and Scrutiny Committee: Improving disabled and ethnic minority staff representation at the senior manager (LP07+) level</p>	

Lead Member(s)	Executive Mayor John Biggs Councillor David Edgar, Lead Member for Resources
Originating Officer(s)	Kevin Kewin, Interim Service Head, Corporate Strategy & Equality Stuart Young, Interim Service Head, HR and Workforce Development
Wards affected	All Wards
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

This report submits the scrutiny report and recommendations for improving disabled and ethnic minority staff representation at the senior manager (LP07+) level. Accompanying the report is HR and Workforce Development's response and accompanying action plan.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the challenge session report;
2. Approve the proposed action plan in response to the recommendations.

1. REASONS FOR THE DECISIONS

- 1.1 Councillor Maium Miah, the Overview and Scrutiny Lead for Resources 2015/16 has initiated and completed a scrutiny challenge session on the council's efforts to have a diverse senior management. The resulting report (appendix 1) provides 6 recommendations. HR the service responsible for this area have provided an action plan in response to the recommendations. Cabinet are asked to approve the accompanying action plan.

2. ALTERNATIVE OPTIONS

- 2.1 Cabinet may decide to all accept all the recommendations or only some of the recommendations.

3. DETAILS OF REPORT

- 3.1 The challenge session took place on 10th February 2016 as a result of concern amongst some Members around the slow progress against the council's commitment to have a senior management that is reflective of the local disabled and ethnic minority communities. The council has been recognised for its efforts on LGBT inclusion and meeting its strategic priority for 50% of senior managers (LP07+) to be women.
- 3.2 The aim of the challenge session was to explore ways in which the council can improve ethnic minority and disabled staff representation at the senior management level (LP07+).
- 3.3 The session was underpinned by the following core questions:
- a) Is there a perception of a glass ceiling for ethnic minority and disabled staff?
 - b) Are there any positive action schemes in place and if so, are they having any effect?
 - c) How do we manage talent within the council?
- 3.4 The report with recommendations is attached at Appendix 1. There are 6 recommendations from the challenge session which are outlined below:
- **Recommendation 1**
The council should adopt a new talent management process for all staff to replace Navigate and actively promote the scheme to ethnic minority and disabled staff through all available communication channels.
 - **Recommendation 2**
The council to ensure that all HR schemes and policies to improve ethnic minority and disabled staff representation at the senior manager level include clear objectives and intended results. These need to be communicated to all staff. Additionally, the impact of any implemented scheme and policy will need to be monitored.

- **Recommendation 3**
The council should reinvigorate the BAME and disabled staff forums and ensure that they are fit for purpose, are representative, are led by effective chairs and have senior champions whose roles are communicated clearly to all staff.
- **Recommendation 4**
The council undergoes an organisational culture audit focusing on diversity and inclusion. Specific areas of focus should include line management practice; talent management processes; the effectiveness of current equality and diversity training and staff engagement.
- **Recommendation 5**
The council should roll out a survey for all staff to provide their views on career development and any barriers, if any, that are perceived. The survey should seek a representative response, including from BAME and disabled staff.
- **Recommendation 6**
The council's HR service to provide a detailed action plan on how they will address any concerns raised through the survey with regular performance monitoring reports provided to the Tower Hamlets Equality Steering Group.

3.5 Comments from the services suggest that these activities will be considered as part of HR's implementation of a new Workforce Strategy for the council.

3.6 Over previous years the council has focused on local diversity targets that were not mapped across London and provided no comparison data from which to benchmark and measure success in this area. This approach has now developed through the creation of the Workforce Strategy and the Organisational Culture Plan, which provides a commitment to a broader representation of the whole community and to benchmarking workforce diversity across London.

3.7 This work has been influenced through external peer reviews by the Local Government Association (LGA), the Society for Local Authority Chief Executives (SOLACE) and Investors in People (IiP) and includes best practice and recommendations for future development. As such, the activities detailed in the action plan will form part of this work and will be delivered in line with this wider approach to promote and monitor workforce diversity and equality across all protected characteristics

3.8 Attached as Appendix 2 is the proposed action plan in response to the report and recommendations of the Overview and Scrutiny Committee.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 The report makes a number of recommendations to improve ethnic minority and disabled staff representation at the senior management level (LP07+).

These recommendations are expected to be delivered through existing budgets within HR and directorates. However, should additional resources be required to deliver the action plan, officers will be obliged to seek appropriate approval through the Councils financial approval process.

5. LEGAL COMMENTS

- 5.1 The council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants. The Committee may also make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions.
- 5.2 When making decisions, the council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. A proportionate level of equality analysis is required to discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Workforce diversity is an activity in the council's Strategic Plan and Single Equality Framework. Having a workforce that is able to serve the community and deliver services that appropriate to local needs is a key priority for the council.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Section 3 of the Local Government Act 1999 requires the council as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The activities and measures in the proposed action plan will be monitored helping to fulfil this obligation.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 Not applicable.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Workforce diversity activities and milestones are found in the council's Strategic Plan and SEF. The Strategic Plan and SEF provide a strategic framework for other strategies and plans. Risks relating to the achievement of its objectives are therefore monitored through the council's corporate risk register and directorate risk registers. Risks are assessed for likelihood and impact, and have responsible owners and programmes of mitigating actions.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 Not Applicable.

11. SAFEGUARDING IMPLICATIONS

11.1 Having a diverse workforce will allow the council to fully understand the safeguarding issues that people in our communities may face.

Linked Reports, Appendices and Background Documents

Linked Report

- **Appendix 1** – Workforce diversity challenge session report

Appendices

- **Appendix 2** – Action Plan

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

N/A

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SCRUTINY REVIEW ACTION PLAN: Improving disabled and ethnic minority staff representation at the senior manager (LP07+) level | Appendix 2

Action	Responsibility	Date
<p>Recommendation 1: The council should adopt a new talent management process for all staff to replace Navigate and actively promote the scheme to ethnic minority and disabled staff through all available communication channels. <i>[responsibility: Stuart Young]</i></p>		
<p>Comment from service: This action is already in the Workforce Strategy and is scheduled for 2018/19. We will promote the talent management scheme which will aim to develop the most talented individuals within the council. We will promote this to all employees with particular publicity to encourage interest from ethnic minority and disabled staff.</p>		
Implement a talent management programme, in partnership with other boroughs, to develop the attributes of a 21 st century public sector worker. This will include targeted elements of staff engagement based on best practice to actively promote the scheme to ethnic minority and disabled staff.	Stuart Young	Sept 2018
Regular engagement and publicity through staff forums	Stuart Young	Oct 2018
<p>Recommendation 2: The council to ensure that all HR schemes and policies to improve ethnic minority and disabled staff representation at the senior manager level include clear objectives and intended results. These need to be communicated to all staff. Additionally, the impact of any implemented scheme and policy will need to be monitored. <i>[responsibility: Stuart Young]</i></p>		
<p>Comment from service: Agreed. The annual equalities report will identify any areas of inequality within the workforce and identify mitigating actions, where appropriate. Where HR schemes or policies are agreed in relation to this area, the recommendation will be enforced.</p>		

SCRUTINY REVIEW ACTION PLAN: Improving disabled and ethnic minority staff representation at the senior manager (LP07+) level | Appendix 2

Annual equalities report presented to CMT, setting out objectives, with results publicised to staff	Stuart Young	Jul 2016
<p>Recommendation 3: The council should reinvigorate the BAME and disabled staff forums and ensure that they are fit for purpose, are representative, are led by effective chairs and have senior champions whose roles are communicated clearly to all staff. <i>[responsibility: Kevin Kewin and Stuart Young]</i></p>		
<p>Comment from service: Agreed. This will form part of a wider review of staff engagement, which is detailed in the Workforce Strategy for 2016/17. We will support and promote initiatives to encourage the forums to take a full and active role in staff engagement and relevant council business.</p>		
Undertake a wider full review of staff engagement systems and processes to ensure effective opportunities to consult and engage staff.	Stuart Young	Nov 2016
<p>Recommendation 4: The council undergoes an organisational culture audit focusing on diversity and inclusion. Specific areas of focus should include line management practice; talent management processes; the effectiveness of current equality and diversity training and staff engagement. <i>[responsibility: Stuart Young]</i></p>		
<p>Comment from service: Agreed. Discussions have taken place with the LGA and Enei (employers network for equalities and inclusion) to complete a joint audit in this area, for which LGA have indicated they may provide funding. This would be used as a pilot for other authorities to follow.</p>		
Progress discussions regarding the partnership audit approach, agreeing scope, desired outcomes, timescales and funding to complete the audit.	Stuart Young	Sept 2016
<p>Recommendation 5: The council should roll out a survey for all staff to provide their views on career development and any</p>		

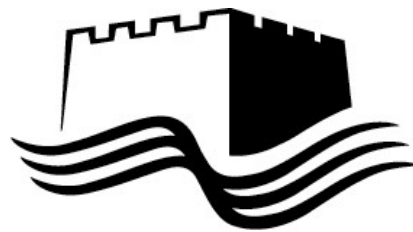
SCRUTINY REVIEW ACTION PLAN: Improving disabled and ethnic minority staff representation at the senior manager (LP07+) level | Appendix 2

barriers, if any, that are perceived. The survey should seek a representative response, including from BAME and disabled staff. <i>[responsibility: Stuart Young]</i>		
Comment from service: Agreed. This will be included in the staff survey, which is an action identified in the Workforce Strategy for 2017/18		
Undertake a staff survey to identify areas of organisational strength and weakness.	Stuart Young	May 2017
Recommendation 6: The council's HR service to provide a detailed action plan on how they will address any concerns raised through the survey with regular performance monitoring reports provided to the Tower Hamlets Equality Steering Group. <i>[responsibility: Stuart Young]</i>		
Comment from service: Agreed. This will be undertaken following the analysis of recommendation 5 and will be monitored as appropriate. The promotion of a detailed action plan is likely to require ownership across the organisations. HR will develop this plan with a view to agreement by CMT following discussion with THESG		
Outcome of the Staff Survey report produced and reported to the Equalities Steering Group	Stuart Young	July 2017
Outcome of the Staff Survey report produced and reported to the Corporate Management Team, with recommended actions	Stuart Young	August 2017

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**Improving Disabled and Ethnic Minority staff representation at the
senior manager (LP07+) level**

Scrutiny Challenge Session Report



TOWER HAMLETS

**London Borough of Tower Hamlets
March 2016**

Chair's Foreword

Councillor Maium Miah, Scrutiny Lead for Resources

The council is committed to ensuring that its workforce is reflective of the community and has rightfully set targets for its senior management in terms of women, disability and ethnicity (specifically ethnic minorities). This scrutiny challenge session looked at the progress at senior management level that the council has made in this area and recommends areas for improvement.

The review invited staff forum representatives from the BAME staff forum, Disabled staff forum, HR officers and Councillors with an interest in developing a workforce to reflect the community, to evaluate the council's performance to date and foster improvement. Additionally, statements from the council's external recruitment agencies were also sourced.

Since 1998 the council has had a commitment to having a senior management team that reflects the community and has progressed in terms of representation of women. However, progress towards having an ethnically diverse senior management and representative levels of disabled senior managers has been challenging and not as rapid as hoped. This Challenge Session is a small but positive endeavour to boost the efforts and rejuvenate the focus on this important area.

More than two thirds (69%) of the borough's population belong to minority ethnic groups. Having a senior management and workforce that reflects the local community is important to ensure local needs, perspectives and priorities are addressed by the council and enable the council to deliver services that are appropriate and effective to improve outcomes for local people. It was clear throughout the challenge session that further work is needed to achieve a workforce to reflect the community particularly at senior management level. I hope that the recommendations outlined in this report are turned into reality.

I would like to thank everyone who participated in this challenge session, particularly the staff members who shared their perspectives, and the officers that supported the challenge session and helped inform the recommendations outlined in this report.

Cllr Maium Miah
Canary Wharf ward
07983 798 791

Summary of recommendations

RECOMMENDATION 1:

The council should adopt a new talent management process for all staff to replace Navigate and actively promote the scheme to ethnic minority and disabled staff through all available communication channels.

RECOMMENDATION 2: The council to ensure that all HR schemes and policies to improve ethnic minority and disabled staff representation at the senior manager level include clear objectives and intended results. These need to be communicated to all staff. Additionally, the impact of any implemented scheme and policy will need to be monitored.

RECOMMENDATION 3: The council should reinvigorate the BAME and disabled staff forums and ensure that they are fit for purpose, are representative, are led by effective chairs and have senior champions whose roles are communicated clearly to all staff.

RECOMMENDATION 4: The council undergoes an organisational culture audit focusing on diversity and inclusion. Specific areas of focus should include line management practice; talent management processes; the effectiveness of current equality and diversity training and staff engagement.

RECOMMENDATION 5: The council should roll out a survey for all staff to provide their views on career development and any barriers, if any, that are perceived. The survey should seek a representative response, including from BAME and disabled staff.

RECOMMENDATION 6: The council's HR service to provide a detailed action plan on how they will address any concerns raised through the survey with regular performance monitoring reports provided to the Tower Hamlets Equality Steering Group.

1. INTRODUCTION

- 1.1. Tower Hamlets is one of the most diverse boroughs in the country with over half of residents in the borough from an ethnic minority background. Since 1998 the council has prioritised having a workforce that reflects the community (WFTRC). Strategic targets for senior managers (LP07) were developed for disabled, women and ethnic minority staff.
- 1.2. WFTRC is a key activity in the council's single equality framework and strategic plan. Having a workforce that reflects community ensures that council services are delivered appropriately for the community and local needs are fully understood.
- 1.3. The aim of the challenge session was to explore ways in which the council can improve ethnic minority and disabled staff representation at the senior management level (LP07+)
- 1.4. The session was underpinned by the following core questions:
- Is there a perception of a glass ceiling for ethnic minority and disabled staff?
 - Are there any positive action schemes in place and if so, are they having any effect?
 - How do we manage talent within the council?
- 1.5. The session was chaired by Councillor Maium Miah (Scrutiny Lead Resources) on Wednesday 10th February 2016. The session took the form of a presentation by the Service Head for HR and Workforce Development and the Senior HR Manager, a statement from one of the procured recruitment agencies, Green Park, and a roundtable discussion.
- 1.6. The session was attended by:

Councillor Maium Miah	Scrutiny Lead Resources
Councillor Amina Ali	Vice-Chair of the Somali Taskforce and Chair of Health Scrutiny Panel, LBTH
Councillor Oliur Rahman	LBTH
Simon Kilbey	Service Head, HR and Workforce Development, LBTH
Corinne Hargreaves	Senior HR Manager, LBTH
Leo Nicholas	Senior Strategy, Policy and Performance Officer, LBTH
Assan Ali	Staff forum representative, LBTH
Lorina Dujon	Staff forum representative, LBTH

Sarla Meisuria	Staff forum representative, LBTH
Ali Khan	Advisor to the Independent Group, LBTH

2. THE COUNCIL'S COMMITMENT TO A WORKFORCE TO REFLECT THE COMMUNITY (WFTRC)

Context of a WFTRC

- 2.1 The Council's Workforce to Reflect the Community Strategy was introduced in 1998 to:
- Make positive steps towards combating poverty in the borough by opening up job and training opportunities to local people, particularly targeting those groups within the community who are under-represented in the workforce.
 - Work towards more responsive service delivery by employing more local people from under-represented groups.
 - Promote the Council as a responsible employer.
- 2.2 Targets were set for the percentage of top 5% earners, senior managers (LP07+), who are disabled, women or from an ethnic minority. Additionally, targets for the total workforce were set. These targets have featured in the council's strategic priorities since the strategy was introduced in 1998.
- 2.3 In 2014/15 the council set a target for 50% of senior managers (LP07+) to be women, this target was essentially reached, in 2014/15 49.89% of top earners were women.

Current performance for ethnic minority and disabled managers

- 2.4 Currently 26.85% of top earners are from an ethnic minority. A target of 30% has been set for 2015/16. However, 49.3% of the working age population in the borough is from an ethnic minority.
- 2.5 The disabled target for top earners within the council is 11.8%, which is the same as percentage of the working age population with a disability in the borough according to the 2011 Census. Currently 8.17% of top earners within the Council have a disability.

Legislation

- 2.6 The council's commitment to having a senior management that reflects the community is supported by two pieces of legislation. The Equality Act 2010 and the Local Government and Housing Act 1989.
- 2.7 Under the Equality Act 2010, the council must in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

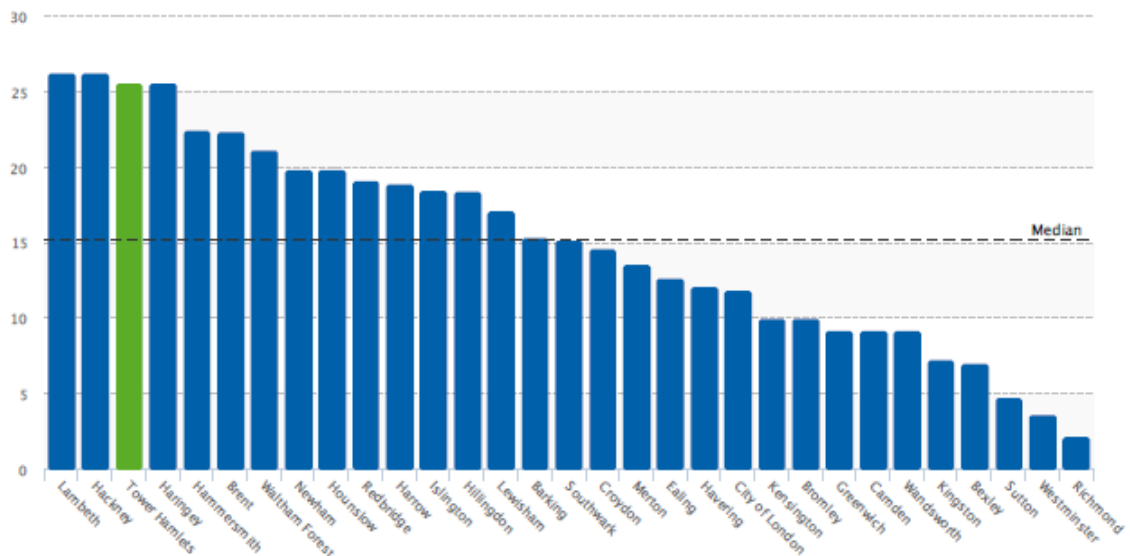
- Foster good relations between persons who share a relevant protected characteristic¹ and persons who do not share it.
- 2.6 Section 7 of the Local Government and Housing Act 1989 provides that all appointments should be made on merit; however section 159 of the Equality Act 2010 allows employers to use positive action on a case by case basis when recruiting and promoting. Additionally, the Act makes it lawful to select the candidate from a disadvantaged or underrepresented group where two candidates are both ‘as qualified’ as each other.

Performance in comparison to other local authorities

2.7 The tables below show Tower Hamlets’ performance against other local authorities when comparing the number of ethnic minority and disabled top 5% of earners. Tower Hamlets is one of the highest performing local authorities; however data showing each local authorities performance against their community is not available. Tower Hamlets council appears to be the only local authority in London with a commitment to having a workforce that reflects the community as a strategic priority.

Ethnicity - Percentage of top 5% earners: BAME

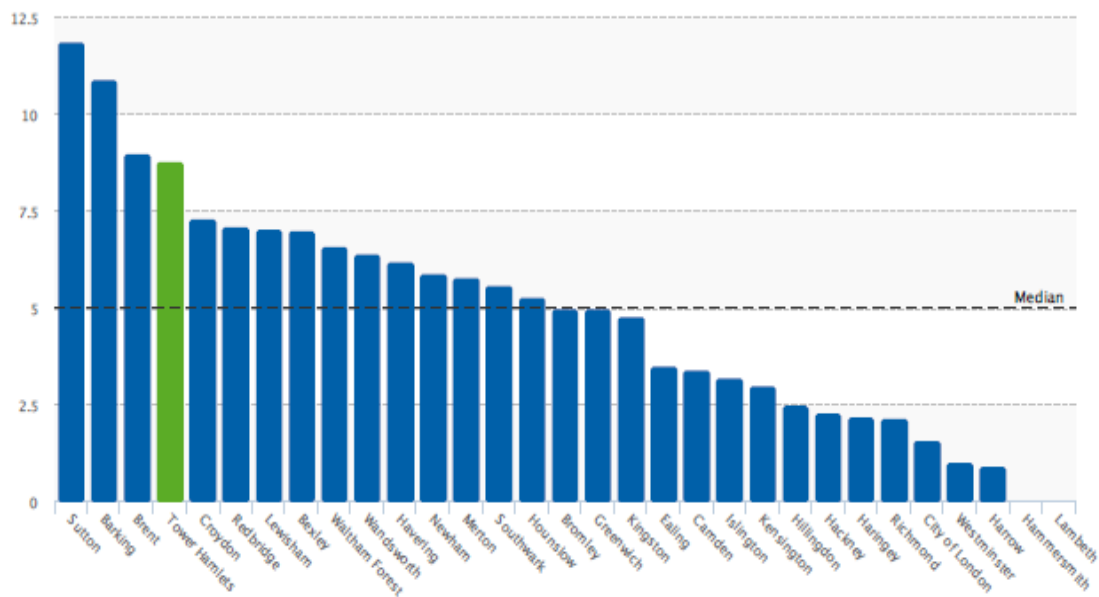
The following analysis excludes Councils that have not yet submitted data for this metric, ie: Barnet, Enfield.



¹ There are nine protected characteristics defined by the Equality Act 2010. They are: pregnancy & maternity; age; disability; gender reassignment; race; religion or belief; sex; sexual orientation and marriage & civil partnership.

Disability - Percentage of top 5% earners who are disabled

The following analysis excludes Councils that have not yet submitted data for this metric, ie: Barnet, Enfield.



The council's policy – positive action

- 2.9 Since 2006 the council has phased out all positive action schemes (the last positive action scheme was suspended in 2010); with all activities open to all staff, with targeted promotion to encourage take up from certain groups of staff, including ethnic minority and disabled staff members.
- 2.10 Current activities in place which are advertised to ethnic minority and disabled staff include:
- Mentorwise - a staff development opportunity to support individual career aspirations. The council has joined the London mentoring network MyMentor, which provides an online matching system for mentees to identify suitable mentors. The system also allows staff to have access to a wide and diverse pool of potential mentors in different public sector organisations, should an internal mentor not be available.
 - Disability awareness days – staff and managers are provided with information on supporting staff with disabilities. External organisations are invited to provide talks. Information on reasonable adjustments, flexible working and access to work payments are made readily available.
 - Navigate – the council's internal talent management scheme. Its aim is to develop potential leaders and managers of the future and support progression. Participants receive development in the form of psychometric assessments; in-depth 1-2-1s; coaching and secondment and/or shadowing opportunities.

The council's policy – internal recruitment of senior managers

- 2.11 The council has several policies in place to ensure that the recruitment and selection processes for senior management vacancies are fair and robust. These processes are managed and monitored by the council's HR and workforce development service and in the case of Service Heads and above, by a Member level HR Appointment Committee.
- 2.13 Recruitment training – in order for a staff member to sit on a recruitment panel, mandatory recruitment licensing training must be completed. This training covers the council's duty in the Equalities Act; unconscious bias; the council's policy on discrimination and the recruitment process.
- 2.14 Elected Members sit on the recruitment panels for vacancies that are Service Head level or above. They undergo mandatory recruitment training and are supported by the Service Head for HR and Workforce Development. Recruitment panel selections are ratified by the HR appointments committee.
- 2.15 Recruitment panels – All recruitment panels for council vacancies must be diverse with an expectation that panel members represent a range of the protected characteristics under the Equality Act 2010. A member of HR is required to sit on the panel for vacancies that are LP07 and above. It is their responsibility to ensure that the panels are diverse.
- 2.16 Internal recruitment first – all vacancies are advertised internally, vacancies that are below Service Head level are exclusively advertised internally and are only put out for external advertisement should the role not be filled internally.
- 2.17 'Take a Chance' scheme – this scheme is a new approach. The aim is to offer an individual who comes close to being offered a job the chance to be permanently appointed following a six month 'probationary' period supported by a programme of development. The scheme applies to posts PO3 and above (to the service manager level) that are advertised internally.

The council's policy – external recruitment, Service Head and above

- 2.16 Vacancies that are for Service Head and above are advertised internally and externally, in order to ensure the best person for the senior leadership role is found. Recruitment agencies are used to source suitable candidates for these posts.
- 2.17 The council has a procurement framework in place to undertake the recruitment of Service Head and above positions. The framework is

made up of 4 organisations and an equalities statement is submitted as part of the tender quotation for each post.

- 2.18 The quotation evaluation criteria that is used during the external recruitment process is detailed below, “evidence of identifying and sourcing diverse candidates’ has the second highest score weighting.

Quality Criteria	Criterion weighting (multiplier x)
Knowledge of role	4
Knowledge of Tower Hamlets	1
Market Knowledge	2
Experience in recruiting to similar role	4
Experience in recruiting for other London boroughs or similar organisations	1
Evidence of innovative solutions in addressing market challenges	1
Evidence of innovative solutions in improving decision-making	1
Evidence of identifying and sourcing diverse candidates.	3
Evidence of commitment to Equality and Diversity in recruitment processes	1
Resources Allocated (named consultants)	1
Flexibility in pricing and cost in line with expectations and budget.	2

Penna’s external recruitment process

- 2.19 Penna, the main recruitment agency that the council uses for external posts (at Service Head and above level), provided a submission of their recruitment processes.
- 2.20 Penna focus on attracting a diverse readership by advertising in media (both on and offline) that have a highly diverse readership. This includes mailing up to 100+ diversity groups across London that circulates vacancies to their networks and communities.
- 2.21 Where appropriate, they also undertake a targeted search into markets/sectors which have high levels of diversity in their workforce and good transferable skills. This ensures that the application and selection processes are highly accessible; meet best practice standards and do not consciously or unconsciously disadvantage any candidate.

3. KEY FINDINGS AND RECOMMENDATIONS

- 3.1 The session began by exploring HR's efforts to reaching a senior management that is representative of the ethnic minority and disabled communities in Tower Hamlets. The Service Head for HR and Workforce Development and the Senior HR Manger provided a presentation.

Talent Management

- 3.2 The session initially focused on talent management and the process of developing staff who will eventually become the senior leadership within the council. The challenge session noted these are challenging times for the council, with government funding reductions and a shrinking pool of senior manager posts. However, it was felt that developing staff, middle managers and team leaders in particular, should still be a priority.
- 3.3 It was noted that the council has a talent management scheme in place called 'Navigate'. The scheme is linked to the PDR process and open to all staff. The scheme offers coaching and tuition but its impact on progression was questioned. Navigate as a scheme is advertised to all staff but attendees from the BAME and disabled staff forums felt that the approach to enrolment should be specifically targeted towards ethnic minority and disabled staff members.
- 3.4 HR confirmed that a review focusing on the impact of Navigate and its reach is being undertaken. Attendees agreed with the need for a review and suggested a new talent management scheme is developed to replace Navigate.

RECOMMENDATION 1:

The council should adopt a new talent management process for all staff to replace Navigate and actively promote the scheme to ethnic minority and disabled staff through all available communication channels.

Existing HR policies and their impact

- 3.5 The session considered the impact of existing HR policies on representation of ethnic minority and disabled staff at the LP07+ level. It was felt by attendees that HR had implemented a large number of policies and schemes in order to facilitate an improvement but these were poorly understood by managers and staff and there is a need for clearer outcomes.
- 3.6 The HR Senior Manager confirmed that there was concern about the low number of staff being promoted through the "Take A Chance" initiative and only a handful of recruiting managers had used the scheme. Additionally, it was confirmed that all managers were given

essential training in 2014/15 which focused on the importance of equality and diversity within teams, the benefits of a diverse workforce and best practice when recruiting.

- 3.7 Attendees felt that HR's approach to recruiting a diverse senior management was welcomed but there were some crucial aspects missing. Staff forum members felt that managers' understanding of HR policies and schemes needs to be improved. There was a feeling that junior staff members were not progressing due to poor managerial understanding about schemes such as 'Take A Chance' and 'Navigate'. It was felt that clear expected outcomes need to be communicated to staff before a policy and/or scheme is implemented. Additionally, there is a need to monitor the impact of these schemes and whether they are contributing to increased levels of ethnic minority and disabled staff within the senior management cohort.

RECOMMENDATION 2: The council to ensure that all HR schemes and policies to improve ethnic minority and disabled staff representation at the senior manager level include clear objectives and intended results. These need to be communicated to all staff. Additionally, the impact of any implemented scheme and policy will need to be monitored.

The role of the staff forums

- 3.8 It was recognised by session attendees that the staff forums have a significant role to play in having a senior management with good representation of disabled and ethnic minority staff. Forum representatives felt that the disabled and BAME staff forums needed a clearly defined role and purpose.
- 3.9 It was brought to the meeting's attention that the disabled staff forum needed a chair and issues such as representation of disabled staff at the senior management could not be discussed without some sort of leadership in place for this forum.
- 3.10 The Service Head for HR and Workforce Development highlighted the diversity of CMT and the strength of the council's leadership as a consequence. Attendees felt that CMT should be portrayed as role models to staff forum members and their role as senior champions for ethnic minority and disabled staff should be communicated to the workforce clearly and routinely.

RECOMMENDATION 3: The council should reinvigorate the BAME and disabled staff forums and ensure that they are fit for purpose, are representative, are led by effective chairs and have senior champions whose roles are communicated clearly to all staff.

Organisational culture audit

- 3.11 Attendees felt that the organisational culture within the council needed to be addressed. It was noted that although the number of ethnic minority senior managers had improved year on year, progress was slow. Additionally, awareness around employees with a disability could be improved.
- 3.12 Issues such as managerial understanding about: reasonable adjustments in the workplace; access to work support for disabled staff; flexible working arrangements; the importance of development opportunities and training and the benefits of recruiting a diverse workforce need to be addressed.
- 3.13 The session received a statement from Green Park, one of the recruitment agencies used to externally recruit Service Heads and above. Green Park reiterated their belief in the robustness of the council's recruitment processes but a possible barrier to having a senior management that is representative of the local disabled and ethnic minority communities could be the organisational culture and this should be explored further.
- 3.14 Attendees from the staff forums were in agreement. A member of the BAME staff forum confirmed that the forum has always had ethnic minority representation at the senior management level as one of the forum's priorities. Forum members felt that staff need to be consulted on the barriers to progression for disabled and ethnic minority staff and how these could be overcome.

RECOMMENDATION 4: The council undergoes an organisational culture audit focusing on diversity and inclusion. Specific areas of focus should include line management practice; talent management processes; the effectiveness of current equality and diversity training and staff engagement.

RECOMMENDATION 5: The council should roll out a survey for all staff to provide their views on career development and any barriers, if any, that are perceived. The survey should seek a representative response, including from BAME and disabled staff.

RECOMMENDATION 6: The council's HR service to provide a detailed action plan on how they will address any concerns raised through the survey with regular performance monitoring reports provided to the Tower Hamlets Equality Steering Group.

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