

Meeting of the

OVERVIEW & SCRUTINY COMMITTEE

Thursday, 23 November 2017 at 6.30 p.m.

SUPPLEMENTAL AGENDA

	PAGE NUMBER	WARD(S) AFFECTED
3. UNRESTRICTED MINUTES	134 - 147	All
To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 25 th October, 2017		

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Agenda Item 3

OVERVIEW & SCRUTINY COMMITTEE,
25/10/2017

SECTION ONE (UNRESTRICTED)

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 25 OCTOBER 2017

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

Members Present:

Councillor Dave Chesterton (Chair)	
Councillor Clare Harrisson (Vice-Chair)	
Councillor Danny Hassell	– Scrutiny Lead for Children's Services
Councillor Muhammad Ansar Mustaqim	
Councillor Oliur Rahman	
Councillor Rabina Khan	
Councillor Helal Uddin	– Scrutiny Lead for Place
Councillor Andrew Wood	– Scrutiny Lead for Resources

Co-opted Members Present:

Shabbir Chowdhury	– Parent Governors
Joanna Hannan	– Representative of Diocese of Westminster
Fatiha Kassouri	– Parent Governors
Dr Phillip Rice	– Church of England Representative

Other Councillors Present:

Councillor David Edgar	- Cabinet Member for Resources
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Apologies:

Councillor Ayas Miah	– Scrutiny Lead for Governance
Asad M Jaman	– Muslim Faith Community

Officers Present:

Heather Daley	– (Divisional Director, HR & Transformation)
Elizabeth Bailey	– Senior Strategy, Policy and Performance Officer
Mark Broom	– Detective Superintendent

Ann Corbett	– (Divisional Director, Community Safety)
Anna Finch-Smith	– (Employee Relations and Policy Manager, Corporate Human Resources)
Joseph Lacey-Holland	– (Senior Strategy Policy & Performance Officer)
Neville Murton	– (Divisional Director, Finance, Procurement & Audit)
Denise Radley	– (Corporate Director, Health, Adults & Community)
Christabel Shawcross	– (Safeguarding Adults Board Chair LBTH)
David Knight	– (Principal Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies were received from Ayas Miah.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES - THURSDAY 14TH SEPTEMBER, 2017

Item 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 noted that Councillor Rabina Khan had expressed her concerns about the need for an EQIA on the impact of Brexit on development and the management of future growth within Tower Hamlets and that she wished this to be noted.

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

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 14th September, 2017 be approved subject to the above amendment as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items

**5. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG
2017/18**

The Committee was reminded that at the meeting on the 14th September:

****Clean Air Act 1993 and the control of emissions****

There had been a discussion regarding the Clean Air Act 1993 with particular reference to general smoke control areas and the use of the waterways

Subsequent to the meeting the following response has been received:

The Council's website details the smoke control criteria for Tower Hamlets smoke control criteria for Tower Hamlets and in regards to waterways. LBTH is working with the Canal and Riverside Trust (CRT) who manage and issue licences to boaters to use all the canals in London. The issue primarily being that LBTH receive complaints of smoke/odour from the boaters using their generators, which becomes an issue in autumn and winter. It was noted that LBTH have been in a dialogue with the CRT to address this issue but have not yet agreed on a way forward that is agreeable to all parties.

**** Recycling of Plastics****

There was a discussion about which plastics can be "**recycled**" at the Materials Recovery Facility [MRF] and which cannot. It was noted that some types of plastic are easy to recycle and others are not. This because there are more buyers for certain types of recycled plastics than for others, so recycling facilities have an incentive to recycle certain types of plastics over others. The Committee was advised that apparently Sutton has guidance published on their website which what plastics their MFR will accept and which go into the regular rubbish collections to avoid contaminating the recycling stream.

Subsequent to the meeting the following response has been received:

In general the plastics that the Tower Hamlets MRF **can accept** are in the categories of plastic bottles and tubs, pot and trays so this includes the following type of items:

- All plastic bottles (including lids), including those used for drinks, bathroom products (shampoo etc.) and kitchen products (washing up liquid etc.)
- Margarine and butter tubs, ice cream tubs and yogurt pots etc.
- Food trays
- Fruit and vegetable punnets

Plastics that the **MRF does not accept** include:

- Crisp packets

- Food/cling film
- Bubble wrap
- Plastic food pouches

Accordingly, the Directorate has updated the web page so as to provide more descriptions about what plastics can and cannot be recycled

6. UNRESTRICTED REPORTS 'CALLED IN'

Nil items

7. SCRUTINY SPOTLIGHT

7.1 Medium Term Financial Strategy 2018 – 2021

The Committee noted that 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.

Also in 2016/17, the Council had adopted an Outcomes Based Budgeting approach to its 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, it was noted that the Council has published a revised Capital Strategy which marks 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.

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

The Committee:

- Noted that the Council's Treasury Management Advisers are looking at best practice elsewhere where local authorities have looked at ways to maximise their investments;
- Commented that they would have wished to have seen more progress on the way in which the strategic investment programme has been and will be undertaken. In reply it was noted that the Council has already identified monies for children and social care and are addressing how the Council will respond to the resource implications of the Ofsted inspection.
- Noted that in overall terms this will be feed into the Base Budget and in terms of one off measures using reserves from the Transformation Fund;
- Requested details of the action points arising from Ofsted report and how the £5.1million of available monies will be allocated;
- Noted that with regard to questions on business rates LBTH will have greater control and influence over the business rate growth and get earlier access to increase benefits and queried what risk mapping would be done;
- Noted that concerning the amounts that the Government has put into Adult and Social Care there are not enough resources currently being put into the scheme given the current level of demand;
- Noted that the improved Better Care Fund is a non-recurrent funding source that over its 3 year life span will reduce so it is not viable for the Council to be totally dependent on this as a source of recurrent funding in the face of the ongoing pressures on this service area (e.g. Hospital Discharges);
- Noted that Health Scrutiny undertook a spotlight session on that issue and would be happy to share the outcomes with the Lead Member;
- Noted there was a need to look at (i) unspent reserves and (ii) the sums of money currently coming into this Borough and how these could be spent. Also the provision of care for Adult Children is a matter of considerable concern; and
- Noted that there is a regular reporting of such sums (e.g. Treasury Management Report). Whilst regarding the issue of the Council Tax reduction Scheme, LBTH is one of the few Council's that allows for a 100% reduction and consideration is being given to assist those families in greatest need through the Council Tax reduction scheme

As a result of discussions on the report the Chair **Moved** and it was:-

RESOLVED

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

8. UNRESTRICTED REPORTS FOR CONSIDERATION

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

The Committee received a report that followed 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.

The focus of the challenge session had been to explore ways in which the Council could improve ethnic minority and disabled staff representation at the senior management level (LPO7+). The objectives of the 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; and
- How do we manage talent within the Council?

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

The Committee:

- Noted that whilst 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. Therefore, although targets have been removed, there is still monitoring to keep under review performance in relation to protected characteristics;
- Noted that 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;
- Noted that Tower Hamlets is the third highest authority in London and in the top quartile with regards to top 5% of earners with a disability;
- Queried how the Council is identifying staff for advancement and noted the Council's adoption of a new talent management process for all staff to actively promote ethnic minority and disabled staff through all available communication channels. The Council are also looking at

how it undertakes performance management on a regular and not an annual basis and a blended learning approach;

- Noted that the Council are looking to encourage talented junior staff;
- Noted that the Council is considering a gender/ethnic blind recruitment process;
- Was pleased to note that the Council are reviewing its recruitment processes and will be looking at barriers to recruitment and how it can do things better **e.g.** Addressing Mental Health in the work place (Physical; Mental and Financial) and introducing mental health first aiders;
- Wanted to see the actual figures of disabled and ethnic minority staff representation at the senior manager (LPO7+) level, and not just the percentages;
- Felt concern that not enough was being done to address this issue and queried what plans the Council has in place to encourage staff to seek promotion and to support these staff once they get appointed? In response it was noted that the percentages in the report do provide a truer picture when comparing against others. Also at higher levels LBTH does better than other councils and the mentoring scheme was developed in conjunction with the Tower Hamlets BME forum;
- Noted that a scheme across London and with neighbouring boroughs has been considered, including secondments with high performing Local Authorities, such as Barnet; and
- Requested details of the numbers of disabled and ethnic minority staff that have left LBTH and turnover of staff in the top 5% grades in the past 2.5 years.
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As a result of discussions on the report the Chair **Moved** and it was:-

RESOLVED

That the Committee noted the updates as set out in the report.

8.2 The Safeguarding Adults Annual Report 2016/17

The Committee received a report from the Independent Chair of the Local Safeguarding Adults Board (SAB) which has a statutory duty under the Care Act 2014 to produce an annual report detailing what the SAB has done during the year to achieve its main objectives and implement its strategic plan. In addition, what each member agency has done to implement the strategy as well as detailing the findings of any Safeguarding Adults Reviews and subsequent action.

The report format the Committee was advised has been prepared within the Children's Services and Health, Adults and Community Services Policy, Programmes and Community Insight Team alongside the preparation of the Local Safeguarding Children Board Report. This it was noted helps to ensure consistency in terms of approach, content, structure and quality.

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

The Committee:

- Welcomed the report and stated that it would be interested to know what is in place to facilitate the transition from children to young adults;
- Noted that there is a Transition Panel that will look at the safe guarding plans to ensure they are as robust as they can be; issues can be monitored and lessons learned;
- Noted more work is required e.g. supporting the service users voice;
- Noted that the Borough has some very active housing providers and have good representation from those partners on the relevant bodies;
- Noted that it is a top priority to improve best practice on a multi-agency basis through the targeted learning of staff and undertaking a random audit of cases as a means of quality assurance across safeguarding to learning; highlight and to focus the Councils and SABs energies;
- Indicated that it wished to see who was involved in the Transition Panel and wanted to hear from some of those who have gone through this process;
- Noted that the Corporate Director participates actively in the scrutiny of the work being undertaken;
- Queried whether key KPIs around adult health are sufficiently linked to safeguarding;
- Noted that the Council wished there to be a real difference in the processes being used and that LBTH is learning and developing the service that it delivers;
- Noted with regard to what is being done to ensure a consistency in the standard of care when an agency provider changes. It was also noted that LBTH is at the end of a re-procurement of home care and wants to move to an ethical based care model that is based on locality;
- Noted that LBTH have raised issues with the Care Quality Commission (CQC) where there are areas of concern and LBTH has its own regulation of monitoring of care to drive up standards in care and much time and effort has been expended on this.

As a result of discussions on the report the Chair **Moved** and it was:-

RESOLVED

The Committee agreed to formally note the annual report for the local Safeguarding Adults Board for 2016/17.

8.3 Community Safety Partnership Plan 2017 - 21

The Committee was advised that the Community Safety Partnership (CSP) has a statutory duty to produce a Community Safety Partnership Plan which investigates challenges and opportunities for the Borough and identifies its priorities for crime reduction.

The Plan (as set out in Appendix 1) outlines the Strategic Framework within Tower Hamlets and how the Community Safety Partnership Plan fits into this, specifically through the 'Safe and Cohesive Community' theme of the Community Plan. It describes the Partnership's two other statutory duties in order to produce the Plan, the Strategic Assessment 2016 and the Public Consultation on community safety priorities conducted in 2016.

It was noted that in 2016 the Community Safety Partnership reviewed and restructured its governance structure and operating procedures to ensure that it remained fit for purpose, implementing a strategic executive board (CSP Executive), made up of the Statutory Authorities, to drive strategic decision making and oversight.

The Committee was informed that the Community Safety Partnership has agreed on the following four priorities for the term of this Plan:

- Anti-social Behaviour including Drugs and Alcohol;
- Violence;
- Hate Crime, Community Cohesion and Extremism; and
- Reducing Re-offending.

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

The Committee:

- Noted that this is a plan that is intended to reflect local concerns;
- Noted that LBTH is paying for extra police officers so how does the Partnership measure their impact;
- Welcomed the positive "buy in" from LBTH to support Metropolitan Police Service (MPS), although not all the officers are in place;
- Wanted to see how to maintain the good relationship with the MPS Centre as this is locally;
- Noted that these resources will be "ring fenced" so that police officers are not being routinely 'abstracted' from their local beats to plug gaps in London-wide public order operations. Or to be taken to provide local aid elsewhere in LBTH but outside of the neighbourhoods that they are tasked to support;
- Noted if there are any specific issues on operations then the Borough Command is happy to give details to Ward Councillors on a 121 basis;
- Wanted to see some information to help build and maintain bridges with the community;
- Noted that Information on how to report low level incidents needs to be clarified as residents have very little confidence in the 101 number
- Expressed concern at the apparent lack of visibility with regard to the Safer Neighbourhood Teams [SNT] in the Borough;
- Noted that at the grassroots level there is a degree of disconnect with the service provided;

- Commented that concerns had been expressed regarding the English Defence League trying to enter LBTH and wanted to know why the MPS had apparently allowed them to march along Whitechapel Road? In response it was noted that regarding the routing of this march the Borough's tension Monitoring group is being convened to look at this issue and explain the operational decisions undertaken with regard to the march;
- Felt that the incidence of burglary is on the increase and constituents have indicated to ward councillors their unhappiness at the response of the incidences of such crimes. In response it was noted that the MPS have invested heavily in addressing these crimes and are working closely with Borough to reduce the incidences of these crimes;
- Commented that with regard the reduction of offending there does not seem to be a good understanding around gangs and youth violence. In response it was noted that a strategy is being developed to address knife related crime which is not all about gangs;
- Noted that knife crime is a significant issue and they are used by both gangs and individuals. Therefore, the Borough has several different strands that are being overseen by the partnership;
- Asked for the criteria used to identify an abandoned vehicle and stated that they wished to see abandoned vehicles removed promptly so they do not become an "ASB/ crime generator" and a magnet for a variety of criminal activities impacting on residents quality of life and increasing the "ASB demand" for both the council; police and partner agencies (Subsequent to the meeting Members of the Committee received the criteria as set in the Refuse Disposal (Amenity) Act 1978 (**Appendix 2 Refers**);
- Expressed concern at the misuse of drugs and associated anti-social behaviour and felt that the incidence of such offences was on the increase;
- Noted that most ASB calls are related to drugs offences and in LBTH a new drugs strategy has been brought in against on street; vehicle dealing and use of vulnerable people's homes i.e. "cuckooed";
- Noted that Social Landlords are being proactive in addressing ASB and evicting those tenants guilty of being involved in ASB;
- Noted that in 2014 Legislation came into force that now allows residents to call for a review of the response to incidents of ASB;
- Noted that the Partnership is working with schools to address such criminality and the MPS is starting to work with schools where there has been an incidence in a family of Domestic Violence;
- Felt that the report does not really convey how violent crime can also impact on young people and wanted to know what can be done to really help the young people of LBTH. It was also suggested that the plan should include an outcome measure of whether more young people feel safe';
- Concern was expressed at the attacks using corrosive substances have been reported in a wide range of criminal activities from hate crime to burglaries. It was requested that these be further highlighted in the Plan.

- Concern was expressed that the voice of the victim is not sufficiently highlighted in the plan. In response it was noted that the views of the residents are in the Plan but accepted that it the views of victims of crime could be further highlighted. It was also noted that workshops (not just surveys) should be held for the development of future plans;
- Noted that the Borough Commander (Fire) is leading on a project regarding acid attacks but it was important to reflect the views of both victims and perpetrators;
- Indicated that it would be good if there could have been a workshop to have taken on board the views of victims and perpetrators. In response it was noted that as part of the knife crime work the Partnership has engaged with both the victims and perpetrators of such crimes;
- Noted that the Tower Hamlets Partnership is on a journey and it is important to reflect the needs of local people and provide them with the service that they want;
- Commented that it seemed that the number of responders to the consultation had been very low and that the methods used to communicate with residents does need to be reconsidered. In response it was noted that the Partnership recognises the issues raised and accepts that it needs to take on board the issues highlighted regarding the survey. However, it was felt that the Partners have got concerns of residents right if not the voices of the victims and perpetrators;
- Noted that the Committee Chair had, had a meeting with the Cabinet Member for Culture and Youth and stated that he would like a 'youth service promise' in relation to youth justice included in the Community Safety Plan (CSP). As it was felt that such a commitment from the Youth Service should strengthen the Partnership/CSP.

As a result of discussions on the report the Chair **Moved** and it was:-

RESOLVED

The Committee **endorsed** the report.

(**NB:** There were two abstentions from Councillor Wood and Councillor Mustaquim who felt more work was needed to be done with regard to the CSP).

9. VERBAL UPDATES FROM SCRUTINY LEADS

The Committee received and noted a briefing from which may be summarised as follows:

****Scrutiny Lead for Children's Services****

It was noted that in early September training on Children's Social Care and the role of members was delivered by staff in Children's Services and with an external trainer from the LGA (Local Government Association). It was,

overall, a well-attended session but it was unfortunate that not all Groups on the Council had been represented and the level of attendance from other groups was low. The Committee was reminded that, if LBTH is to demonstrate to Ofsted that the role of corporate parent is taken seriously it is important that ALL members engage and are equipped to undertake this as effectively as possible.

The Committee was also reminded that a spotlight session had been held at the last Scrutiny Committee on the improvement work in Children's Social Care with the Divisional Director and Lead Member. Whilst there will also be a further scrutiny spotlight scheduled for the November meeting.

Finally, during October Scrutiny Lead for Children's Services and Cllr Whitelock-Gibbs had participated in a 'Practice Day'. This included observing social work visits, attending team meetings. It was noted that there is now more collaborative working; staff engaging in discussions around practice and professional challenge around application of thresholds. Whilst there remain issues around the quality of referrals from schools; both at the Council's end and the schools but these are issues of which the leadership is aware and is working on. Staff also commented to the Scrutiny Lead about greater visibility of managers and leaders.

In relation to the home visits, Scrutiny Lead saw both the challenges faced by LBTH Social Workers in engaging with young people and their families and also the challenges faced by our families trying to do the best with what they have. One real question the Scrutiny Lead was left with following the visits was; if LBTH is maximising this opportunity to engage with young people? This is clearly an area where real improvements are required to be able to maximise impact in the interaction between our social workers and families.

****Scrutiny Chair****

Chair gave details with regard to the notification periods for executive decision making i.e. what happens when it is not possible to provide 28 clear days' notice and outlined two examples he had been briefed on when this had happened due to an "administrative oversight".

10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Chair asked that if any member of this Committee wished to submit any pre decision scrutiny questions relating to those unrestricted Cabinet papers for the meeting on the 31st October, 2017. Then these questions needed to be submitted by no later than 10:00 a.m. on the 30th October, 2017.

(The submitted pre-decision scrutiny questions of the unrestricted Cabinet papers for the 31st October, 2017 Appendix 1 refers).

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

Nil items

12. 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.

13. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

The meeting ended at 9.25 p.m.

**Chair, Councillor Dave Chesterton
Overview & Scrutiny Committee**

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