

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 6.32 P.M. ON MONDAY, 27 JANUARY 2020

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

Members Present:

Councillor James King (Chair)	
Councillor Sufia Alam (Vice-Chair)	– Scrutiny Lead for Children’s
Councillor Kahar Chowdhury	– Scrutiny Lead for Health & Adults
Councillor Dipa Das	– Scrutiny Lead for Housing & Regeneration
Councillor Marc Francis	
Councillor Tarik Khan	– Scrutiny Lead for Resources & Finance
Councillor Bex White	– Scrutiny Lead for Community Safety & Environment
Councillor Andrew Wood	

Co-opted Members Present:

Halima Islam	– Co-Optee
James Wilson	– Co-Optee

Apologies:

Councillor Eve McQuillan	– (Bethnal Green Ward)
Mayor John Biggs	– (Tower Hamlets Executive Mayor)
Councillor Sirajul Islam	– (Statutory Deputy Mayor and Cabinet Member for Housing)

Officers Present:

Asmat Hussain	– (Corporate Director, Governance and Monitoring Officer)
Adam Boey	– (Senior Strategy & Policy Manager - Corporate)
Ruth Dowden	– (Complaints & Information Manager, Legal Services, Law Probity & Governance)
Afazul Hoque	– (Head of Corporate Strategy & Policy)
Mark Griffin	– WASTE MOBILISATION ADVISOR
Dan Jones	– (Divisional Director, Public Realm)
Denise Radley	– (Corporate Director, Health, Adults & Community)

Karen Swift

– Divisional Director Housing &
Regeneration

David Knight

– (Senior Democratic Services Officer)

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

The following Councillor declared an interest that must be registered in Agenda Item 9

- Councillor Bex. White;

2. **UNRESTRICTED MINUTES**

The Chair **Moved** and it was:

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 13th January 2020 were confirmed as a correct record and the Chair was authorised to sign them accordingly.

3. **REQUESTS TO SUBMIT PETITIONS**

Nil items

4. **FORTHCOMING DECISIONS**

Noted

5. **UNRESTRICTED REPORTS 'CALLED IN'**

Nil items

6. **SCRUTINY SPOTLIGHT**

6.1 **Customer Services**

Asmat Hussain (Corporate Director, Governance and Monitoring Officer); and Ruth Dowden (Head of Information Governance) gave a presentation to the Committee regarding how the Council is responding to complaints and requests for information. The main points of the discussions on the report may be summarised as follows:

The Committee:

- Noted that at the September 2019 meeting it was agreed that OSC would consider the item once the Information Governance Toolkit had

been published to assist in the development of relevant themes into the Work Programme.

- Acknowledged the importance to continue to have a culture of learning from complaints with a constant exchange between providers and users.
- Noted that the Councils Corporate and Departmental Leadership Teams track outcomes to ensure a consistency in addressing those issues that have been identified.
- Confirmed the Council takes very seriously any recommendations received from the Local Government Ombudsman (LGO) to put things right.
- Noted that the Council ensures the right processes are in place to sustain improvement.
- Noted that the LGO is running a pilot from January, 2020 to June, 2020 with the intention to provide a mutually beneficial exercise that (i) develops a closer liaison; (ii) allows for engagement with the Corporate Leadership Team; (iii) provides training for staff on key areas; (iv) will allow the LGO to reach the relevant officers faster; and (v) identify the current issues so that service quality can be properly addressed;
- Noted that the LGO is confident that LBTH properly addresses any issues raised.
- Noted the LGO provides guidance on the levels of redress through its web site.
- Was informed dealing with a customer complaint takes a great deal of tact, and ignoring it can have a serious impact in the reputation of LBTH; and
- Was advised that handling a customer complaint positively takes listening and understanding of the facts. Prompt resolutions are expected, and a follow-up to ensure that a complainant is properly satisfied.

The Chair **Moved** and it was:

RESOLVED to maintain a watching brief over how the Council is responding to complaints and requests for information.

6.2 Local Government and Social Care Ombudsman, Determination of Outcome

Karen Swift the Divisional Director Housing & Regeneration gave a presentation to the Committee on the report issued by the Local Government Ombudsman (LGO) that had found fault with the way in which Miss X's homeless application was dealt with by LBTH when she had been threatened with homelessness in February, 2019 and homeless in March, 2019. The main points of the discussions on the report may be summarised as follows:

The Committee:

- Noted that the LGO had found there was significant fault in the handling of Miss X's case causing her injustice.
- Was informed that homelessness is a significant topical issue, following a change in the relevant law in April 2018 with the introduction of the Homeless Reduction Act (HRA).
- Noted that LBTH agrees with the Ombudsman recommendations and has taken steps to remedy the injustice these faults can cause homeless people.
- Was informed that the LGO had identified that there had been poor record keeping by the Council.
- Noted that the Council had not (i) recorded any consideration of whether transferring hospitals for maternity care would be disruptive to Miss X; (ii) recorded any consideration of whether unfurnished accommodation, over an hour away from its area, was suitable for her. Given that Miss X had not lived alone before becoming homeless and would probably not have any furniture that she could bring to the accommodation.
- Was informed that LBTH had indicated to the LGO that it could not consider providing financial support for Miss X to obtain private rented accommodation until a decision had been made about whether Miss X was in priority need and owed the main housing duty. However, the LGO have expressed concern that LBTH had confused its duties. The relief duty applying to applicants whether they are in priority need, therefore Miss X's priority need was not relevant to the relief duty. LGO have now clarified this with LBTH.
- Noted that LBTH needed to be more creative in how it helps find accommodation to relieve homelessness.
- Noted that the Housing Options Service had undertaken preparations by way of training and IT system changes to manage the introduction of the Homelessness Reduction Act in 2018. Those preparations had involved training on the Act and a new IT module had been purchased to meet the requirements of the new data requirements, and undertook a review of processes to provide the relevant statutory notices that were required to apply new prevention and relief duty. Briefings and presentations had been provided to staff to raise awareness of the changes which had come into effect. However, in spite of this preparation the service fell short of the Act's expectation in relation to Ms X almost a year on since the Act had been enacted.
- Was pleased to note that (i) the Housing Options Service have now helped Miss X to secure temporary discretionary housing payment to obtain affordable accommodation in the private rented sector. This it was noted was in line with what the Act says LBTH can provide by way of relief and homelessness prevention; (ii) Letter of apology will be sent to Miss X; and (iii) £1,000 compensation will be remitted to Miss X's account.
- Noted that (i) the Housing Options Service are continually reviewing their ways of working and have taken steps to bring extra resources into the Service and have recruited a backlog team who are working through the outstanding cases. In addition, 4 officers have been recruited to assist in dealing with new clients as they present to the service to enable officers to work in line with the law; (ii) the Temporary Accommodation Bookings

Team will ensure that all factors are taken into account when assessing suitability of accommodation and that these are recorded on the file for future reference; (iii) the Service will be increasing staffing levels funded through the Flexible Homelessness Support Grant (FHSG) to enable some of the workload pressures to be addressed in the long-term. This will enable employees to manage their work more effectively and meet the requirements of the law, increase preventions, ensure accurate recording of data and more detailed recording keeping. Whilst the additional posts will ensure that a further backlog of cases does not occur once the current backlog has been cleared.

- Welcomed the IT improvements being made that will ensure systems are streamlined and reduce duplication of work and ensure efficiency in service delivery. Whilst the off-line forms it was noted are being devised to enable applicants to complete key forms to speed up the assessment process.
- Noted that apart from an improved IT infrastructure the Housing Options Service also requires offices that are fit for purpose to help people to have the right customer journey.
- Noted that LBTH has 3 months to submit an action plan to the LGO.
- Was informed that managers will be trained on Reflective Practice to enable them to hold sessions with their own teams. The plan is also to hold service wide sessions from February 2020 onwards which will allow staff to share their thoughts and ideas for service improvement; and
- Noted that valuable insight from the Employee Survey is being used to address the barriers that have been identified by staff to deliver a good service. Delivering the service through a 'prevention and a customer journey' lens that will form the basis of a service improvement plan; looking at, customer flows and pathways, channel shift, improved IT, collaborative working across teams with clarity of purpose/policies and procedures that support the work of the teams.

The Chair **Moved** and it was:

RESOLVED that:

1. Housing Overview and Scrutiny Sub-Committee consider the following (i) A review of the Councils implementation of the HRA legislation; (ii) An update in 3 months of the Housing Options Improvement Business Case; and (iii) An update on the backlog in regards to the Housing Options Service casework.

6.3 Borough Commander Spotlight

Detective Chief Superintendent Marcus Barnett, BCU Commander for Hackney and Tower Hamlets gave a presentation to the Committee on the challenges and key areas of work undertaken to tackle community safety. The main points of the discussions on the report may be summarised as follows:

The Committee:

- Noted the BCU Commander must balance the available resources across LBTH and to those areas of greatest e.g. Night-time Economy and the linkages to criminality and public order.
- Noted that the one of the issue's raised by the Scrutiny Challenge Session (Resident Engagement with Safer Neighbourhood Panels) on the 23rd October 2019 was that residents expressed concerned at the apparent lack of police officers on the Borough's Streets.
- Commented that there are concerns regarding 101 non-emergency number for contacting the police and wanted examples issue's so that they can be chased or evidence that the Police Service is working to increase capacity. In response it was noted that the there was a new Head of Safeguarding in post who was looking at addressing residents' concerns e.g. detection rates and happy to come back to a future meeting discuss this issue.
- Noted that residents want the Safer Neighbourhood Teams to have a higher profile for and to be kept informed of changes in staffing on the Ward Teams and to see improved interaction with Safer Neighbourhood Panels. In response the Committee noted that Inspector Chris Scammell was working to address this.
- Noted that the picture was currently unclear with regards to the drugs market in LBTH.
- Commented that it would like policies on resolution/detection rates on Domestic Violence.
- Commented that it wanted to see more transparency by the Police Service about what is happening to help build linkages with SNP and enable residents to effectively challenge their SNT.
- Indicated that on the Isle of Dogs residents felt that SNP had proven to be less effective that the Police Forum that had preceded it. Residents also wished to see an SNP that matches the Isle of Dogs boundaries, in response it was noted that (i) the BCU wanted strong functional SNP's in LBTH to work with SNT's and (ii) the BCU Commander indicated that he would be happy to meet on the Isle of Dogs Ward to discuss this issue.
- Noted that the BCU wanted a sharper focus on exploitation and slavery and multi-agency safeguarding hubs.
- Noted that the increasing numbers of officers will help to address short fall in neighbourhoods and provide greater stability and continuity; and
- Expressed concern regarding the levels of ASB and Criminality in Shoreditch and noted in response that the Police and LBTH officers have taken part in several operations funded by the Late-Night Levy to manage of late-night alcohol-related crime and disorder.

The Chair **Moved** and it was:

RESOLVED to:

- Ask the Scrutiny Lead for Community Safety & Environment to (i) escalate concerns regarding reporting via 101; (ii) share the findings of the Scrutiny Challenge Session (Resident Engagement with Safer

Neighbourhood Panels) with the Borough Commander; and (iii) examine the balance of partnership resources within the BCU to so see how better we can support Police activities and the development of the SNP's.

6.4 Waste Mobilisation update

Councillor David Edgar (Cabinet Member for Environment); Dan Jones (Divisional Director, Public Realm); and Mark Griffin (Waste Mobilisation Advisor PR – Clean and Green) gave a presentation to the Committee regarding the creation of an in-house service for the integrated delivery of waste, recycling and cleansing functions for the 29th March 2020. The main points of the discussions on the report may be summarised as follows:

The Committee:

- Noted that good progress is being made on procurement activities across fleet and contingency arrangements have been established with Veolia. With leasing and spot hire procurement a priority to enable a smooth transition from Veolia's fleet to a new Council fleet.
- Noted that steps have been taken to replace the Councils older more polluting vehicles with ones that met the requirements of the Ultra-Low Emission Zone (ULEZ) and to put in place an electric charging infrastructure. Smaller vehicles on the fleet will be leased for up to 3 years and during that time that will allow LBTH to look at replacing those vehicles with other electric or other clean technology vehicles.
- Noted that there are issues with Euro 6 vehicles blowing filters but this can be addressed by effective maintenance and specific details can provide to the Committee.
- Noted that (i) consultation with Veolia staff and trade union representatives is well advanced and has been positive; and (ii) practical arrangements for staff checks, inductions; training and employees' terms and conditions with the creation of the in-house service are being finalized.
- Was supportive of this project and encouraged to see work being done to keep Veolia to the contract.
- Asked how (a) LBTH will ensure that performance improves and (b) will scrutiny be kept updated on progress. In response it was noted that the performance management information using (i) visual inspections; (ii) residents reports; (iii) staff targets (iv) staff feedback; (v) more resources for Street Cleansing; and (vi) a new IT systems will all provide better information to enable a thorough analysis of performance.
- Wanted more information on the environment impact of the new vehicle fleet.
- Noted that there would be a review of the service 6 months after the establishment of the in-house service.

The Chair Moved and it was:

RESOLVED to:

1. Request more information on the environmental impact of the new vehicle fleet.
2. Undertake a scrutiny review of the service 6 months after the establishment of the in-house service; and
3. Receive an update after 6 months on the employees' terms and conditions following the formation of the in-house service.

7. VERBAL UPDATES FROM SCRUTINY LEADS

Scrutiny Leads were requested to provide written updates prior to the next scheduled meeting.

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

As per attached appendices

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

The Committee notes that:

1. The Scrutiny Report on the Budget had been circulated for comment.
2. There was to be an additional recommendation regarding the MTFS proposals.
3. At the February meeting there would be an item on Changes to Customer Service.

10. EXCLUSION OF THE PRESS AND PUBLIC

As 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.

11. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

**Chair, Councillor James King
Overview & Scrutiny Committee**

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Item 6.1 - Bethnal Green, Liveable Streets	
Questions	Response
1. Regarding the Bethnal Green Liveable Neighbourhood, will access for emergency vehicles be affected?	Emergency services have been consulted on the proposal and have expressed no access concerns. As a key stakeholder and a statutory consultee we will be working with them as we detail up the design. Should there be a need for access at closure points we will ensure that the designs of these closures are such the emergency services can still use these routes.
2. Have the LAS, Fire Service and Met been consulted about changes to access?	We have met with the emergency services about the changes for Liveable Streets as a programme and for the individual schemes. As more detailed design is undertaken we will continue to work with the emergency services.
Item 6.2 - Report on the outcome of the statutory consultation on the proposal to close Raine's Foundation School.	
Questions	Response
1. How will the impact on the SEN support at Oakland's be managed when Raines students transfer over?	All pupils with an Education Health and Care Plan and those accessing SEND support at Raine's have had an individual interview to put a support plan in place. It is up to the parents of Raine's pupils where they apply for a place should Raine's close. All pupils transferring from Raine's will be individually monitored, but those with SEND will have additional support from the SEND team and the SENDIASS to transition into their new school. All families with a child who has SEND will be

	allocated a caseworker who will support families in looking at schools and helping them prepare young people for transition to new setting.
2. Is Oakland's school big enough to accommodate both schools?	<p>There is an intention to increase the PAN at Oaklands by two forms of entry from September 2020 but it is not anticipated that all remaining Raine's pupils will take up a place at Oaklands. There are 194 pupils currently attending Raine's. 44 year 13 pupils (end of sixth form) and 72 year 11 pupils (taking GCSEs) who will leave at the end of June.</p> <p>This will leave 33 year 8 pupils and 45 year 9 pupils who will be seeking a new school place. Families will be advised of which secondary schools have places available and will be supported to apply by the Admissions team. Raine's pupils transitioning to sixth form (up to 72 pupils) will be supported to apply in the normal manner.</p>
3. What impact will it have on the children who have started their GCSE's or choosing their options during the move? Especially if the subject they are studying isn't available?	All parents whose children would be in year 10, that is the first year of a two year GCSE programme, have already transferred their child to a place in another school.
Item 6.4 - Amalgamation of St Anne's and Guardian Angels school.	
Questions	Response
1. Will this have an impact on other schools in the locality of both of these two schools i.e.; oversubscribed	There is a potential for impact on other schools in the locality of both of these two schools, if parents /carers choose to relocate their children to a

	school other than St Anne's. However this potential would be mitigated through the work of the School Admissions team that would ensure a school place is offered to all children.
2. If so, how will this be managed?	Should parents/carers choose a school other than St Anne's, the process under the Co-ordinated Admission Scheme for In-Year Admission and school transfers would be followed. This is a non statutory service, but an important one in times of high demographic change. It is understood that approximately 23 children have accessed this provision from Guardian Angels.
3. Will the children from the Guardian angels school get priority in the school of their choice regardless of catchment area?	Children from Guardian Angels will get priority for places at St Anne's. Parents not wanting St Anne's would be eligible (as any other child) under the Coordinated Admission Scheme for In Year Admissions
4. Is there any help or other support available for those children who will not be eligible for Travel assistance?	The Diocese and schools' leadership and the LA are working together to explore possible option to minimise the potential impact of the travel distance on children
5. How will the staff for both schools be split? Or are they all given the option to go for voluntary redundancy?	Both schools will be undergoing a staffing restructure; decision on voluntary redundancies will be taken during the restructure process.
Item 6.6 - Adoption of fixed penalty notices for fly-tipping offences	
Questions	Response

<p>1. Are there plans for additional THEO resources to enforce these fines?</p>	<p>No, this enforcement work will be carried out by our team of Environmental Service Officers within Public Realm.</p>
<p>2. How was the £400 charge arrived at?</p>	<p>The range of fixed penalty fee can be between £150- £400 in line with the current legislation.</p> <p>The Mayor in Cabinet is required to decide on the level of penalty and any early payment discount. This report recommends adoption of the maximum £400 FPN with no early payment discount, which is considered a more efficient and proportionate deterrent for tackling fly-tipping across the borough.</p>
<p>3. Was the cost of enforcement factored in?</p>	<p>Yes - The total cost of fly tipping removal is estimated at over £690,000 per year. The recommended change to increase the penalty for fly-tipping will provide an additional enforcement tool to reduce the impact of this problem. The increased amount of up to £400 will be a more effective deterrent to fly-tippers, helping save the Council waste clearance and disposal costs. The receipts from these fixed penalties can be spent on enforcement action and resources. If an FPN is not paid, then the council would pursue legal action for the original offence of fly tipping. Legal costs can be recovered as part of successful prosecutions that get taken through the courts.</p>
<p>Item 6.7 - Local Government and Social Care Ombudsman,</p>	

Determination of Outcome	
Questions	Response
1. How was the figure of £1000 for compensation arrived at?	It is an amount suggested by the Ombudsman, and is in line with their Redress Policy, available on the website https://www.lgo.org.uk
2. Will a more wide ranging review into the structural problems with the Housing Options service be undertaken?	As set out in the Cabinet report in para 4.13 a wider systems review will take place that will address issues of silo working to provide for greater collaboration across teams, clarity of purpose and provide customers with a clear understanding of how their case will be handled. This work will be supported by the PMO who are working with the service on a business case which will be ready by the end of February for submission to the Customer Access Board. Learning from other boroughs and from MHCLG training tools is also important part of skilling up staff and raising confidence and competency levels. Furthermore, a spotlight session on 'HRA one year on' with the Housing and Regeneration Sub Committee on 2nd March will provide an opportunity to reflect on the obstacles to providing an excellent service and will inform our plans for the future.
3. What steps have been taken to proactively identify other homeless households, who might have endured a similarly poor service from the Housing Options Team following the implementation of the Homeless Reduction Act 2017, and	There was no recommendation in the Ombudsman report to do this. The service operates a complaints service and decisions made by the council are able to be reviewed by

<p>apologise and offer similar redress as that offered to Miss X?</p>	<p>applicants. These processes allow for suitability issues to be considered.</p>
<p>4. Given previous media coverage of Andy Gale’s alleged involvement in the promotion of discredited “gate-keeping” tactics to local authority Housing Options Teams to reduce the number of “acceptances” of homeless families and vulnerable single people to whom a full duty is agreed, are the Mayor and Lead Member for Housing Services satisfied that his approach aligns to the quality of service LBTH aspires to provide to its residents?</p>	<p>The training that Andy Gale provided was in line with the HRA code of guidance. The sessions were briefings on ensuring that we were compliant with the requirements of HRA. The content of the course is certified by MHCLG. He delivered 2 sessions to all staff that were nominated to attend the MHCLG funded London Training Academy that was coordinated by Southwark Council. The content of the training aligns with the MHCLG’s standard and by default LBTH’s Homeless and Rough Sleeping Strategy.</p>
<p>5. Has Andy Gale consulting been involved in providing previous training to Housing Options Service staff since 1st April 2017, and if so, please provide details of that training and the cost to LBTH of it?</p>	<p>Andy Gale provided HRA update training to frontline housing options staff last year and in January this year. The costs of the training can be provided off line.</p>
<p>Item 6.9 - Tower Hamlets Approach to Regeneration</p>	
<p>1. How will this report drive improvements in service delivery</p>	<p>As noted in the report, the Council’s outlined Regeneration Approach recognises that regeneration is a council-wide activity, with many of the Council’s services delivering activities that contribute to the eight regeneration outcomes, and a significant portion of work is already being delivered by existing Council services that falls under the umbrella of regeneration as defined within the approach.</p> <p>Formally adopting the Regeneration Approach,</p>

	<p>with clear links back to the Council's Strategic and Local Plan priorities, allows the Council (through the Regeneration Team and Regeneration governance arrangements) to provide a centralised vision that helps drive and focus existing service activity towards the regeneration outcomes.</p> <p>The overarching governance role of the Regeneration function also highlights areas in which services and resources can collaborate to provide better service, potential resource savings, and development of relationships between internal and external stakeholders that will help to provide a better service to residents. This governance also provides a structure for monitoring of service delivery to help prioritise work and make more efficient use of Council resources, maximising outcomes.</p> <p>In addition, a clear spatial vision through the area-based approach also allows existing service delivery functions to review established borough-wide activity to better focus at a more local scale, more effectively addressing the needs of the borough's diverse population in the areas in which they live and work.</p> <p>Overall, the Council's Regeneration Approach</p>
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	<p>does not seek to individually improve any particular area of service delivery; more, it seeks to collectively improve services for local communities by ensuring services sign-up to a singular vision to provide a holistic approach to delivery across the borough, working with internal and external partners and stakeholders.</p>
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