

OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 4 November 2014 at 7.15 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 Joshua Peck

Vice Chair:

Councillor John Pierce	(Scrutiny Lead for Communities, Localities and Culture)
Councillor Asma Begum	(Scrutiny Lead for Adult Health and Wellbeing)
Councillor Denise Jones	(Scrutiny Lead for Children's Services)
Councillor Dave Chesterton	(Scrutiny Lead for Development and Renewal)
Councillor Peter Golds	(Scrutiny Lead for Law Probity and Governance)
Councillor Mahbub Alam	
Councillor Abjol Miah	(Scrutiny Lead for Resources)
Councillor Muhammad Ansar Mustaqim	

Co-opted Members:

1 Vacancy	(Parent Governor Representative)
2 Vacancies	(Parent Governor Representative)
Victoria Ekubia	(Roman Catholic Church Representative)
Dr Phillip Rice	(Church of England Representative)

Deputies:

Councillor Khales Uddin Ahmed, Councillor Sirajul Islam, Councillor Rachael Saunders, Councillor Craig Aston, Councillor Julia Dockerill, Councillor Andrew Wood, Councillor Suluk Ahmed, Councillor Mohammed Mufti Miah and Maium Miah

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

Angus Taylor, Democratic Services
1st Floor, Town Hall, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG
Tel: 020 7364 4333
E-mail: angus.taylor@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

Scan this code for
the electronic
agenda:



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

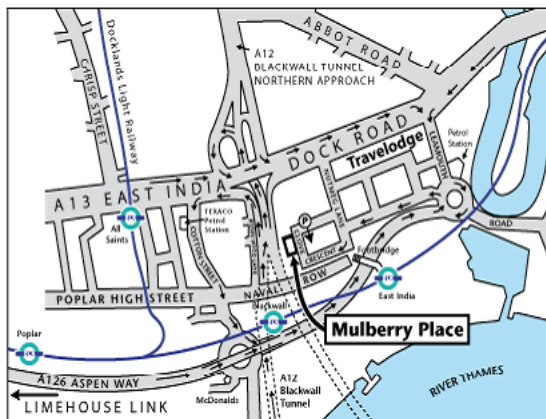
Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

Mobile telephones

Please switch your mobile telephone on to silent mode whilst in the meeting.

Access information for the Town Hall, Mulberry Place.



Bus: Routes: 15, 277, 108, D6, D7, D8 all stop near the Town Hall.

Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through complex to the Town Hall, Mulberry Place Blackwall station. Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closest tube stations are Canning Town and Canary Wharf

Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line:(http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx)

Meeting access/special requirements.

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Braille or audio version. For further information, contact the Officer shown on the front of the agenda



Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.



QR code for smart phone users.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**1 - 4**

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**5 - 24**

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 30 September 2014.

4. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet (01 October 2014) in respect of unrestricted reports on the agenda were 'called in'.

Whether any recent unrestricted decisions of the Mayor outside Cabinet, taken under executive powers, were "Called In" will be notified at the meeting.

6. SCRUTINY SPOTLIGHT - SOCIAL HOUSING PROVIDER

To receive an oral presentation from Mick Sweeney, Group Chief Executive One Housing Group or John Gregory, Group Director of Housing Services - One Housing Group, with a focus on performance.

7. UNRESTRICTED REPORTS FOR CONSIDERATION

- | | | | |
|-------------|---|------------------|------------------|
| 7 .1 | Co-options to Overview and Scrutiny Committee and membership update | All Wards | 25 - 34 |
| | To note the current position in relation to the co-option of representatives in respect of education matters, agree to extend the co-option of current Parent Governor representatives, and subsequently to note the current membership of the OSC. | | |
| 7 .2 | Covert investigation under the Regulation of Investigatory Powers Act 2000 | All Wards | 35 - 46 |
| | To consider and comment on the information contained in Appendix 1. | | |
| 7 .3 | Complaints and Information Governance Annual Report | All Wards | 47 - 102 |
| | To consider and comment on the content of the annual report. | | |
| 7 .4 | Progress Report: Removing Barriers to Youth Employment | All Wards | 103 - 138 |
| | To consider a progress report on implementation of the Removing Barriers to Youth Employment Scrutiny Review recommendations, and whether further scrutiny is required or further progress monitoring. | | |
| 7 .5 | Reference from Council - Judicial Review on the Best Value Inspection | All Wards | 139 - 144 |
| | To note the referral request and consider a response. | | |

8. VERBAL UPDATES FROM SCRUTINY LEADS

To receive an oral update from each of the Scrutiny Lead Members.

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

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

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

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

11. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

12. EXEMPT/ CONFIDENTIAL MINUTES

To confirm as a correct record of the proceedings the exempt/ confidential minutes of the meeting of the Overview and Scrutiny Committee held on 22nd July 2014 (to follow).

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

There were no decisions of the Mayor in Cabinet (01 October 2014) in respect of exempt/ confidential reports on the agenda, and therefore none eligible for 'Call In'.

Whether any recent exempt/ confidential decisions of the Mayor outside Cabinet, taken under executive powers, were "Called In" will be notified at the meeting.

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

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

15. 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

Tuesday, 2 December 2014 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:-

Meic Sullivan-Gould, Interim Monitoring Officer, 0207 364 4801

John Williams, Service Head, Democratic Services, 020 7364 4204

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>

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.20 P.M. ON TUESDAY, 30 SEPTEMBER 2014

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

Members Present:

Councillor Joshua Peck (Chair)
Councillor John Pierce (Vice-Chair)
Councillor Asma Begum
Councillor Denise Jones
Councillor Abjol Miah
Councillor Dave Chesterton

Councillor Julia Dockerill
Councillor Suluk Ahmed
Councillor Muhammad Ansar Mustaqim

Co-opted Members Present:

Nozrul Mustafa – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Dr Phillip Rice – (Church of England Representative)
Victoria Ekubia – (Roman Catholic Church Representative)

Other Councillors Present:

Councillor Danny Hassell –
Councillor Abdul Asad – (Cabinet Member for Adult Services)
Councillor Aminur Khan – (Cabinet Member for Policy, Strategy and Performance)
Councillor Gulam Robbani – (Cabinet Member for Children's Services)

Guests Present:

–

Officers Present:

Mark Cairns – (Senior Strategy, Policy and Performance Officer)

Philip Devonald	– Interim Deputy Head Legal Services, Law, Probity and Governance)
Kevin Kewin	– (Service Manager, Strategy & Performance, Chief Executive's)
Louise Russell	– (Service Head Corporate Strategy and Equality, Law Probity & Governance)
Kate Bingham	– (Service Head, Resources, Education Social Care and Wellbeing)
Anne Canning	– (Service Head Learning and Achievement, Education Social Care and Wellbeing)
Chris Holme	– (Acting Corporate Director - Resources)
Robert McCulloch-Graham	– (Corporate Director, Education Social Care and Wellbeing)
Kevin Miles	– (Chief Accountant, Resources)
Rachael Sadegh	– (DAAT Manager, Community Safety Service, Communities Localities & Culture)
Angus Taylor	– (Principal Committee Officer, Democratic Services, Law Probity & Governance)
Nadir Ahmed	– (Business Support Manager, Development and Renewal)

COUNCILLOR JOSHUA PECK (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Mahbub Alam for whom Councillor Suluk Ahmed was deputising.
- Councillor Md Maium Miah for whom Councillor Ansar Mustaquim was deputising.
- Councillor Peter Golds for whom Councillor Julia Dockerill was deputising.
- Stephen Halsey (Head of Paid Service & Corporate Director Communities Localities & Culture).
- Andy Bamber (Service Head Safer Communities, CLC) for whom Rachel Sadegh DAAT Coordinator deputising.
- Bozena Allen (Service Head Adult Social Care, Education Social Care & Wellbeing).
- Cllr Alibor Choudhury (Cabinet Member for Resources).
- Cllr Ohid Ahmed (Cabinet Member for Community Safety).

Noted.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of Disclosable Pecuniary Interest or other declarations of interest were made.

3. UNRESTRICTED MINUTES

OSC Minutes 22nd July 2014

The Chair informed OSC members that the Service Head Democratic services had requested that a revised draft set of unrestricted minutes, pertaining to the OSC meeting held on 22nd July, be tabled, thereby replacing those published and contained in the agenda pack for OSC consideration as a correct record of the proceedings. The Chair commented that in this version there appeared to be substantial changes made after the draft minutes had been written. The Chair emphasised that it was not the role of Chief Officers to change the draft minutes, as this was a role for the OSC; and although points of accuracy should be raised for consideration this should not comprise a substantial re-write. Clarification was sought and given as to the Officer clearance process for draft minutes.

The Chair sought and was given clarification as to why no exempt/confidential minutes pertaining to the Section 2 part of the OSC meeting held on 22nd July had been submitted for OSC consideration. Councillor Jones commented that in her considerable experience minutes were always submitted to the next meeting, even if their content was minimal, and this should not be a matter for the judgement of the clerk.

The Chair **proposed** for the consideration of OSC members, and it was **agreed**, that a version of the draft set of unrestricted minutes pertaining to the OSC meeting held on 22nd July, containing the Chair's suggested amendments (indicated with track changes) to the draft minutes contained in the agenda pack, be **tabled** for OSC consideration [published on LBTH website as agenda supplement to 30 September OSC agenda]. The Chair subsequently informed OSC members of his rationale for each suggested amendment, and then **Moved** for OSC consideration, and it was:-

Resolved

That, subject to the amendments indicated in the tabled version of the unrestricted minutes pertaining to the OSC meeting held on 22nd July, the minutes of the ordinary meeting of the Overview and Scrutiny Committee held on 22nd July 2014, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.

The Chair commented, in relation to the request of the Service Head Democratic services that a revised draft set of unrestricted minutes pertaining to the OSC meeting held on 22nd July be tabled, that it was unclear why a further draft set of minutes was required at this stage when the meeting had been held over two months previously and they had not been available for consideration at the last OSC meeting [02 September]. Louise Russell, Service Head Corporate Strategy and Equality, advised that Chief Officers

had expressed concern that the draft minutes contained in the agenda pack were inaccurate/ misleading and suggestions made to mitigate this had not been accommodated; there had also been version control issues. The Service Head Democratic services had undertaken to review the matter and provide/ table a definitive set of draft minutes. The Chair responded that he was displeased that it had taken two months to draft the minutes and then he was requested to table a further version. The Chair **Moved** and it was:-

Resolved (on a majority vote)

That the request of the Service Head Democratic services to table a revised draft set of unrestricted minutes, pertaining to the OSC meeting held on 22nd July, not be agreed. Accordingly the draft unrestricted minutes of the OSC meeting held on 22nd July contained in the agenda pack, as amended by motion of the Chair and OSC resolution [as set out in the above minute], comprise the approved version of the minutes to be signed by the Chair as a correct record of the proceedings.

OSC Minutes 2nd September 2014

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

Resolved

That, subject to the amendment at (a) below, the unrestricted minutes of the ordinary meeting of the Overview and Scrutiny Committee, held on 2nd September 2014, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.

(a) Page 5 (Page 25 of agenda pack)/ 2nd paragraph/ penultimate bullet point:- addition of the following text at the sentence end:-

“Accordingly concern expressed, given the Cabinet Member for Resources’ stated purpose to protect local organisations, that only one of the relevant organisations, NAFAS, was a local organisation.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

4. REQUESTS TO SUBMIT PETITIONS

There were no petitions.

5. UNRESTRICTED REPORTS 'CALLED IN'

The clerk informed OSC members that:

- No unrestricted decisions of the Mayor in Cabinet on 3rd September 2014 had been “Called In”.
- No recent unrestricted decisions of the Mayor outside Cabinet, taken under executive powers, had been “Called In”.

VARIATION TO ORDER OF BUSINESS

The Chair informed OSC members that he had been advised by the Clerk that the nomination of a Roman Catholic Church Representative to the co-opted membership of the OSC has recently been received. He considered it appropriate that the order of business be varied to enable the OSC to consider an urgent tabled report which recommended that the OSC agree the co-option at this point; this would allow the nominated representative, in relation to education matters considered by the OSC, to contribute to discussion on substantive agenda items, but particularly to participate and vote on the agenda item relating to the school curriculum. Accordingly the Chair **Moved** the following motion for the consideration of OSC members, and it was: -

Resolved

That the Order of Business be varied to enable the OSC to consider next an urgent tabled report:- Agenda Item 10.1 “Co-option of Roman Catholic Church Representative to Overview and Scrutiny Committee”, which recommended that the OSC agree the co-option of a Roman Catholic Church Representative, and subsequently the OSC return to the order of business detailed in the agenda.

Please note that for ease of reference, OSC deliberations in respect of agenda item 10.1, and subsequent decisions taken, are set out below in the order detailed in the agenda.

6. SCRUTINY SPOTLIGHT - SOCIAL HOUSING PROVIDER

The Chair informed OSC members that, following their agreement, on 02 September, that One Housing Group be formally requested to attend an OSC in the near future [to discuss serious concerns, held by Members across the borough, with housing management on estates in the borough managed by OHG], the Corporate Director Development & Renewal had been in dialogue with the CEO of OHG and OHG had agreed to attend a future OSC and officers were now liaising on a date that would be congruent with the OSC work programme.

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Readiness for new school curriculum - (the implications of the new school curriculum in Tower Hamlets) - To Follow

Anne Canning (Service Head Learning & Achievement, ESCW) gave a detailed PowerPoint presentation (a copy of the slides for which would be interleaved with the minutes), to supplement the information contained in the report which informed OSC of the radical changes being implemented by the Government

to reform the education curriculum, especially at Key Stage 4 and post-16. The presentation focused on the following points:

- Rationale for curriculum changes and implications
 - Organisation of the curriculum and implications
 - Changes in assessment and implications
 - Changes in reporting and implications
 - Action being taken by the Authority to address the curriculum changes
- Councillor Gulam Robbani (Cabinet Member for Education & Children's Services) and Robert McCulloch-Graham (Corporate Director ESCW) were also in attendance for this item.

Points highlighted by Anne Canning included:-

- Reasons for change were driven by Government concerns about educational standards compared with other countries, and a need for better preparation of young people for university, training, apprenticeships and employment. Also by consideration that a more traditional curriculum would raise standards although there was no evidence base for this.
- Curriculum reform would be phased from 2013-2016 in primary (including Key Stage 1&2) 2014-2017 in secondary, and therefore some initial changes had already been implemented eg primary schools had already been teaching to new revised programmes of study from 2013.
- At Key Stage 1&2 there were content changes in the curriculum for English, mathematics, science and significant changes for ICT. In general the curriculum was more demanding and heightened focus on "Britishness". Changes to exam specifications and marking schemes followed from the curriculum changes, with corollary changes in reporting measures and league tables. The final plans for the new KS2 measure were due to be announced imminently but it was expected that it would include a scale from 70-130 with an average score of 100 for 11 year olds. There was an expectation that 85% of pupils achieve to be "secondary ready".
- The next transformational change to the curriculum was at Key Stage 4. Schools were being encouraged to offer students a suite of at least 8 subjects with significant corollary changes in reporting with "attainment and progress eight" to replace the current common measure of 5+A*-C with English and Mathematics; attainment would be an average score for the 8 subjects. This would force schools to offer a more academic curriculum with a swathe of subjects no longer included in the pupil assessment process; and again there was heightened focus on "Britishness" eg specific standards such as English history. This and the heightened focus on factual learning and linear rather than modular assessment would make exams more challenging. Examination marking would change with A-E grades replaced by a numbering system 1-9, with 9 as the best grade. The bar was to be set at 5 which was slightly above the current C and there was merit in endeavouring to raise the bar. Religious education and sex education must still be provided.
- The steps planned to support students and teachers with the challenges of the new curriculum were outlined.

A discussion followed which focused on clarification being sought and given on the following points:-

- Was the mean/ median score of 100 at KS2 fixed in relation to the cohort? *It was difficult to say if it would be a true median for the cohort or a romantic view of what an 11 year old should achieve. A definition was expected before the end of November 2014, a possible measure of progress would be the median for the previous year's cohort.*
- Would religious and sex education be statutory/ mandatory and in particular would there be provision for parental opt out, given concerns over public health implications? *There would still be a requirement to deliver sex education, however the content/ scope of this had been reduced so it was much less controversial. To date few parents had withdrawn pupils from sex education on a permanent basis once concerns had been addressed. Age appropriate sex education would continue to be provided and schools often engaged the work of the Parental Engagement Team for support if parents raised concerns with the school.*
- Clarification sought and given in relation to curriculum changes for special needs children and nursery/ pre-school. *There had always been a modified curriculum for special needs children and progress/ attainment reported in a different way, and bespoke reporting would continue. There had already been 2 years of curriculum change implementation for nursery/ pre-school, with a shift to significantly fewer areas of assessment.*
- Referencing the highlighted need for teacher training and retraining, how did the Authority intend to support children currently going through the process, who may have teachers that were less experienced with new teaching requirements? *It was expected that support would be needed for teachers who had limited experience in teaching methods associated with linear assessment and the content of the revised curriculum in some schools; the authority would identify specific support needs and address these.*
- Given the significant number of children in Tower Hamlets for whom English was a second language, how was the heightened focus on English and grammar to be addressed? *Spelling, Punctuation and Grammar had traditionally been an area of good performance in Tower Hamlets and this was reflected in formal reporting.*
- Arts subjects appeared to have secondary importance in the new curriculum, so what was the Authority's strategy to ensure a rounded education for young people? *The reduction to 8 subjects for assessment may prove advantageous for cohorts previously taking a larger number of GCSEs, and could benefit schools in maintaining the provision of a wider curriculum. The Arts were not such a priority in the new curriculum, however in Tower Hamlets additional activities had always been prioritised and local organisations heavily involved with delivery of these eg Thames Music. Good schools appreciated the importance of a wide curriculum which promoted the arts as a great driver of high attainment.*
- Was the curriculum for free schools and academies different? *These were not tied to teaching the national curriculum, but were tied to the same assessment system, and therefore to deliver good assessment outcomes*

they needed to teach the national curriculum which the assessment was linked to.

- Referencing para 4.28 of the report, clarification sought as to requirements in the new curriculum relating to religious education and provision for obtaining a recognised qualification therein. *RE must be offered as a curriculum subject with associated provision for examination/ qualification, It was not compulsory for all pupils to sit a formal assessment in the subject. However, in Tower Hamlets RE was very popular and likely to remain so not least because the subject considers some very important 'issues' and those big questions about belief and the meaning of life.*
- What monitoring arrangements were in place to ensure that assessment methodology was consistent across all LBTH schools? *Progress would continue to be monitored at set points KS2 & 4 with externally assessed tests. The authority was endeavouring to ensure a similar approach across schools, with schools receptive to advice/ guidance; however it was being led by schools themselves which had formed a cross school working party on this, and Officers were confident the schools would deliver.*
- Given the expectations of year 3 pupils at KS1 &2 in respect of assessment against the new curriculum, what resources were being earmarked by the authority to support this, and were robust arrangements in place to deliver next year 2015/16. *The Authority and schools were aware of the impact of curriculum reform for 2015/16 and particularly mindful of the raised bar and associated expectations. It was working hard to prepare and support teachers with the transition.*

The Chair thanked Councillor Gulam Robbani for attending the OSC and **Moved** and it was:-

Resolved

1. That the contents of the report and presentation be noted; and
2. That Members comments be noted.

Action by:

Robert McCulloch-Graham (Corporate Director ESCW)

Anne Canning (Service Head Learning & Achievement ESCW)

7.2 Substance Misuse Strategy

Rachael Sadegh, (DAAT Manager, Community Safety Service, CLC) introduced, and highlighted key points, in the report which informed OSC that:-

- Full Council had adopted a local Substance Misuse Strategy (SMS) for 2012-15 with 3 core work streams or 'pillars':- prevention and behaviour change, treatment, enforcement and regulation. This was due to expire in April 2015.

- There were statutory obligations upon the Authority, under the Crime and Disorder Act 1998, to formulate and implement strategies in conjunction with other specified responsible authorities for combating the misuse of drugs, alcohol and other substances; and the SMS was a contributory element of the Crime and Disorder Reduction Strategy for Tower Hamlets. The SMS was also closely linked to the Community Safety Plan (CSP) and the Health & Wellbeing Strategy (HWS), both of which expired in March 2016.
- The DAAT Board and the Community Safety Partnership had endorsed a proposal to extend the current SMS by a year to align with both:-
 - The major re-procurement of drug / alcohol treatment services, currently underway, the outcome of which would drive changes to the way in which related services are delivered. Thereby avoiding the premature adoption of a revised strategy that would immediately have to be revisited.
 - The CSP and HWS to facilitate a more comprehensive and co-ordinated response to substance misuse.
- The extension to the SMS had been considered and agreed by the Mayor in Cabinet on 3rd September, and was now before the OSC for comment before it was considered by full Council in November.

A discussion followed which focused on clarification being sought and given on the following points:-

- Why was the SMS now before the OSC for comment, when it had already been considered by the Mayor in Cabinet and an onward recommendation to full Council made? *The SMS was a mandatory strategy that required presentation to OSC for comment before adoption by full Council.*
- Perplexity expressed regarding the major re-procurement of drug/ alcohol treatment services in advance of the formulation of a new SMS. Surely the services to be delivered should follow on from the strategy after its identification of strategic needs?. *There was already a commitment to re-procuring treatment system within the adopted 2012-15 SMS and this process began in January 2014, less than two years into the current strategy.*
- Concern expressed that the development of a new SMS 4 years after the existing SMS had been adopted, was likely to lead to different procurement needs to those identified by the current strategy. There might be a case for shifting resources from treatment to prevention which might render the current re-procurement not fit for purpose. *Stakeholders were already involved in the re-procurement and there was a responsibility to deliver on the SMS adopted by full Council in 2012. The shift of resources was a theoretical possibility however there was no sense that would happen given the stakeholders involved in re-procurement would be those engaged in development of a new strategy. Re-procurement was in line with practice across London and Public Health England was content that it would deliver the required public health outcomes.*

- Clarification sought and given as to performance targets and performance monitoring arrangements associated with the SMS. Were it to be extended which areas of concern regarding service delivery would need monitored? *In terms of the prevention and behaviour change pillar, there was a comprehensive communications and education plan as previously, but resources should be invested in evidence based interventions In terms of the treatment pillar there was some evidence that outcomes were not being delivered and that would be addressed through the re-procurement. In terms of enforcement there had been a significant reduction in re-offending and this focus would continue.*
- Could suppliers failing in service delivery outcomes be excluded from the re-procurement? *This was not legally possible.*
- During the election campaign constituents had made it clear there was a serious problem with substance misuse by young people in stairwells and internal communal areas, particularly in social housing blocks. Which part of the SMS addressed the engagement with RSLs and relevant parts of the Community Partnership to ensure RSLs maintained working door entry and CCTV systems to mitigate this problem? *The Authority engaged with RSLs at the Anti-Social Behaviour forum, and THEOs engaged with RSLs in combatting ASB at fortnightly tasking meetings. It would also be addressed in the 2015/16 Action Plan.*
- Clarification sought and given as to substance misuse prevention policies in secondary schools. Also whether enforcement activities still focused on middle tier drug dealers. *Prevention in schools fell under the ESCW directorate whereas the Drug and Alcohol Action Team was limited to adults; however input from young people had informed the SMS. It was intended that the successful "Dealer a Day" initiative would continue. Mr McCulloch Graham (Corporate Director ESCW) advised that all secondary schools will have drug education and prevention policies and social health education. Significant funding had been set aside to work with parents and pick up cases. **It was requested that information be circulated to the OSC on schools with drug education and prevention policies and those that were implementing them.***
- Clarification sought and given as to whether drug education and prevention policies and social health education was to extend to primary schools. Also what work was being done to engage with the community, schools and police in areas where schools were located? Was there joined up partnership working, and were schools aware of who to contact if substance misuse was occurring on land where ownership was not clear eg railway land? This was important as the problem of substance misuse was itinerant when tackled. *ESCW straddled adult and children's services and it engaged with many partners. The Children's Trust in particular brought together such partner agencies to ensure joined up working. There were gaps in the structure but it was hoped the restructuring of ESCW would address this by bringing in more services. The Troubled Family initiative would handle cases of young people with difficulties and drug use was one referral route to it. The DAAT Board also brought together partners as did the Community Safety Partnership.*

- Clarification sought and given as to whether the Action Plan linked to the SMS addressed alcohol abuse which caused ASB. Street drinkers were a low level but high impact issue and constituents felt not enough was being done to tackle this. The borough-wide *Drinking Control Zone was in place and the THEOs implemented enforcement of the CDZ. DAAT Officers worked closely with hostels where many street drinkers resided and new contracts for such hostels contained PIs for this. Community Alcohol Teams were based in the hostels. An alcohol awareness week was due in November. Those who abused alcohol had not been a target group in the past but now an integrated service addressed this as often drug use ran in tandem with that of alcohol.*
- Was the current services for drug and alcohol abuse integrated with mental health services, as it was understood that mental health problems were exacerbated by drug and alcohol use, and responsibility for dealing with the resulting problems often passed on to a different service? *Resources were currently allocated to a dual diagnosis service (co-existing mental health and addiction issues) and this was currently delivered by East London Foundation Trust. The current system was not working well and therefore would be included in the new treatment service specification which would have low thresholds to access this service.*

The Chair thanked Rachael Sadegh for presenting the report; **Moved** and it was:-

Resolved

1. That the contents of the report, and proposed extension of the current Substance Misuse Strategy by one year to the end of March 2016, be noted; and
2. That the advice/comments of the OSC, set out below, in respect of the proposed extension of the current Substance Misuse Strategy, which forms part of the Council's Policy Framework, be presented to the Mayor in Cabinet on 5 November 2014 to inform the existing referral of the matter to 26 November 2014 full Council [Mayor in Cabinet 03 September]

That the Substance Misuse Strategy and associated action plan be made more robust by encompassing (a) to (c) below:-

- a) Further work with Registered Social Landlords to improve security for the social housing they manage, and ensure related targets and associated monitoring arrangements are in place.
- b) Ensure both secondary and primary schools have substance misuse and prevention policies and that these are implemented.
- c) Further work to mitigate street drinking and related anti-social behaviour in the borough.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

Andy Bamber (Service Head Safer Communities, CLC)
Rachael Sadegh, (DAAT Manager, Community Safety Service, CLC)

7.3 Strategic Performance and Corporate Revenue and Capital Budget Monitoring Q1 2014/15 (Month 3) To Follow

Special Circumstances and Reasons for Urgency

The Chair informed members of the Committee that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report and that the Constitution required that he agree these before OSC consideration of the report could take place. The Chair subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

“This document was not available for despatch with the main agenda and it cannot wait until the next meeting as Members have to consider and comment upon the information provided in the report prior to its consideration by Cabinet on the 1st October, 2014.”

However the Chair sought and was given clarification as to why the report had not met the statutory publication deadlines, and therefore required reasons for urgency. The Chair subsequently noted that this was a quarterly report submitted to both OSC and Cabinet, there was a process for delivering it in a timely way, and the OSC expected publication to meet the statutory deadlines for OSC next quarter.

Chris Holme (Acting Corporate Director Resources) introduced, and highlighted key points, in the monitoring report which detailed the financial outturn position of the Council at the end of Quarter 1 2014/15 compared to budget, and service performance against targets for all reportable strategic measures. Councillor Aminur Khan (Cabinet Member for Policy Strategy & Performance) and Councillor Abdul Asad (Cabinet Member for Health & Adult Services) together with Kevin Miles (Chief Accountant Corporate Finance), Robert McCulloch-Graham (Corporate Director ESCW), Kate Bingham (Service Head Resources ESCW), Louise Russell, Service Head Corporate Strategy and Equalities and Kevin Kewin (Service Manager Policy Strategy & Performance) were also in attendance for this item.

Points highlighted by Chris Holme included:-

- All directorates were forecasting a breakeven position to budget at Quarter 1 excepting ESCW where significant financial pressure had been identified relating principally to Adults Social Care packages, and an overspend of £2.1 million was currently forecast.
- The HRA was projecting a small overall underspend for 2014/15.
- There was a projected underspend for capital outturn, mostly relating to ESCW grant related slippage and this would be carried over into 2015/16.

A discussion followed which focused on clarification being sought and given on the following points:-

- Referencing para 7.8 of the report concern was expressed that the performance against target for percentage of LPO7+LA Staff who have a disability had not been met; and clarification sought as to what mitigating action was being taken to meet it in future. *This was a very small cohort of staff and the dip in performance may be due to just 1 individual leaving the Council's employ.*
- Referencing Appendix 2 "Corporate Monthly Budget Monitoring"/ page 2 - Service Area C18 Communications and /page 21 - Vote H82 Holding Account & Support Services, concern expressed that there were very large variances against budget and no explanation given, whereas other small variances had explanations. **Requested that explanations be provided for all significant variances in future reports.** *C18 - Although significant in overall terms the variance to date was not the likely profile against 12 months expenditure. There was more income in Communications and the variance likely to be due to contracts. Overall projections in cost terms were in line with budget, however there had been a downturn for advertising revenue from East End Life in Quarter 1 due to market conditions. H82 This was a holding account for central support services to be allocated against the Dedicated School Grant at year end, an explanation would be included in the Quarter 2 monitoring report.*
- Concern expressed that there was a significant capital underspend against budget at this point in the year and slippage would carry forward to 2015/16. The lag in spending to budget meant benefits accruing late to residents of the borough and this had been a phenomena going back many years; why was the programme of spend not rolled forward so benefits accrued to residents? *Scheme slippage over a long period was inevitable, and although there was a case for over-programming so schemes could be brought forward to absorb budgeted spend, in a period of reducing resources a position could arise where there were insufficient resources to pay for schemes. There would be no over-programming going forward.*
- There may need to be a skill uplift for capital spending if, as advised, directorates continued to bid for resources in year 1 and then identified that they could not spend until year 2. Resources Officers were reliant on technical experts for an assessment of scheme spend. There was also a balance to be struck in terms of resources to be gained from treasury management and not holding large cash balances.
- Clarification sought as to:
 - Why capital schemes for Banglatown Art Trail and Arches and Bancroft Library Phase 2b been rescheduled for 2018. What was the arches scheme, which part of Brick Lane would it be on, where had the scheme come from, what was the scheme intended to achieve. Was there a paper/ report on it which would unlock the rationale? **CH undertook to respond in writing.**
 - Why capital schemes for Multi-Faith Burial Ground and Faith Buildings had been scheduled for spend in 2014/15 when nothing had been

heard of the former progressing and it was understood the latter was held up by legal challenge. **CH undertook to respond in writing.**

- Brick Lane Mural:- What was the mural, which part of Brick Lane would it be on, where had the scheme come from, what was the scheme intended to achieve. Was there a paper/ report on it which would unlock the rationale? **CH undertook to respond in writing.**
- Watney Market Idea Store was detailed as complete, yet there was currently scaffolding outside, had it been completed and now being revisited due to problems with the work? **CH undertook to respond in writing.**
- Consideration that some of the vote titles in the list of capital schemes were overly vague and global eg D&R “Council House-building Initiative” and a further breakdown would be helpful.
- Consideration that the current reporting did not enable the reader to identify what the overall Section 106 budget was, where S106 resources came from, which schemes generated the funding, how much was generated, and where it was allocated. **CH undertook to provide a briefing note to OSC members.**
- Concern expressed over the forecast overspend of £2.1 million in ESCW due principally to Adults Social Care packages and insufficient grants and reserves to fund the whole forecast amount, reported in juxtaposition with forecast unallocated DSG of £4.367 million. *The overspend relating to ASC packages was due to reduced funding from health with the formula based on a set number of cases with the authority now absorbing the remainder. Rising demand also required mitigating action. A financial recovery group had been established to examine the matter in depth and to engage with health partners to resolve it, and funding was being regained.*
- Was the problem caused by cost shunting by the NHS or growth pressures or increased medical need? *There had been a shift of responsibilities and budgets, but improved discipline in Adult Social Care and mitigating action was now bearing fruit, however it remained an area of concern. Negotiations with the Clinical Commissioning Group (CCG) were ongoing with a view to reaching an arrangement for community care and health care. A contract of £42 million for this was currently being negotiated with CCG and other partners including East London Mental Health Trust and Barts Health. Cost shunting was on the agenda at all meetings, with concerns relayed and a more robust approach in the last 6 months. There were growth issues due to demographic trends eg care package growth for those with mental health issues like demensure. Contracts were in place for adults with learning difficulties, but budget gaps needed mitigated by smarter contracting and better use of the community asset base of carers. The Care Act and the Better Care Fund had major implications and there remained significant funding unknowns; more information would be forthcoming as these changes approached.*
- What action was being taken to safeguard services to residents during the period whilst an arrangement was reached between LBTH and partners on responsibilities and budgets? *Adult Social Care and ESCW had a responsibility to ensure that no residents were failed, and none had been. However the budget needed managed and preventative work needed*

undertaken with ASC and specialist services addressing issues at an earlier point.

- Were mechanisms in place to chase the resources due to LBTH and to secure external funding? There were a number of areas in the partnership where it had been successful in securing funding eg CCG fund to prevent bed blocking in hospitals. Also through re-ablement packages, with LBTH being robust where health partners withholding funding for this.
- Given the range of factors causing budget problems eg savings expectations not proving possible and a need for reconfiguring ESCW was the Mayor's budget the right one? *The Budget was right for ESCW and budgetary pressures would be managed and in balance by year end, even if ASC issues needed covered by budget transfers from other areas in the directorate.*
- To what extent were costs being controlled, did care packages need reduced, were they tight enough? What was the tipping point and safety valve? *Re-ablement was a good example of how care could be provided in a home environment with a cost saving for the authority. There was a need for realism in the outcomes sought for individuals a care package to cover all eventualities may not be appropriate. The Community was an asset that needed to be harnessed much more.*
- LBTH was in a different position to all other local authorities in the country, was it a net importer of those with high social care needs? *There was a widely held perception that because LBTH did not charge for homecare this created increased demand with people moving into the borough to receive care. There was currently no evidence base to support the perception or refute it, it was anecdotal.*
- Given the frequent assertion that budgets were under extreme pressure it was puzzling that the only evidence of pressure was a single overspend; Were sufficient budget savings being required? *Directorates had a history of containing spend within budget and the Acting Corporate Director Resources was confident they would deliver this in 2014/15. If this was not possible for the £2.1 million ESCW overspend relating to ASC packages, it should be offset by underspends in other directorates, but there were sufficient contingencies to mitigate it if necessary and risk had been factored into the Medium Term Financial Plan. The implications of the Care Act were a much more significant risk going forward.*

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

Resolved

1. That Quarter 1 financial performance compared to budget for 2014/15, as detailed in Sections 3 to 7 and Appendices 1 to 4 of the report, be noted; and
2. That Quarter 1 performance for 2014/15 strategic measures, as detailed in Appendix 5 to the report, be noted.

Action by:

Chris Holme, Acting Corporate Director Resources

Louise Russell, Service Head Corporate Strategy and Equalities

7.4 Overview and Scrutiny Committee Outline Work Programme 2014/15

Mark Cairns (Senior Strategy Policy and Performance Officer) introduced and summarised key points in the report, which provided the OSC with progress to date in developing the 2014/15 OSC work programme. Mr Cairns highlighted that the work programme was by its nature an evolving document. He also highlighted changes to the work programme since the report had been published in the agenda.

The Chair commented with regard to an OSC report back to full Council on the "Investigation into the sale of Old Poplar Town Hall" that he considered it appropriate to settle on a draft at an informal OSC meeting, where all those attending would be given an opportunity to contribute to a draft upon which the majority of the OSC were agreed, with this draft subsequently presented to the next formal OSC meeting for consideration and agreement. Legal Services had indicated this was a legitimate approach for formulation of the OSC's draft report, providing the OSC formally agreed a final report for onward recommendation to full Council. The clerk would be in touch with OSC members with regard to arrangements for the informal meeting.

The Chair also sought clarification as to the current position regarding the formal request by the OSC at their last meeting, that an independent external legal adviser, to examine the disposal of Old Poplar Town Hall, be obtained within two weeks. *Louise Russell (Service Head Corporate Strategy & Equality) relayed her understanding, which had yet to be confirmed because the Interim Monitoring Officer (IMO) was on leave, that the IMO had provided the Chair with suggestions as to people who might provide such legal advice and had expected a response as to which to pursue to obtain it.* The Chair commented that that was not his understanding but he would check his email to see if he had missed anything and would **feedback at the next OSC meeting.**

The Chair then **Moved** the recommendations, as contained in the report, and it was:-

Resolved

That the programme of reviews, challenge sessions and agenda items, set out in the 2014/15 Overview and Scrutiny Work Programme, be approved.

Action by:

Mark Cairns (Senior Strategy Policy & Performance Officer, Corporate Strategy & Equality Service, LPG).

8. VERBAL UPDATES FROM SCRUTINY LEADS

Scrutiny Lead for Development and Renewal - Councillor Dave Chesterton

- Challenge Session report “Member involvement in Section 106 decisions and the quality of Section 106 funded social housing” was on track to report to OSC in January 2014 with the brief almost finalised and evidence gathering in November.

Scrutiny Lead for Adult Health and Well-being - Councillor Asma Begum

Paper **tabled**, a copy of which would be interleaved with the minutes:-

- Outlining progress with the scrutiny review topic “Reviewing self-management programmes for patients with long term conditions” agreed by the Health Scrutiny Panel (HSP).
- Outlining progress with scrutiny challenge sessions agreed by the HSP:-
 - “Barts Health: Transforming services, changing lives and its implications for Tower Hamlets residents”
 - “Role of housing providers in improving the health of our residents”

Louise Russell (Service Head Corporate Strategy and Equality) informed OSC members that an article in the Members Bulletin would be inviting councillors get involved with the OSC reviews and challenge sessions..

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

Resolved

That the verbal updates be noted.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

Mark Cairns (Senior Strategy Policy & Performance Officer, Corporate Strategy & Equality Service, LPG).

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

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

Resolved

That the following Section 1 (unrestricted) pre-decision questions be submitted to the Mayor in Cabinet on 01 October 2014 for consideration:

8.1 Safeguarding Children’s Board Annual Report

Referencing the London Borough of Tower Hamlets Safeguarding Children Board (LSCB) Annual Report 2013/14 appended to the Cabinet report, and in particular the information contained therein relating to the Serious Case Review (SCR) into the death of Child F concluded by the LSCB during 2013/14:-

- 1) What was the learning for the Council arising from the SCR?

- 2) Why did the Council not alert LBTH Councillors regarding the death of a child in the Council's care given that collectively they have a corporate parenting responsibility.
- 3) The Corporate Parenting Steering Group has a formal Corporate Parenting role in LBTH, why had it not been alerted to the SCR on Child F?
- 4) Why had the Overview report and action plans arising from the SCR been published in an obscure part of the LSCB website and not properly press released?
- 5) Given that the learning from the SCR and associated report had implications for those organisations working with young people, who have mental health problems and are in institutions, sharing the learning would have been helpful for many other organisations across the country and is the whole point of SCRs, so why was the SCR report buried and not properly publicised so that it could be learned from?
- 6) Will the Corporate Director now write to all members of the Council, in their Corporate Parenting role, setting out the learnings from the case and how the Council has taken action to ensure no other child in the Council's care will be failed in the same way that Child F was?

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)
Mark Cairns (Senior Strategy Policy & Performance Officer, Corporate Strategy & Equality Service, LPG).

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

10.1 Co-option of Roman Catholic Church Representative to Overview and Scrutiny Committee

Please note that the order of business was varied by resolution of the OSC earlier in the proceedings to allow this item of business to be considered after agenda item 5. However for ease of reference, OSC deliberations in respect of agenda item 10.1, and subsequent decisions taken, are set out below in the order detailed in the agenda.

Report **Tabled**, a copy of which would be interleaved with the minutes.

Special Circumstances and Reasons for Urgency

The Chair informed OSC members that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report and that the Authority's constitution required that he agree these before OSC consideration of the report could take place. The Chair subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- “The nomination of a Roman Catholic Church Representative to the membership of the OSC was received after the agenda for the 30 September OSC meeting was finalised for publication, and a report just drafted to comply with good practice in committee administration.
- The agreement of this co-option will provide for fuller representation from faith communities in Tower Hamlets in respect of education matters considered by the OSC and ensure the OSC and LBTH meet their statutory and constitutional obligations as far as is possible.
- The co-option will enable this nominated representative, in relation to education matters considered by the OSC, to take part and vote during the meeting, the agenda for which includes an item relating to the school curriculum.”

Angus Taylor, Principal Committee Officer, introduced and summarised key points in the report, which:-

- Informed the OSC of the nomination to its membership of a Roman Catholic Church Representative.
- Requested the OSC to agree the co-option of the nominated representative in respect of education matters in accordance with statutory requirements and the Council’s Constitution (as amended).

The Chair **Moved** the recommendations, as contained in the report, and it was:-

Resolved

That the co-option to the membership of the OSC of a Roman Catholic Church representative in respect of education matters, as set out at paragraphs 3.1 to 3.7 of the report, be agreed.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

At this juncture the Chair welcomed Victoria Ekubia, the newly co-opted Roman Catholic Diocese representative.

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.

SUMMARY OF EXEMPT PROCEEDINGS

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

The meeting ended at 9.10 p.m.

Chair, Councillor Joshua Peck
Overview & Scrutiny Committee

Agenda Item 7.1

Committee: Overview and Scrutiny	Date: 04 November 2014	Classification Unrestricted	Report No:	Agenda Item No:
Report of: Service Head Democratic Services Originating Officer(s): Angus Taylor, Principal Committee Officer, Democratic Services		Title Co-options to Overview and Scrutiny Committee and membership update Ward(s) affected: All		

1. Summary

- 1.1 The report provides the OSC with an update on the current position in relation to the co-option of Parent Governor and Muslim Community representatives in respect of education matters.
- 1.2 The OSC is requested to agree to extend the co-option of Parent Governor representatives co-opted to the membership of the OSC at the start of the Municipal Year, in accordance with statutory requirements and the Council's Constitution (as amended). The OSC is also asked to subsequently note its revised membership, as set out in Appendix 2 to this report.

2. Recommendations

That the Overview & Scrutiny Committee:

- 2.1 Note the current position in relation to the co-option of representatives in respect of education matters, as set out at paragraphs 3.1 to 3.4;
- 2.2 Agree to extend the co-option of Parent Governor representatives, co-opted to the membership of the OSC at the start of the Municipal Year, until new nominations are approved by full Council, as set out at paragraph 3.4.4;
- 2.3 Note, subject to the agreement of recommendation 2.2 above, the current membership of the OSC as set out in Appendix 2.

3. Co-option of Education and other Representatives to Overview and Scrutiny Committee

- 3.1 The OSC, at its meeting held on 08 July 2014, considered a report "Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments" (agenda item 6.2) which advised it of the statutory and constitutional provisions and requirements relating to the co-option of

representatives in respect of education matters (set out at Appendix 1 for ease of reference). Accordingly the OSC noted the co-option of nominated representatives as set out in the table below:

Church of England Diocese representative	Dr Phillip Rice
Roman Catholic Diocese of Westminster representative	A nomination is awaited
Parent Governor representative	A nomination is awaited
Parent Governor representative	Nozrul Mustafa
Parent Governor representative	Reverend James Olanipekun
Muslim Community Representative	Shaynul Khan to be approved by Council 30 July 2014

3.2.1 Full Council, at its meeting held on 30 July 2014 considered a report on the appointment of a co-opted member [Muslim Community Representative (non voting)] to the OSC and agreed: -

- That the Council approve the appointment of Mr Shaynul Khan as a non-voting co-opted member of the OSC representing the Muslim Community in the borough, for the remainder of the administration (until May 2018), subject to confirmation of the acceptability of the appointment by the Tower Hamlets Council of Mosques.
- That in future the principal consultation when filling this position will be the Tower Hamlets Council of Mosques.

3.2.2 Committee Services has subsequently written to the Tower Hamlets Council of Mosques seeking confirmation of the acceptability of the appointment of Mr Shaynul Khan as a non-voting co-opted member of the OSC representing the Muslim Community in the borough. A response is awaited and this will be reported to OSC when received.

3.3 The OSC, at its meeting held on 30 September 2014, considered a report "Co-option of Roman Catholic Church Representative to Overview and Scrutiny Committee" (agenda item 10.1) which informed the OSC of the nomination to its membership of a Roman Catholic Church Representative; and requested the OSC agree the co-option. Accordingly the OSC agreed the co-option as set out below:

Roman Catholic Diocese representative	Ms Victoria Ekubia
---------------------------------------	--------------------

3.4.1 The term of appointment for the two Parent Governor representatives co-opted to membership of the OSC at the start of the municipal year 2014/15 has now expired, and therefore technically the 3 Parent Governor Representative membership positions (voting representatives in respect of education matters) are currently vacant.

- 3.4.2 A recruitment process commenced in June with a letter to all Parent Governors informing them of:
- The function of OSC
 - The statutory provision for 3 Parent Governor Representatives and their role
 - The need to seek nominations to the positions and how to express an interest
 - The election process required if there were more than 3 nominations.
- 3.4.3 A ballot of Parent Governors for the available Parent Governor positions will take place in November, with a view to approval of resulting nominations by full Council.
- 3.4.4 Therefore to ensure continued Parent Governor representation on the Committee, and associated participation (and voting if appropriate) in OSC consideration of business, during the intervening period, the OSC is recommended to agree to extend the co-option of Parent Governor representatives, co-opted to the membership of the OSC at the start of the Municipal Year (as set out below), until fresh co options are agreed by full Council in the new year.

Parent Governor representative	Nozrul Mustafa
Parent Governor representative	Reverend James Olanipekun

- 3.5 The OSC is also asked, subject to the agreement of the recommended extension of co-options in respect of education matters (parent governors), to subsequently note its revised membership, as set out in Appendix 2 to this report.

5. Comments of the Chief Financial Officer

- 5.1 There are no specific financial implications arising from the recommendations set out in the report, but in the event that the Council agrees further action in response to this report's recommendations then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

6. Legal comments

- 6.1 Section 9F of the Local Government Act 2000 requires authorities to set up an Overview and Scrutiny Committee and the Council's Constitution makes appropriate provision for this.

6.2 Section 9FA(4) of the Local Government Act 2000 confirms that a sub-committee of an overview and scrutiny committee may include persons who are not members of the authority. This is consistent with section 102(3) of the Local Government Act 1972 which makes similar provision in relation to committees and sub-committees.

6.3 The Parent Governor Representatives (England) Regulations 2001 require the Committee to have between 2 and 5 parent governor representatives who are to be elected in accordance with the provisions of those regulations.

7. One Tower Hamlets Considerations

7.1 Equal opportunities and reducing poverty will be central to the work of the OSC. The report ensures the Committee is properly informed of changes to its composition.

8. Sustainable Action for a Greener Environment

8.1 There are no specific SAGE implications arising from the recommendations in the report.

9. Risk Management Implications

9.1 The Co option of representatives in respect of education matters is necessary for the Overview and Scrutiny Committee to meet its statutory and constitutional obligations and in particular the functions conferred on the Council by the provisions referred to in the body of the report.

10. Crime and Disorder Reduction Implications

10.1 There are no specific Crime and Disorder Reduction implications arising from the recommendations in the report.

11. Appendices

Appendix 1 Statutory and constitutional provisions and requirements relating to the co-option of representatives in respect of education matters

Appendix 2 Revised Overview and Scrutiny Committee Membership 2014/15

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT

Brief description of “background paper”

If not supplied
Name and telephone
number of holder

n/a

This page is intentionally left blank

APPENDIX 1

Co-option of Education and other Representatives to Overview and Scrutiny Committee

Extract from the report considered by OSC on 08 July 2014, at agenda item 6.2, “Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments” advising of the statutory and constitutional provisions and requirements relating to the co-option of representatives in respect of education matters:

- 4.1 Section 9FA(4) of the Local Government Act 2000 provides that an overview and scrutiny committee of a local Council may include persons who are not members of the Council. This provision empowers, rather than obliges, local authorities to have co-opted members on their overview and scrutiny committees.
- 4.2 However Schedule A1 to the LGA 2000 also has effect in relation to the Council's executive arrangements. Paragraph 7 of Schedule A1 makes provision for overview and scrutiny committees to have church representatives. The Council must have a Church of England co-opted member on its overview and scrutiny committee if the committee's functions relate wholly or partly to education functions and if the Council maintains one or more Church of England Schools. Similarly, the Council must have a Roman Catholic representative on its overview and scrutiny committee if the committee's functions relate wholly or partly to education functions and if the Council maintains one or more Roman Catholic schools.
- 4.3 Paragraph 7 of Schedule A1 to the LGA 2000 also deals with appointment of the church representatives. The Church of England representative must be nominated by the Diocesan Board of Education for any Church of England diocese which falls wholly or partly in Tower Hamlets. The Roman Catholic representative must be a nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in Tower Hamlets.
- 4.4 Paragraph 8 of Schedule A1 to the LGA 2000 sets out power for the Secretary of State to make regulations requiring local authorities to have representatives of parent governors at maintained schools included on their overview and scrutiny committees. The Secretary of State has made the Parent Governor Representatives (England) Regulations 2001. Regulation 3 provides that a local education Council shall appoint at least two, but not more than five, parent governor representatives to any overview and scrutiny committee that has functions which relate wholly or partly to any education functions which are the responsibility of the Council's executive. The Regulations specify the process for electing representatives.
- 4.5 Consistent with the statutory provisions, the Council's Constitution provides in Part 3 “Responsibility for Functions”, for the membership of the overview and scrutiny committee to include a Church of England representative, a Roman Catholic representative and two Parent Governor representatives. The

Constitution also provides for the committee to have a non-voting Muslim faith representative, although this is not a statutory requirement.

4.6 The Constitution as amended (Part 4 – “Rules of Procedure”, Section 4.5 – “Overview and Scrutiny Procedure Rules”, Paragraph 4 “Education Representatives” Rule 4.1 states that “The Overview and Scrutiny Committee must include in its membership the following voting representatives in respect of education matters:

- One Church of England diocese representative;
- One Roman Catholic diocese representative; and
- Three parent governor representatives elected under the procedures contained in the Parent Governor Representatives (England) Regulations 2001.”

Rule 4.2 states that “The Committee may also include a Muslim representative in a non-voting capacity. “

Rule 4.3 states that “These members may speak but not vote on any other (i.e. non educational) matters. “

Appendix 2			
OVERVIEW AND SCRUTINY COMMITTEE (Nine members of the Council plus six co-opted members) (Current at 04 November 2014)			
Labour Group (4)	Tower Hamlets First Group (4)	Conservative Group (1)	Co-opted Members (for information – to be appointed by Overview & Scrutiny Committee)
Cllr Joshua Peck (Chair) Cllr John Pierce (Vice Chair) Cllr Asma Begum Cllr Denise Jones Cllr Dave Chesterton Deputies:- Cllr Khales Uddin Ahmed Cllr Sirajul Islam Cllr Rachael Saunders	Cllr Mahbub Alam Cllr Abjol Miah Cllr Ansar Mustaquim Deputies:- Cllr Suluk Ahmed Cllr Md. Mufti Miah Cllr Md. Maium Miah	Cllr Peter Golds Deputies:- Cllr Craig Aston Cllr Julia Dockerill Cllr Andrew Wood	Mr Shaynal Khan – Muslim Community representative (provisional subject to confirmation of acceptability of the appointment by the Tower Hamlets Council of Mosques- Full Council decision 30/07/14) Ms Victoria Ekubia – Roman Catholic Diocese of Westminster representative Dr Phillip Rice - Church of England Diocese representative Parent Governor representatives:- <ul style="list-style-type: none"> • Vacancy (pending approval of fresh nominations by full Council) • Nozrul Mustafa (pending approval of fresh nominations by full Council) • Revd James Olanipekun (pending approval of fresh nominations by full Council)

Agenda Item 7.2

Committee Overview and Scrutiny	Date 4 November 2014	Classification Unrestricted	Report No.	Agenda Item No.
Report of: Interim Monitoring Officer Originating Officer(s): David Galpin Service Head – Legal Services		Title: Covert investigation under the Regulation of Investigatory Powers Act 2000 Ward(s) affected: All		

1. Summary

- 1.1 This report updates the Overview and Scrutiny Committee on the Council’s use of the Regulation of Investigatory Powers Act 2000 (“RIPA”).

2. Recommendation

- 2.1 The Overview and Scrutiny Committee is asked to consider and comment on the information contained in Appendix 1.

3. Background

- 3.1. The report to the Standards Advisory Committee of 21 October 2014 is set out in Appendix 1 and is provided in accordance with the standing request of the Overview and Scrutiny Committee.

Appendix 1 – Report to the Standards Advisory Committee

LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT

Background papers	Name and telephone number of and address where open to inspection
None	N/A

This page is intentionally left blank

Committee: Standards Advisory	Date: 21 October 2014	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Interim Monitoring Officer Originating officer(s) David Galpin, Head of Legal Services - Community		Title: Covert investigation under the Regulation of Investigatory Powers Act 2000 Wards Affected: All		

1. SUMMARY

- 1.1. The codes of practice issued by the Home Office in relation to Part 2 of the Regulation of Investigatory Powers Act 2000 ("RIPA") recommend that elected members have oversight of the Council's use of these provisions. The Standards Committee's terms of reference enable the committee to receive reports on the Council's authorisation of covert investigations under RIPA.

2. DECISIONS REQUIRED

Standards Advisory Committee is recommended to:-

- 2.1. Consider and comment upon the information provided in the report.

3. BACKGROUND

3.1. Covert investigation and RIPA

- 3.2. The Council has broad statutory functions and takes targeted enforcement action in relation to those functions, having regard to the Tower Hamlets Community Plan, the Council's Local Development Framework, any external targets or requirements imposed under relevant legislation and the Council's enforcement policy. There may be circumstances in the discharge of its statutory functions in which it is necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

- 3.3. RIPA was enacted to provide a framework within which a public authority may use covert investigation for the purpose of preventing or detecting crime or of preventing disorder. It is designed to ensure that public authorities do not contravene the obligation in section 6(1) of the Human Rights Act 1998 not to act in a way which is incompatible with an individual's rights under the European Convention on Human Rights ("ECHR"). It is particularly concerned to prevent contravention of the qualified right in Article 8 of the ECHR to respect for private and family life, home and correspondence.

3.4. The Council's use of RIPA

- 3.5. The Interim Monitoring Officer is the senior responsible officer for ensuring the Council complies with RIPA. The Service Head - Legal Services ("HLS") is his deputy.
- 3.6. The Council has policies on the use of directed surveillance or covert human intelligence sources. The current versions of these policies were approved by Cabinet on 3 October 2012, as appendices to the Council's enforcement policy. The Council also has in place guidance manuals to assist officers in the authorisation process. The policies and guidance are designed to help the Council comply with RIPA and the Codes of Practice issued by the Home Office in relation to directed surveillance and the use of covert human intelligence sources.
- 3.7. The Council's priorities for using RIPA, as specified in its policies are -
- Anti-social behaviour
 - Fly-tipping
 - Unlawful street vending of DVDs and tobacco
 - Underage sales of knives, tobacco, alcohol and fireworks
 - Fraud, including misuse of disabled parking badges and claims for housing benefit
 - Illegal money-lending and related offending
 - Breach of licences
 - Touting.
- 3.8. At its meeting in January 2014, the Committee queried whether the priorities for RIPA could be amended to include electoral fraud and unlawful subletting. Ultimately this will be a matter for the executive and may be addressed when the Council's enforcement policy is brought forward for revision in 2015. However, the following observations may be made –
- The Prevention of Social Housing Fraud Act 2013 came into force on 15 October 2013 which makes unlawful sub-letting a criminal offence. The criminal offence applies to the Council's tenancies as well as to assured shorthold tenancies. A tenant commits an offence if: (a) the tenant, in breach of the terms of his tenancy sub-lets the whole or part of the dwelling house without the landlord's written consent; (b) the tenant ceases to occupy the dwelling as his only or principle home; and (c) the tenant knows that subletting is in breach of the term of his tenancy. In addition, there is a greater offence that is committed if the tenant dishonestly and in breach of the tenancy sub-lets part or the whole of the dwelling without the landlord's written consent.

- A person convicted of the lesser offence would be liable to a fine of up to £5,000. However, if convicted for dishonesty, then the person could be liable for a term of imprisonment up to six months imprisonment and/or a fine of up to £5,000; and on indictment, up to two years in prison, a fine or both. The dishonesty offence would meet the requirements for use of RIPA but the lesser offence would not.
- In the area of elections, the Council's enforcement efforts have focused to date on the failure by individuals to return information to the Council as part of the annual canvass. The relevant offence is found in regulation 23 of the Representation of the People (England and Wales) Regulations 2001 and carries a maximum penalty of a fine of £1000. This is not a serious offence for the purposes of the Council's use of RIPA.
- The Council is proactive in encouraging residents and other parties to report cases of suspected electoral fraud. For example, at the elections held in May 2014 a dedicated e-mail account was set up for this purpose. However, the investigation of alleged fraud is the responsibility of the police and all such potential cases are referred to the Metropolitan Police for investigation. It would be a matter for the police to determine whether or not to use covert surveillance in respect of any such referral. The Council asked the police to see details of its RIPA authorisations but the police declined to provide this information.

3.9. The Council may only use covert investigation for the purposes of serious offences. This means an offence of the following kind –

- An offence punishable by a maximum term of at least 6 months of imprisonment.
- An offence under section 146 of the Licensing Act 2003 (sale of alcohol to children).
- An offence under section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children).
- An offence under section 147A of the Licensing Act 2003 (persistently selling alcohol to children).
- An offence under section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under eighteen).

3.10. The Council must also have approval from a court, in addition to an internal authorisation granted by its authorising officer, before carrying out covert surveillance.

3.11. In accordance with the Council's policies and manuals, a central record is maintained in Legal Services of all authorisations and approvals granted to carry out either directed surveillance or to use covert human intelligence sources

(authorisations under Part 2 of RIPA). The Council provides an annual return to the Office of Surveillance Commissioners (“OSC”), based on the central record.

- 3.12. In order to ensure that applications for RIPA authorisation are of an appropriate standard, the Council's policies and manuals provide that all applications for authorisation to conduct directed surveillance or to use covert human intelligence sources should be considered by a gatekeeper before being passed on to the authorising officer. The Council has a single gatekeeper (the Head of Community Safety Enforcement & Markets within the Community Safety Service). In the absence of the Head of Community Safety Enforcement & Markets, the HLS may act as gatekeeper. The gatekeeper must work with applicant officers to ensure an appropriate standard of applications, including that applications use the current template, correctly identify known targets and properly address issues of necessity, proportionality and collateral intrusion.
- 3.13. The Council has a single authorising officer (Service Head - Community Safety), who has responsibility for considering applications to use directed surveillance or covert human intelligence sources. The policies provide that the Head of Internal Audit may stand in for the Service Head - Community Safety where the ACE or HLS consider it necessary.
- 3.14. The Council's policies and manuals require officers who apply for RIPA authorisations to expeditiously forward copies of authorisations, reviews and cancellations to Legal Services for the central record. The HLS (or deputy) attends fortnightly at CLC's internal deployment meetings to ensure the central record is being kept up to date. Representatives of each service area in CLC attend these meetings. The Council's authorising officer and gatekeeper attend. The meetings provide an opportunity to check the status of applications and authorisations under RIPA and a forum at which officers may present any operations plans where covert investigation may be required and seek a steer from those at the meeting.

3.15. The Council's RIPA applications

3.16. Quarter 4 of 2013/2014

- 3.17. No authorisation was granted in the fourth quarter of 2013/2014.

3.18. Quarter 1 of 2014/2015

- 3.19. No authorisation was granted in the first quarter of 2014/2015.

3.20. Quarter 2 of 2014/2015

3.21. No authorisation was granted in the second quarter of 2014/2015. A unique reference number was issued (14/15 – CS004), the application for which had progressed to the gatekeeper by the end of the quarter.

3.22. Summary of directed surveillance authorisations in 2013/2014

3.23. In total 3 covert surveillance matters are recorded on the central record for the 2013/2014 financial year. These applications all came from the council's communities localities and culture directorate and were dealt with as follows –

Application outcomes:

Authorisation granted	2
Authorisation refused	0
Application rejected by gatekeeper	0
Application withdrawn	1
Total:	3

3.24. The 2 authorisations granted compared to 2 in 2012/2013 and 3 in 2011/2012, showing consistent low levels of use of RIPA by the Council. The authorisations were granted for investigations in relation to touting and the investigation of underage sales of tobacco. Both touting and underage sales of tobacco are identified priorities for the Council's use of RIPA, as indicated in paragraph 3.7 above.

3.25. The touting authorisation was focussed on Brick Lane and surrounding streets. The underage sales authorisation was in respect of a number of named premises, also in the Brick Lane area. Maps showing the location of RIPA activity in the years 2011/2012, 2012/2013 and 2013/2014 will be made available at the meeting.

3.26. Throughout the year, covert investigation was the subject of regular discussion at safer communities operations meetings organised by the Council's communities, localities and culture directorate. These meetings are attended by relevant officers in the Council, as well as police and a representative from Tower Hamlets Homes Ltd. The meetings provided an opportunity to discuss the appropriateness of covert surveillance in individual cases and to check the progress of any live authorisations (additional to formal review by the authorising officer).

3.27. Training was conducted in March 2013 for officers who may engage in covert investigation and will need to be re-run in 2014 or early 2015.

3.28. Enforcement activity arising from 2013/2014 authorisations

3.29. The following enforcement action resulted from Operation Creek VII –

- A premises licence holder in respect of premises on Brick Lane has been prosecuted for two offences. One of those offences relates to touting and has been charged in the alternative, alleging that the licence holder either: *carried out* licensable activity otherwise than under or in accordance with the premises licence; or *knowingly allowed* a licensable activity to be carried out otherwise than under or in accordance with the premises. This offence is contrary to section 136 of the Licensing Act 2003 and carries a maximum penalty of 6 months in prison or a fine of £20,000 or both. The other offence concerns failing to display the required summary of the premises licence. The defendant has pleaded not guilty and the trial is listed for 29 October 2014.
- One premises (Sajna Indian Grill) had its licence reviewed, resulting in a revocation, subsequently confirmed on appeal by Thames Magistrates' Court. The District Judge noted that the Licensing Sub-Committee's decision to revoke the licence was most likely influenced by a statement made by one of the directors of the business to the effect that he would not stop touting because it was the only way for the business to survive. To the Court this indicated that the business had decided to put profit above the duty to comply with the licence and it suggested the situation would not change. The Court considered the licence should be revoked and dismissed the appeal.

3.30. No enforcement action resulted from Operation Singles. It appeared that the suspect premises only make sales to minors they know, so test purchases did not disclose evidence of offences. Using a juvenile covert human intelligence source was considered disproportionate and beyond the resources and skills of Trading Standards. As a consequence the investigation was not taken further.

3.31. Covert Human Intelligence Sources

3.32. There were no authorisations granted during 2013/2014 for authorisation to use covert human intelligence sources. This is consistent with the Council's policy, which requires officers to first demonstrate to the satisfaction of the Monitoring Officer or HLS that they have the skill and experience to handle a covert human intelligence source, before seeking authority to use a covert human intelligence source.

3.33. Interception of communications

3.34. The interception of communications is dealt with under Part 1 of RIPA (by contrast, directed surveillance and the use of covert human intelligence sources are dealt with under Part 2 of RIPA). The interception of communications is

regulated by the Interception of Communications Commissioner's Office (IOCCO).

- 3.35. The IOCCO reports on a calendar year. During 2013, the Council had:
- 0 notices requiring disclosure of communications data (compared with 0 the previous year);
 - 25 authorisations to acquire communications data (compared with 23 the previous year);
 - 0 applications submitted to a designated person for decision which were rejected.
- 3.36. All of the Council's authorisations were processed by the National Anti-Fraud Network (NAFN) as the Council's single point of contact, as has been the case since January 2011. All of the Council's authorisations were subsequently approved by the Council's designated person (who is also the Council's authorising officer for covert surveillance). In each case the applications were for subscriber records.
- 3.37. **Inspections in 2013/2014**
- 3.38. The Council was inspected by the Office of Surveillance Commissioners (**OSC**) on 16 May 2013. The report of the inspection was provided to the Committee at its meeting on 24 October 2013.
- 3.39. Overall, the inspector found that measures put in place in 2011 had delivered exemplary standards of compliance in all areas the subject of OSC scrutiny. The inspector specifically noted –
- A comprehensive guidance and procedural manual, with clearly defined roles.
 - Strict oversight controls by the authorising officer.
 - Regular partnership meetings at which RIPA is a standing item.
 - Regular reporting to the Standards Committee.
 - A policy for securing technical equipment.
 - An effective training strategy.
 - A central record compliant with codes of practice.
 - An exemplary standard of application and authorisation.
- 3.40. The inspector made some recommendations for further improvement, which were reported to the Committee and have subsequently been addressed.
- 3.41. The Council was not inspected by the IOCCO in 2013/2014 and we have no report of NAFN having been inspected. We were notified that NAFN was to be inspected from 7 to 9 July 2014 and this may be reported to the Committee in due course.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 This is a report of the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA") to the Standards Committee. There are no financial implications arising from the recommendations in this report.

5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 5.1. Legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.
- 6.2. The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.
- 6.3. Enforcement action may lead to indirect discrimination in limited circumstances, but this will be justified where the action is necessary and proportionate. Necessity and proportionality are key considerations in respect of every application for authorisation under RIPA.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1. The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment.

8. **RISK MANAGEMENT IMPLICATIONS**

- 8.1. Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to RIPA, the codes of practice, the Council's policies and guidance will ensure that risks are properly managed. Oversight by the Standards Committee should also provide a useful check that risks are being appropriately managed.

9. **EFFICIENCY STATEMENT**

- 9.1. The report does not propose any direct expenditure. Rather, it is concerned with regularising decision-making in areas in which the Council is already active. The enforcement policy seeks to ensure that enforcement action is targeted to the Council's policy objectives. This is more likely to lead to efficient enforcement action than a less-controlled enforcement effort. It is also proposed that members will have an oversight role through the Standards Committee. This will provide an opportunity to judge whether the Council's enforcement action is being conducted efficiently.

10. **APPENDICES**

None

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

Brief description of "back ground papers"	Name and telephone number of holder and address where open to inspection.
None	N/A

This page is intentionally left blank

Agenda Item 7.3

Committee: Overview and Scrutiny Committee	Date: 4 November 2014	Classification: Unrestricted	Report No:
Report of: David Galpin, Service Head Legal Services Originating officer(s) Ruth Dowden, Complaints and Information Manager	Title: Complaints and Information Governance Annual Report 2013/2014 Wards Affected: All		

1. SUMMARY

- 1.1. This report addresses the volume of complaints, and information requests received by the Council in the period 1 April 2013 to 31 March 2014, the outcomes and the standard of performance in dealing with them. The Local Government Ombudsman's Annual Letter 2013/14 reflects complaints they have considered in relation to Tower Hamlets.

2. RECOMMENDATIONS

The Overview and Scrutiny Committee is recommended to:-

- 2.1. Consider and comment on the contents of the report.
- 2.2. Note that the report will be considered by the Standards Advisory Committee in accordance with the Council's Constitution.

3. BACKGROUND

- 3.1 The requirement for an annual report on social care complaints is set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and statutory guidance.
- 3.2 An internal audit requirement in 1999 led to the service establishing an annual report on the council's handling of corporate complaints, and these complaints annual reports have been combined since 2006/07.
- 3.3 Following the merger of the Corporate Complaints team and the Information Governance team in 2011, the annual report also considers the Council's handling of requests under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection Act 1998 (subject access requests).
- 3.4 As provided for in the constitution, the Complaints Annual Report is presented for consideration at the Overview and Scrutiny Committee (section

3.3.2 and article 6.02) and Standards Committee (section 3.3.3 and article 9.03 (m)).

3.5 Some key features of the report are as follows –

- The number of FOI and EIR requests dealt with by the Council increased by 15% to 1926.
- Responses within the 20 working day statutory deadline increased to 85% (from 82%) but still need to be improved and the Council is now being monitored by the Information Commissioner's Office in respect of this.
- Performance in respect of subject access requests fell to 61% on time (from 71%) and is unacceptable.
- The Information Commissioner determined only two complaints in relation to the Council, neither of which was upheld.
- Overall the number of corporate complaints was 11% higher at 3006
- Performance at stages 1 and 3 of the complaints process exceeded the corporate target, with stage 3 being particularly strong with 94% in time. Stage 2 needs improvement as only 82% were on time (below the corporate standard of 87%)
- The Local Government Ombudsman and the Housing Ombudsman made no reports against the Council for over five years.

3.6 Amendments made since the report to MAB on 8 October 2014 are

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This report provides the annual complaints and information report for the period 1st April 2013 to 31st March 2014. There are no financial implications arising from this report. However In the event that the Council agrees further action in response to this report, then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

5. LEGAL COMMENTS

5.1 The legal comments are contained within the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The annual report provides equality information which the committee should have regard to when considering the report.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no sustainable actions for a greener environment emerging from this report.

8. RISK MANAGEMENT IMPLICATIONS

8.1 The consideration of complaints information is an important means of assessing service delivery and identifying risks.

8.2 There are risks associated with information handling and considering an annual report on information governance matters helps to manage this.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 There are no immediate crime and disorder implications from this report.

10. EFFICIENCY STATEMENT

10.1 There are no efficiency implications emerging from this report. However, matters arising in the annual report may be used to inform future delivery.

11. APPENDICES

Appendix 1 – Complaints and Information Governance Annual Report

Appendix 2 – Ombudsman’s letter

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

Brief description of “background papers”

None

This page is intentionally left blank

Complaintsand Information Governance Annual Report

2013-2014

Version 1

Contents

- Section 1 Introduction
- Section 2 Information Governance
- Section 3 Information Requests
- Section 4 Subject access requests
- Section 5 Corporate Complaints
- Section 6 Adult Social Care Complaints
- Section 7 Children's Social Care Complaints
- Section 8 Ombudsman Complaints
- Section 9 Risk Assessment
- Section 10 Improvement Initiatives

1. INTRODUCTION AND SUMMARY

1.1. This report provides information regarding the Council's handling of complaints and information requests in the year 2013/14. It covers –

- Information governance (section 2);
- Information requests under the Freedom of Information Act and Environmental Information Regulations (section 3);
- Subject access requests under the Data Protection Act (section 4);
- Complaints handling at all stages of the Council's Corporate Complaints Procedure (section 5);
- Complaints handling under the statutory Adults and Children's Social Care Complaints Procedures (sections 6 and 7);
- Complaints to the Information Commissioner (section 2), Local Government Ombudsman and Housing Ombudsman (section 8) in relation to complaints escalated to them;

1.2. In addition to addressing the volume of complaints and information requests received by the Council in the period 1 April 2013 to 31 March 2014, the report also looks at the outcomes of those cases; and the standard of performance in dealing with them. Policy and practice developments in information governance and complaints are also summarised.

1.3. The highlights for 2013/2014 were that –

- The rate of requests for internal reviews from information requests remained low (at 2.6%).
- The Information Commissioner determined only two complaints in relation to the Council, neither of which was upheld.
- The Local Government Ombudsman and the Housing Ombudsman made no reports against the Council for over five years.

1.4. The response times for information requests increased, however these are still below target, but yet again there was a significant increase in the number of requests by 15%.

1.5. Overall, the number of corporate complaints increased during 2013/2014 with Stage 1 complaints increasing by 9%. The reasons for increases are addressed in section 5 of the report. The reasons for this are unclear, however the population continued to increase in the borough and effects of the Government's social welfare reforms may have also had an effect.

1.6. Most successful organisations encourage service users to complain, and as such a high volume of complaints is often an indication of a healthy relationship with service users. The Council adopts this philosophy, publicising its complaints policy widely, rigorously recording complaints and responses and identifying learning.

1.7. However, complaints should be resolved at the lowest possible point and the escalation of complaints can indicate difficulties in addressing matters at the service

level. With these objectives in mind, the Council has adopted corporate performance standards, designed to ensure complaints are dealt with in a timely fashion. Performance is regularly reviewed by both the Corporate Management team and elected Members. The Complaints and Information Team identifies themes and works with the service areas to bring about effective change.

2. INFORMATION GOVERNANCE

- 2.1. Information governance encompasses the policies, procedures and controls designed to manage information across the Council. The Council has a framework of policies, procedures and guidance covering records management, information security and data protection. Information risk is managed within the Council's corporate risk management framework.
- 2.2. The Council's Senior Information Risk Officer (SIRO) has overall responsibility for information governance. During 2013/2014, the SIRO role was held as follows –
- April 2013 – October 2013, Claire Symonds, Service Head – Customer Access & ICT
 - October 2013 – present, Chris Holme, Corporate Director – Resources.
- 2.3. The SIRO is supported by the Corporate Complaints and Information team, managed by the Service Head - Legal Services. An Information Governance Group (IGG) of officers meets every 6 weeks to review information governance issues and to develop strategic approaches to legislation, policies, practice, risk management and quality assurance,
- 2.4. The Council is a data controller within the meaning of the Data Protection Act 1998 and is required to process data in accordance with the data protection principles. These may be summarised as follows –
- Personal data shall be processed fairly and lawfully and only where one of the conditions specified in the Data Protection Act is met.
 - Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
 - Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
 - Personal data shall be accurate and, where necessary, kept up to date.
 - Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
 - Personal data shall be processed in accordance with the rights of data subjects under this Act.
 - Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
 - Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 2.5. A number of developments took place in relation to information governance during 2013/2014.

- 2.6. The Information Governance Toolkit for Social Care and Public Health was submitted with an overall score of 79% and this was a significant increase from the previous year. A certificate was also obtained for the Public Sector Network (PSN) in August 2013.
- 2.7. Secure email (Egress) and protective marking are now in place and a recent upgrade has improved integration into Microsoft Outlook making it easier for officers to use. However, with the introduction of the PSN requirements the GCSX Code of Connection is not available to Staff working at home using their own device through VDI.
- 2.8. Transparency
- 2.9. The Council improved the availability and quality of information published. However Central Government has introduced new requirements from 1 April 2014 requiring further work.
- 2.10. Retention of information
- 2.11. As set out in paragraph 2.3 above, the Council must only hold information for the length of time necessary. Some retention periods are set in law (e.g. social care records) and others by good practice. The Council completed a wide-ranging review of its retention schedules during 2013/2014.
- 2.12. Security incidents
- 2.13. Information security incidents are required to be reported to the Corporate Complaints and Information team. These are recorded and the register is reviewed periodically by the IGG. None of the incidents registered resulted in or required reporting to the Information Commissioner.
- 2.14. Risk
- 2.15. The fitness or otherwise of the Council's information governance framework was made a corporate-level risk in 2013/2014 and is now the subject of regular review in accordance with the Council's risk management procedure.

3. INFORMATION REQUESTS

- 3.1 The Council is required to respond to information requests under both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
- 3.2 The Freedom of Information (FOI) Act 2000 was implemented in 2005 to help bring about a culture of openness within the public sector so that the information held by public authorities is available and accessible to all, both within and outside the communities they serve. It gives the public access to most structured information held by the Council unless it is appropriate for the Council to apply a legal exemption.
- 3.3 A separate but parallel process under the Environmental Information Regulations 2004 (EIR) provides for access to environmental information within the meaning of EU Directive 2003/4/EC. This covers information on –
- The state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
 - Factors affecting or likely to affect the elements of the environment, such as noise or waste.
 - Measures (including administrative measures), such as policies, legislation, plans, programs, environmental agreements, and activities affecting or likely to affect the elements of the environment and factors affecting them.
 - Cost-benefit and other economic analyses and assumptions used within the framework of these measures and activities.
 - Reports on the implementation of environmental legislation.
 - The state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment or, through those elements, by any of the factors, measures or activities referred to above.
- 3.4 The FOI Act and EIR both set a deadline of 20 working days for the Council to respond to written requests from the public. It is regulated by the Information Commissioner (ICO) and information on the ICO's investigations and decisions is set out below.
- 3.5 Information disclosed by the Council to applicants is usually also published on the Council's disclosure log, linked to the Council website. In this way a resource has been built up over time which is available to the public for reference.

3.6 Details of FOI and EIR requests received by the Council in 2012/2013 are summarised in Figures 1 and 2.

Figure 1

FOI and EIR	2012/13 Total			2013/14 Total		
	Received	Responded in Time		Received	Responded in Time	
Apr	122	114	94%	161	139	88%
May	134	129	96%	148	131	89%
Jun	98	95	97%	134	115	86%
Jul	156	147	94%	165	146	90%
Aug	138	124	90%	154	121	80%
Sep	130	107	82%	118	87	74%
Oct	147	125	85%	172	141	82%
Nov	152	108	71%	179	153	86%
Dec	101	62	61%	126	109	87%
Jan	172	127	74%	220	192	88%
Feb	187	127	68%	180	150	83%
Mar	138	106	77%	169	135	79%
Total	1673	1371	82%	1926	1617	85%

Figure 2

FOI & EIR Requests	2012/13			2013/14			Change in no's received (12/13 to 13/14)	
	Received	Responded in Time		Received	Responded in Time			
CLC	396	336	87%	497	420	85%	101	26%
Development & Renewal	270	190	74%	326	261	81%	56	21%
ESCW	308	295	97%	411	387	94%	103	33%
Law Probity and Governance	212	121	58%	168	113	69%	-44	-21%
Resources	409	329	81%	431	362	84%	22	5%
Tower Hamlets Homes	78	66	86%	93	76	82%	15	19%
Total	1673	1337	82%	1926	1617	85%	253	15%

3.7 The number of information requests increased significant by 15% in 2013/2014. On the whole this was across all directorates, except Law Probity and Governance, where there was a reduction in requests.

3.8 Performance in responding to requests within the 20 working day statutory deadline increased from to 82% in 2012/2013 to 85%. This may appear only a modest increase in performance, but it should be considered that the number of requests increased by 15% and there were no changes in the number of officers available to process these. Steps were taken to improve performance; however the current IT system which is used for dealing with FOI request is outdated and does not handle automated reminders. This is scheduled to bereplaced in September 2014 by a new system, which should help us further improve on performance.

- 3.9 There have been many complex requests, which may have an impact on the time needed to respond and the workload of officers. Regrettably the current system has no way of recording the level of complexity of requests.
- 3.10 Procurement of the new software for handling information requests, member enquiries and complaints, has now been completed and officers having been working with the supplier on configuration of the system. Once implemented this should enhance our ability to manage, monitor and report on these areas of work.

3.11 Internal Review

- 3.12 On receipt of a response to an FOI or EIR request, an applicant may ask for an internal review if dissatisfied with the response provided. Out of the total 1926 requests received during 2013/2013, 51 (or 2.6%) were taken to Internal Review. This escalation rate is considered to be low. There were 30 cases (59% of those taken on review) in which the applicant's complaint was upheld in whole or in part following an internal review. Set out below is a summary of the upheld cases.
- 3.13 Eight complainants were given apologies because the FOI was not answered in time.
- 3.14 In six cases incorrect information was originally given and following review the correct information was provided with an apology.
- 3.15 In six instances the applicant was told that the time required to respond would exceed the 18 maximum hours, but the review found this to be incorrect and the information was then provided with an apology.
- 3.16 Six complaints involved instances where information was wrongly withheld because of the incorrect application of an exemption.
- 3.17 Four cases involved requests where some information could have been provided with appropriate redactions but was not. The information was redacted and provided following the review.

3.18 Complaints to the Information Commissioner

- 3.19 The Information Commissioner issued two decision notices concerning the Council in 2013/2014. The summaries from the ICO website are reproduced below, none of which were upheld.
- 3.20 Case Ref: FS50475926, April 2013. The complainant requested information about the Council's responsibility for ensuring the protection of rights under the Human Rights Act 1998 is afforded to those nominated for tenancies. The Council said that we did not hold any information that would answer the request. The Information Commissioner decided that the Council, on the balance of probabilities, did not hold any recorded information pursuant to the request.

3.21 http://www.ico.org.uk/~media/documents/decisionnotices/2012/fer_0415204.ashx Case Ref: FS50506410, February 2014. The complainant requested minutes and papers from a meeting of the Information Governance Group. The Council refused to disclose this information under the exemptions provided by the following sections of the FOIA Act: 36(2)(b)(i) & (ii) (inhibition to the free and frank provision of advice and exchange of views) and 36(2)(c) (other prejudice to the effective conduct of public affairs). The Commissioner's decision was that the Council cited these exemptions correctly and so it was not obliged to disclose the requested information.

3.22 Equalities

3.23 The Council does not seek equalities monitoring information at the point of request, as this may be seen as a barrier to information requests. When providing responses, the Council invites applicants to complete a combined customer satisfaction and equalities monitoring questionnaire. Regrettably the volumes of responses are not sufficiently high to enable significant conclusions to be drawn for the purposes of the Council's public sector equality duty.

4. SUBJECT ACCESS REQUESTS

4.1 The Data Protection Act 1998 (DPA) governs the collection, storage, and processing of personal data, in both manual and electronic forms. It is regulated by the Information Commissioners Office (www.ico.gov.uk). It requires those who hold personal data on individuals to be open about how the information is used, and requires the Council to process data in accordance with the principles of the Act. Individuals have the right to find out what personal data is held about them, and what use is being made of that information. These 'Subject Access Requests' should be processed by the Council within a period of 40 calendar days. Details of the requests received in 2013/2014 are set out in Figures 3 and 4.

Figure 3

Subject Access Requests	2012/13			2013/14		
	Received	Responded in Time		Received	Responded in Time	
Apr	24	18	83%	21	13	65%
May	36	31	97%	24	6	32%
Jun	14	13	93%	12	6	55%
Jul	10	6	60%	35	14	50%
Aug	13	9	77%	8	5	83%
Sep	19	14	74%	16	12	80%
Oct	19	12	63%	21	10	59%
Nov	26	13	73%	18	6	43%
Dec	5	2	60%	14	11	85%
Jan	20	11	60%	7	5	71%
Feb	18	10	61%	18	11	73%
Mar	14	5	43%	20	12	71%
	218	144	71%	214	111	61%

Figure 4

Subject Access Requests	2012/13			2013/14			Change in no's received (12/13 to 13/14)	
	Received	Responded in Time		Received	Responded in Time			
CLC	12	9	90%	12	7	88%	0	0%
Development & Renewal	3	0	0%	8	5	71%	5	167%
ESCW	90	39	46%	104	56	58%	14	16%
Law Probity and Governance	3	2	67%	8	2	40%	5	167%
Resources	95	83	92%	70	35	61%	-25	-26%
Tower Hamlets Homes	15	11	79%	12	6	67%	-3	-20%
Total	218	144	71%	214	111	61%	-4	-2%

4.2 Requests for personal information held by the Council remained almost the same as in 2012/13. Although which directorate is receiving these did change as can be seen in Figure 4. However, ESCW still receive the most requests (social care files).

4.3 The overall response rate was very poor, with only 61% being answered within the statutory timeframe. The performance was not helped by the shortcoming in the software, but also many of the complaints were very complex in size and nature. Work is being done to raise this performance, by –

- Improving the internal processes and raising awareness
 - Modifying the database to ensure automated reminders are sent
 - Producing weekly due and outstanding lists.
 - More formal training has and will be provided to team members
 - The new software should also assist in improving performance.
- 4.4 Requests for personal identifiable information are collated by the relevant service area and assessed under the Data Protection Act criteria. The Corporate Complaints and Information team advise on preparation of files for release, and ensure that appropriate action is taken to safeguard data pertaining to other people and ensure that third party data redacted.
- 4.5 Some of the files held can be large with significant amounts of data provided by third parties (e.g. medical reports) and / or relating to other people (e.g. family members / neighbours). In order for there to be a prompt response to all requests, consideration must be given to the resources required in each directorate or service area to meet the changing demand.
- 4.6 The Resources Directorate has fully reviewed its FOI and DPA processes and has made changes in terms of its allocation and monitoring arrangements of all FOI and DPA requests received. There is now more robust monitoring arrangements in place across the Directorate. The Resources Performance Review and Efficiency Group have also been tasked with monitoring FOI and DPA response performance to ensure overall performance meets or exceeds Corporate standard.
- 4.7 Similarly, the Education, Social Care and Wellbeing Directorate has fully reviewed its SAR processes and recently presented a report to the Directorate Management Team recommending that a re-organisation of the team be undertaken to both maximise the resources within the Directorate and streamline the processes dedicated to this function. This, coupled with the approval of short-term additional resources to clear the current backlog and monthly monitoring by the responsible Service Head should realise improved performance and meeting the Corporate targets.

5. CORPORATE COMPLAINT STATISTICS AND ANALYSIS

5.1 The Corporate Complaints Procedure

5.2 The Complaints Procedure is detailed on the Council's web site, where the Council states "we want to hear from you" and specifies –

- Its desire to give the best possible service;
- That it can only find out what needs to improve by listening to the views of service users and others;
- Its commitment to continuously improving services; and
- It's undertaking to act on what it is told.

5.3 The Corporate Complaints Procedure is a three stage process, accepting issues from anyone who wants, or receives, a service from the Council. The exception is where the matter is covered by another channel of redress, such as a legal, or appeal, process (e.g. benefits assessments, parking penalty charges, leasehold matters), or where a statutory procedure exists.

5.4 At stages 1 and 2 of the complaints procedure, the matter is addressed by the relevant service managers. At the third and final stage, an independent investigation is conducted by the Complaints and Information Team currently on behalf of Head of Service – Legal Service.

5.5 Most Social Care complaints come under statutory procedures and are detailed in sections 6 and 7 of this report. Schools complaints also fall under a separate procedure at Stages 1 and 2, with the final stage coming under the Corporate Complaints Procedure, at Stage 3.

5.6 Volume of complaints

5.7 Figure 5 provides summary information about the total number of complaints received by the Council in 2013/14. Overall, the number of complaints – excluding the FOI internal reviews – was 11% higher than in the previous year.

5.8 Tower Hamlets population has grown from 256,000 in June 2012 to 273,000 in June 2013, based on the latest figures available. When taking this population increase into account, the rate of complaints for both 2012/13 to 2013/14 has remained similar at 9 complaints per 1,000 population.

5.9 The 2013/14 Annual Residents Survey was completed in June 2014, however the results have not yet been calculated so it is not possible to comment on the overall satisfaction. Last year in the Annual Residents Survey 64% of respondents stated they were very or fairly satisfied with the Council.

Figure 5

Volume of Corporate Complaints				
Year	2012/13	2013/14	Variance	
Stage 1	2273	2474	201	9%
Stage 2	278	372	94	34%
Stage 3	122	109	-13	-10%
FOI Internal Reviews (Stage 3)	34	51	17	50%
Total Complaints	2707	3006	299	11%

5.10 Figure 6 provides a breakdown of Complaints by each directorate and stage with the variance for each stage.

Figure 6

Volumes of Complaints by Directorate and Stage	Stage 1			Stage 2			Stage 3		
	2012/13	2013/14	Variance	2012/13	2013/14	Variance	2012/13	2013/14	Variance
CLC	1056	1016	-40	109	150	41	25	30	5
ESCW	30	41	11	6	9	3	2	4	2
Development & Renewal	229	236	7	37	55	18	20	17	-3
Law Probity and Governance	20	42	22	1	6	5	35	58	23
Resources	330	371	41	34	25	-9	9	11	2
Tower Hamlets Homes	608	768	160	91	127	36	65	40	-25
	2273	2474	201	278	372	94	156	160	4

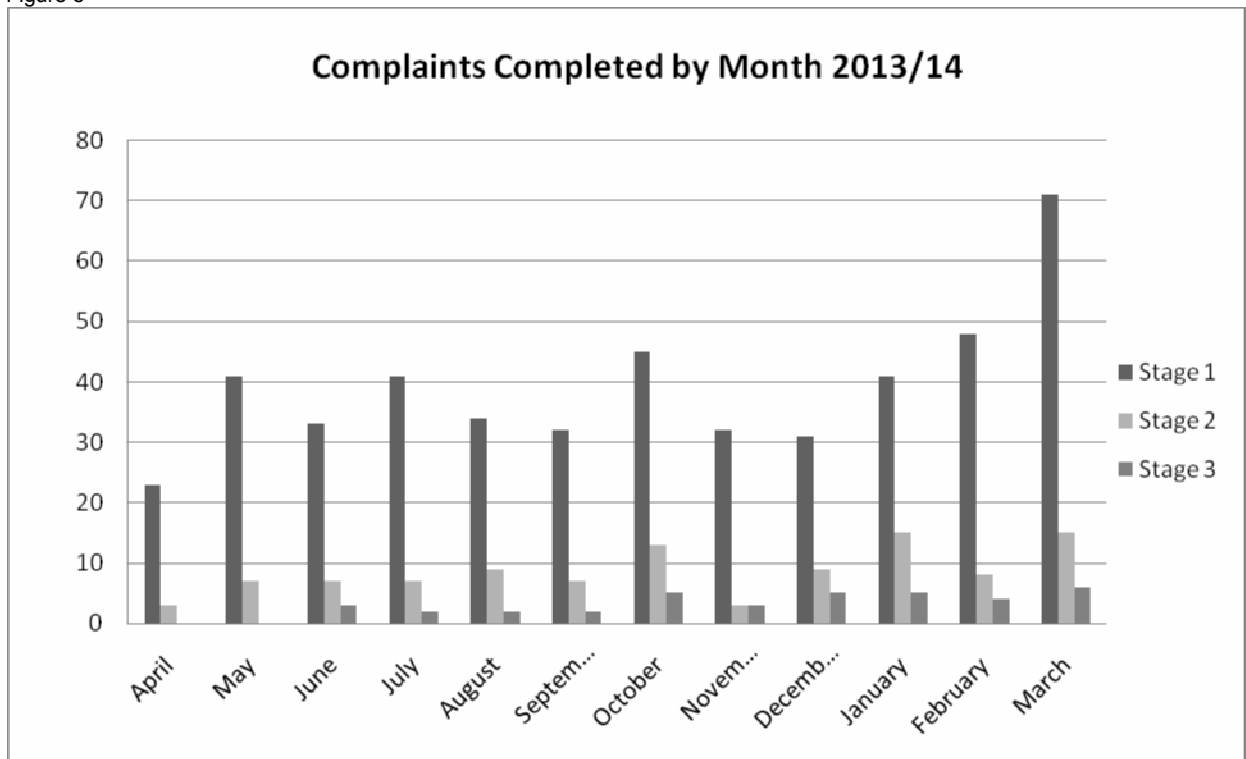
5.11 Figure 7 shows the escalation rates through the stages of the complaints process. Overall, 15% of Stage 1 complaints were escalated to Stage 2 of the complaints process which is the same escalation rate as the previous year. Escalation rates for Stage 1 complaints to Stage 3 fell from 5% to 4% which is an improvement. This demonstrates that the greatest proportion of complaints is dealt with at the first stage, which is what the Council would hope to achieve with its complaints handling. The escalation rate of 2.6% for FOI requests compares favourably against the rate of 4% for overall Corporate Complaints.

Figure 7

Escalation Rates by Directorate 2013/14 (Excludes FOI Reviews)					
Directorate	Stage 1	Stage 2		Stage 3	
		Stage 2	Escalated from Stage 1	Stage 3	Escalated from Stage 2
CLC	1016	150	15%	30	3%
Development & Renewal	236	55	23%	17	7%
ESCW	41	9	22%	4	10%
Law, Probity & Governance	42	6	14%	7	17%
Resources	371	25	7%	11	3%
Tower Hamlets Homes	768	127	17%	40	5%
Totals	2474	372	15%	109	4%

5.12 Figure 8 (below) demonstrates the seasonal trends and peaks in the reporting of complaints. There is no obvious reason for the peaks, which occur at different times year-on-year. Nevertheless, any increases for individual services are discussed, when they occur, with the relevant managers.

Figure 8



5.13 Figure 9 shows the rate at which complaints are upheld at Stage 1 of the process and the percentage completed on time. During 2013/2014, response times for Stage 1 complaints dropped slightly from 91% to 89% completed on time. However, when the increase of 9% in the volume of Stage 1 complaints is taken into account this may be understandable. The figure of 89% is still ahead of the corporate target of 87%. Performance management through a variety of measures, including distribution to the Corporate Management Team of weekly lists of complaints due and outstanding, and monthly directorate performance figures, have effectively maintained response times at a high level.

Figure 9

Stage 1 Resolutions by Directorate											
2013/14	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	1016	584	58%	125	12%	283	28%	24	2%	93%	7.7
Development & Renewal	236	131	56%	26	11%	62	26%	17	7%	68%	10.4
ESCW	41	15	37%	12	29%	14	34%	0	0%	76%	9.8
Law, Probity & Governance	42	19	45%	6	14%	16	38%	1	2%	76%	9.5
Resources	371	175	47%	112	30%	75	20%	9	2%	99%	4.3
Tower Hamlets Homes	768	403	52%	57	7%	271	35%	37	5%	87%	8.4
Total Stage 1 Complaints	2474	1327	54%	338	14%	721	29%	88	4%	89%	7.7

5.14 Figure 10 shows the rate at which complaints are upheld at Stage 2 of the process and the percentage completed on time. During 2013/2014, response times for Stage 2 complaints fell to 82% from 87%, against a corporate target of 87% completed in time. At Stage 2, the nature of investigation, complexity and issues raised will vary across the services the Council provides. It is noteworthy, however that there was a significant increase of 34% in the volume of Stage 2 Complaints. Steps are being undertaken in the directorates where performance targets have not been met to address this issue.

Figure 10

Stage 2 Resolutions by Directorate											
2013/14	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	150	86	57%	15	10%	42	28%	7	5%	90%	15.3
Development & Renewal	55	35	64%	7	13%	10	18%	3	5%	60%	20.2
ESCW	9	6	67%	2	22%	1	11%	0	0%	78%	21.8
Law, Probity & Governance	6	3	50%	0	0%	2	33%	1	17%	83%	12.8
Resources	25	21	84%	3	12%	0	0%	1	4%	88%	9.4
Tower Hamlets Homes	127	59	46%	12	9%	52	41%	4	3%	81%	18.3
Total Stage 2 Complaints	372	210	56%	39	10%	107	29%	16	4%	82%	16.7

5.15 Figure 11 shows the rate at which complaints are upheld at Stage 3 of the process and the percentage completed on time. During 2013/2014, response times for Stage 3 complaints greatly improved from 83% to 94%, this far exceeds the corporate target of 87% completed in time. This result is very encouraging especially given the increase work load due to the large increase in FOI requests that the Complaints and Information Team also handle.

Figure 11

Stage 3 Resolutions by Directorate											
2013/14	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	30	23	77%	4	13%	2	7%	1	3%	93%	19.1
Development & Renewal	17	11	65%	5	29%	1	6%	0	0%	88%	19.8
ESCW	4	4	100%	0	0%	0	0%	0	0%	100%	17.3
Law, Probity & Governance	7	6	86%	1	14%	0	0%	0	0%	100%	16.4
LPG* - FOI Reviews	51	18	35%	22	43%	8	16%	3	6%	92%	18.5
Resources	11	8	73%	1	9%	2	18%	0	0%	100%	16.9
Tower Hamlets Homes	40	16	40%	10	25%	12	30%	2	5%	95%	18.3
Total Stage 3 Complaints	160	86	54%	43	27%	25	16%	6	4%	94%	18.5

5.16 FOI review performance times improved significantly from 74% to 92% over the previous year, despite an increase in volume of reviews by 50%. Almost all of the reviews this year were carried out by the Complaints and Information Team.

5.17 Overall the volume of Stage 3 complaints (both escalations from Stage 1 and Stage 2 Complaints and FOI Reviews) has changed slightly over the previous year from 156 to 160, an increase of 2.6%, but the mix of these has changed with more FOI Reviews.

5.18 Corporate Complaints by Service Area

5.19 Set out in Appendix 1 are charts providing a breakdown of the Stage 1 Corporate complaints in each directorate by reference to service area.

5.20 Education, Social Care and Wellbeing (ESCW)

5.21 ESCW is the directorate that covers the previous directorates of Adults Health and Wellbeing and Children’s Schools and Families. Corporate Complaints relate to non-statutory processes and are very few in number. Therefore small increases in numbers can therefore present a misleading percentage variation and should be considered with caution.

5.22 Law, Probity and Governance (LPG)

- 5.23 The Chief Executive's directorate ceased to exist during the year with the majority of the functions and services passing to the new directorate of Law, Probity & Governance.
- 5.24 The volume of complaints in the Law, Probity & Governance directorate is low in all sections. There was a reduction in complaints received overall and no significant trends to report.
- 5.25 Communities Localities and Culture (CLC)
- 5.26 CLC receives the greatest number of Corporate Complaints of all directorates, which is to be expected having regard to the range of services it provides to the community. The most recent Annual Residents Survey showed a general increase in public satisfaction with many services, and the importance attached to these issues.
- 5.27 There was a slight decrease in the number of complaints from 2012/13 to 2013/14 which demonstrates that high service levels are being maintained across the directorates while budgets are reduced in order to address reductions in central government grant.
- 5.28 Within the context of this overall decrease in the level of complaints per head of population Stage 1 complaints were up by 6% (1056 up from 997). However, Stage 2 and Stage 3 complaints were reduced by 11% (109 down from 123) and 19% (25 down from 31) respectively.
- 5.29 The majority of complaints (85%) are dealt with at Stage 1. Only 15% of Stage 1 complaints were escalated to Stage 2, and of these, only 3% are escalated to Stage 3.
- 5.30 While the number of complaints progressing to Stage 2 has increased by 38% from 109 to 150, the number upheld or partially upheld at this stage has remained steady at 57 indicating that the responses and assessments at Stage 1 remain of high quality and service performance is being maintained.
- 5.31 The same pattern applies at Stage 3 where there has been an overall increase in the number of complaints escalated from Stage 2 from 25 to 30. However, the number upheld or partially upheld complaints at Stage 3 has nearly halved from 11 to 6.
- 5.32 Overall across all stages, the percentage upheld or partially upheld has reduced indicating that services are performing well.
- 5.33 Resolution times for complaints across all 3 stages were good, with 93% closed on time at Stage 1, 90% at Stage 2 and 93% at Stage 3. Effective performance management at all levels, including monthly directorate performance figures, has resulted in the prioritisation of response times. Overall, the percentage of complaints closed on time was just under 93%, demonstrating a consistent and strong level of response.

- 5.34 The number of complaints received has remained broadly steady across all service areas, with very minor increases or decreases that are not significant enough to draw strategic conclusions in the context of the volume of overall service delivery. There are a small number of variations compared to 2012/13 for which additional contextual information is provided below.
- 5.35 Idea Stores & Libraries - Whilst there has been a small increase in complaints for Idea Stores & Libraries (15, up from 8), this was largely because of neighbours' complaints about the inconvenience of construction works for Idea Store Watney Market – it was not reflective of the quality of service provision. Latest CIPFA PLUS survey results identified the borough's Idea Stores as having the highest satisfaction levels for library services across London.
- 5.36 Domestic refuse collection & bulk waste collection - Complaints about domestic refuse collections dropped from 239 to 189 and for bulk collections from 51 to 29 when compared to 2012/13. Some of this drop can be linked to the fact that the first half of 2012/13 saw significant disruption because of the Olympic Games with services in the first half of 2013/14 presenting a more stable picture. While the number of complaints about collections may at first appear high, it is a very small number of complaints in the context of more than 11m waste collections carried out in any 12 month period.
- 5.37 Tower Hamlets Enforcement Officers (THEOs) - The number of complaints in relation to THEOs remains low overall. While it has nearly doubled from 9 in 2012/13 to 17 in 2013/14, this must be seen in the context of doubling the number of THEOs and in turn doubling the amount of enforcement activity. As such the number of complaints in this area has remained proportionate and stable at low levels.
- 5.38 Development and Renewal(D&R)
- 5.39 The volume of complaints in D&R has stayed roughly the same, when compared to last year. However, this masks changes to the volume of complaints received in particular services.
- 5.40 There has been a small increase (137 in 2012/13 and 156 in 2013/14) in the number of complaints received in the Housing Options Service. There has been an increase in the Regeneration team, where the volume of complaints has nearly doubled (15 in 2012/13 and 28 in 2013/14).
- 5.41 The Housing Options Service is one of the services dealing with the consequences of the Government's welfare reforms. As the impacts of the changes to welfare benefits – including the benefit cap and the 'bedroom tax' – continue to be felt, a number of residents are turning to the service in the hope of getting some resolution to their difficult housing conditions. Even without the changes to the welfare benefits system, Tower Hamlets has the second highest level of overcrowding in the country, contributing to high levels of poverty and deprivation. With an increased number of interactions with residents, it is inevitable that there will be an increased number of complaints. The service has recently upgraded its ICT systems to give residents access to more information in relation to their lettings bids; increasing transparency

and providing residents with information that they can use to inform their bidding strategy. This increase in transparency should see the number of complaints decline, although the service still expects that there will be a further increase in residents coming to them for help.

- 5.42 The Regeneration team in D&R is dealing with some of the country's biggest regeneration schemes – most of the complaints have been in relation to the regeneration of the Ocean Estate, which saw 1,200 homes refurbished and 800 new homes built, and is nearing completion. The size and scale of the project mean that a number of complaints are inevitable. The council continues to work with its partners and contractors to ensure disruption to the lives of our residents, and local businesses, are minimised. However, the nature of the scheme means that some disruption is inevitable.
- 5.43 The directorate's performance on responding to complaints within 10 working days remains below the expected standard but has improved over the last year. However, this masks different levels of performance between services within the directorate. More robust processes and a larger team should see further improvement in the year to come.
- 5.44 Resources
- 5.45 Council Tax has seen a 25% drop in complaints this year which is a reflection of the changes and improvements to the service provision and self-service systems enabling us to cope with more customers and respond faster to enquiries.
- 5.46 There was a 22% increase in Benefits assessments with 266,203 completed in 2013/14 which may have been due to benefit reform. This must be considered against the 17% increase of complaints so that in reality the rate of complaint to assessment went down. The team are also dealing with a constantly changing environment with additional expectations and workflows from DWP which require staff training and process adaption.
- 5.47 Business Rates has undergone significant change in 2013/2014 and many small businesses feel they are paying too much. Many complaints were received about valuations over which the council has no control and can only guide ratepayers through the appeal process.
- 5.48 Tower Hamlets Homes (THH)
- 5.49 Compared to last year, Stage 1 complaints have increased by 26% (160) and 40% (37) at Stage 2, but have decreased by 38% (25) at Stage 3.
- 5.50 The increase is mainly associated with increase in activity around the Decent Homes programme and the delivery of responsive repairs service provided by Mears. The complaints are not generally centred around the workmanship but focus on delays and communication issues. These issues have been brought to the attention of the

contractors and action is being taken address these issues and monitor these areas of work more closely.

5.51 The decrease in Stage 3 complaints was in general due to efforts being made to ensure that complaints were resolved at earlier stages of the procedure.

5.52 Over the last 6 months THH have developed a Complaints Service Improvement Plan. This has been developed to ensure that lessons are learnt from complaints and that this can lead to improvements in services to residents. From this key Complaints Service Improvement Actions have been identified, some of which have either been completed or in the process of being implemented:

- Developed a Right First Time action plan with Mears, the repair partner, which is monitored monthly at the Core Operational and Strategic meetings.
- Trained staff on damp and condensation diagnosis
- Introducing a text message service notifying residents when a repair order has been raised.
- Offer temporary accommodation to residents affected by lift renewals who have mobility issues.
- Introduced new FAQ Step by Step guides for major repair works.
- Review setting up a TV aerial servicing and renewal programme.
- Introducing a Decent Homes “Not forgotten” newsletter which will update residents 3 months after survey undertaken as to when they can expect works to commence.
- Review the payment of a £10 missed appointment fee for any missed appointments regardless of the contractor.
- New software will help improve the analysis of complaints in the future.
- THH Customer Access and Facilities staff have received customer service training. This is being rolled out to the rest of THH in 2014/15.
- Fortnightly meetings set up with Capital Works and Decent Homes teams to ensure all follow up works and promised made have been completed and review lessons learnt.

5.53 **Stage 3 complaints**

5.54 Challenges to FOI and EIR requests are considered at the final stage of the Corporate Complaints Procedure and in this sense the procedure is used as a final appeal.

5.55 As indicated earlier in the report, the numbers of Stage 3 complaints increased by 4 in 2013/2014. The percentage completed in time rose significantly to 94% and the average response time remained the same at 18 days per complaint as can be seen in Figure 12.

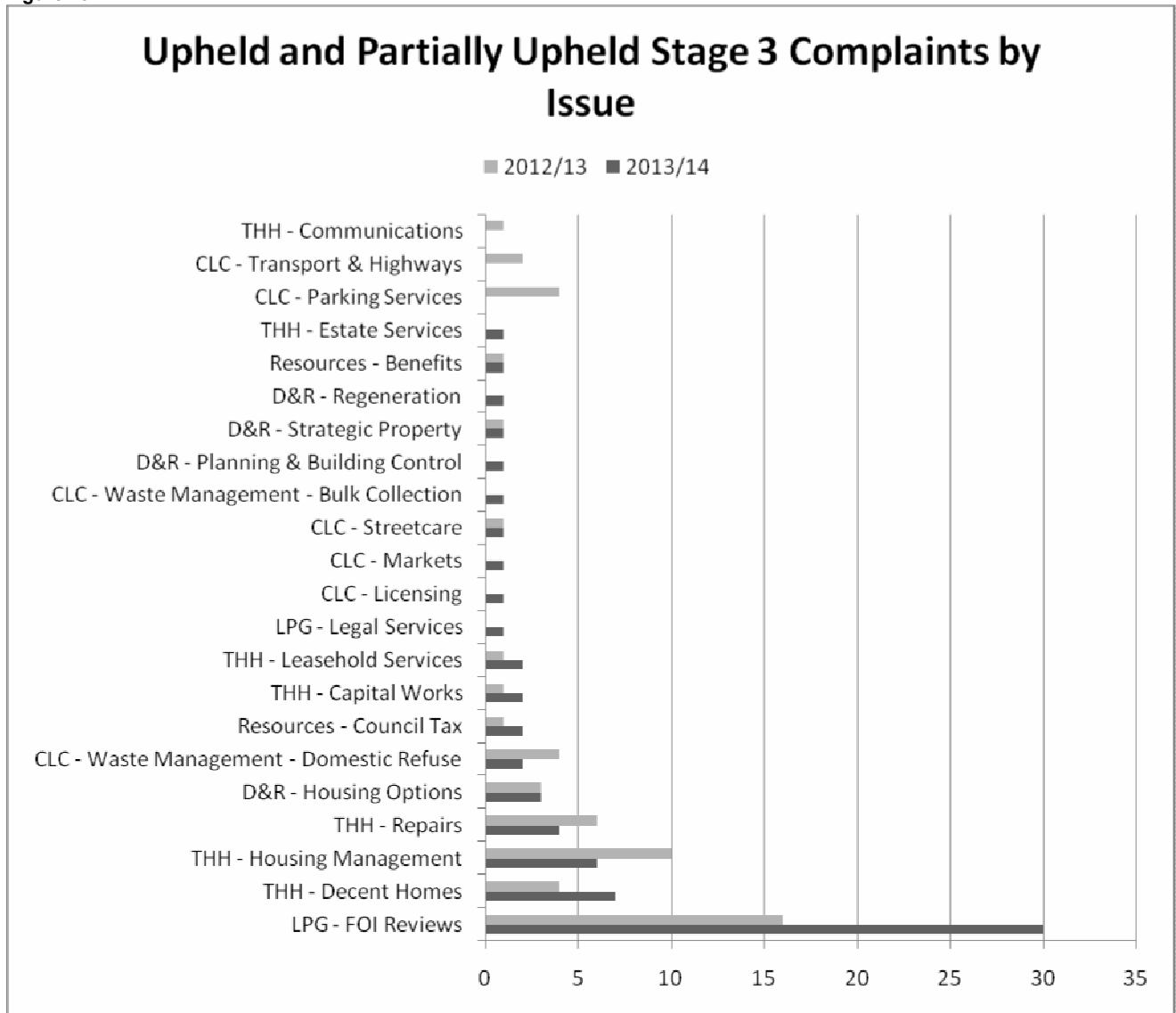
Figure 12

Stage 3 Complaints Response Times						
Financial Year	Total Answered	Completed in Time		Answered outside timescale		Average response times (days)
2011/12	132	114	86%	18	14%	17
2012/13	155	128	83%	27	17%	18
2013/14	160	150	94%	10	6%	18

5.56 The rate at which complaints were upheld or partially upheld at Stage 3 was higher in 2013/14 at 43% compared with 34% in 2012/2013.

5.57 Figure 13 provide information about the areas in which complaints were upheld and where the greatest increases and decreases are to be found. However, as apart from FOI review cases it is difficult to see any trend here due to the spread of complaints across service areas.

Figure 13



5.58 The Council sometimes makes a compensation payment to a complainant. This will be done in cases where a complaint is upheld and an apology or some other action is considered to be an insufficient remedy. Figure 14 shows a summary of compensation payments made by the Council at Stage 3 during the past three years.

Figure 14

	Number of Stage 3 cases warranting compensation	Total value of Compensation
2013/14	12	£3,385
2012/13	8	£2,025
2011/12	7	£3,350

5.59 Summary of Key Issues in upheld Stage 3 complaints

- 5.60 In total 30 FOI review complaints were upheld or partially upheld, details of which are summarised in section 3.
- 5.61 Three complaints about failed domestic waste collections not being carried out as scheduled on a repeat basis. Apologies were given and the collections were monitored.
- 5.62 One complaint where a neighbouring property was not consulted about a licencing application due to GIS records not being up to date. An apology was given and the GIS was updated.
- 5.63 One complaint from a resident about a shop trader breaching licencing conditions was followed up by a letter being sent to the shop owner
- 5.64 One complaint was in regard to an adopted highway repair works which had not been completed. The work was completed by Highways as appropriate.
- 5.65 One complaint where Council Tax had provided incorrect information which affected a former tenant's credit rating. The information was corrected and £65 to compensate was offered.
- 5.66 One complaint about a resident being recorded as being in arrears due a mistaken entry was made against the wrong council tax year.
- 5.67 One complaint about the delay in sorting out the non-receipt of a Housing Benefit cheque following a change in circumstances. The cheque was re-sent and an apology for the delayed response was given.
- 5.68 One complaint about the delay of Housing Options Team returning accommodation to the landlord.
- 5.69 One complaint about the delay in processing a Housing application.
- 5.70 One complaint about the Housing Options service mistakenly sending an email address to the wrong address.
- 5.71 One complaint about the regeneration service alleged damage to property and the response denying the claim was being delayed.
- 5.72 One complaint where there was a delay in correcting street signage.
- 5.73 One complaint involving a Right-to-buy, buy-back of a former Council property.
- 5.74 Eleven THH complaints about Decent Homes work not being completed properly. The work was inspected again and after the survey was carried out remedial work was done as appropriate.

- 5.75 One THH complaint about the delay in sending out a Household Insurance claim form. An apology was given with a £50.00 payment being offered for time and trouble and the claim form being sent to the tenant.
- 5.76 One THH complaint was raised about charges for horticulture which were being disputed but not responded to in a timely manner. An apology was given and details of how to dispute the charges.
- 5.77 One THH complaint where external brick-work was not repaired in a timely manner and an apology and a £500.00 payment was offered.
- 5.78 One THH complaint where there was an extended delay in repairing a radiator in the property. An apology and £250.00 was offered.
- 5.79 One THH complaint where the hot water services were not provided and an apology and a payment of £200.00 was offered.
- 5.80 One THH complaint where an unauthorised amount was taken from the complainant's bank account. The money taken was credited to the account and an updated Housing Service Charges account was issued.
- 5.81 One THH complaint where noise was caused from a neighbour's flat because of the laminated flooring. The matter was referred to mediation.
- 5.82 One THH complaint where there was a service overcharge which was upheld and the over-charge was refunded.
- 5.83 One THH complaint where dry-lining was not carried out properly. The work was finished off and £200 compensation was offered.
- 5.84 One THH complaint where too small window was installed. The window was replaced by a window of the correct size.
- 5.85 One THH complaint about lack of consultation about a parking space. An apology was given about the lack of consultation and matters were clarified about what should have happened.
- 5.86 One THH complaint was made about a continuing roof leak. The roof leak was repaired.
- 5.87 One THH complaint was made where there was a missed appointment. Assurances were given that the areas of deficient service would be highlighted to the contractors.
- 5.88 **Complaints service user profiles**
- 5.89 The complaints service can be accessed by email, in person, phone, post, and web-form. A breakdown of access methods is provided in Figure 15 below.

Figure 15

Breakdown of Stage 1 how complaints are received				
How Received	2012/13		2013/14	
Email	1203	53%	1182	48%
Fax	1		1	
In Person	8		12	
Phone	681	30%	680	27%
Post	165	7%	145	6%
Web	216	10%	454	18%
Total Complaints	2273		2474	

5.90 Web and email usage increased again this year, from 63% in 2012/13 to 66%. The corresponding fall occurred in the use of post and phone. This would seem to follow the trend of greater use of technology by the population.

5.91 The Council tries to collect equalities data to follow trends and analyse the impact of services on sectors of the community. Collection rates vary and although they are increasing year on year for most strands, the percentage known is not yet high enough to allow meaningful analysis for some strands (e.g. religion and sexual orientation). Improvements in collection rates have been small, if at all, despite follow up emails being sent to request data.

Figure 16

% of data known for equalities strands	2011/12	2012/13	2012/14
Age	46%	29%	31%
Disability	48%	27%	31%
Ethnicity	65%	46%	48%
Gender	100%	100%	100%
Religion	32%	23%	28%
Sexual Orientation	28%	19%	24%

5.92 The level of non-response presents challenges in terms of equality analysis. For example, Figure 17 sets out a breakdown of complaints by reference to ethnicity. It is thought that overall the volume of complaints does not vary significantly from the projected Borough population. However, the volume of complaints for which ethnicity is not known still has the potential to mask the true position, given that ethnicity data is only available for only 48% of the 2,474 complainants, this dataset is not robust enough to allow any conclusions to be drawn from it.

Figure 17

Stage 1 Complaints by Ethnicity					
	2012/13		Borough Projection	2013/14	
Asian	476	45.7%	41%	589	49.5%
Black	71	6.8%	7%	97	8.2%
Mixed /Dual Heritage	15	1.4%	4%	15	1.3%
White	468	44.9%	45%	482	40.5%
Other	12	1.2%	2%	7	0.6%
Sub Total	1042	100%	100%	1190	100%
Declined	118	-	-	179	-
Not Known	1114	-	-	1105	-
Total Stage 1 Complaints	2274			2274	

5.93 The one area in which there is complete data is in relation to gender. The data is summarised in Figure 18 and show that men are somewhat over-represented compared to the expected population position. It is noticeable that the proportion of male complainants taking matters through to the final stages of the Complaints Procedure is greater than for women. This is the case year after year. It may be difficult to identify the underlying causes for the identified disparity, but consideration can be given to this in the current year.

Figure 18

Stage 1 Complaints by Gender					
	2012/13		Borough Projection	2013/14	
Female	1051	46.2%	48%	1158	46.8%
Male	1223	53.8%	52%	1316	53.2%
Total Stage 1 Complaints	2274			2474	

6. ESCW - ADULTS SOCIAL CARE COMPLAINTS

6.1 Procedure, volumes and timeliness

6.2 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, made under the Health and Social Care (Community Health and Standards) Act 2003, set out the process for considering adult social care and health complaints. The key principles require Local Authorities to:-

- consider adult social care complaints once only;
- involve the complainant in agreeing the method and likely timeframe for the investigation;
- establish desired outcomes; and
- Provide a unified approach to joint investigations with partner bodies.

6.3 The current statutory complaint procedure came into place for adult social care complaints on 1 April 2009 and can be found on the Council's website. The Council places a strong emphasis on the informal resolution of complaints and in assisting social care teams in effectively managing and resolving complaints.

6.4 Some matters will always be raised direct with the service and resolved without recourse to a formal complaint procedure. In order to capture important data from these interactions, we have produced a pro forma for services to hold their records. A summary of the Locally Resolved concerns is provided below in figure 19. These figures also include concerns made to commissioned providers that require investigation or action to be taken by a Council service. It appears that the locally resolved concerns may address different issues to those raised through the statutory process.

Figure 19

Locally Resolved Concerns April 2013 – March 2014		Not Upheld	Partially Upheld	Upheld
Access to services	0	0	0	0
Challenge decision	6	4	1	1
Conduct/competence	8	2	4	2
Policy/procedure	0	0	0	0
Records/information held	0	0	0	0
Service delay/failure	41	6	13	22
Service quality	27	7	10	10
Other	7	1	3	3
Total	89	20	31	38

6.5 Complaints are also made to and resolved by a commissioned provider and can be grouped into the following categories:

- A. Home care.
- B. Residential / nursing care.
- C. Day care.
- D. Information, advice and advocacy services.
- E. Supporting People services.

6.6 The Statutory procedure allows one stage of investigation only, although the form this takes is agreed in the light of the issues raised. A variety of methods have been used, including round table meetings, formal interview and file reviews, and liaison between the Service Manager and the complainant. Key to resolving matters has been the emphasis on identifying a resolution plan with the complainant.

6.7 Figure 20 below compares the year on year volumes and shows another fall in complaints in 2013/2014, by a modest 3%.

Figure 20

Volume of Adult Social Care Complaints				
	2012/13	2013/14	Variance	
Total Complaints	60	57	-3	-5%

6.8 Figure 21 is a summary of the reasons why statutory complaints were raised.

Figure 20

Statutory Complaints 2013/14	
Challenge Assessment Decision	24
Conduct/competence	15
Service delay/failure	14
Service quality	1
Other	3
Total	57

Figure 22

Adults Social Care Complaints by Division													
	2012/13	Variance		2013/14		Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On	
Commissioning Services	4	2	50%	6	11%	1	17%	2	33%	3	50%	0	0%
Disability and Health	3	-3	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Elders	8	-8	100%	0	0%	0	0%	0	0%	0	0%	0	0%
First Response	14	2	14%	16	28%	9	56%	6	38%	0	0%	1	6%
Learning Disabilities	3	-3	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Learning Disability	6	-3	-50%	3	5%	1	33%	2	67%	0	0%	0	0%
Longer Term East	3	5	167%	8	14%	6	75%	1	13%	0	0%	1	13%
Longer Term West	10	-4	-40%	6	11%	5	83%	0	0%	1	17%	0	0%
OT Services	1	-1	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Re-ablement	8	9	113%	17	30%	11	65%	2	12%	4	24%	0	0%
Sensory Impairment	0	1	0%	1	2%	0	0%	0	0%	1	100%	0	0%
Totals	60	-3	-5%	57	100%	33	58%	13	23%	9	16%	2	4%

6.9 The Complaints Procedure does not specify timescales for completion, as these are agreed at the outset of each case. In order to provide monitoring information we are capturing data of complaints closed within 10 working day brackets. Figure 23 indicates that 53 of the 57 complaints were completed within 20 working days, and at 93%, this is a 1% improvement over last year's performance.

Figure 23

Adults Social Care Complaints - By Performance																		
Complaints Answered	Totals	Within 10 working days		Within 20 working days		Within 30 Working Days		Within 40 Working Days		Within 50 Working Days		Within 60 Working Days		Within 70 Working Days		Over 70 Days		Average Days to Complete
2012/13	60	43	72%	12	20%	2	3%	1	2%	0	0%	0	0%	1	2%	1	2%	11
2013/14	57	37	65%	16	28%	4	7%	0	0%	0	0%	0	0%	0	0%	0	0%	9

6.10 Figure 23 also demonstrates that the average number of working days to complete was reduced to 9 from 11.

6.11 Reason For Complaints

6.12 Figure 24 provides a summary of the reasons for which people complained.

Figure 24

Adults Social Care Complaints by Reason													
	2012/13	Variance		2013/14		Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On	
Access to Service	4	-4	-100%	0	0%	0	0%	0	0%	0	0%	0	0%
Challenge Assessment Decision	22	2	9%	24	42%	19	79%	1	4%	3	13%	1	4%
Conduct / Competence	14	1	7%	15	26%	8	53%	3	20%	4	27%	0	0%
Policy / Procedure	1	-1	-100%	0	0%	0	0%	0	0%	0	0%	0	0%
Service Delay / Failure	18	-4	-22%	14	25%	5	36%	7	50%	1	7%	1	7%
Service Quality	1	0	0%	1	2%	0	0%	0	0%	1	100%	0	0%
	0	3	0%	3	5%	1	33%	2	67%	0	0%	0	0%
Totals	60	-3	-5%	57		33	58%	13	23%	9	16%	2	4%

6.13 The reasons why people have complained remain much the same as the previous year.

6.14 Access and Profiles

6.15 The method of how people are making complaints has changed slightly, but as the numbers involved are relatively small it is difficult to draw any conclusions on this. Figure 25 shows the breakdown.

Figure 25

Breakdown of how Adults Social Care Complaints are received				
How Received	2012/13		2013/14	
Email	33	55%	24	42%
In Person	1	2%	2	4%
Phone	12	20%	10	18%
Post	14	23%	19	33%
Web	0	0%	2	4%
Total Complaints	60	100%	57	100%

6.16 Figure 26 below provides a breakdown of adult social care complaints by reference to ethnicity. There was an increase in complaints where the ethnicity was not known, which means it is difficult to make comparisons with the previous year. There were no issues of discrimination reported.

Figure 26

Adults Social Care Complaints - By Ethnicity					
	2012/13		Borough Projection	2013/14	
Asian	22	37%	41%	13	23%
Black	3	5%	7%	8	14%
Declined	1	2%		0	0%
Mixed /Dual Heritage	1	2%	4%	0	0%
Not Known	5	8%		10	18%
White	28	47%	45%	26	46%
Totals	60			57	

6.17 Summary of key issues in upheld cases

6.18 There were nine complaints where there was poor communication from the social worker and an apology given.

6.19 There was one complaint where money was incorrectly paid out, which was refunded as requested.

6.20 There were six complaints where adaptations had been carried out and where a re-assessment was carried out as requested.

6.21 There was one complaint where a care agency was changed as requested.

- 6.22 There were two complaints where social workers had not been allocated as requested.
- 6.23 There were three complaints where a poor service was given by a care agency and the situation is being monitored.

7. CHILDREN'S SOCIAL CARE COMPLAINTS

7.1 Procedures

7.2 There is a legal requirement under the Children Act 1989 for local authorities to have a system for receiving representations and complaints by, or on behalf of, people who use social care services and their carers.

7.3 The Children's Complaints Procedure has three stages –

- **Stage 1 Complaints – Initial.** Team Managers are required to provide a written response to complaints within 10 working days. There is a possible extension to 20 working days to allow for a local resolution and where complaints are complex.
- **Stage 2 Complaints – Formal.** Investigations should be completed within 25 working days. However this can be extended to 65 working days in negotiation with the complainant due to the complexity of complaints. An Independent Person is appointed to oversee formal complaints at Stage 2 relating to children and young people. This is a legislative requirement under the Children Act 1989 and ensures that there is an impartial element. The report is passed to the Head of Service and an internal adjudication meeting is held before the report and outcomes are shared with the service user.
- **Stage 3 Complaints – Independent Review Panel.** An Independent Review Panel can review the case in the presence of the complainant and Service Head, and where appropriate make recommendations to the relevant Director.

7.4 Complaint volumes

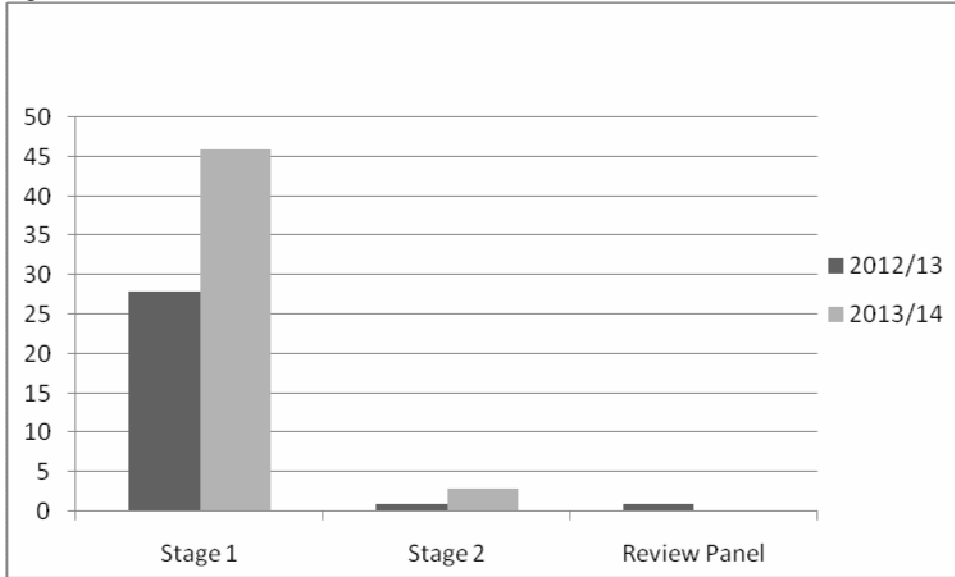
7.5 The number of children's social care complaints rose in 2013/2014 as shown in Figure 29; there is no clear pattern in this. Most complaints arose from administrative issues and details of complaints that were upheld are set out from section 7.18.

Figure 29

Volume of Children's Social Care Complaints				
Year	2012/13	2013/14	Variance	
Stage 1	28	46	18	64%
Stage 2	1	3	2	200%
Review Panel	1	0	-1	-100%
Total Complaints	30	49	19	63%

7.6 The number of complaints completed at each stage is shown in Figure 30 and the number of Stage 2 and Review Panel is only one at each stage.

Figure 30



7.7 Complaint Response Times

7.8 Figure 31 sets out the response times for Stage 1 complaints. It shows that 67% of Stage 1 complaints in Children’s Social Care were answered within the 10 working day time scale, and 93% completed in the extended times scale. This is an improvement compared to last year and is very encouraging given the increase in volume of complaints. Three complaints were answered outside of the timescales, which is also an improvement with the average response time improved from 8 working days to 6 working days.

Figure 31

Stage 1 Children’s Social Care Complaints - By Performance								
	Total	Answered within 10 working days		Answered within 20 working days		Answered outside timescale		Average response times (days)
2012/13	28	16	57%	23	82%	5	18%	8
2013/14	46	31	67%	43	93%	3	7%	6

7.9 There were three Stage 2 complaints this period with an average response time of 59 working days.

Figure 32

Stage 2 Children Schools and Families Social Care Complaints - By Performance								
	Total	Answered within 25 working days		Answered within 65 working days		Answered outside timescale		Average response times (days)
2012/13	1	0	0%	1	100%	0	0%	34
2013/14	3	0	0%	2	100%	1	0%	59

7.10 Complaints in Children’s Social Care are often complex and the regulations require the Council to appoint an independent person to oversee the investigation. This can create challenges in managing response times. However, the Complaints and Information Team continues to strive to improve this performance and works closely with the Children’s Rights Officer to ensure effective liaison with the young person.

7.11 Complaints by Service

7.12 The areas on which complaints have been recorded at each stage are set out in figures 33 and 34 below.

Figure 33

Stage 1 Children's Social Care Complaints by Section													
	2012/13	Variance		2013/14		Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On	
Child Looked After & Leaving Care	7	7	100%	14	30%	5	36%	3	21%	5	36%	1	7%
Child Protection and Reviewing	2	4	200%	6	13%	3	50%	1	17%	1	17%	1	17%
Children's Resources	2	4	200%	6	13%	3	50%	1	17%	2	33%	0	0%
Fieldwork Services	14	0	0%	14	30%	9	64%	1	7%	2	14%	2	14%
Int. Services Children Disability	3	3	100%	6	13%	4	67%	1	17%	1	17%	0	0%

7.13 Fieldwork services continue to receive the highest number of complaints at Stage 1 and Stage 2, as is expected. This is due to the potentially contentious nature of the service and the large number of service users.

Figure 34

Stage 2 Children's Social Care Complaints by Section													
	2012/13	Variance		2013/14		Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On	
Child Protection and Reviewing	0	1		1	33%	1	100%	0	0%	0	0%	0	0%
Fieldwork Services	1	1	100%	2	67%	1	50%	1	50%	0	0%	0	0%

7.14 Section 7.18 contains a summary of the key issues upheld.

7.15 Service User Profiles

7.16 Figure 35 shows the volumes of complaints for each ethnic group. The volumes are low and there have been no indications that the complaints have been made following an experience of discrimination. This compares favourably against the diversity in borough population.

7.17 The increase in complaints from white service users has been analysed and the complaints are distributed across the service areas. Six of these complaints were upheld, six not upheld and two withdrawn. It does not appear that there is any underlying trigger in service delivery as the complaints are about very different issues. Only one of the 14 has progressed to stage 2.

Figure 35

Stage 1 Children's Social Care Complaints - By Ethnicity					
	2012/13		Borough Projection	2013/14	
Asian	11	39%	41%	13	28%
Black	5	18%	7%	6	13%
Mixed /Dual Heritage	2	7%	4%	2	4%
White	5	18%	45%	14	30%
Not Known	5	18%		10	22%
Declined	0	0%		1	2%
Total Stage 1 Complaints	28			28	

7.18 Summary of key issues in upheld complaints at Stage 1

7.19 There were 11 complaints where there were mistakes such as poor communication or not carrying out tasks within a reasonable time.

- 7.20 There were four complaints where the Children's Social Care records were amended as requested.
- 7.21 There was one complaint about poor communication regarding contacting the team manager in the absence of the allocated social worker.
- 7.22 There was one complaint where money owed was paid to the child formerly in care.
- 7.23 There was one complaint where the allocated social worker was not changed when the service user had requested an alternative social worker.
- 7.24 There was one complaint where an allocated social worker was provided as requested by the complainant.
- 7.25 There was one Stage 2 complaint that was partially upheld regarding the level of support provided to the family.
- 7.26 **Review Panel Complaints**
- 7.27 There were no Review Panels this year.

8. LOCAL GOVERNMENT OMBUDSMAN (LGO) AND HOUSING OMBUDSMAN COMPLAINTS

8.1 The Local Government Ombudsman is an independent watchdog appointed to oversee the administration of local authorities. The LGO considers complaints (usually) after the complainant has exhausted the internal complaints procedure, or the adults' or children's complaints procedures, as appropriate. The LGO also deals with education matters.

8.2 In 2013/14 the LGO received 111 complaints, and compared to London Boroughs (with 1st as high volume) Tower Hamlets ranked 23rd. The highest volume was 308 complaints and the lowest 62.

8.3 Figure 36 is a breakdown of complaints received from the LGO with their categories. As they have changed the reporting method it is not possible to make comparisons with last year.

Figure 36

LGO Complaints and enquiries received							
Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing Planning and development	Total
6	23	10	6	6	24	30	111
5.4%	20.7%	9.0%	5.4%	5.4%	21.6%	27.0%	

8.4 Complaints Closed by the Ombudsman

8.5 As can be seen in Figure 37, 118 complaints were determined. The LGO has changed the way complaints are recorded and focused on those where an investigation took place. These are then noted as upheld or not upheld. Thirteen investigations were conducted and in ten cases some element of the complaints was upheld. 51 cases were referred back to the Council as premature. In 11 cases advice was given to the complainant and 40 cases were dismissed after preliminary enquiries with the Council or on the basis of the information provided by the complainant. Assessing the 2013/14 figures including those dismissed at the earliest stage, 8.4% of cases were upheld. Tower Hamlets ranks 24th out of the 32 London Boroughs. The borough with the highest percentage upheld had 18% and the lowest had 5.4%.

Figure 37

LGO Decisions made						
Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete/invalid	Referred back for local resolution	Total
10	3	11	40	3	51	118
8.5%	2.5%	9.3%	33.9%	2.5%	43.2%	

8.6 The Housing Ombudsman considers most housing complaints, and in particular tenancy issues. The Housing Ombudsman's Office do not classify complaint outcomes

in the same way as the LGO, and prefer to seek local resolution in as many cases as possible. There were only 3 Tower Hamlets cases determined by the Housing Ombudsman in 2013/2014. In one of the three cases determined, some action was required to make good a property. No action was required in the other 2 cases.

9. IMPROVEMENT AND DEVELOPMENT INITIATIVES

9.1 External relationships

9.2 Members of the Complaints and Information Team represent the Council on the board of Data Share London, a London Councils initiative. They also participate regularly at Information Security for London, the London Information Rights Forum and the Information and Records Management Society Local Government group meetings.

9.3 As members of the Public Sector Complaints Network (Corporate Complaints), and regional networks for Social Care complaints, the team work with other authorities on key policy and practice issues in terms of complaints handling.

9.4 The team is also the organisation's link point to the Local Government Ombudsman and Information Commissioner's Office, leading on all communication, case management and best practice updates.

9.5 Monitoring Complaints

9.6 Weekly outstanding lists are circulated to Directors and Service Heads. Detailed monthly monitoring is also distributed. Quarterly reports on quality issues and service improvements arising from complaints are discussed at the Corporate Management Team and Directorate Management Teams.

9.7 A similar 'due and outstanding' process is being implemented for information requests, and monitoring data included in quarterly, half yearly and annual reports.

9.8 Changes to Housing Complaints

9.9 The Localism Act moved responsibility for housing complaints from the Local Government Ombudsman to the Housing Ombudsman, with effect from 1 April 2013.

9.10 It also introduced a new complaints stage involving consideration by a 'designated person' prior to consideration by the Housing Ombudsman. This is to promote local resolution via an elected member, MP, or tenant panel.

9.11 The team has worked closely with THH to establish processes by which these complaints can be handled and consideration is being given to reducing the number of stages prior to the designated person stage.

9.12 Training has been provided jointly by the corporate complaints and information team and THH, to members regarding this new role. This training will be repeated.

9.13 Publicity

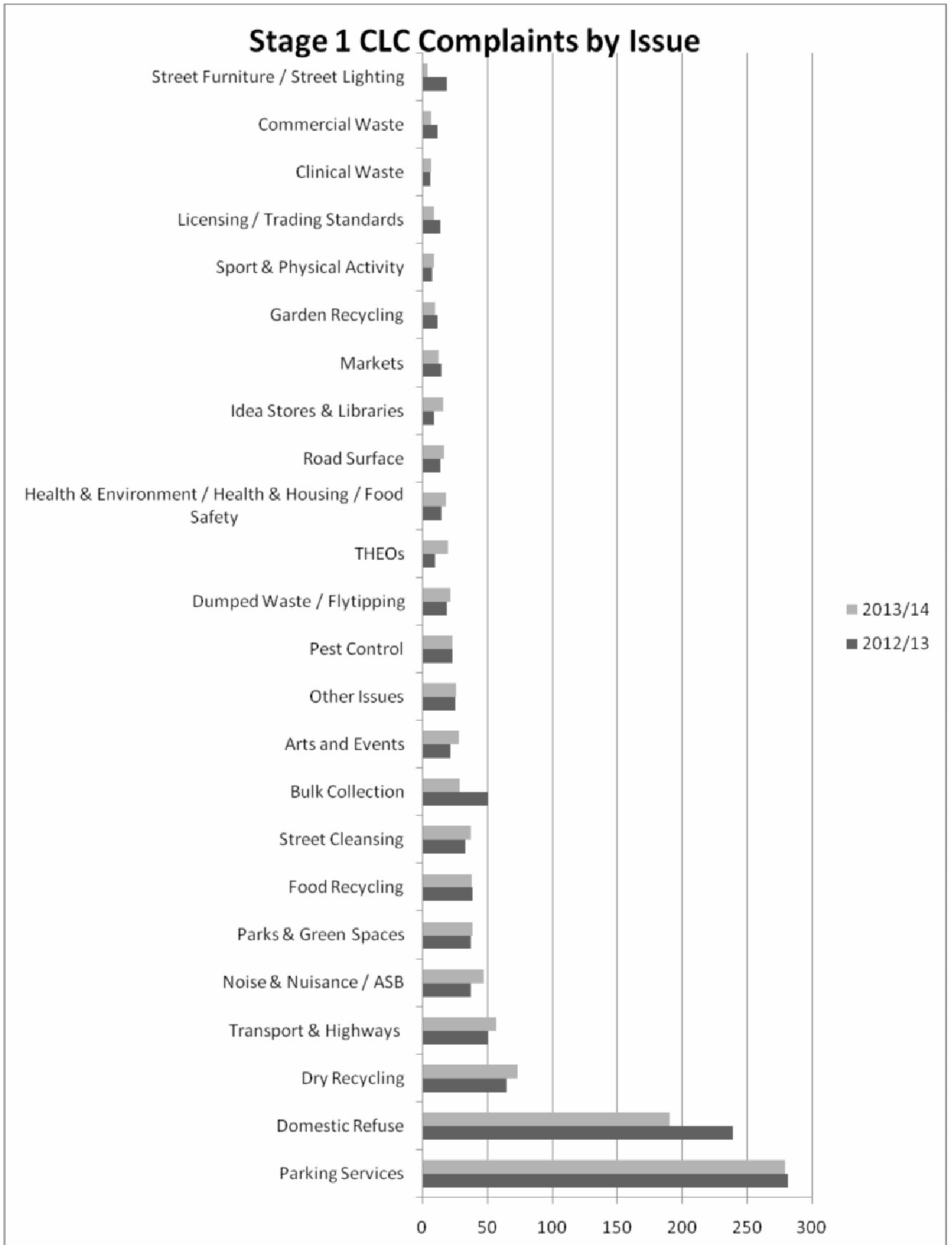
- 9.14 The team ensures that complaints publicity is widely available to ensure effective access across the community. This includes linking with advocacy agencies and support groups to promote access. In addition the team measure knowledge within the local community of how to access the procedures to ensure the effectiveness of publicity.
- 9.15 The complaints procedures for Adults' and Children's Social Care place an increased emphasis on publicity in order to ensure that service users have a voice. The Complaints Team have a role in informing people of their right to complain and in empowering them to use the Complaints Procedure effectively. To this end the team is engaging with community groups to promote access and have joint publicity with NHS partners for social care.
- 9.16 Web pages for all the team's activities are currently being reviewed and updated.
- 9.17 **Effective Learning Outcomes from Complaints**
- 9.18 Effective complaints procedures can help the whole authority improve the delivery of services by highlighting where change is needed.
- 9.19 Where appropriate, lessons learnt from complaints are considered by the Corporate Management Team in quarterly monitoring reports.
- 9.20 The Complaints Team ensures that lessons learned from complaints are highlighted and fed back to improve service delivery. For example, complaints investigations have highlighted the need to review policy guidance, and the summaries of upheld cases are set out in this document. Lessons learned from complaint investigations are also fed back to staff in supervision to enable discussion about improvements, any additional training required and learning points.
- 9.21 **Equalities**
- 9.22 Issues and concerns on equalities issues are explored on an individual case basis. Any equality issues raised as part of a complaint are also tracked to identify service issues and improvements.

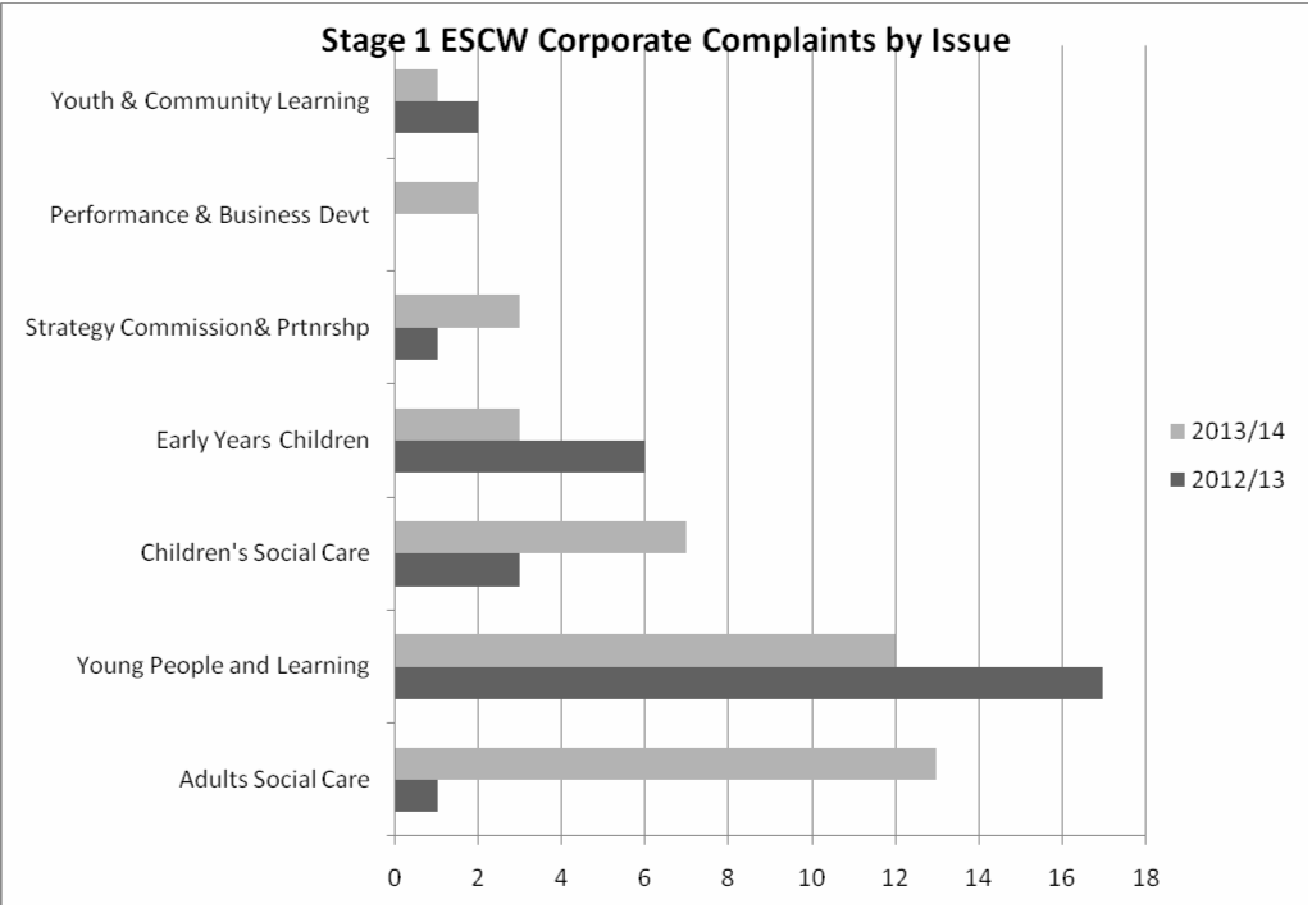
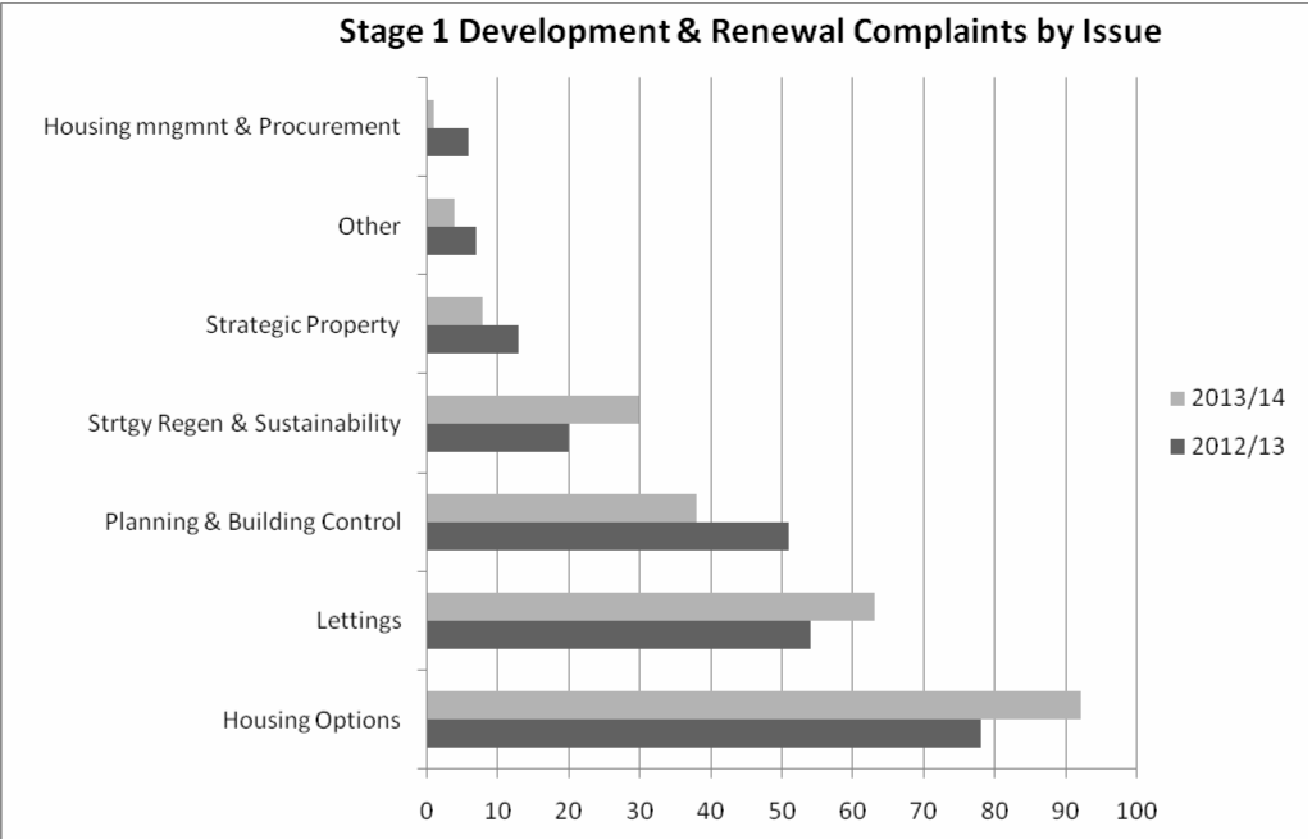
10 **APPENDICES**

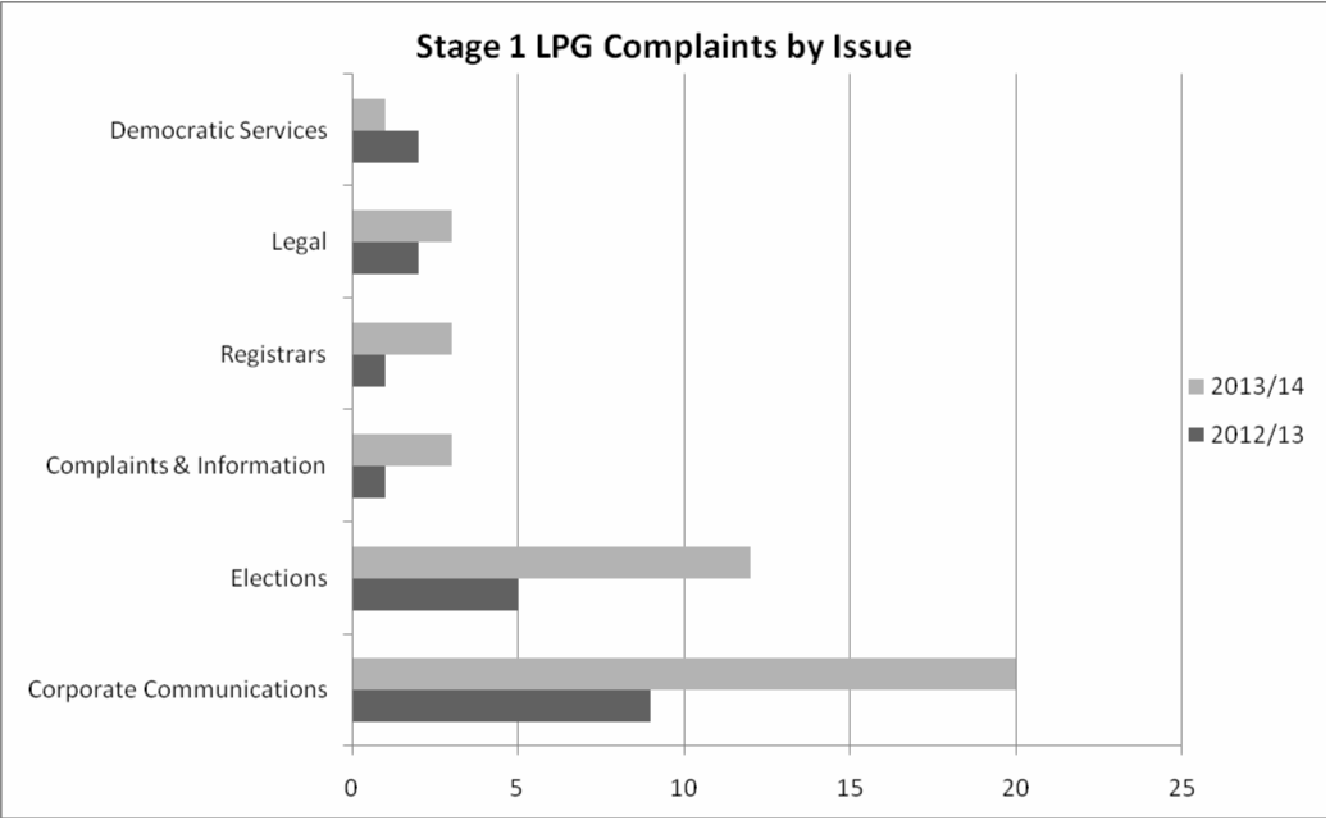
Appendix 1 – Corporate Complaints by Directorate charts

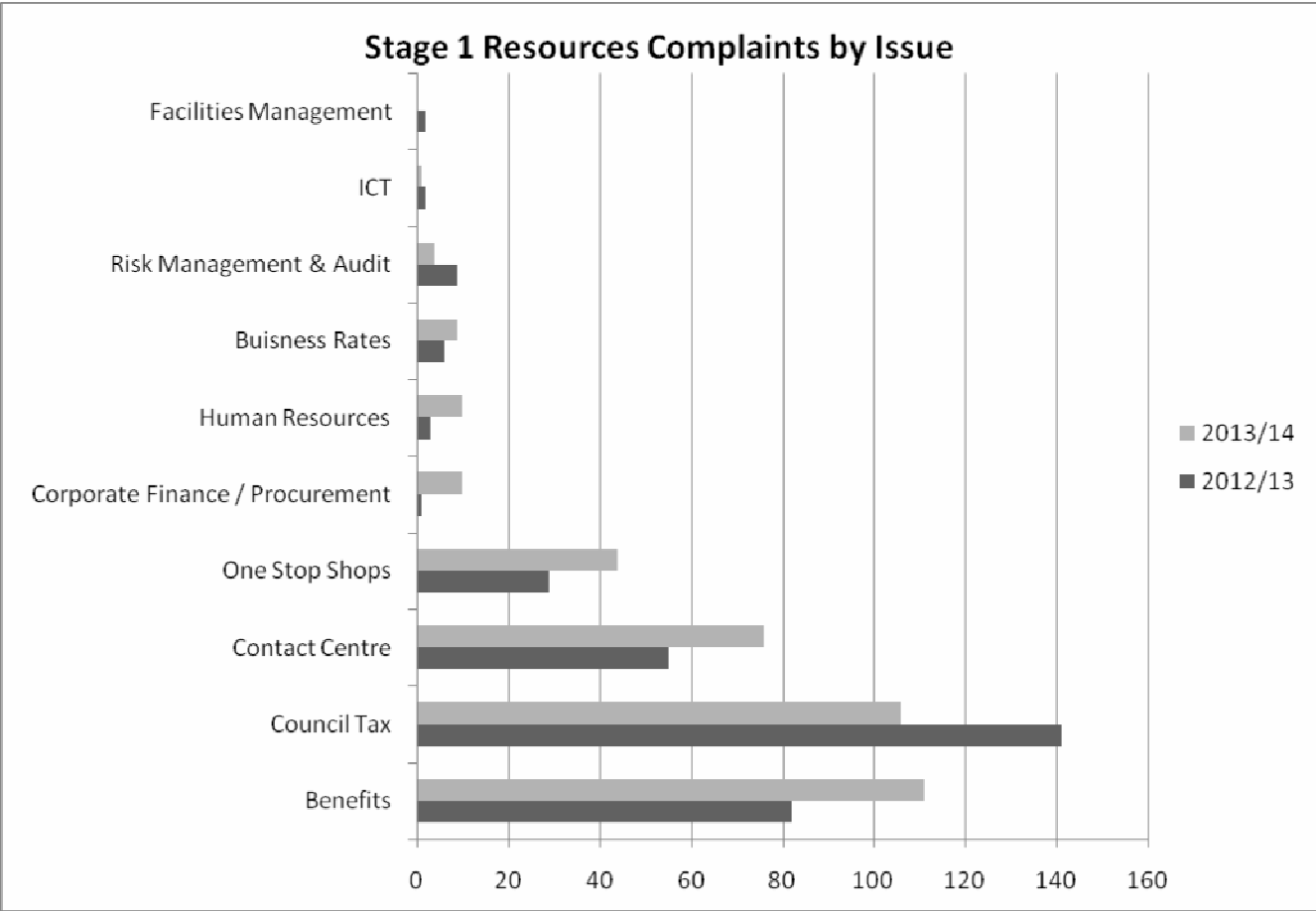
Appendix 2 – Ombudsman’s Annual Letter

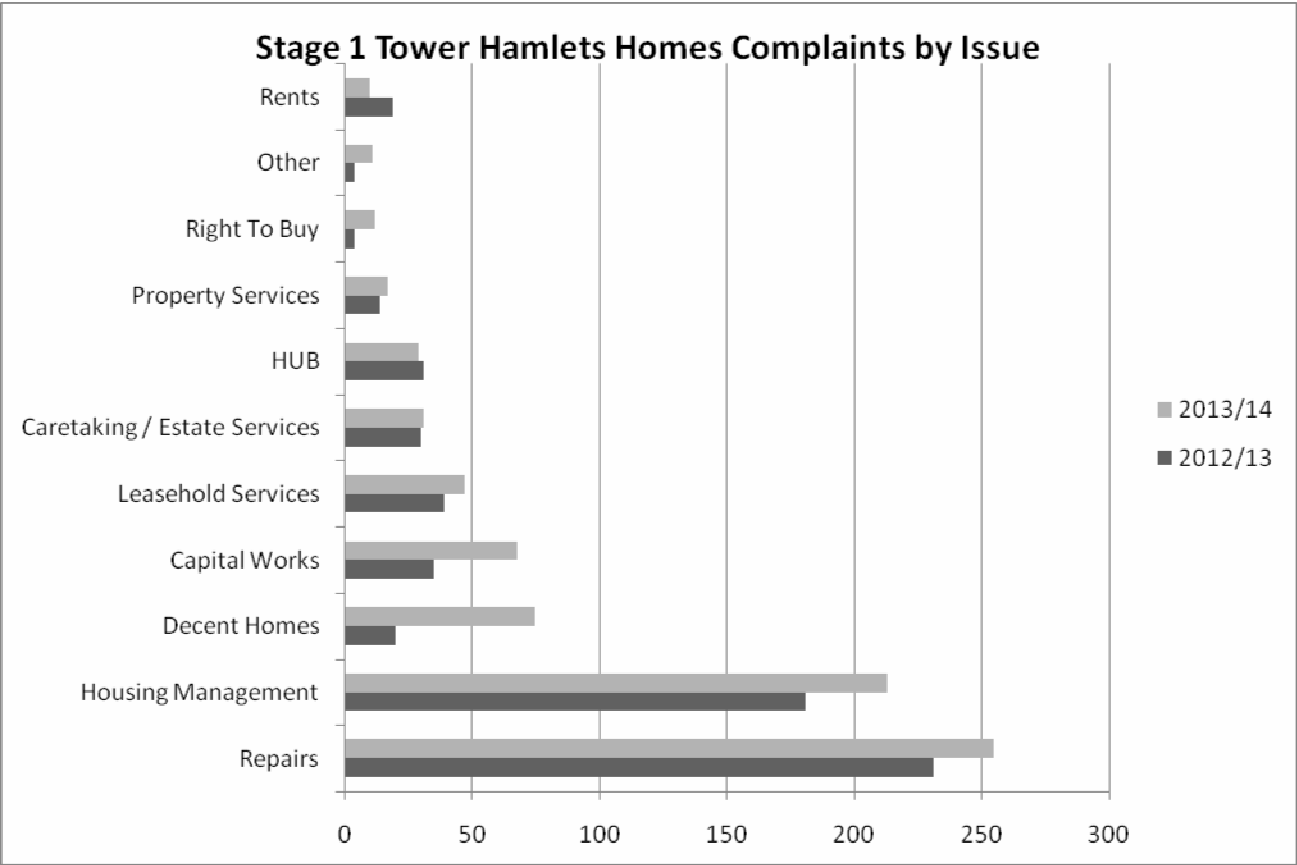
APPENDIX 1 – CORPORATE COMPLAINTS BY DIRECTORATE











7 July 2014

By email

Mr Stephen Halsey
Acting Head of Paid Service
Tower Hamlets Council

Dear Mr Stephen Halsey

Annual Review Letter 2014

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

Developments at the Local Government Ombudsman

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

Future for local accountability

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

Local authority report – London Borough of Tower Hamlets

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Tower Hamlets LB	6	23	10	6	6	24	30	6	111

Page 101

Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Tower Hamlets LB	10	3	11	40	3	51	118

This page is intentionally left blank

Agenda Item 7.4

Committee: Overview & Scrutiny	Date: 4 th November 2014	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Cllr Denise Jones, Overview and Scrutiny Committee		Title: Removing barriers to youth employment – report of the Scrutiny Working Group Progress Report		
Originating Officer(s): Vicky Allen Corporate Strategy and Equality		Ward(s) affected: All		

1. **SUMMARY**

- 1.1 A scrutiny report 'removing barriers to youth employment' was taken to Overview and Scrutiny Committee in July 2013 and a six month update report on the progress of recommendations was reviewed in March 2014. At the March meeting, the Overview and Scrutiny Committee requested further information on several recommendations which had not been fully implemented.

2. **RECOMMENDATIONS**

The Overview and Scrutiny Committee is recommended to:

1. Note the report findings.

3. **BACKGROUND**

- 3.1 The "removing barriers to youth employment" scrutiny report" went to Overview and Scrutiny Committee in July 2013. The objective of the review was to investigate how the council and its partners could improve the support provided to young people to become work-ready, and helping to remove barriers to their employment. The review identified the importance of apprenticeships as a key route for young people into work. Initial analysis into the apprenticeship offer uncovered complexity within the system which could be confusing. The scrutiny working group therefore chose to focus on apprenticeships. The working group wanted to look at how the council could add value to maximize the apprenticeship agenda to benefit young people within the borough. The review therefore investigated the following areas:

- Understanding the supply of good quality apprenticeships and how this can be stimulated;
- Understanding demand for apprenticeships by young people; and

- Supporting young people to access opportunities and be competitive in the labour market: how can the council add value to this agenda?
- 3.3 The scrutiny review found that the way in which the apprenticeship framework has been established has not helped to make this route into employment either clear or attractive. Many schools, parents and young people themselves have misconceptions about apprenticeships. The review found that the council has a key role to play in providing clear and accessible information which is widely available and publicised. In addition it found that there is a clear need for businesses in the borough to further support young people's career choices and employability by increasing the opportunities for pupils and school leavers to gain access to mentors and by improving their work experience offer.
- 3.4 The scrutiny review welcomed the good work already being undertaken as part of the Employment Strategy and its sub-groups. The review group felt that the council should support this good work by establishing itself as a facilitator and coordinator of apprenticeships, spreading good practice and coordinating the supply and demand in order to maximise benefits for the borough's young people.
- 3.5 The report made 8 recommendations which were agreed by OSC. At its meeting in March 2014, the Committee was advised that the Chair of the working group was pleased with progress on the majority of these actions, namely those in relation to careers and mentoring support given to NEETs; increase in introductory work experience opportunities; raised awareness and perception of the apprenticeship scheme; re-design of the Council's web pages, which now provided information to young people, schools, parents and businesses; and securing additional funding for this by ESCW staff.
- 3.6 As requested by OSC, this report provides a progress update on the following activities which supported the implementation of some recommendations:
- Uptake of services on offer from the Careers Services by free schools and academies;
 - Universal mentoring. At the March OSC meeting, there was a discussion about the practicalities of providing high quality mentoring for all young people, and the committee members made the following suggestions:
 - That high achieving pupils in the Borough might act as mentors for peers in other schools.
 - That employees of the Council or NHS might also act as youth mentors.
 - Whether the sample job descriptions for businesses taking on work experience students had been produced; and
 - Support for businesses to establish a quality offer which can become an accredited apprenticeship.

4. **BODY OF REPORT**

Increase access to independent information, advice and guidance for young people’.

- 4.1 OSC asked for further information on the uptake of services on offer from the Careers Service by free schools and academies. In March OSC heard about the offer for maintained schools but wanted further information about the uptake of Careers provision amongst Free Schools and Academies in order to assess whether all young people were getting the additional support.
- 4.2 Comment from the service: There is good uptake of services from Bethnal Green Academy with 25 days delivery across the academic year from the Careers Service who supports students in Year 9, pupils on option choices, and Year 11 pupils on post-16 transition. There is also additional help for students with Special Needs. In addition the service is providing information on student destinations to support the schools review of their Careers Education inputs. The school take part in Head to Head Sessions, Getting Ahead and work experience organised by the EBP to support the development of employability skills.
- 4.3 City Gateway Free school has taken up 20 days of Careers service input focused on students in Year 9 to Year 11 with specialist input to support young people with Special Needs. There is a link Careers Adviser allocated to the institution to support the transition of their students and destination information is provided for students leaving Year 11.
- 4.4 The Careers Service will be working with Wapping High School (which doesn't currently have any children in Years 10 and 11) to support young people at the school with an Education Health and Care Plan in planning their transition to the next step.
- 4.5 Scrutiny comment: The committee welcomes the careers support being given to young people in City Gateway Free School and Bethnal Green Academy, and the planned work with Wapping High School (which currently does not have any Year 10 and 11 children).

Support the development of a universal mentoring scheme.

- 4.6 At the meeting in March, there was a discussion about the practicalities of providing high quality mentoring for all young people. OSC asked for comments about the two suggestions arising from this discussion:
- That high achieving pupils in the borough might act as mentors for peers in other schools
 - That employees of the Council or NHS might also act as youth mentors.

- 4.7 Comments from the service: The Tower Hamlets Education Business Partnership is responsible for providing business mentors to support young people in schools across the borough. Whilst the pre-NEET ESF contract came to an end and is no longer funded, the Careers Service was successful in obtaining a contract under which we mentor young people from the NEET register providing them with Careers Guidance, developing their employability skills and placing them in next step education, training or work. Young people are mentored throughout this process and for 6 months after placement to ensure they sustain the placement.
- 4.8 With regard to employees of the Council acting as youth mentors, this issue will be taken to the Young People and Preparing for Adulthood Group and the Workforce Development service within Human Resources to provide a steer.
- 4.9 Scrutiny comment: The committee is pleased to hear that explorative discussions will take place on an organisational approach to providing opportunities for council officers to mentor young people from the borough. Around 43 per cent of Council staff live in the borough or went to school in the borough so this initiative has the potential to be welcomed and well supported by staff. Providing mentoring support to local young people can help toward future succession planning and may also support the Council's aim to employ a workforce to fully reflect the community. A coordinated offer of support for young people in Years 10 and 11 would also fit well with what we are asking of large businesses in terms of engaging with local people (Fairness Commission recommendation 9).

Work with the Education Business Partnership and businesses to improve the work experience offer for young people at school.

- 4.10 The review group was keen to see the benefits of work experience promoted and it was suggested that the council could draw up some typical job descriptions for work experience to progress with larger and smaller employers, with standardised formats for attainment and final outcomes. At the update meeting in March, OSC asked whether the sample job descriptions for businesses taking on work experience students had been produced.
- 4.11 Comment from the service: The Working Start Programme now has a comprehensive range of trainee job descriptions for a range of sectors (waste management, business and administration, health and childcare, etc.). To ensure consistency in the structure of work placements across the borough the Economic Development Service is making these available to colleagues and partners providing or facilitating work experience placements, and will be making them available as part of all procurement contract advice packages. Education Business Partnership is responsible for the majority of pre-16 work experience placements and provides advice and guidance to business taking on young people, to ensure consistency and quality.

- 4.12 Scrutiny comment:The committee is pleased to hear that trainee job descriptions are now in place. The review group had heard from some young people who had a negative impression of work experience and the review group felt that these job descriptions would allow young people and businesses to feel that the undertaking was a worthwhile experience. The inclusion of a milestone in this year's strategic plan to develop, in partnership with the Tower Hamlets Education Business Partnership, a clear high quality standard of work experience for young people in school for employers to sign up to is a measure of the importance of this recommendation in supporting young people into sustainable employment.

Increase employment opportunities of young people through introductory work experience.

- 4.13 At the March meeting, the learning and achievement service said that they were looking to employ a work experience officer and OSC asked for a general update on this action.
- 4.14 Comment from the service: The Council's procurement process now includes the Economic and Community Benefit table in all contract documentation for contracts over £25k. This template seeks commitments against a variety of short and longer term paid and unpaid work experience opportunities including for Years 11-12, longer term unemployed, those with learning difficulties, and care leavers. The volume and nature of commitment depends upon the type, value and duration of contracts, but even short-term lower value contracts should be able to deliver on work experience opportunities. The projections and achievements against these commitments will be tracked as part of the council-wide reporting on employment and skills delivery: delivered, funded or commissioned by the council.
- 4.15 Work with Procurement is continuing to develop to deliver consistent and comprehensive advice and guidance to bidders both at tender stage and at delivery stage to ensure they have the support and sign-posting required to deliver on their commitments. One of the key interventions is to ensure that advice and guidance about the expectations around economic and community benefits is included at the PQQ and ITT stages of procurement and that this intervention continues throughout the procurement.
- 4.16 This work is also being picked up through the Fairness Commission and the development of the Tower Hamlets Business Charter to promote the concepts of: Buy Local, Employ Local, and Support Local.
- 4.17 Scrutiny Comment:No information about a work experience coordinator was provided, by ESCW, however Scrutiny is pleased to hear about the work experience opportunities which are now embedded into contracts.

Support businesses to improve the quality of the opportunities they offer so they can become accredited apprenticeships.

- 4.18 At the March meeting, OSC expressed the desire to find out more about how the council has supported businesses to improve the quality of their opportunities so that they could become accredited apprenticeships.
- 4.19 Comment from the service: A Small and Medium Enterprise (SME) apprenticeship event is being planned in partnership with the National Apprenticeship Service and should take place towards the end of the year. Skillsmatch is now delivering a targeted pre-apprenticeship training course to ensure that Tower Hamlets young people are ready to apply for apprenticeship opportunities as they become available and to ensure young people have the skills required by local employers.
- 4.20 On a national level the government is implementing changes to the funding regime for apprenticeships, giving employers greater choice over accessing training, whilst relieving potential cash flow issues. LBTH is working with National Apprenticeship Service, chairing the London Councils Apprenticeship Sub Group to support the development of the new employer-led Standards to replace the current unwieldy Frameworks, and will subsequently be supporting businesses in the move to the simpler and more cost-effective access route to apprenticeship recruitment. Information for employers, with signposting to National Apprenticeship Service and other relevant websites is also included on the new LBTH apprenticeship website.
- 4.21 The new, less detailed “Standards” that are being brought in to replace the current Frameworks are being developed by business to reflect their own needs rather than being prescribed by the Skills Funding Agency (SFA) - this in itself will enable business to “improve the quality” of what is on offer as the whole purpose of the process is to remove the disconnection between educational requirements as they currently are, and the practical experience/output businesses offer/need. It needs to be remembered that the accreditation comes from the training provider and is based upon completed modules, not from the employer.
- 4.22 Work is being undertaken in partnership with Skillsmatch, the enterprise team and Procurement by using the data collated in regards to contract commitments (including apprenticeship commitments) to: increase and identify local supply chain and labour needs; provide targeted “fit to compete” support to local businesses to enable them to compete for opportunities, and therefore expand their businesses to take on more young people; and to ensure that training is available for local people in the relevant sectors.
- 4.23 Businesses require different support depending upon the sector so the support offered directly by Economic Development is more generic, but the following has or is being done to improve the quality of placements and provide the necessary support to facilitate completion by the apprentice:

- Support in developing job descriptions that effectively reflect the requirements of the Frameworks as well as the needs of employers – this is provided for any employer calling the Economic Development service to ask for support in recruiting an apprentice;
- Mentor training for employers to enable them to better support the young people to complete their placements - provided at Skillsmatch with support from relevant sector employers experienced in apprenticeships and mentoring provision;
- Development of an agreement between the employers and the training provider; setting out requirements for effective line management, mentoring, communication and monthly review of work plans, college work and progression within the job;
- Rather than re-invent the wheel when we have limited resources we work with NAS (National Apprenticeship Service) and other Apprenticeship Task Group members to develop the TH website information specifically directing employers to existing, relevant and free support from NAS to enable businesses to access the right training providers and develop their own offer;
- A local event proposed for spring 2015 in partnership with NAS to help local businesses understand the new Standards requirements and their own roles in supporting an apprentice, as well changes to funding regimes which will then be in place;
- Development of guidance for procurement to ensure businesses access the correct sector support agencies, such as the Construction Industry Training Board (CITB), who offer significant help to employers in setting out expectations, developing their offer to apprentices and in accessing the right training provision.

4.24 Scrutiny comment: The committee is pleased to hear about the national and local initiatives which are supporting businesses on delivering quality apprenticeship opportunities. The committee also welcomes the partnership working between Skillsmatch, Economic Development and Procurement services in using the opportunities provided around the procurement imperatives placed upon major companies working with the Council to help businesses to take on and/or improve their apprenticeship offer. Using the business database e-newsletters and business forums that are planned for delivery this year could be an ideal opportunity to promote this agenda.

4.45 There is a huge improvement on the information provided to businesses on the Council's website. This is found under the 'jobs and careers' section. Providing a link from the 'business support and advice' section on the website to this information would promote the apprenticeship agenda further and the support the Council can provide to businesses wishing to hire apprentices.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report describes the review on removing barriers to youth employment Working Group for consideration by the Overview and Scrutiny Committee.
- 7.2 There are no specific financial implications emanating from this report except for recommendation R2 which would need to be contained within existing budget provision.
- 7.3 In the event that the Council agrees further action in response to this report's recommendations then officers will be obliged to seek the appropriate financial approval before further financial commitments are made in conjunction with Education, Social Care and Wellbeing Directorates as the lead Directorate for Youth Services and also the Council's external youth employment partners.

6. LEGAL COMMENTS

- 8.1 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 and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for the Executive to provide a response.
- 8.2 The Council does not have a specific employment power. It has, nevertheless, set out employment-related objectives in its sustainable community strategy for the purposes of section 4 of the Local Government Act 2000 (set out in the Tower Hamlets Community Plan). In order to have a prosperous community in Tower Hamlets, the Council seeks to tackle worklessness and to improve educational aspiration and attainment. The Council has adopted an employment strategy to further these objectives. The Council may take action to pursue these strategies, provided that in doing so it acts in accordance with its statutory functions.
- 8.3 Several of the recommendations in the report are concerned with the provision of information, advice and guidance to young people. This is something that the Council may support. The Council has power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. It should be recognised that significant responsibility is given to schools in relation to career advice and guidance.
- 8.4 Section 42A of the Education Act 1997 makes it the responsibility of governing bodies of maintained, secondary schools (and the local authority in relation to pupil referral units which offer secondary education) to secure that pupils are

provided with independent careers guidance during the relevant phase of their education. The guidance is required to –

- Be presented in an impartial manner;
- Include information on options available in respect of 16 to 18 education or training, including apprenticeships; and
- Be such as the person giving it considers will promote the best of the pupils to whom it is given.

8.5 The relevant phase of a pupil's education for such advice begins with the year in which the majority of the pupil's class attain the age of 14 and ends with the year in which the majority of the pupil's class attain the age of 16.

8.6 When considering any action to remove barriers to youth employment, 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.

7. ONE TOWER HAMLETS CONSIDERATIONS

9.1 Around 27% of all JSA claimants in the borough are 16-24 years old, and the JSA unemployment rate for this age group is 8.5% which is around two percentage points higher than that of the working population (16-64). Around 5.4 of the London working age population are employed within the borough. The majority of people employed in Tower Hamlets are working in the financial and insurance industries, in business administration and support services, professional services, and information and communication. Apprenticeships, which mix working with training which leads to a recognised qualification, are a good way of enabling young people from the borough to be supported in their transition from school to work.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no direct environmental implications arising from the report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no direct risk management implications arising from the report. Risks relating to the recommendations will be monitored through the council's corporate risk register and directorate risk registers. Risks are assessed for likelihood and impact, and will have responsible owners and programmes mitigating actions.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no direct implications of crime and disorder as a result of the recommendations of this review.

11. EFFICIENCY STATEMENT

13.1 The scrutiny review group met with council officers and partners to ask them what the council should concentrate on to add value to the apprenticeship agenda. The scrutiny review concluded that by taking a coordination role for the borough through the Employment Strategy, the apprenticeship system would become clearer for young people and more efficient in terms of reducing duplications of services across the borough.



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

Brief description of “background papers” Name and telephone number of holder
and address where open to inspection.

To be completed by author To be completed by author ext. xxx

Report authors should refer to the section of the report writing guide which relates to Background Papers when completing this section. Please note that any documents listed in this section may be disclosed for public inspection. Report authors must check with Legal Services before listing any document as ‘background papers’.

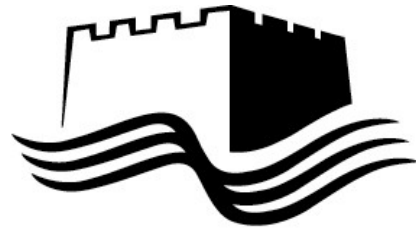
12. APPENDICES

Appendix 1 – Scrutiny Review and Action Plan



Removing barriers to youth employment

Scrutiny Working Group Report



TOWER HAMLETS

**London Borough of Tower Hamlets
June 2013**

Acknowledgements

The Working Group would like to thank all the officers and partners that supported this review. Most importantly we would like to thank all of the young adults who attended the focus groups and offered their input to the review. These views and perspectives have been fundamental in shaping the final recommendations of this report.

Working Group Chair:Councillor Ann Jackson

Working Group Members:

Councillor John Pearce
Councillor Helal Abbas
Nahimul Islam (Young Mayor) (Co-optee)

London Borough of Tower Hamlets:

Phil Long	Youth Involvement Manager, ESCW Directorate
Andy Scott	Service Head Employment and Enterprise, D&R Directorate
Naznin Chowdhury	Employment & Enterprise, D&R Directorate
Chris Holme	Interim Corporate Director, Resources Directorate
Di Warne	Head of Secondary, Learning and Achievement, ESCW Directorate
Caroline Newte Hardie	Schools Apprenticeship Liaison, ESCW
Alan Davidson	Careers Adviser, ESCW Directorate
Steve Grocott	Service Manager Careers, ESCW Directorate
Jenny Dutton	Workforce Development Manager, Resources Directorate
Louise Russell	Service Head Corporate Strategy and Equality
Daisy Beserve	Senior Strategy Policy and Performance Officer, Corporate Strategy and Equality
Vicky Allen	Strategy Policy and Performance Officer, Corporate Strategy and Equality

External:

Martin Reed	Director of Towerskills, Tower Hamlets College
Patrick Allen	Towerskills, Tower Hamlets College
SammuShummo	Business Development Adviser, Towerskills, Tower Hamlets College
Janice Swan	Careers Adviser, Stepney Green Maths, Computing & Science College

Young People Preparing for Adulthood Task Group

Anne Canning (Co-Chair), Interim Corporate Director, ESCW Directorate, LBTH
Stuart Johnson, Service Manager Youth Offending Service, LBTH
Harriet Potemkin, Commissioning Manager, Children with Disabilities, LBTH
Nazmin Yeahia, Strategy, Policy and Performance Officer, LBTH
Steve Grocott, Service Manager Careers, LBTH
Liz Vickerie, Head of Support for Learning Service, LBTH
Shahid Tilly, Service Manager Looked After Children, LBTH
Dinar Hossain, Head of Youth and Connexions Service, LBTH
David Hough, Service Manager Attendance and Welfare, LBTH
Khalida Khan, Service Manager Integrated Services for Disabled Children, LBTH
Nikki Bradley, Group Manager Family Intervention Programme and Family Support Cluster, LBTH
Carol Wallace, Barts Health NHS Trust

Mike Tyler, Director, Tower Hamlets Education Business Partnership
Esther Trenchard-Mabere (Co -Chair), Associate Director of Public Health, LBTH
Esther Holland, Headteacher, Central Foundation Girls' School
Reha Begum, Public Health Strategist, LBTH
Fiona Wyton, (Voluntary Sector Rep) Director, Headliners

Chair's Foreword

The Coalition Government's welfare reform changes currently being implemented has placed a greater need to be in employment as benefits are reduced and access to them tightened. At the same time, the continuing economic recession has made getting a job more difficult for everyone and especially for young people, who may need additional investment in terms of individual support and guidance, job specific training and 'employability' skills.

The Government has not intervened in the UK job market of late, and has instead relied on encouraging corporate and financial growth as the way to bring prosperity and employment. Furthermore, I believe that no serious attempts have been made to consider how we get young people ready for work. There have been some partially successful schemes over the years, but there has been nothing that changes things for the better permanently. If such a scheme was found it would have a lasting impact that would ensure that it naturally continued under its own steam and thus take away the need to intervene at all.

It is my belief that our young people are administered to. They live in a world that tells them what to do constantly; to not speak but listen; do as they're told. When it comes to choosing they are not ready. They find themselves in a position where they have to choose; where they have to monitor themselves and know best. They are invariably influenced by parents, peers and teachers. Even with the best will, the advice given is not always in the young persons' best interests. Many give up here as they do not get the support, and cannot navigate their own way.

However, improving employment opportunities for young people in the borough has been a council key priority for a number of years. The council and other partners in the borough have a strong track record of providing access to jobs for local people, be that by direct employment, or by supporting them gain the necessary skills and qualifications to successfully compete in the open market.

As there has been a recent revival of the use of apprenticeships as a mechanism to address the youth employment issue and significant resources have been invested in developing and promoting them., The review group therefore felt it should focus its investigation on whether the council was doing everything in its power to ensure that these opportunities were maximised for our youth, although I don't necessarily agree with the focus being completely on apprenticeships. I especially wanted to seek out and listen to young people's views about what they felt would help them in their preparedness for apprenticeship work and their employability. I also spoke to young people about their experiences so far and how useful they felt training providers had been in supporting them.

I have highlighted the widespread use of mentoring, the need for greater information, and the refreshing the council's role, as issues I feel are particularly important in tackling youth unemployment.

- **Mentoring:** In researching the issue, I believe that there is a real need to provide mentors for every young person. Young people need a resource that they can rely on that focuses on helping them to develop as a person in their own right. I would like to see this effected through a coordinated, universal mentoring resource that is available to young people through the course of their secondary school life. With mentor encouragement, young people can

consider their options, gain confidence and motivation. Without mentoring opportunities, young people will not always gain the insight needed to see what educational training and careers are available to them, they are also less able to weather problems and issues faced on their journey; something that often derails even the most able academic person.

- **Information:** I have found that there is a huge opportunity to improve the quality and accessibility of the information available for young people, helping them to understand what happens at the end of their school career. I would like to see detailed and easy to understand information made available to young people on what to expect if you are going to look for work. This should include how to look for work, what the DWP will do, how the council can support them, how Skillsmatch and other providers can support them in getting a job, and what happens with benefits (benefits, training, housing). This will all help to provide a more rounded picture to prepare young people for adulthood.
- **Council's role:** I would like to see the council adopt a more custodial approach with partners to ensure the best outcomes are obtained for the boroughs young people. The better and more coherent the council is in what the opportunities are, the better it knows what else might be needed. It will be then be better able to influence funding in the borough, draw providers together and be able to effect results for youngsters. The council should also champion the drive to make sure that all opportunities advanced to young people are scoped to ensure that they appeal to both boys and girls, and just as easily accessible by them both. This work should be progressed by, and reported to, the Apprenticeship Task Group.

In addition to 5.4 in the report, it occurred to me since the report was finalised, that the borough's apprentices should be promoted to national employers such as BT, British Gas, EDF, British Transport, London Transport, and I would like to see this effected through the work of the Apprenticeship Task Group and the Employment Strategy.

These issues and others are further explored within the report. Please read the following review with the above in mind. If the council can review current processes to see what steps could be achieved towards the ideal what would be a real boost to our young people's chances for ongoing success at work.

I am grateful to my colleagues on Overview and Scrutiny for agreeing to prioritise a scrutiny review which looked into reducing barriers to youth employment. The Working Group's evidence gathering involved speaking to many individuals and organisations to reflect the complexity of the issues we were dealing with. Our recommendations are based on the evidence given by young people, Council officers, Towerskills, and school representatives. I would like to thank my fellow Panel members, Cllr Helal Abbas and Cllr John Pierce, who contributed their time and ideas. I would also like to thank all the young people, organisations and individuals that contributed their time and effort to this Review.

Please read the following review with the above in mind. If the council can review current processes to see what steps could be achieved towards the ideal what would be a real boost to our young people's chances for ongoing success at work.

Councillor Ann Jackson

Chair of Working Group and Chair, Overview and Scrutiny Committee

Summary of recommendations

Recommendation 1

Increase access to independent information advice and guidance for young people

Recommendation 2

Support the development of a universal mentoring scheme

Recommendation 3

Work with the Education Business Partnership and businesses to improve the work experience offer for young people at school

Recommendation 4

Increase employment opportunities of young people through introductory work experience

Recommendation 5

Improve online information about apprenticeships and other employment opportunities

Recommendation 6

Raise awareness and improve the perception of apprenticeships in schools

Recommendation 7

Support businesses to improve the quality of the opportunities they offer so they can become accredited apprenticeships

Recommendation 8

Clarify the role of the council in the apprenticeship agenda and build on relationships with providers through the employment and enterprise task group

INTRODUCTION

- 1.1 In recent years, the Overview and Scrutiny Committee has undertaken two reviews of youth unemployment: one on graduate unemployment in 2006/07 and another on reducing worklessness amongst young adults aged 18-24 in 2009/10. The Overview and Scrutiny Committee were keen to take a fresh look at this issue to explore what the council and its partners can do to reduce youth unemployment in the borough. The Committee felt that it was appropriate to revisit this issue as, since the last reviews, the continuing global recession has depressed employment further especially for young people.
- 1.2 Improving employment opportunities for residents in general, and for young people in particular, has been a local priority for a number of years. The Mayor is delivering his pledge to create job opportunities to tackle youth unemployment. In addition, there are a number of multi-agency partnership groups which aim to tackle youth unemployment in the borough.
- 1.3 There are a plethora of organisations in Tower Hamlets which support young people in their options post 16. Statutory or publically funded organisations such as schools and the careers service provide support to young people throughout secondary school. Support for school leavers is provided through further or higher education institutes, the Council's Skillsmatch service, and Jobcentre Plus. Some information, advice and guidance is also available from the careers service for young adults outside of the school environment. The third sector plays a vital role in supporting young people in their transition from school to work especially for those who are furthest away from the jobs market. In addition, businesses play a central part in offering insight and exposure to the world of work as well as supplying job opportunities accessible for young people.

The role of the council

- 1.4 The council is a major employer, employing over 8,000 staff, and has an annual budget of over £1 billion. It is therefore well placed and committed to providing and facilitating employment opportunities for local people. This ambition is articulated in a number of key strategies, such as the Employment Strategy, the Children and Families Plan, and the Procurement Strategy. The council has a strong track record of providing local people with access to employment in the public sector. This involves work experience, apprenticeships, entry level posts and graduate jobs as well as career progression opportunities for targeted groups.
- 1.5 Furthermore, by working with businesses and providing employment training and job brokerage services, the council aims to secure economic benefits for local residents. Through its procurement policy, the council has inserted clauses into several major contracts to ensure employment and apprenticeship opportunities. There is a commitment to adopt this approach for all major contracts going forward.
- 1.6 The review group heard that the council's contribution to the total borough spend on information, advice and guidance, capacity building and employment preparation work is approximately 5%. Given its limited financial resources, the council's role as an influencer and an enabler is crucial in

helping young people to effectively access both pre job support and job opportunities.

- 1.7 A central tenet of national policy to tackle youth unemployment is the apprenticeship route. The Government promotes this agenda as being good both for business and for young people. Much of this review focuses on apprenticeship opportunities in Tower Hamlets.

Apprenticeships

- 1.8 Members identified the crucial role that businesses can play in supporting young people to become work-ready. This is done in a number of ways including mentoring, providing work experience, apprenticeships and direct employment. Given the national emphasis on apprenticeships, the working group chose to investigate the apprenticeship route in particular, focusing on what the council could do to facilitate appropriate support for young people to successfully compete in the job market.

- 1.9 Apprenticeships are time limited jobs with in-built education training and progression opportunities. They are promoted as an alternative to full time higher education. Apprenticeships have undergone a renaissance in the past few years. The huge growth in the number apprenticeship opportunities both nationally and regionally (figure 1) is a response to concerns about skills shortages which businesses have themselves identified as a barrier to young people accessing jobs. The training element of apprenticeships is designed to reflect the vocational and academic qualifications that businesses are asking for.

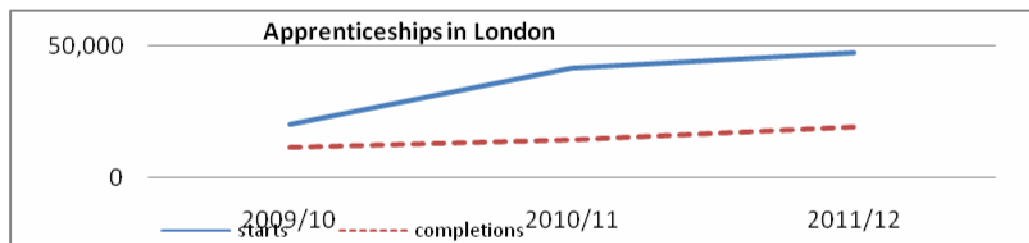


Figure 1: Apprenticeships in London

- 1.10 The National Apprenticeship Service promotes the benefits of apprenticeships for businesses as: increasing productivity, improving competitiveness, and creating a committed and competent workforce which suits business needs. In addition, they promote the cost benefit of hiring apprentices. The National Apprenticeship Service has responsibility for the delivery of apprenticeships throughout England. This includes services for employers, learners, and a web-based vacancy matching system. The service is also responsible for promoting apprenticeships and their value to employers, learners and the country as a whole.

- 1.11 There has been a sustained media campaign to raise awareness of apprenticeship opportunities. The Mayor of London, the Mayor of Tower Hamlets and many organisations and private businesses have been promoting the apprenticeship route into employment for young people. The Mayor of London has committed to increase the number of apprentices across

London to 250,000 by 2016, building on the 88,630 new apprenticeship starts over the last two years.¹

- 1.12 For National Apprenticeship week (March 2013), the council hosted an event ‘celebrating employment and opportunity’ at the Town Hall, celebrating the achievements of local people including apprentices, graduates, interns, jobseekers and trainees. Awareness raising events have also been held around the borough for young school leavers who are considering becoming an apprentice.

2 OBJECTIVES OF REVIEW

- 2.1 The objective of this review was to investigate how the council and its partners could improve the support provided to young people to become work-ready, and help remove barriers to employment.**

- 2.2 As part of the review, a progress report was provided on the two recent scrutiny reviews on youth unemployment to understand which recommendations had been successfully implemented and where learning from the previous reviews could be used as a basis of recommendations going forward.

- 2.3 The progress report identified the importance of apprenticeships as a key route for young people into work. Initial analysis into the apprenticeship offer found complexity within the system which could be confusing to young people. The scrutiny working group therefore chose to focus on apprenticeships. They wanted to ask how the council could add value and maximise the potential of the apprenticeship agenda for local young people.

- 2.4 The review set out to investigate the following areas:
- The demand for apprenticeships by young people.
 - The supply of good quality apprenticeships and how this can be stimulated.
 - Supporting young people to access opportunities and be competitive in the labour market: how can the council add value to this agenda?

3 METHODOLOGY

The following methodology for the review was agreed by the working group:

- 3.1 Introductory meeting
- The working group received a progress report on previous scrutiny reviews of youth unemployment.
 - The group also received a presentation on the local labour market and job opportunities for young people from the council’s economic development service.
 - This aided in setting the scene. The scope of the review was refined at this point to focus on apprenticeships because of both their high profile and their huge potential to reduce local youth unemployment.

¹<http://www.london.gov.uk/priorities/business-economy/apprenticeships>

- 3.2 Focus Group meetings
- Focus groups with young people of different ages, being supported by various institutions including schools, Skillsmatch and Towerskills (training provider).
 - The young people were consulted on their experience of navigating the post-16 options available to them. They were also asked about their perception of apprenticeships.
- 3.3 Meeting with the Young People Preparing for Adulthood Task Group
- The Chair attended this partnership group to seek their views on issues in the apprenticeship 'system' and any action the council and its partners could take to support the reduction of youth unemployment.
- 3.4 Visit to Tower Hamlets College (Towerskills)
- The Chair visited Towerskills to hear about their work in preparing young people to undertake successful apprenticeships.
 - This included a visit to an apprenticeship screening session where applicants are interviewed for apprenticeship positions by businesses.
- 3.5 Concluding meeting: adding value to the apprenticeship agenda
- Officers from Learning and Achievement, the careers service and those working on apprenticeships discussed how to raise awareness and improve the perception of apprenticeships within schools.

4 BACKGROUND

4.1 This section provides a brief profile of young unemployed people in Tower Hamlets. An analysis of recommendations arising from the previous scrutiny reviews and how they have been implemented is summarised, the full report is appended to this report.

4.2 Profile of young unemployed people and local employment opportunities

4.2.1 There has been a general downward trend in youth unemployment rates in Tower Hamlets, bucking the London trend. This could be attributed to the increase in job opportunities available in the borough, a return to education or a reaction to the recent changes in welfare benefits—more Tower Hamlets residents are affected by the benefit cap than in many other areas.

4.2.2

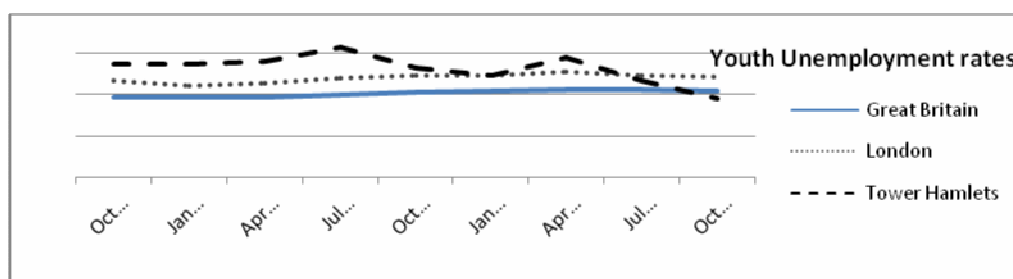


Figure 2: Youth Unemployment Rates

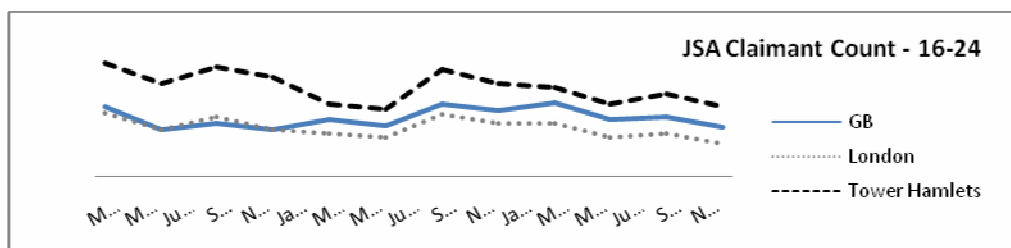


Figure 3: JSA Claimant Count 16-24

Data from the Office for National Statistics (September 2012) identified 4,100 young people in Tower Hamlets aged 16-24 as unemployed, representing 19.1% of the cohort. This is lower than the London and national average, although may reflect the high student population which is included in the figures.

4.2.3 However, the percentage of young unemployed residents claiming Job Seekers Allowance is higher than both the London and national average. Not all unemployed people can claim this benefit and it also excludes students who are not actively seeking work.

4.2.4 The borough's NEET rate is 5.6% which is below the London average, however many other London boroughs have a significantly worse NEET rate than Tower Hamlets. NEETs are young people in school years 12-14 equivalent (encompassing 16-19 year olds) who are not in employment, education or training. Since the beginning of 2012, between 250 and 400 young people have been identified as being NEET, out of a cohort of around 17,600². The majority of NEETs are in year 14 (46%) followed by year 13 (31%) both of which are currently outside of the statutory school age.

4.2.5 The majority of NEETs are so for three months or less. Where the reason why a young person is NEET is known, most said that they were seeking employment, education or training. The borough's NEET Reduction Strategy outlines the activities taken to reduce the number of NEETs, including support provided by the Careers Service and targeted youth support such as the Positive Activities for Young People (PAYP) programme.

Local employment opportunities

4.2.6 The Office for National Statistics estimates there are 328,000 people employed in the borough. This accounts for around 5.4% of all employment in London, with only Westminster, the City of London and Camden having more jobs.

4.2.7 The majority of people employed in Tower Hamlets are working in the financial and insurance industries (32%), in business administration and support activities (11.7%), professional services (9.7%), information and communication (9.7%), health (6.8%) and accommodation and food services (4.6%). However given the number of people who commute into Tower Hamlets for work, these statistics are not necessarily a reflection of the jobs undertaken by the borough's young residents.

²Data from 15 billion December 2012.

- 4.2.8 The economic development team presented the working group with information on the economic and job situation, both globally, London wide and specific to Tower Hamlets. The group heard that the borough has both a higher job density ratio compared to London (1.28 in Tower Hamlets compared to 0.88 in London), and a higher median gross weekly pay (£643 in Tower Hamlets compared to £610 in London). The higher gross weekly pay is attributed to the large number of well-paid jobs available in the Canary Wharf and City Fringe employment hubs.
- 4.2.11 The review group received analysis of Jobcentre Plus and Skillsmatch statistics relating to December 2012. They showed a disparity between the jobs sought and the jobs available to residents in the borough. Nearly half of the young people registered with Skillsmatch are seeking office work, and work in the service industries is the second most popular. However just under 10% were placed into office work. The majority were placed in the service industries (retail, hospitality and transport), followed by skilled trades such as security. Jobcentre Plus statistics show that the top job sought by workless people in the borough relates to sales and retail, with 2,930 people registering their interest in this, compared with just 45 vacancies in this sector advertised through Jobcentre Plus. 995 people sought general office assistant/clerk roles, yet there less than 25 vacancies of this nature. This would support the councils' offering more guidance to young people on what work was available and this is looked at in more depth in section 5.5.15.

4.3 Learning from the past: an analytical review of previous scrutiny recommendations

- 4.3.1 The Overview and Scrutiny Committee has previously undertaken two reviews of youth unemployment:
- Graduate Unemployment (2006/07) and
 - Reducing Worklessness Amongst Young Adults 18-24 (2009/10).
- 4.3.2 Analysis of progress arising from these two reviews was undertaken as a starting point for the current review. A progress report considered the key changes which have impacted on the implementation of recommendations, including changes in national policy, budget reductions, and council directorate restructures. The most recent scrutiny review was approved by Cabinet in February 2010, three months before the general election brought in a change of Government and a significant reduction in public sector funding. Furthermore, the double-dip recession has depressed the UK economy and the jobs market since 2008, the year after the first review.
- 4.3.3 Reducing Worklessness Amongst Young Adults (09/10) looked at how the council can support young adults in improving their chances of securing employment, focusing on the information and guidance available, the number of providers in the borough, and examining the role of the third sector in reducing worklessness. Graduate Unemployment (06/07) investigated graduate underemployment and employment in Tower Hamlets, exploring the perception that local graduates face more barriers in accessing appropriate employment opportunities than graduates in other areas. It also looked at the problems that arise when graduates attempt to make the transition from education to employment. The majority of recommendations were implemented either fully or partially, but the report identified a number of areas where further progress could be made.

Evaluation of recommendations

- 4.3.6 The previous reviews looked at both improving the quality of, and increasing the number of apprenticeships both within the council and with the council's partners. There has been good progress in achieving this objective and the council has significantly improved both the range of job training activities and the number of local young people accessing them. However, given the council's reduced resources, it was recognised that it is not feasible to increase the number of apprenticeship placements directly employed within the council.
- 4.3.7 Both reviews investigated improving communications with young adults and widening the reach of less traditional methods of employment-related training and advice. The progress report found that there is currently no specific communications strategy which publicises the third sector employment support available in the borough, although the council is working to address this. There are communication links between Skillsmatch, Job Centre Plus and some third sector organisations, but these are not comprehensive. Promotion by and of the third sector through council channels is ad-hoc, and on an individual basis rather than as a collective, which may impact on their visibility to young people.
- 4.3.8 The Tower Hamlets Council for Voluntary Service website promotes the third sector offer. However, its search facility is limited and it is not easy for people seeking employment to undertake independent job searching. Officers advised the working group that both the AMP (the council's website aimed at young people) and the Skillsmatch websites are due to be re-developed to improve their look, content and links to other sites. The intention is for the AMP website to show up to date training and apprenticeship opportunities.
- 4.3.9 The previous reviews looked at how to improve information, advice and guidance within schools so young people are better informed and reduce their risk of becoming unemployed in the future. As part of their curriculum, schools work with young people to develop their career management and employability skills. However, pressure on curriculum time means that employability skills development can be patchy and does not always lead to accreditation. The council continues to act as an influencer in shaping the careers and employability curriculum of schools through various partnership groups. It has been recognised that there is a need to provide more information to young people so they can make informed and realistic decisions on their progression routes, matching their skills, abilities and aspirations to the opportunities available.

5. KEY FINDINGS

- 5.1 There were three areas which the review sought to investigate, these are considered in turn in this section:
- The demand for apprenticeships by young people.
 - The supply of good quality apprenticeships and how this can be stimulated.
 - Supporting young people to access opportunities and be competitive in the labour market: how can the council add value to this agenda?

5.2 A summary of employment support provision for young people including contributors of post-16 support and a description of apprenticeships was mapped to support the review.

5.3 Understanding the demand for apprenticeships from young people

Perception of apprenticeships

- 5.3.1 The review group heard evidence from several contributors that many people had a low perception of apprenticeships. This needs to be raised to make them an attractive option to young people.
- 5.3.2 In the focus groups, young people of varying ages gave their impressions of apprenticeships as a way of accessing employment. A significant number held positive views about apprenticeships and were planning to take this route after completing their GCSEs. The young people in the focus groups who were already apprentices had a positive experience and they felt that their employers were supportive. However some young people were under the impression that apprenticeship work would be boring, these views were based on work experience they had completed in the past. Others felt that taking the apprenticeship route at a young age would be too narrowing career-wise.
- 5.3.3 A high proportion of the young people perceived apprenticeships as 'cheap labour' and they reported this was a view their parents held also. The difference between the apprenticeship minimum wage of £2.65 and the national minimum wage for 16-18 year olds of £3.68 for 16-17 year olds and £4.98 for 18-20 year olds is seen as evidence of this. The working group heard that many businesses request apprentices who are aged between 16-18 years old, because they often attract higher funding which means lower initial costs to the business.
- 5.3.4 Anecdotal evidence suggests that many teachers have a poor perception of apprenticeships and tend to encourage academically gifted pupils to continue onto A Levels and progress to higher education. With the raising of the participation age to 18, many secondary schools have increased and widely advertised their post-16 offer to compete with the other options open to young people.
- 5.3.5 The review group heard about the emerging apprenticeship opportunities in and around the borough. The construction industry, a growth area in terms of opportunities available, is often overlooked by young people who wrongly perceive it as temporary work, limited to manual labour, and therefore not a good career opportunity.
- 5.3.6 Section 5.5.14 looks at how the council could improve employment opportunities for young people in the borough by improving the perception of apprenticeships to ensure they are considered as a credible post-16 option.

5.4 Understanding the supply of good quality apprenticeships and how this can be stimulated and simplified.

Growth

5.4.1 There has been a huge growth in the number of apprenticeship opportunities available for young people in recent years. Statistics from london.gov show that the number of apprenticeship opportunities in London has more than doubled.

	2009/10		2010/11		2011/12	
	England	London	England	London	England	London
Number of apprenticeship starts	279,700	20,350	453,000	41,400	515,000	47,230
Number of apprenticeship completions	171,500	11,780	198,800	14,550	231,300	19,240

Table 1: Apprenticeships in London and England

5.4.2 However, the number of apprenticeship completions has not grown at the same rate. This may be explained by a time lag in reporting, by the lack of support, such as screening, to ensure suitability or the lack of in-post support available to some apprentices. It could also be because young people have not understood the structure of apprenticeships, under-estimating the training and education element of the placement.

5.4.3 The review group heard from the Careers Service that access to apprenticeships was increasing year on year locally. Data from the National Apprenticeship Service website shows that approximately 1,080 young people started an apprenticeship in 2011/12, and 1,750 young people who already were undertaking an apprenticeship. The local completion rate, at around 68%, is better than the national and regional average.

Age	Level	Apprenticeship starts			Apprenticeship participation		
		2009/10	2010/11	2011/12	2009/10	2010/11	2011/12
16-18	Intermediate	267	404	414	409	557	611
	Advanced	53	82	91	81	126	131
	Total	320	486	505	490	683	742
19-24	Intermediate	224	382	397	331	538	664
	Advanced	88	161	183	150	259	343
	Higher	<5	<5	<5	<5	<5	5
	Total	313	545	583	482	800	1,012

Table 2: Apprenticeships in Tower Hamlets

5.4.4 The review group heard about the various levels of apprenticeship opportunities. Intermediate is Level 2 (GCSE level), advanced is Level 3 (A Level level), and higher is Level 4 (Foundation Degree level). Apprenticeships are available to masters degree level (level 7) and these are geared towards older age groups. In Tower Hamlets there are around 560 apprenticeship starts and 1,000 participants aged 25+.

- 5.4.5 National Apprenticeship Service data shows the 25 different sectors that young people from the borough are employed in. A breakdown of apprenticeships by sector for 2011/12 shows that the majority work in³ lifelong learning, adult social care, hospitality, leisure, travel and tourism, construction, health care and building services and engineering.

Encouraging local businesses to offer more apprenticeship opportunities to local young people

- 5.4.6 Several contributors felt that there was scope to increase the number of apprenticeships offered by the businesses in Canary Wharf and the City Fringe, as well as in other business sector. The review group heard about the range of measures being put in place by the council to lessen the bureaucratic burden for businesses wishing to hire an apprentice, such as supporting their set up on the National Apprenticeship Service website. Both the council and Tower Skills encourage businesses to offer an apprenticeship on a trial basis to mitigate against mis-matching. The council also encourages businesses to ring-fence a percentage of their apprenticeship opportunities for young people from Tower Hamlets.
- 5.4.7 However, the economic development service stressed that the engagement, relationship building and influencing of businesses, necessary to develop these apprenticeship opportunities, is a time consuming and delicate process. This negotiation can be difficult given the current economic climate and businesses ability to afford to hire apprentices. The review group Chair felt that the service could initially focus negotiations in priority growth areas in the borough, such as construction as this could encourage better outcomes and job success for young people.
- 5.4.8 The role and responsibilities of local business, particularly in creating employment opportunities for Tower Hamlets residents is a key concern of the Tower Hamlets Fairness Commission. It is anticipated that their report and recommendations will also address this issue.

Skills and qualifications

- 5.4.9 Young people from Tower Hamlets need to be able to compete effectively with both national and international job seekers in the London job market. The review group heard that although many businesses are committed to local recruitment, their primary goal is to recruit people who will best support their business to grow and make a profit.
- 5.4.10 The Office for National Statistics Annual Population Survey 2011 shows that the number of young people in Tower Hamlets obtaining higher level qualifications has improved and there are less people with no qualifications. There are more young people resident in Tower Hamlets with a degree or equivalent than London on average; however this data does not identify whether those educated to degree level or higher grew up in the borough. The GCSE 5 A*-C including Maths and English rate is above the national average but below the average for London. At A Level however, the average

³These sector categories are self-selected by the apprenticeship provider and are not scientific; the majority of young people are doing an apprenticeship where the sector has not been disclosed.

point score per pupil in the borough is below both the national and London average. A concurrent scrutiny review of post-16 attainment is considering this issue in more detail.

5.5 Supporting young people to access opportunities and be competitive in the labour market: how can the council add value to this agenda?

Support in schools for young people preparing for work

- 5.5.1 The review group heard from the Young People Preparing for Adulthood (YPPA) task group who said they wanted to see access to careers, mentoring and work experience opportunities increased for young people. This would enable more young people to gain a better understanding of a wider variety of jobs and improve their knowledge of how to conduct themselves in the work place.
- 5.5.2 Since September 2012, although local authorities retain their duty to encourage, enable or assist young people's participation in education or training, schools have been allowed to provide or procure this service independently. A recent publication commissioned by the GLA and London Councils argued there was a role for local authorities to become careers services champions, encouraging schools to purchase or provide impartial careers guidance to all pupils. They also argued councils should share and encourage best practice between schools.
- 5.5.3 The review group heard that, depending on how and where young people accessed their post-16 options, there was a risk that they could be steered into a solution which was inappropriate to them. The careers service suggested that, through partnership agreements with providers of post-16 support, there should be a formal referral mechanism for any young person who was unsure of their next steps to the careers service for independent information, advice and guidance.

Recommendation 1: Increase access to independent information advice and guidance for young people.

- 5.5.4 The YPPA task group and the careers service spoke of the positive outcomes for young people who have a mentor. There are a wide range of mentoring programmes provided both through intermediary organisations and by individual businesses directly engaged with schools. These views were reinforced by Year 11 pupils from Stepney Green Maths, Computing and Science College who spoke positively about the business mentors they had been linked with, although some pupils expressed a desire to have a mentor who worked in the career of their interest.
- 5.5.5 The review group were supportive of the current initiative from the Mayor which provides an 1:1 careers interview and action plan for all young people in Year 11. Recognising that this funding was no longer available, the review group thought that providing universal access to mentors could support young people in working towards their career goals. Ideally every year 11 pupil should have an opportunity to work with a mentor. The review group therefore asked that the council explore the option of commissioning the voluntary organisations currently undertaking this role, the CVS, or a partnership of several organisations, to drive the recruitment of mentors and provide training

to them, with support from the council's careers service. This could be co-ordinated through the Apprenticeship Task Groups and should involve the development of some sort of portal which matches mentors and mentees, as well as a set of standards with clear expectations of both mentors and mentees.

- 5.5.6 The review group Chair further investigated how the mentoring offer could be realized by speaking to the Tower Hamlets Council for Voluntary Service (CVS) and looking into the work of the East London Business Alliance (ELBA). The Chair commented that she felt that an ideal situation would be that professionals volunteered to be mentors, chosen in the needed thriving job fields identified by the council and also wanted by young people. A professional mentoring plan is then drawn up and followed. This would then lead to the young person being able to join their mentors company for work experience. Drawing up job descriptions would ensure that the work experience was seen by both the young person and the company as credible and worthwhile. Besides better outcomes and enthusiasm for work experience than there is presently, it also could potentially open doors for the young person to apply for a job with that company at a later stage. The Chair felt that the Careers Service could be involved in the process by helping with mentoring supervision.

Recommendation 2: Support the development of a universal mentoring scheme

- 5.5.6 The review group heard from some young people whose negative impression of the work experience they had undertaken had led them to believe that apprenticeships would be the same. Furthermore, contributors to the review felt that many young people were too immature to successfully participate in an apprenticeship as they lack basic life skills such as punctuality, attendance, being well presented, being able to work in a team, and a positive attitude.
- 5.5.7 The Schools Apprenticeship Liaison Officer advised the review group of a new work experience model being piloted from September 2013 which aims to support less mature young people's transition into apprenticeship work. The pilot will provide the opportunity to spend one day per week, for a whole term, at Carillion. This would be available to 17 and 18 year olds and would contribute towards their BTEC coursework. The pilot will test whether this model makes it easier for employers to develop a programme of work activities for young people, which the young people would, in turn, find more stimulating. The review group expressed an interest in hearing more pilot about the pilot after its first year.

Recommendation 3: Work with the Education Business Partnership and businesses to improve the work experience offer for young people at school

- 5.5.8 Evidence was about the work experience available to young people who had left school and were unemployed. This is arranged by Skillsmatch through its 'routeway to work' initiative, and by Jobcentre Plus. All young people who are interested in working in construction undergo work experience prior to being applying for a position in the industry. The council has introduced work experience requirements of businesses as part of its contract procurement

and planning negotiations. The aim is that once introduced that young person, the business will be willing to offer them employment.

Recommendation 4: Increase employment opportunities for young people through introductory work experience.

Information

- 5.5.9 All apprenticeship positions are advertised online on the National Apprenticeship Service website. However, a mapping exercise found that there were a number of routes into them:
- Applying directly through the National Apprenticeship Service website where the majority of apprenticeship opportunities are advertised by private businesses.
 - Applying through a training provider who also advertise opportunities;
 - Being referred by Jobcentre Plus to a training provider, via the Department for Work and Pensions Youth Contract.
 - Through the council's Skillsmatch service. Small employers recruit directly from the service and apprenticeships opportunities arising from the Council's procurement obligations and Section 106 agreements are facilitated by this service.
 - Applying directly to a business or organisation offering apprenticeships such as the council. Some businesses and organisations recruit apprentices directly, managing the recruitment, selection and training themselves.
- 5.5.10 Amongst the YPPA task group there was a consensus that a comprehensive and easily accessible directory of apprenticeships and post-16 support should be produced. This echoed the findings of past scrutiny recommendations. The YPPA task group argued that the process of applying for an apprenticeship should be made much clearer, specifically that in order to apply for an apprenticeship position, young people should use the National Apprenticeship Service website.
- 5.5.11 The review group felt the most appropriate host of this information was the council's website. This would enable easy maintenance and ensure it reached a wide audience. Information on how to access local support to become 'apprenticeship ready' should be included as well providing links to the National Apprenticeship Service, Skillsmatch, the AMP website and other training providers. It should also include some broader information about the economic development work undertaken by the council.
- 5.5.12 The review group heard evidence from the youth service about the innovative ways in which they communicate with young people through social media, and felt that social media, such as Facebook and text alerts should complement the council website in promoting this information.
- 5.5.13 Mirroring the findings from previous scrutiny reviews into youth unemployment, the review group thought that the user-friendliness and functionality of the Skillsmatch and AMP websites should be improved. During focus group discussions with young people, the review group found that the AMP website was not well known or used. There is currently no information on the AMP website about apprenticeships and this should be addressed. The 2012/13 Young Mayor spoke about his project to refresh the

AMP website with the aim of developing it to include a searchable tool with live training and job information. The aim is to employ an apprentice (paid from the Young Mayor's budget) to update this information on a daily basis. It is not clear if this will be carried forward under the new Young Mayor.

Recommendation 5: Improve online information about apprenticeships and other employment opportunities

Awareness

- 5.5.14 A lack of awareness and poor perception of apprenticeships in schools, and amongst parents and young people was identified as an issue by a number of contributors to the review. The Learning and Achievement Service stressed the need to improve understanding of apprenticeships so they are seen in an equal light to the traditional university route. It should be emphasised that they are jobs with built in education and training, leading to recognised qualifications. The range of educational levels available within the apprenticeship offer should be highlighted, to discourage the view that they are inferior to the traditional higher education route. This could be achieved by providing training to staff, focusing on the opportunities available for more academically able young people, at levels 3, 4 and above.
- 5.5.15 The review group also thought more could be done to promote different sectors, for example the construction and catering industries. The group considered it vital to produce briefings for schools on the local labour market, broadening staff and young people's understanding of the future job opportunities available.
- 5.5.16 The Learning and Achievement service also highlighted the role of the parental engagement team in communicating to parents about the apprenticeship agenda. This information should also be communicated to anyone else who works with young people and are an influence, such as youth workers.

Recommendation 6: Raise awareness and improve the perception of apprenticeships in schools.

Improving the apprenticeship offer

- 5.5.17 Apprenticeships have to adhere to a set of minimum standards which cover hours, duration, English and maths requirements and new learning and skills expectations. These are set out by the National Apprenticeship Service. Work to further improve on these standards has been identified as a key issue in making them a more attractive option to young people.
- 5.5.18 The council and some training providers support businesses to raise the quality of their job opportunities to ensure education and training provided in-work was of a high standard and fully met the standards set out by the National Apprenticeship Service. Tower Skills have a due diligence test they aim to undertake with all businesses they work with. The council are also developing an apprentice quality standard for businesses to adhere to. Tower Skills welcomed the opportunity to work in partnership with the council to develop a borough-wide quality standard for apprenticeships for young people from the borough, regardless of who they were registered with.

Apprentices who drop out because of a poor experience are hard to replace, adversely affecting the experience of the business and the young person.

- 5.5.18 With regard to wages, the review group heard how the council and Towerskills encourage businesses to offer more than the statutory apprenticeship rate, although businesses are under no obligation to do this. Towerskills encourages businesses to offer at least £5.00 per hour but they are financially unable to top up wages for those who can't. The council are able to offer some financial incentives in the form of top ups for apprenticeships who are paid the statutory apprenticeship wage. The council has pledged that apprentices employed directly by the council or its contractors will be paid the London Living Wage of £8.55 per hour.

Recommendation 7: Support businesses to improve the quality of the opportunities they offer so they can become accredited apprenticeships.

Supporting apprentices to complete their apprenticeships

- 5.5.19 National Apprenticeship Service data indicates that young people from Tower Hamlets have a better apprenticeship completion rate than the London average. The review group heard evidence on the importance of providing pre-apprenticeship support, such as that provided by the council and its partners. It ensures young people find the right opportunity for them, and supported to prepare through short courses and training which will help them secure a position. There is strong competition for good apprenticeships; nationally around 20,000 young people per month are unsuccessful in their application.
- 5.5.20 The Director of Towerskills spoke about how they support young people into apprenticeship positions. Towerskills provides a brochure for both employers and employees outlining the process, role and responsibilities of each, setting out what each party can expect from Towerskills as a training provider. The brochure is tailored to specific job sectors or to organisations which are recruiting several positions. A rigorous selection procedure has been put in place to help ensure that only candidates with the appropriate skills and qualifications are put forward for interview. Candidates are asked to undertake a two week employability programme to help them to understand the structure and demands of an apprenticeship role. The programme also reinforces key competencies such as time management, teamwork and communication skills. At a Towerskills event the review group Chair spoke to young people who had successfully undertaken this two week programme and had been invited to be interviewed by businesses wishing to hire apprentices.
- 5.5.21 Towerskills also advised the review group of the job coaches they were offering to some apprentices who had been identified as being in need of in-work support. The job coach provides intensive business and life skills to support young people for a few weeks until they find their feet at work. They had supported many young people to continue their employment by providing practical support such as ensuring young people were able to prepare the route to work so that they could get to work on time, and how to manage working relationships with colleagues. Towerskills believe all apprentices would benefit from having a job coach, but they don't currently have the capacity to offer this.

The co-ordinating role of the council

- 5.5.22 The review group felt that the complexity within the apprenticeship 'system' had created some tensions between providers of post-16 support and the council. The number of providers in the borough offering pre-apprenticeship support; the different apprenticeship opportunities available through different providers; and the funding available to provide pre-apprenticeship support and in-apprenticeship training all helped to create an air of competition within the borough.
- 5.5.23 There is also a misconception by some partners of the council's role in the apprenticeship agenda. The previous target-driven approach to delivering job outputs has contributed to the perception that the Skillsmatch service is in competition with other providers of post-16 support in the borough. However, they now achieve their aims by supporting any local young people into work. Any vacancies for jobs 'hosted' by Skillsmatch, including apprenticeships or work experience, are advertised to a range of providers, including Jobcentre Plus, training providers funded by the council, registered social landlords and Towerskills.
- 5.5.24 The review group also found that, despite problems in the system, partners recognised the importance of working in a coordinated way to support young people into apprenticeship opportunities. A number of working groups have been established to bring together key partners to support this activity. These include the Apprenticeship Task Group, the Young People Preparing for Adulthood Task Group, and the Employment and Enterprise Task Group. However, these groups are in the early stages of development and work undertaken by these groups has not yet been fully embedded. The review group felt that because the issue of tackling youth unemployment was split over two service areas (Education, Social Care & Wellbeing, and Development & Renewal) and several working groups, this caused a fragmented approach to the issue. The review group felt that there should be an overarching group which had sole responsibility for youth unemployment.
- 5.5.25 Progress has been made by the council to develop its role as a strategic facilitator of apprenticeship opportunities, and the review group are keen that this be developed further. This has already begun through a number of activities:
- Liaising with businesses to promote apprenticeships.
 - Identifying young people who could benefit from being on an apprenticeship programme.
 - Ensuring support is in place for apprentices.
 - Tracking and monitoring apprentices and report progress to the Apprenticeship Task Group.
- 5.5.26 In its work liaising with training providers, the economic development service have found that there is still some reluctance to share information on apprenticeship opportunities as well as details of young people who have been placed or are receiving pre-apprenticeship support. Construction was highlighted as one area where there are tensions because of perceived competition. The review group heard about Operation Janus, a borough-wide approach to capitalising on construction as a growth industry, led by Towerskills. It brings together the economic development service, Jobcentre

Plus and construction employers. They are assessing the feasibility of creating a construction academy for local young people to enable them to upskill and access opportunities within the construction industry. The review group also heard about the construction desk managed by Skillsmatch which deals directly with a number of smaller contractors and in collaboration with partners for large projects, to broker job and apprenticeships opportunities for residents, providing training specific to the construction industry to facilitate access. The Skillsmatch construction desk is in the process of obtaining the National Skills Academy for Construction accreditation award. Towerskills indicated that they felt that the construction desk at Skillsmatch was undermining the Operation Janus partnership working described above.

- 5.5.27 The review group believe the council should prioritise providing clarity to its partners on its role as a coordinator and emphasise that the council encourages partnership working, cross-referral, advocating for opportunities, and supports the sharing of resources. This should be done in conjunction with a drive to push forward the Apprenticeship Task Group and the establishment of the Employment and Enterprise Task Group in order to further build relationships with all providers and maximise outcomes for young people.

Recommendation 8: Clarify the role of the council in the apprenticeship agenda and build on relationships with providers through the employment and enterprise task group.

6. CONCLUSION

- 6.1 Apprenticeships have been developed by the Coalition Government as a key route into employment for young people. The economy in Tower Hamlets' economic hubs such as Canary Wharf and the City Fringe has shown resilience over the recession period compared to many other areas in London. The council and its partners are well placed to play a key role in supporting young people to take advantage of these opportunities on their doorstep and elsewhere across London.
- 6.2 The way the apprenticeship framework has been established has not helped to make this route into employment either clear or attractive. Many schools, parents and young people themselves have misconceptions about apprenticeships. The council has a role to play in providing clear and accessible information which is widely available and publicised.
- 6.3 There is a need for businesses in the borough to further support young people's career choices and employability by increasing the opportunities for pupils and school leavers to gain access to mentors and by improving their work experience offer.
- 6.4 Apprenticeships have been presented as a solution to businesses concerns about skills shortages, both relating to industry qualifications and soft employability skills. The council and other key providers of post-16 support have been working to address the lack of employability skills that some young people possess, by offering pre-apprenticeship training. They are also providing some in-work support in order to help young people sustain their apprenticeship. The council should support this good work by establishing itself as a facilitator and coordinator of apprenticeships, spreading good

practice and coordinating the supply and demand in order to maximise benefits for the borough's young people.

This page is intentionally left blank

Agenda Item 7.5

COMMITTEE: Overview and Scrutiny Committee	DATE: 04November 2014	CLASSIFICATION: Unrestricted	REPORT NO:
Report of: Service Head, Democratic Services Originating officer(s) Matthew Mannion, Committee Services Manager	Title: Reference from Council – Judicial Review on the Best Value Inspection Wards Affected: All Wards		

1. **SUMMARY**

- 1.1 At its meeting on 10September 2014, Council considered an urgent motion on the Council's decision to judicially review the Best Value Inspection.
- 1.2 After debating the matter, Council resolved to request that the Overview and Scrutiny Committee review the process whereby the decision to seek a Judicial Review was implemented and to present a report back to Council for consideration.
- 1.3 Council also recommended that the Overview and Scrutiny Committee, in conjunction with the Head of Paid Service, engage a completely independent legal advisor to provide assistance to the Committee during the consideration of this matter.

2. **RECOMMENDATIONS**

The Overview and Scrutiny Committee is recommended to:-

- 2.1 Note the referral request and consider a response.

3. **BACKGROUND**

- 3.1 The Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution entitles the Committee to consider work requests submitted by Council. Should the Overview and Scrutiny Committee decide to accept the request then it can submit a report containing their recommendations back to Council for them to consider at their next meeting. The relevant paragraph of the Overview and Scrutiny Procedure Rules is set out below for information.

Para - 9.2 The Overview and Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and if it considers it appropriate the Mayor or Executive to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Mayor/Executive and/or Council. The Executive shall consider the matter at one of its next two meetings following receipt of the report. If the matter is relevant to the Council only then they will consider the report at their next meeting.

4. BODY OF REPORT

- 4.1 The referral from Council is attached to this reference report as Appendix 1.
- 4.2 The Overview and Scrutiny Committee are therefore requested to review the reports and to prepare a report back to Council containing their considered views and recommendations on the issues concerned.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 When responding to full Council, Overview and Scrutiny need to consider that a budget for any independent legal advice will need to be clearly identified in advance of that service being procured.

6. LEGAL COMMENTS

- 6.1 All relevant legal matters are incorporated in the body of report.

7. ONE TOWER HAMLETS CONSIDERATIONS

- 7.1 None directly related to this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 None directly related to this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 None directly related to this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 None directly related to this report.

11. EFFICIENCY STATEMENT

- 11.1 None directly related to this report.

12. APPENDICES

- 12.1 Appendix 1 – Text of the Urgent Motion presented to Council on 10 September 2014.

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

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
None	Matthew Mannion X4651

This page is intentionally left blank

**Full Council 10 September 2014
Decision 15.1 Urgent Motion regarding Tower Hamlets Council's judicial
review on the Best Value Inspection**

**Proposed by Cllr Peter Golds
Seconded by Cllr Craig Aston**

This Council instructs:

- The Overview and Scrutiny Committee to review the process whereby the decision to seek a Judicial Review was implemented.
- The Overview and Scrutiny Committee , in conjunction with the Head of Paid Service, engage a completely Independent legal advisor to provide assistance to the Committee when this is considered.
- That a report by Overview and Scrutiny be prepared and presented to the full Council for consideration.

This page is intentionally left blank