

OVERVIEW & SCRUTINY COMMITTEE

Monday, 30 November 2015 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 John Pierce

Vice Chair: Councillor Danny Hassell

Councillor Mahbub Alam

Councillor Amina Ali

Councillor Peter Golds

Councillor Denise Jones

Councillor Md. Maium Miah

Councillor Oliur Rahman

Councillor Helal Uddin

Scrutiny Lead for Adult Health and Wellbeing

Scrutiny Lead for Law Probity and Governance

Scrutiny Lead for Communities, Localities & Culture

Scrutiny Lead for Resources

Scrutiny Lead for Development and Renewal

Co-opted Members:

1 Vacancy

Nozrul Mustafa

Victoria Ekubia

Dr Phillip Rice

Rev James Olanipekun

(Parent Governor Representative)

(Parent Governor Representative)

(Roman Catholic Church Representative)

(Church of England Representative)

(Parent Governor Representative)

Deputies:

Councillor Khales Uddin Ahmed, Councillor Shahed Ali, Councillor Dave Chesterton, Councillor Shafiqul Haque, Councillor Gulam Robbani and Councillor Candida Ronald

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

David Knight, Democratic Services

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London, E14 2BG

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E-mail: david.knight@towerhamlets.gov.uk

Web: <http://www.towerhamlets.gov.uk/committee>

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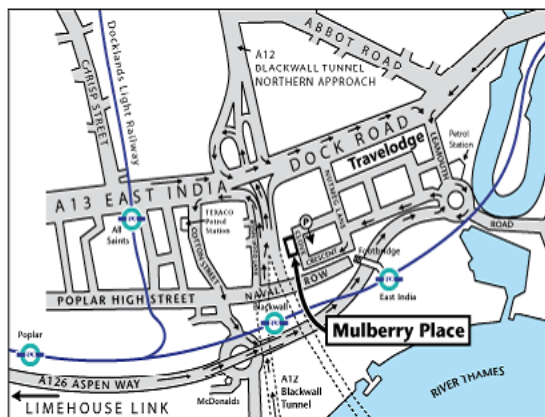
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QR code for smart phone users.

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

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 2nd November, 2015 (To follow).

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 3rd November, 2015 in respect of unrestricted reports on the agenda were 'called in'.

6. SCRUTINY SPOTLIGHT

6.1 Crime and Disorder Spotlight Session

All Wards

5 - 34

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Transparency Report

All Wards

35 - 100

7.2 Planning for School Places

All Wards

101 - 114

7.3 Complaints and Information Annual Report

All Wards

115 - 174

8. VERBAL UPDATES FROM SCRUTINY LEADS

(Time allocated – 5 minutes each)

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

To consider and agree pre-decision scrutiny

questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

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.

SECTION TWO

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

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

(Time allocated 15 minutes).

**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

Monday, 4 January 2016 at 7.15 p.m. to be held in Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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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:-

Melanie Clay, Director, Law, Probity and Governance 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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Overview and Scrutiny Spotlight Session

30th November 2015

Crime and Disorder
Police Task Force 3
Andy Bamber CLC

Police Task Force 3

- The current PTF2 contract comes to an end of the 16th December. PTF3 is expected to start on the 17th December 2015.
- PTF3 will be made up of a team of 6 Officers; 5 constables, 1 sergeant (of which 3 constables are match funded through the Metpatrol Scheme) and a Partnerships Coordinator.
- The focus of the team will be to reduce and manage ASB in the borough, tasked through the ASB operational group.
- The cost of PTF 3 will be £254,384. (£206k for the Police officers and £48,384. for the coordinator.
- The contract is expected to last three years, with annual reviews and monitoring requirements detailed in the service specification.

SEARS

Street Enforcement & Response Services



Responding to Anti-social behaviour, nuisance and low-level crime

What is the ASB in the Borough at the moment

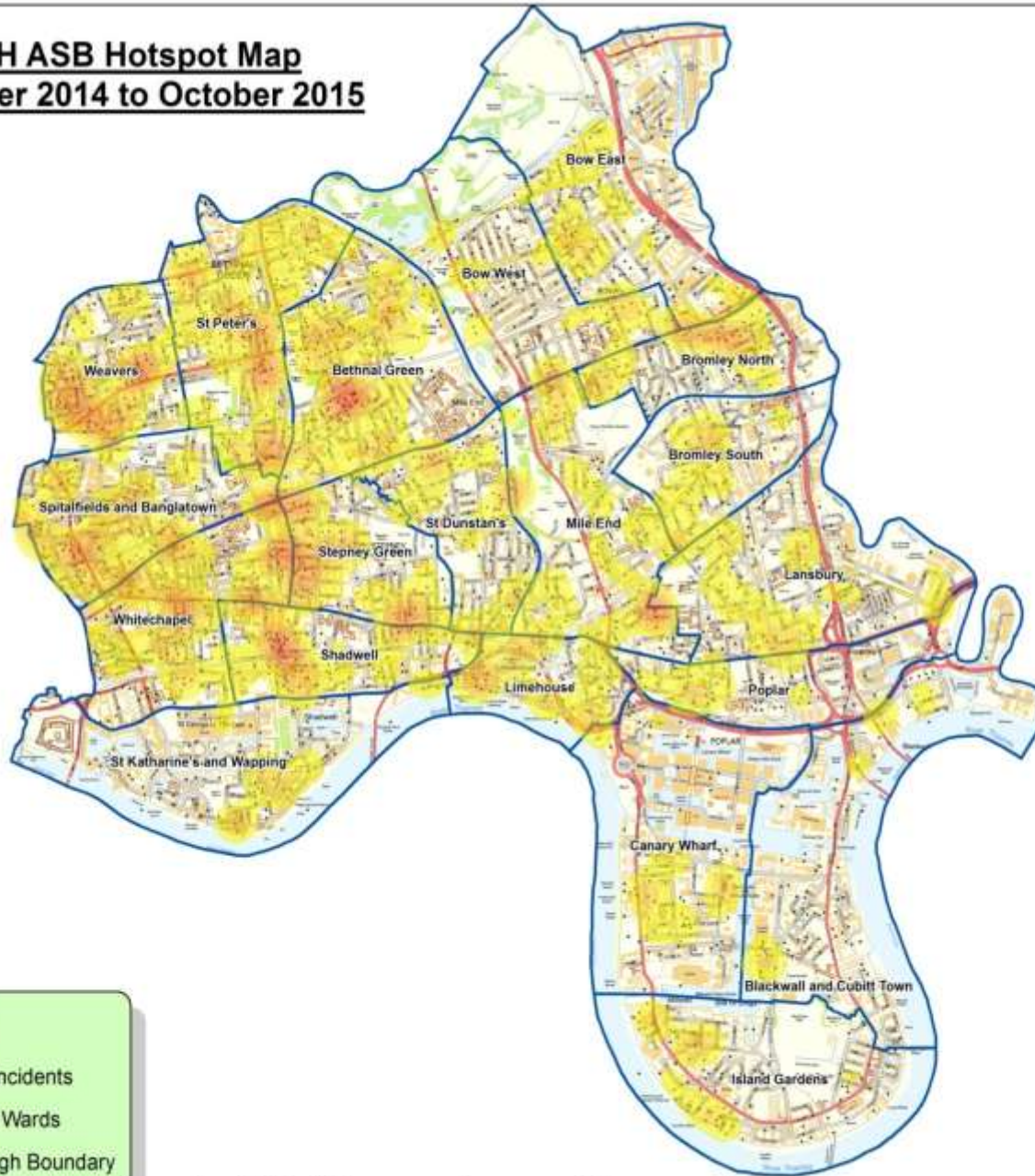
Top 6 types of ASB reported to the **Council (1206 reports in 2015)**

1. Harassment/Intimidation from individuals or groups
2. Alcohol related ASB (Mainly street drinking)
3. Misuse of public spaces - loitering
4. Drug related ASB
5. Noise
6. Litter/Rubbish/Waste/Dumping

Met Police 101 data (2015)

Offences	Jan 15	Feb 15	Mar 15	Apr 15	May 15	Jun 15	Jul 15	Aug 15	Sep 15	Total
Anti-social behaviour	836	812	1017	1090	1257	1399	1591	1402	1080	10484

LBTH ASB Hotspot Map **November 2014 to October 2015**



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Legend

- ASB Incidents
- LBTH Wards
- Borough Boundary



ASB Response – What is required

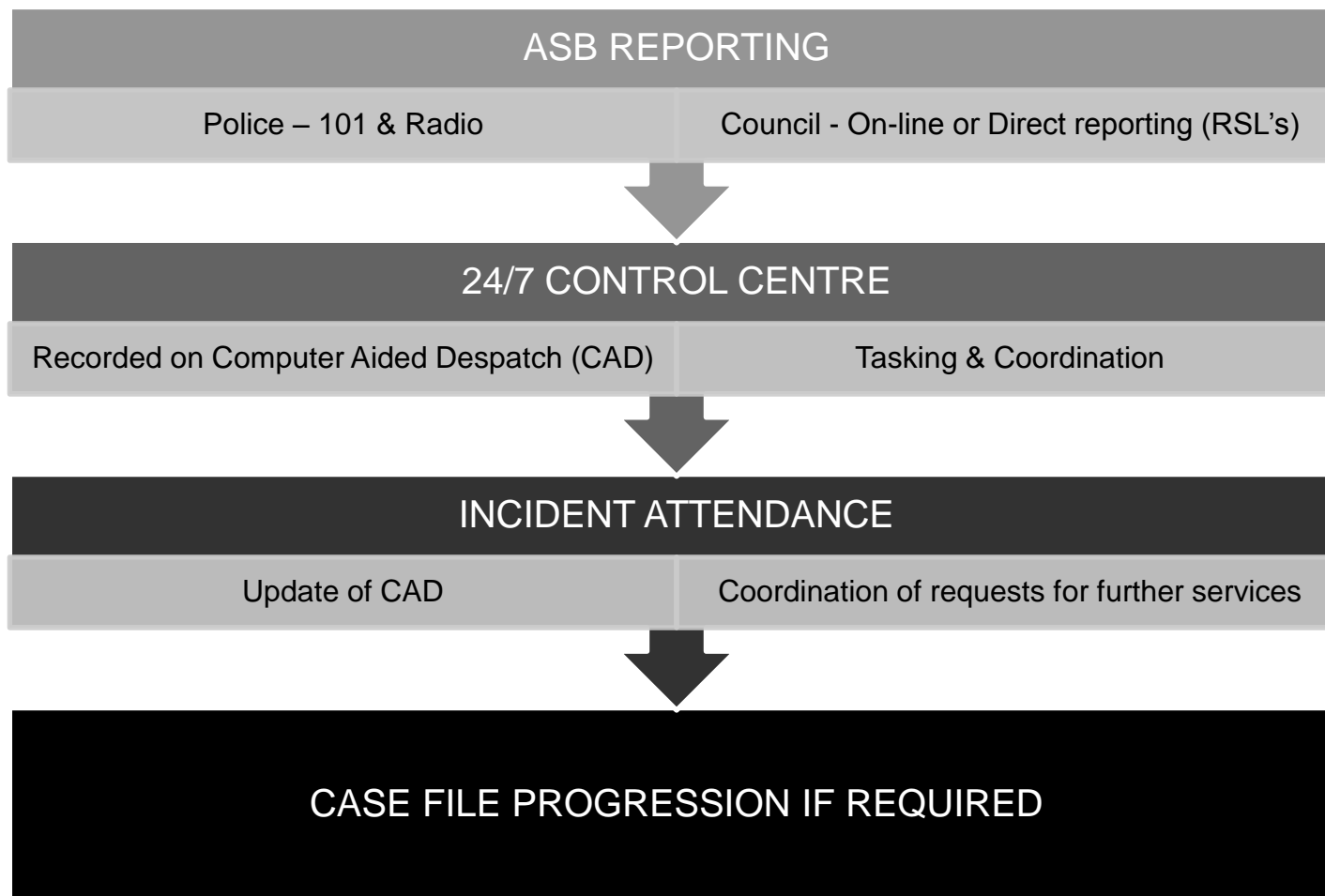
Overview & Scrutiny Report to Cabinet 3 November 2015 – How the Council, police and social landlords promote the reporting of incidents of drug dealing, taking and ASB.

A clear message on residents and the public reporting ASB to us so that we know what is happening so that we can respond in an coordinated way.

Recommends:

- *Decide and be clear of what qualifies as ASB*
- *Minimum standards on reporting back outcomes of ASB*
- *Reiterate commitment of reporting ASB to 101*
- *Encourage reporting of ASB*
- ***Improved partnership working to tackle ASB with reduced resources – Command & Control for improved response***

Command & Control Centre Model



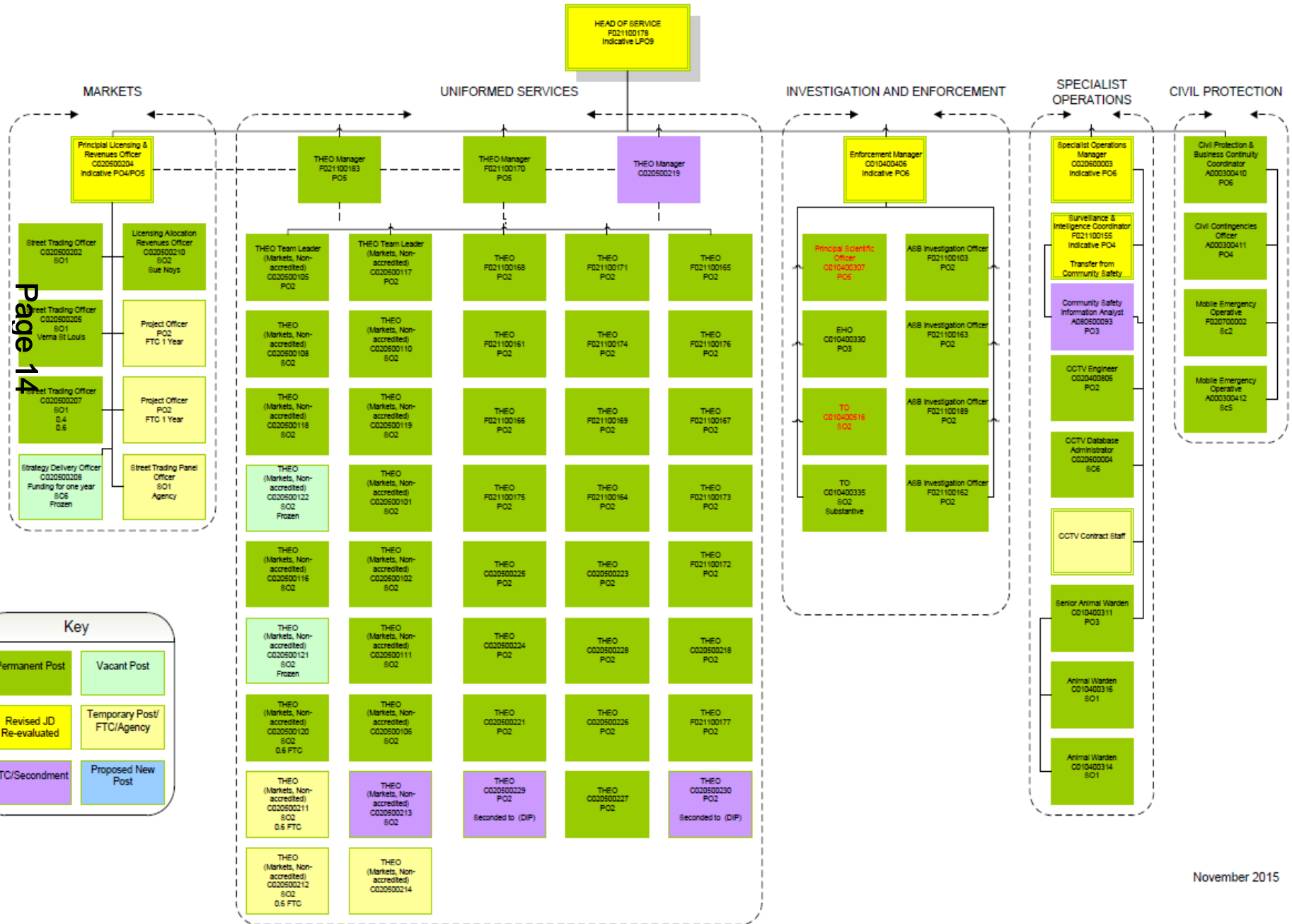
Command & Control Centre Model

How we deal with ASB

Our approach coordinates the complex mix of resources and systems that make up Council response services and ensures they function as a single unified response with standardised processes, optimised decision-making and unhindered information flows.

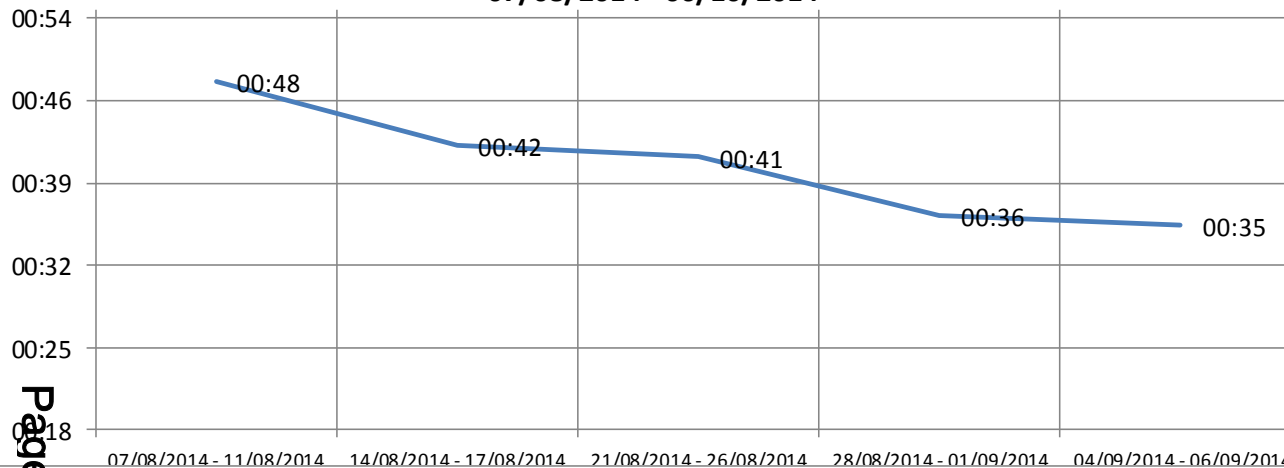
- CCTV & ANPR Cameras
- Uniformed Enforcement Officers (THEOs) Inc. Dog handlers
- ASB Investigation Officers
- Noise Enforcement Officers
- Police (1 & 5)
- Out of hours services
- Civil Emergencies
- Street Market Regulation including busking & illegal street trading
- Tower Hamlets Homes 24/7 Resident reporting line (0800)
- ASB Community Trigger process

New Structure Street Enforcement & Response Service (SEARS)



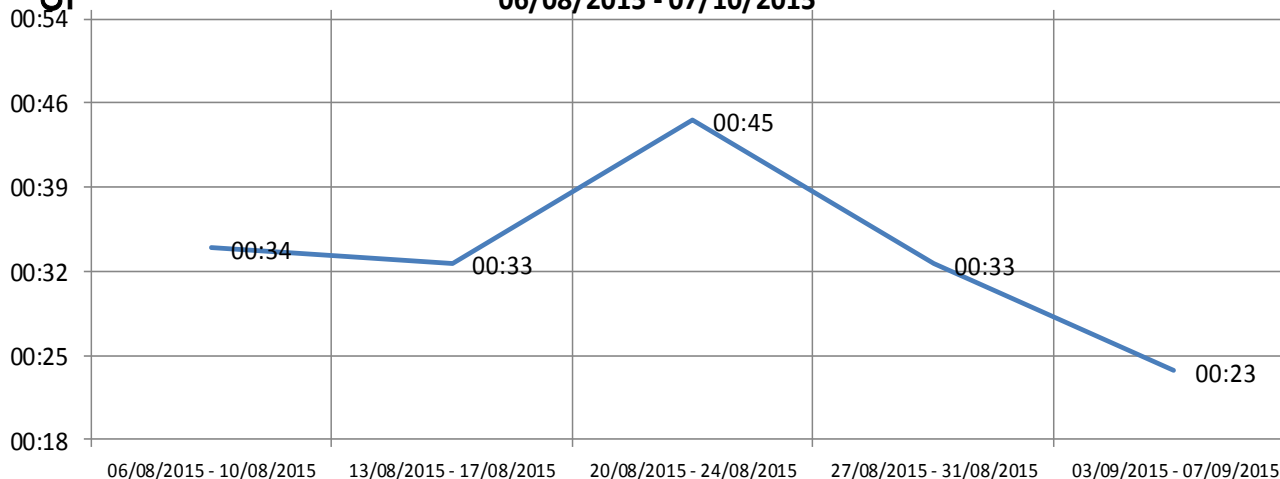
Noise response service improvements

07/08/2014 - 06/10/2014



Response	Total Calls
By Telephone	170
By Visit	170

Average Response Time THEOs
06/08/2015 - 07/10/2015



Response	Total Calls
By Telephone	82
By Visit	207

CCTV Control Centre Performance

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Period of	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Accumulative
Total Number of Incidents Logged	260	237	290	253	293	297	267	299	234	234			2664
No. of Police Assisted Incidents	153	151	166	168	176	158	142	169	131	131			1545
Number of Pro Active Arrests	56	53	58	65	47	52	42	45	44	77			539
No. Incidents saved for Evidence	102	170	142	166	200	172	149	162	186	136			1585
DVD Evidence Packs Released	80	90	97	101	139	122	105	105	110	100			1049
Non Enforcement Requests CCTV Footage													
Business Owner	0	0	1	0	0	0	0	0	1	1			3
Council Official	0	0	0	0	0	0	0	0	0	0			0
Housing	0	0	0	0	0	0	0	0	0	0			0
Legal / Insurance Companies	30	23	20	16	32	28	28	24	19	23			243
Members of Public	7	5	9	10	6	10	6	9	12	14			88
Police	5	1	3	4	1	3	3	3	0	2			25
RSL	0	0	0	0	0	0	0	0	0	0			0
Missing Persons Located	3	1	2	0	0	0	1	1	0	6			14
Police No Units to Deal	6	15	19	11	12	12	20	17	9	4			125
Number of vehicles seized for No insurance MIDAS	1	0	3	0	0	3	0	1	3	1			12

What will be included

- Waste enforcement officers
- Clean & Green officers (litter, fly-tipping etc.)
- Highways officers
- Parks officers
- Other Registered Social Landlord ASB services (THH see Maps)
- Other Council out of hours call-out arrangements (Vangent)

Service Level Agreements

- Page 18
- Tower Hamlets Homes, One Housing & Southern 24/7 Control Centre call response from residents to 0800
 - Uniformed THEO response to call within 30 minutes
 - Dog Patrols for tower blocks
 - Response includes Noise nuisance
 - Proactive patrols on their ASB Hot-spots
 - Key witnesses service for Injunctions
 - Victim & Witness protection

ASB Where we are going.....

- Joint Chaotic Persons Unit
- Full command & control of generic uniformed officers
- Ward profiles
- EVA's
- Local Area Action Plans linked to reconfigured LSP
- More use of ASB legislative tools & powers
- More preventative interventions in ASB hot-spots (RRT)
- 4 Track approach – Prevent, Support, Enforce, Rehabilitate

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**Metropolitan Police Borough Performance Scorecard –
Last Updated Tuesday 17th November 2015**

Met Head Quarters, Performance and Assurance have confirmed that the baseline for the MOPAC 7 crime reduction target is the offence level during FY 2011/12, and FY 2015/16 is to be used to assess final performance against the 20% reduction target.
MOPAC 7 - Rolling Year to date (up to and including 16th November 2015) compared to the full financial year 2011/12 (MOPAC Baseline for targets from Police and Crime Plan 2013-16)

Offence/Crime Type	Target	Financial Year 2011/12 (Baseline)	Rolling 12 months to 16.11.15	% Change	SD Rate Financial Year 2011/12	SD Rate Current Rolling 12 Months to 16.11.15
MOPAC 7 Total	-20%	13,023	13,114	+0.7%	11.9%	13.1%
Burglary		2,720	2,507	-7.8%	10.1%	6.6%
Criminal Damage		2,463	2,462	0.0%	11.9%	13.8%
Robbery		1,416	1,154	-18.5%	13.7%	8.8%
Theft from Motor Vehicle		1,944	1,568	-19.3%	2.1%	2.8%
Theft/Taking of Motor Vehicle		871	1,048	+20.3%	7.2%	8.5%
Theft from Person		1,606	1,435	-10.6%	2.9%	3.6%
Violence with Injury		2,003	2,940	+46.8%	32%	31.5%

Rolling Year to Date compared to the previous rolling 12 months up to and including 8th November 2015

Offence/Crime Type	Target	Rolling 12 months to 16.11.14	Rolling 12 months to 16.11.15	% Change	SD Rate rolling 12 months to 16.11.14	SD Rate Current Rolling 12 Months to 16.11.15
State Victim Unknown		3,130	2,685	-14.4%	2,572 (82.2%)	2,236 (83.3%)
Total Notifiable Offences (TNO)		23,325	25,509	+9.7%	3,056 (13.1%)	3,345 (13.1%)
		22	25	+13.6%	2 (9.1%)	4 (16%)
Total Notifiable Offences (TNO)		26,477	28,219	+6.8%	5,630 (21.3%)	5,585 (19.8%)
Burglary Dwelling		1,194	1,261	+5.2%	78 (6.5%)	62 (4.9%)
Burglary Other		1,162	1,246	+4.9%	94 (8.1%)	104 (8.3%)
Burglary Total	-8%	2,356	2,507	+5%	172 (7.3%)	166 (6.6%)
Criminal Damage	-5%	2,215	2,462	+12.3%	295 (13.3%)	340 (13.8%)
Robbery – Business Property		68	53	-12.3%	25 (36.8%)	8 (15.1%)
Robbery – Personal Property		1,086	1,101	-0.6%	84 (7.7%)	93 (8.4%)
Robbery Total	-2%	1,154	1,154	-1.3%	109 (9.4%)	101 (8.8%)
Robbery – Mobile Phone		543	552	-3.6%	52 (9.6%)	60 (10.9%)
Theft From Motor Vehicle	-6%	1,553	1,568	-1%	42 (2.7%)	44 (2.8%)
Theft/Taking of Motor Vehicle	-15%	930	1,048	+13.9%	56 (6%)	89 (8.5%)
Theft from Person	-11%	1,243	1,435	+15.5%	23 (1.9%)	52 (3.6%)
Other Theft & Handling		6,157	6,234	-1.2%	681 (11.1%)	675 (10.8%)
Theft and Handling Total		9,883	10,285	+4.2%	802 (8.1%)	860 (8.4%)
Theft Person - Mobile Phone		754	1,010	+34.3%	13 (1.7%)	124 (12.3%)
Non-Domestic Abuse VWI		732	854	+19.3%	346 (47.3%)	400 (46.8%)
Domestic Abuse VWI		1,831	2,086	+13.8%	466 (25.5%)	526 (25.2%)
Violence with Injury (VWI) Total	-12%	2,563	2,940	+15.4%	812 (31.7%)	926 (31.5%)
Domestic Abuse		2,466	2,853	+16.6%	862 (35%)	997 (34.9%)
Rape		178	214	+23.6%	21 (11.8%)	28 (13.1%)
Other Sexual Offences		336	353	+4.8%	48 (14.3%)	66 (18.7%)
Sexual Offences Total		514	567	+11.2%	69 (13.4%)	94 (16.6%)
Gun Discharges		11	16	+70%	2 (18.2%)	0 (0%)
Knife Injury Victims (U25 non DA)		62	123	+96.7%		
ASB Calls		19,003	15,954	-15.5%		
ASB Repeat Callers		745	n/a	n/a		

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Benchmarking Tower Hamlets

MOPAC 7 Performance Per 1000

Period: Nov 2014 to Nov 2015

Source: Met Police, lee.S.Juniper@met.pnn.police.uk

Author: Tojomul Ali

Updated: 16th November 2015

Rank by borough compared to Total MOPAC 7 crime types

In the Police and Crime plan, MOPAC set a target for the MPS to reduce crime in 7 priority categories, known as the MOPAC 7, by 20% by 2016.

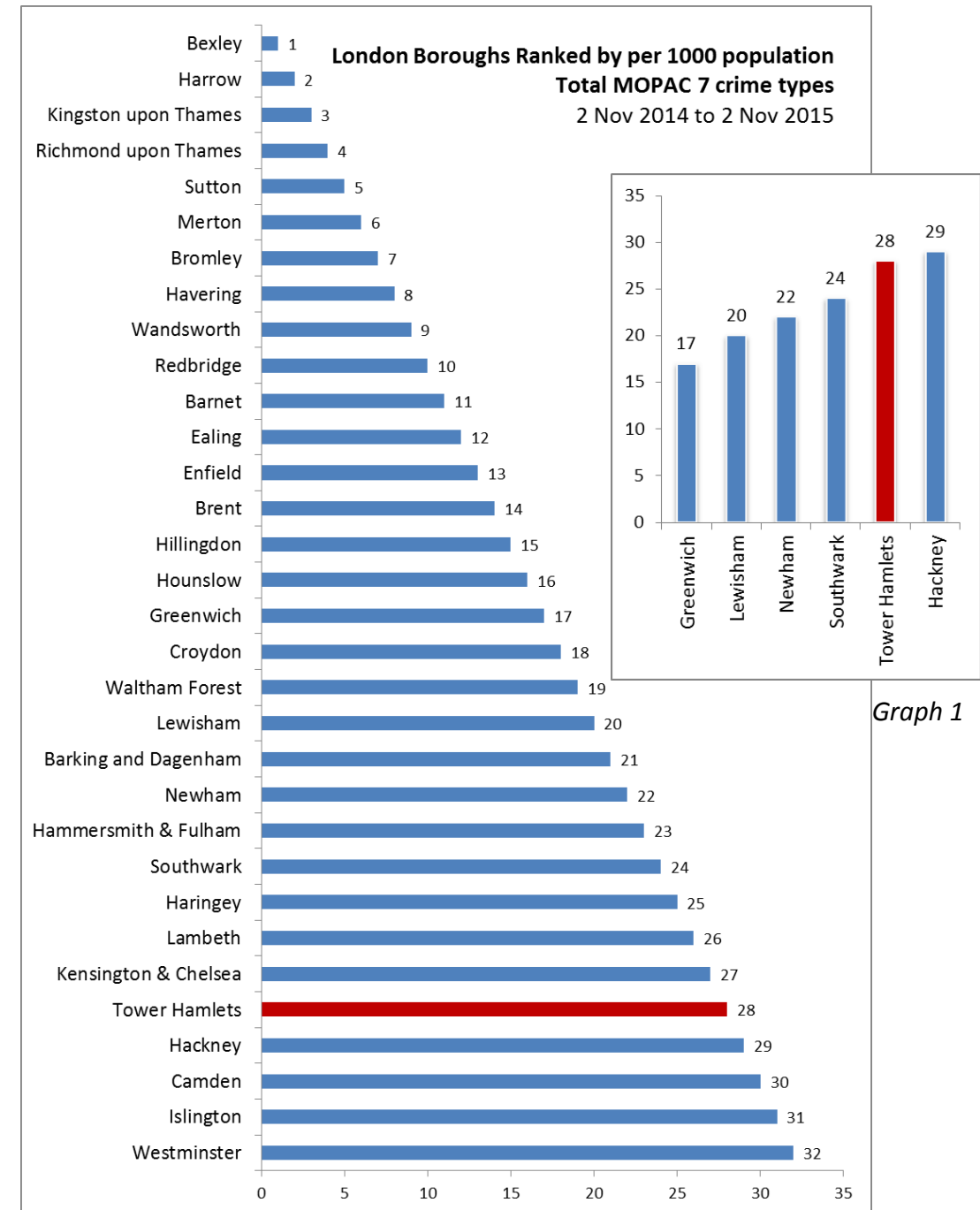
The MOPAC Crime Dashboard monitors the figures for the MOPAC 7 priority crimes across London and by borough. The MOPAC 7 priority crimes are crimes which have a high impact on victims; they are **burglary, criminal damage, robbery, theft from a motor vehicle, theft from a person, theft of a motor vehicle and violence with injury.**

The data used to rank Tower Hamlets against all other London boroughs was provided by the Met Police for the rolling period 2 November 2014 and extracted on 2nd November 2015.

The table below shows total MOPAC recorded incidents with population for each borough and ranked by per 1000 population.

Tower Hamlets ranks 28th when using the overall total from the MOPAC 7

Borough	Population	MOPAC 7	Per 1000	Rank
Westminster	219396	19197	87.50	32
Islington	206125	13644	66.19	31
Camden	220338	13725	62.29	30
Hackney	246270	12990	52.75	29
Tower Hamlets	254096	13116	51.62	28
Kensington & Chelsea	158649	7863	49.56	27
Lambeth	303086	14902	49.17	26
Haringey	254926	12427	48.75	25
Southwark	288283	13662	47.39	24
Hammersmith & Fulham	182493	8493	46.54	23
Newham	307984	14300	46.43	22
Barking and Dagenham	185911	8093	43.53	21
Lewisham	275885	10988	39.83	20
Waltham Forest	258249	10025	38.82	19
Croydon	363378	13617	37.47	18
Greenwich	254557	9538	37.47	17
Hounslow	253957	9503	37.42	16
Hillingdon	273936	10121	36.95	15
Brent	311215	11390	36.60	14
Enfield	312466	11373	36.40	13
Ealing	338449	12069	35.66	12
Barnet	356386	12409	34.82	11
Redbridge	278970	9686	34.72	10
Wandsworth	306995	10621	34.60	9
Havering	237232	7844	33.06	8
Bromley	309392	9814	31.72	7
Merton	199693	6098	30.54	6
Sutton	190146	5337	28.07	5
Richmond upon Thames	186990	5034	26.92	4
Kingston upon Thames	160060	4046	25.28	3
Harrow	239056	6031	25.23	2
Bexley	231997	5789	24.95	1



Graph 1

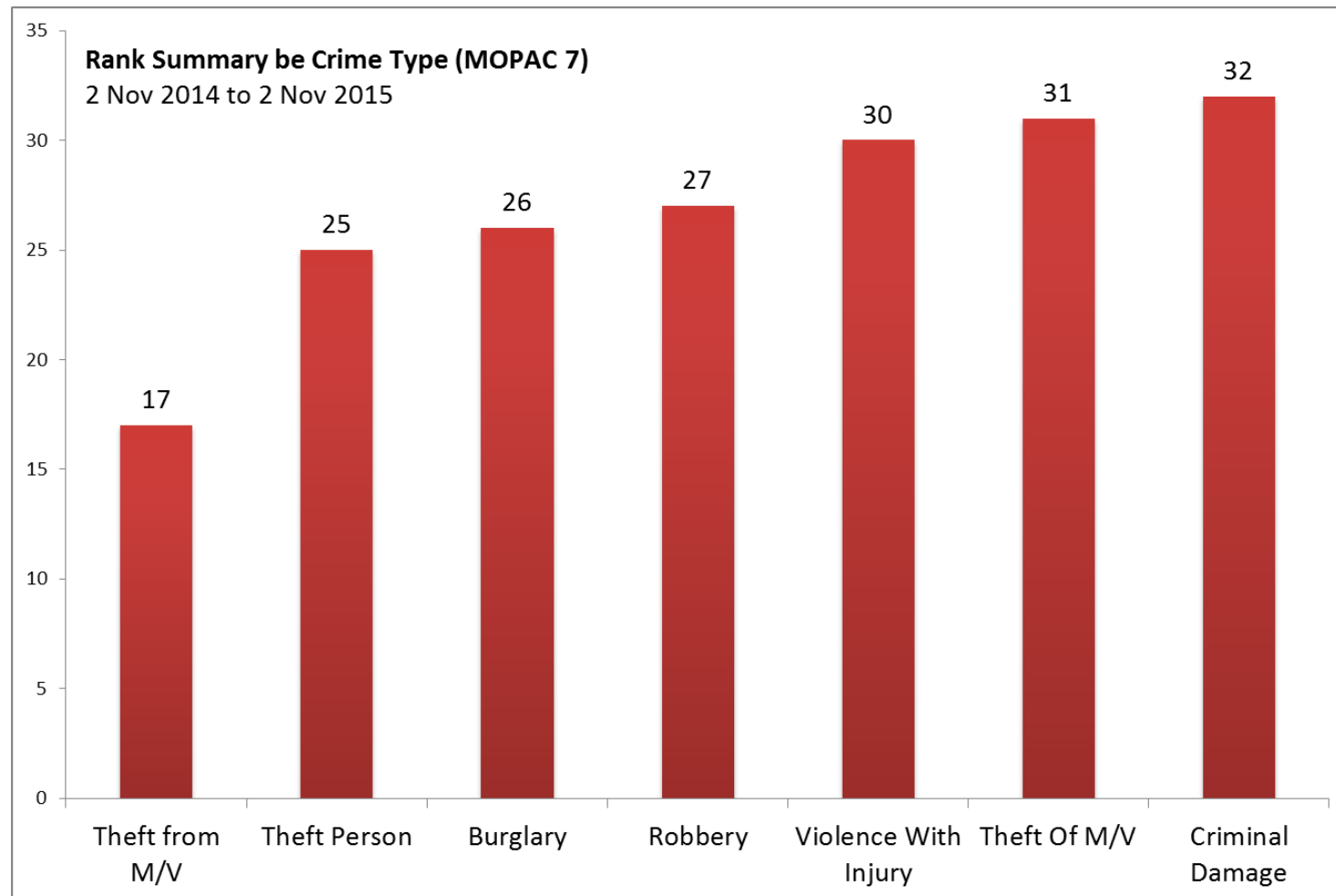
Graph 2

Rank Summary out of 32

The table below ranks Tower Hamlets compared to all other London Boroughs per 1000 population. The graph below shows that the most notable crime type is Criminal Damage, which ranks Tower Hamlets at 32.

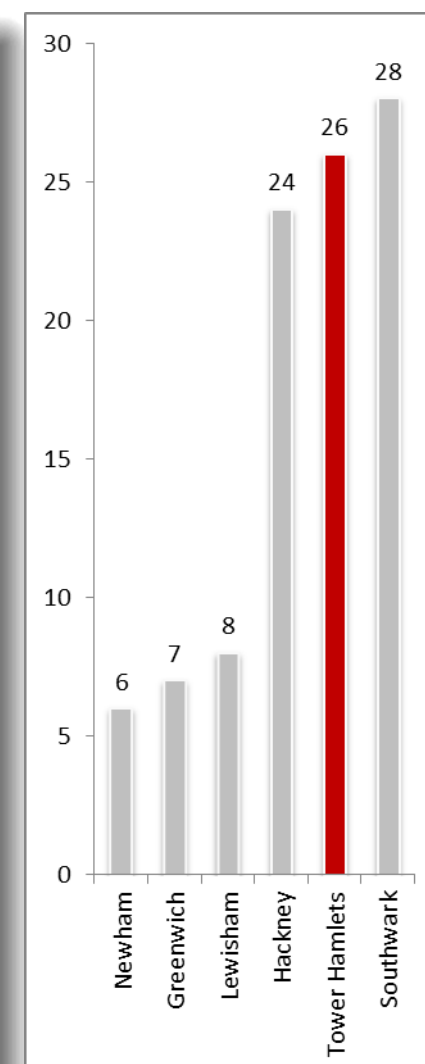
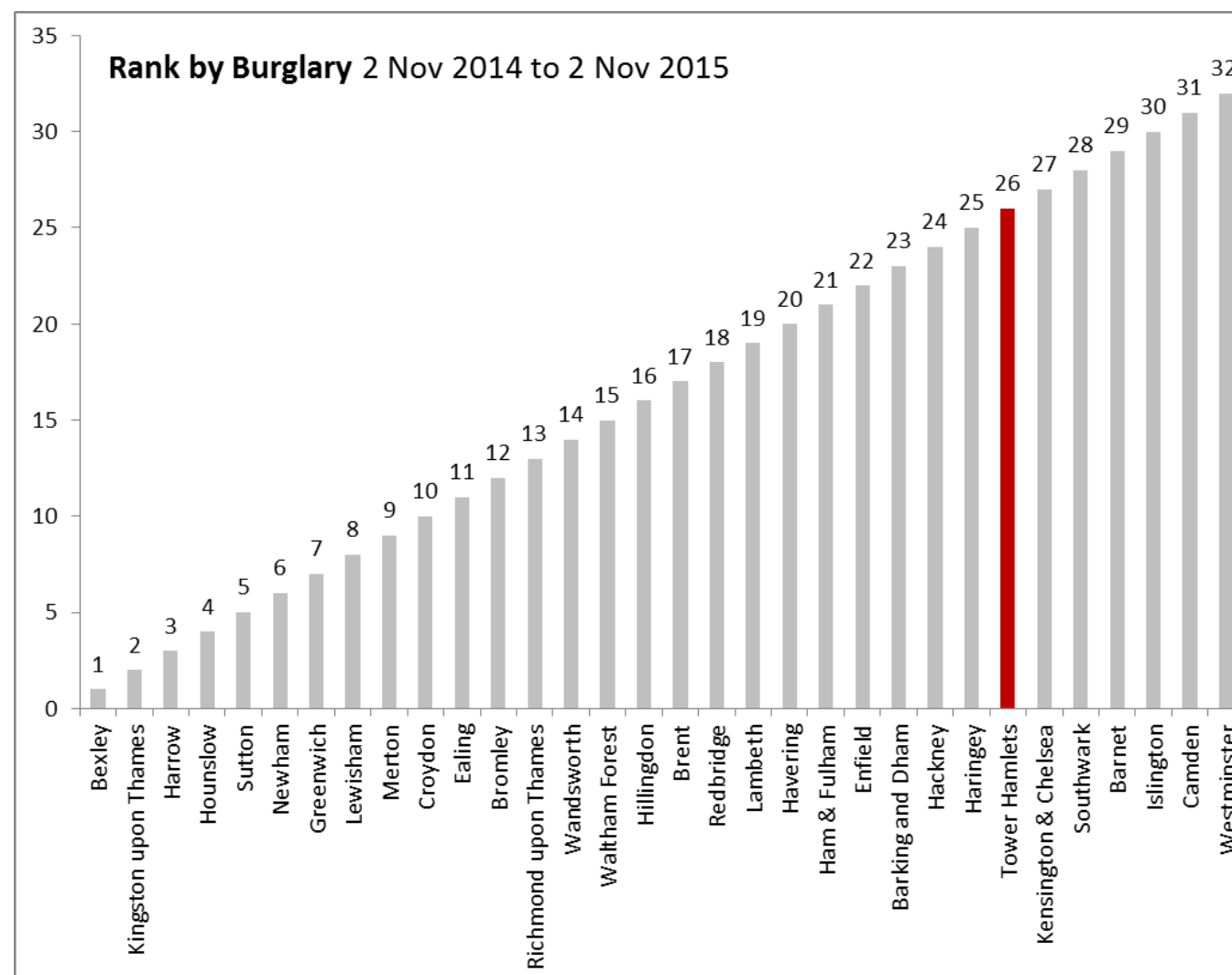
When reading the rankings 1 is the best performing borough in London and 32 is the poorest performing borough in London.

Theft from M/V	17
Theft Person	25
Burglary	26
Robbery	27
Violence With Injury	30
Theft Of M/V	31
Criminal Damage	32



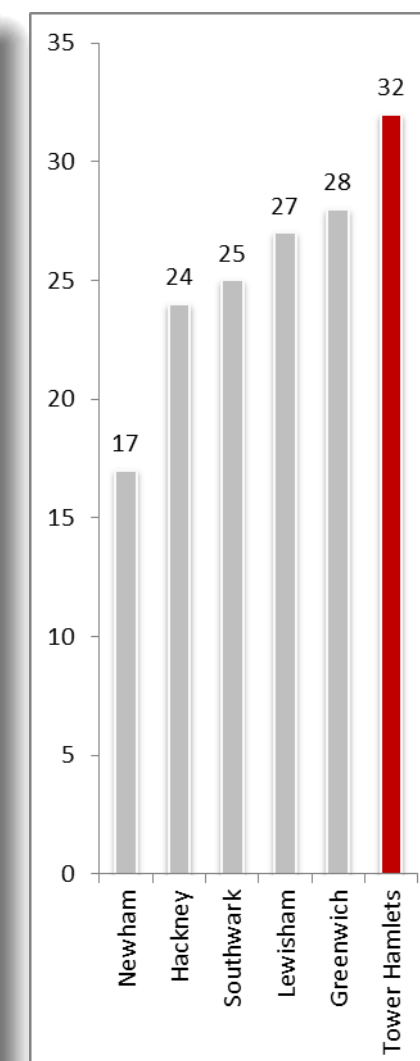
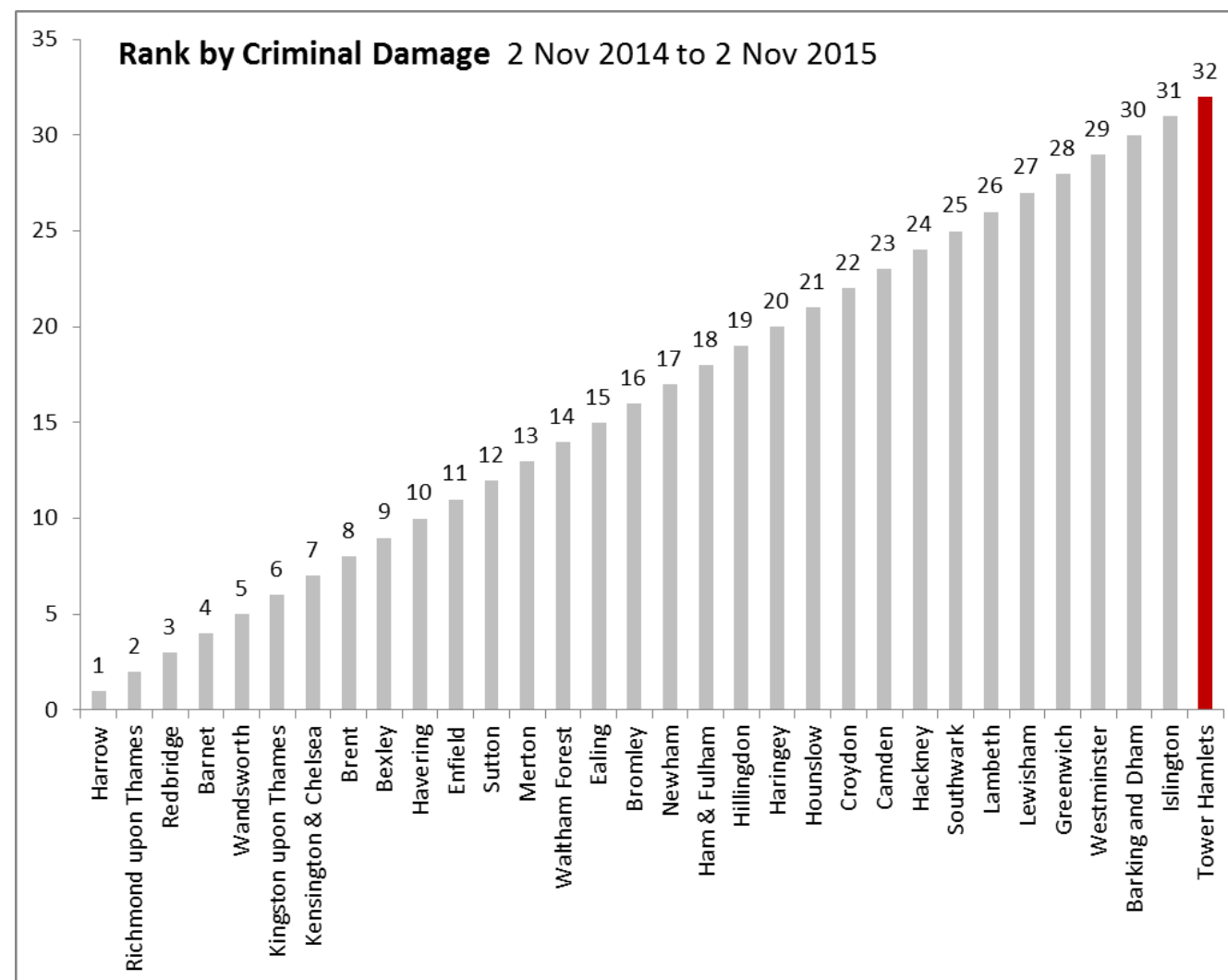
Ranking by Burglary

Borough	Burglary	Rank Per 1000
Bexley	1124	1
Kingston upon Thames	918	2
Harrow	1584	3
Hounslow	1784	4
Sutton	1342	5
Newham	2301	6
Greenwich	1902	7
Lewisham	2088	8
Merton	1536	9
Croydon	2864	10
Ealing	2708	11
Bromley	2503	12
Richmond upon Thames	1523	13
Wandsworth	2518	14
Waltham Forest	2176	15
Hillingdon	2339	16
Brent	2659	17
Redbridge	2386	18
Lambeth	2610	19
Havering	2043	20
Ham & Fulham	1584	21
Enfield	2771	22
Barking and Dham	1713	23
Hackney	2357	24
Haringey	2485	25
Tower Hamlets	2484	26
Kensington & Chelsea	1599	27
Southwark	2959	28
Barnet	3758	29
Islington	2324	30
Camden	2820	31
Westminster	3214	32



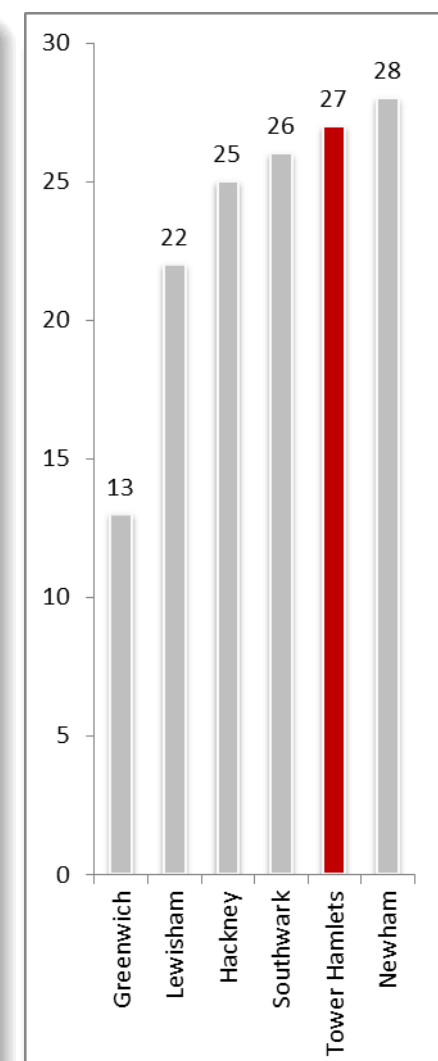
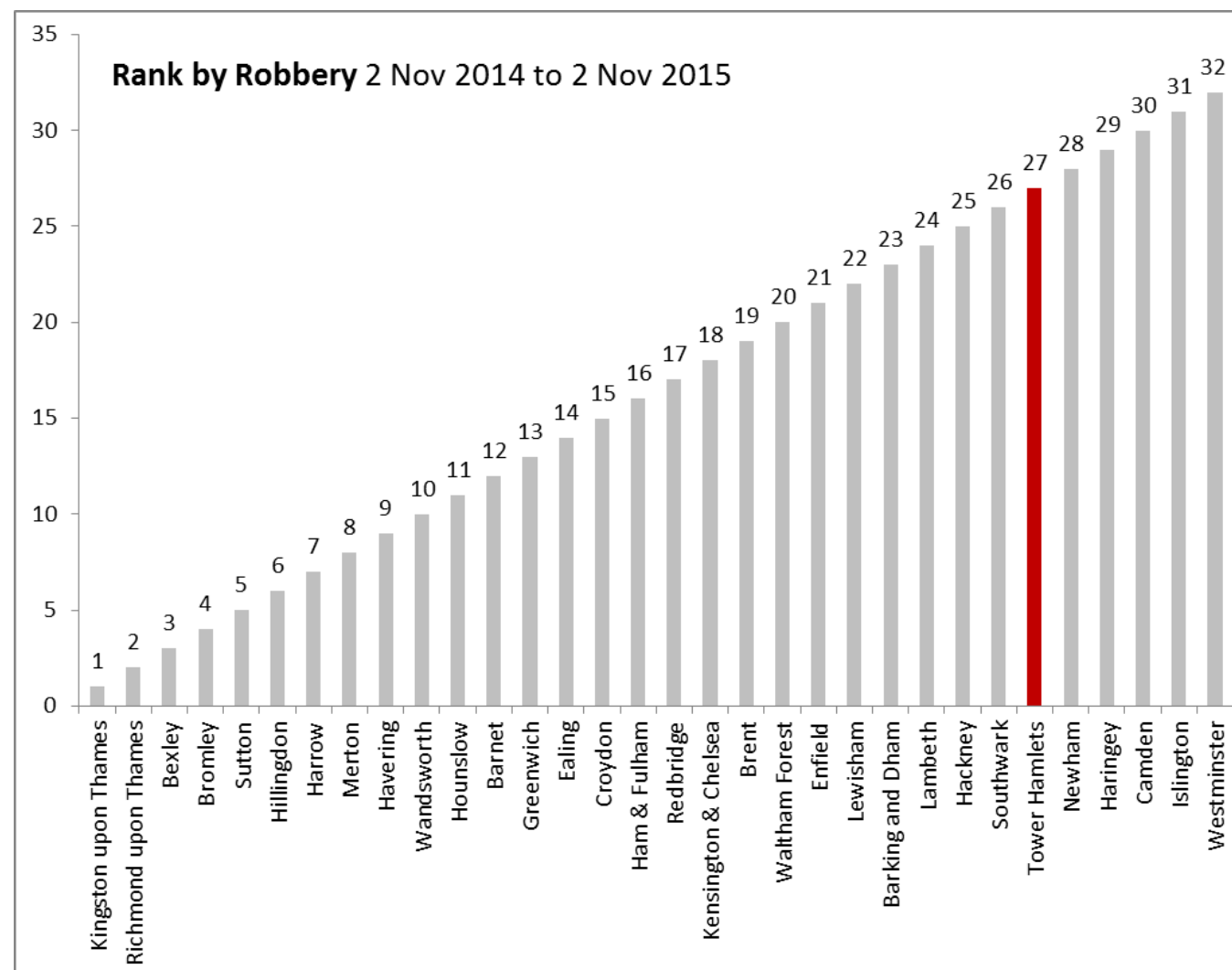
Ranking by Criminal Damage

Borough	Criminal Damage	Rank Per 1000
Harrow	1196	1
Richmond upon Thames	1067	2
Redbridge	1654	3
Barnet	2233	4
Wandsworth	1931	5
Kingston upon Thames	1016	6
Kensington & Chelsea	1071	7
Brent	2113	8
Bexley	1578	9
Havering	1623	10
Enfield	2142	11
Sutton	1359	12
Merton	1441	13
Waltham Forest	1880	14
Ealing	2473	15
Bromley	2328	16
Newham	2392	17
Ham & Fulham	1479	18
Hillingdon	2237	19
Haringey	2124	20
Hounslow	2141	21
Croydon	3151	22
Camden	1912	23
Hackney	2143	24
Southwark	2522	25
Lambeth	2684	26
Lewisham	2458	27
Greenwich	2269	28
Westminster	2018	29
Barking and Dham	1731	30
Islington	2001	31
Tower Hamlets	2477	32



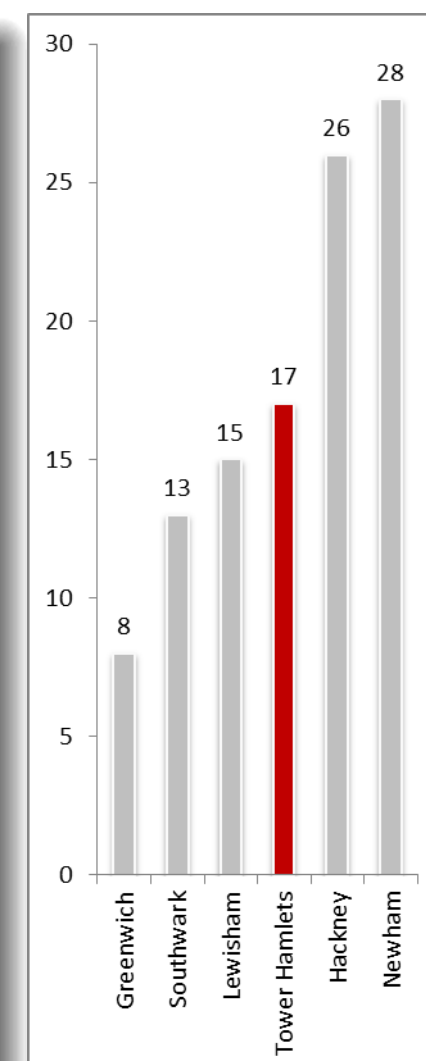
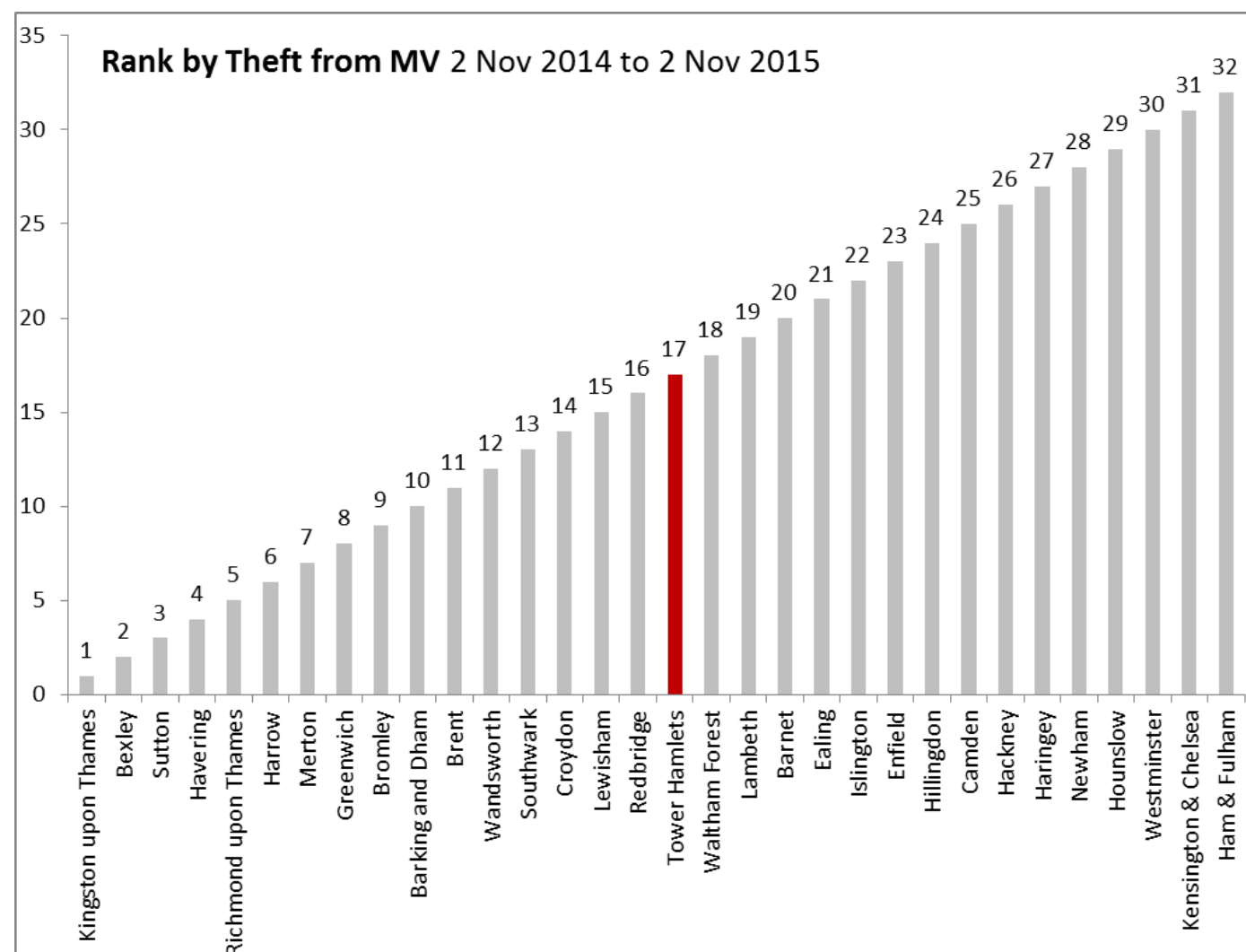
Ranking by Robbery

Borough	Robbery	Rank Per 1000
Kingston upon Thames	97	1
Richmond upon Thames	136	2
Bexley	184	3
Bromley	259	4
Sutton	173	5
Hillingdon	346	6
Harrow	317	7
Merton	270	8
Havering	333	9
Wandsworth	457	10
Hounslow	399	11
Barnet	637	12
Greenwich	474	13
Ealing	631	14
Croydon	740	15
Ham & Fulham	394	16
Redbridge	681	17
Kensington & Chelsea	411	18
Brent	808	19
Waltham Forest	672	20
Enfield	882	21
Lewisham	812	22
Barking and Dham	554	23
Lambeth	1255	24
Hackney	1022	25
Southwark	1254	26
Tower Hamlets	1159	27
Newham	1447	28
Haringey	1232	29
Camden	1066	30
Islington	1012	31
Westminster	1554	32



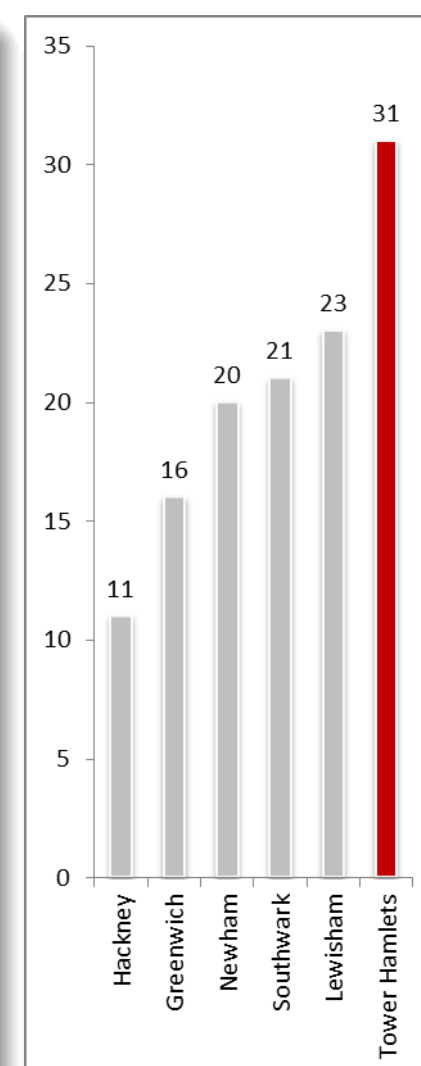
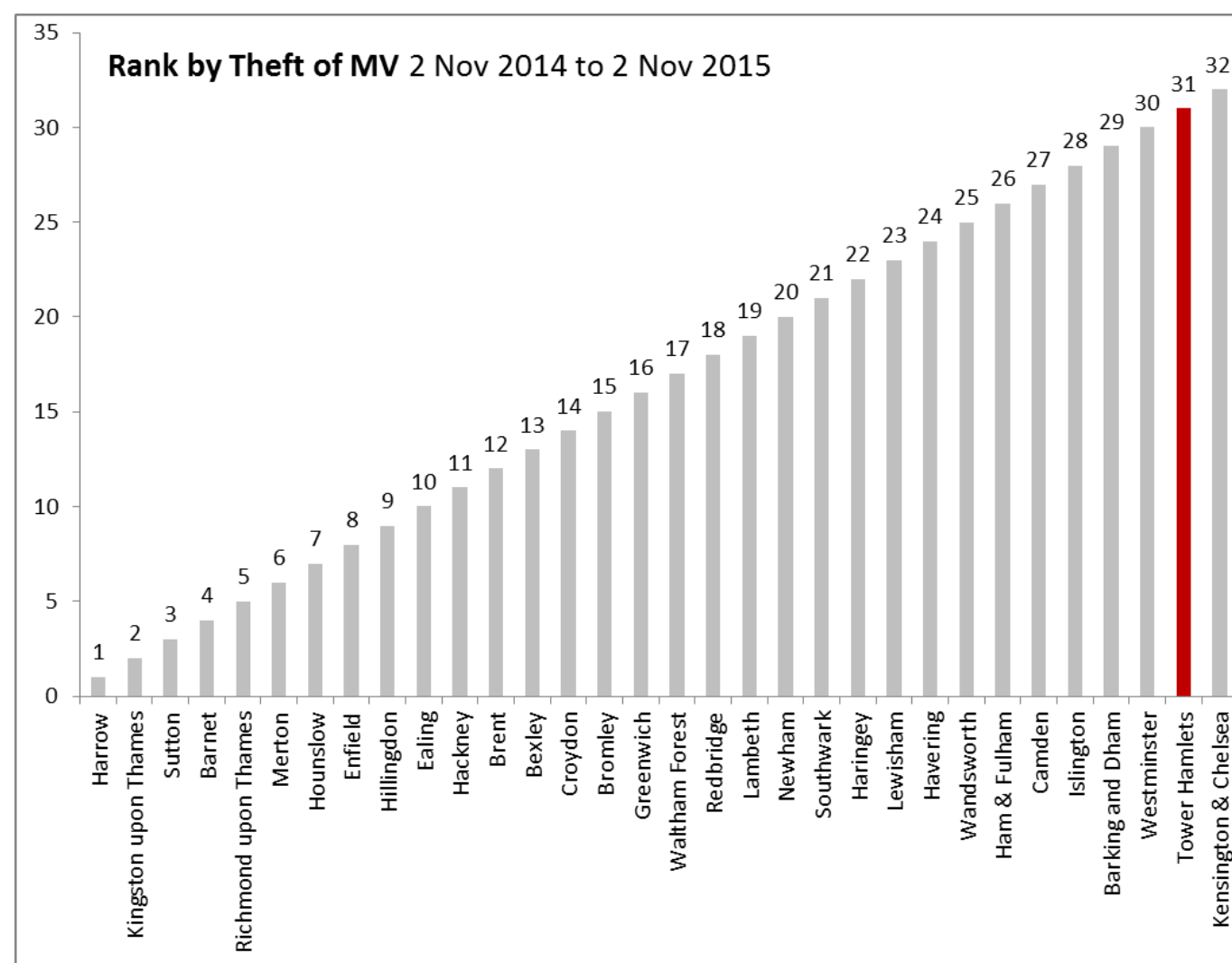
Ranked by Theft from Motor Vehicle

Borough	Theft from M/V	Rank Per 1000
Kingston upon Thames	475	1
Bexley	931	2
Sutton	790	3
Havering	1049	4
Richmond upon Thames	852	5
Harrow	1090	6
Merton	929	7
Greenwich	1248	8
Bromley	1540	9
Barking and Dham	956	10
Brent	1604	11
Wandsworth	1678	12
Southwark	1586	13
Croydon	2026	14
Lewisham	1552	15
Redbridge	1659	16
Tower Hamlets	1561	17
Waltham Forest	1641	18
Lambeth	1965	19
Barnet	2335	20
Ealing	2225	21
Islington	1358	22
Enfield	2115	23
Hillingdon	1861	24
Camden	1502	25
Hackney	1709	26
Haringey	1798	27
Newham	2403	28
Hounslow	2015	29
Westminster	2004	30
Kensington & Chelsea	1455	31
Ham & Fulham	1846	32



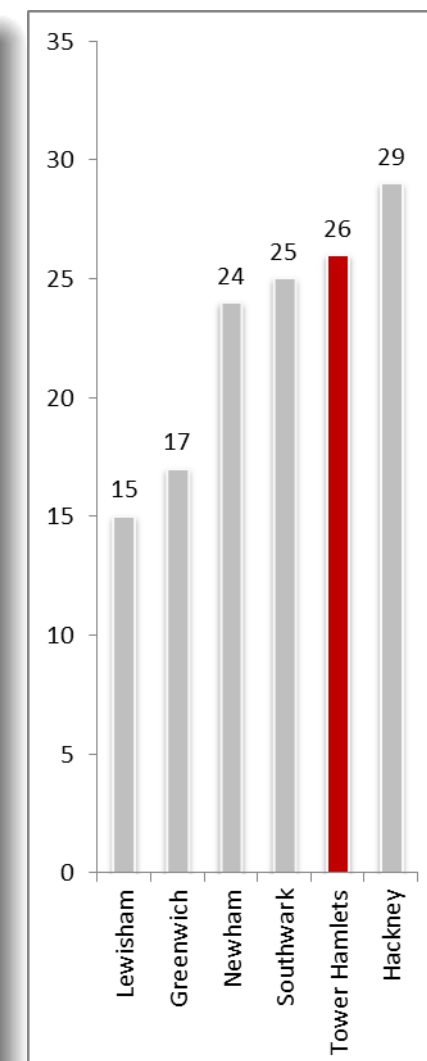
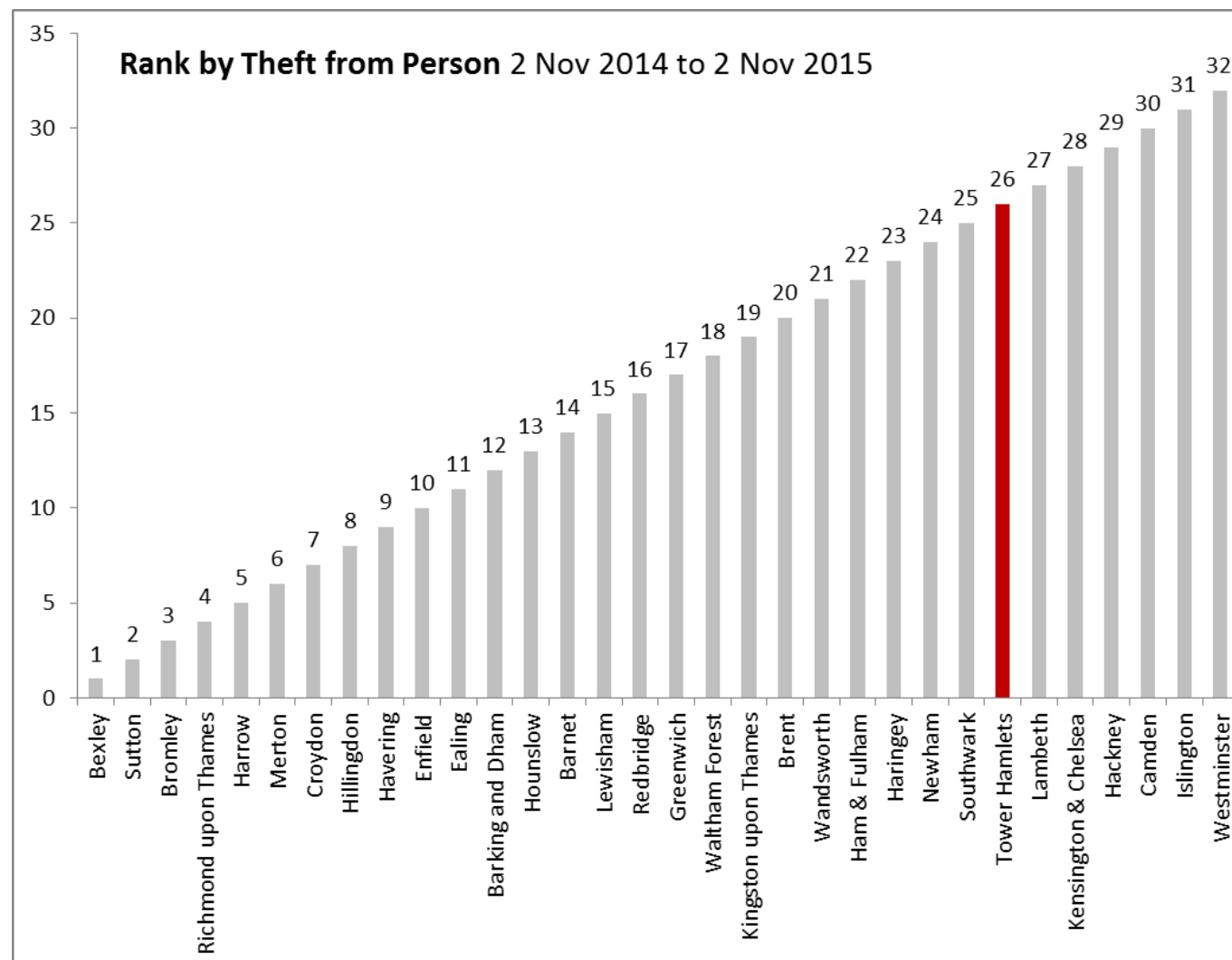
Ranked by Theft of Motor Vehicle

Borough	Theft Of M/V	Rank Per 1000
Harrow	203	1
Kingston upon Thames	138	2
Sutton	260	3
Barnet	656	4
Richmond upon Thames	362	5
Merton	387	6
Hounslow	501	7
Enfield	623	8
Hillingdon	558	9
Ealing	732	10
Hackney	560	11
Brent	741	12
Bexley	557	13
Croydon	916	14
Bromley	782	15
Greenwich	669	16
Waltham Forest	704	17
Redbridge	807	18
Lambeth	878	19
Newham	899	20
Southwark	863	21
Haringey	769	22
Lewisham	874	23
Havering	767	24
Wandsworth	1040	25
Ham & Fulham	626	26
Camden	793	27
Islington	790	28
Barking and Dham	716	29
Westminster	862	30
Tower Hamlets	1051	31
Kensington & Chelsea	745	32



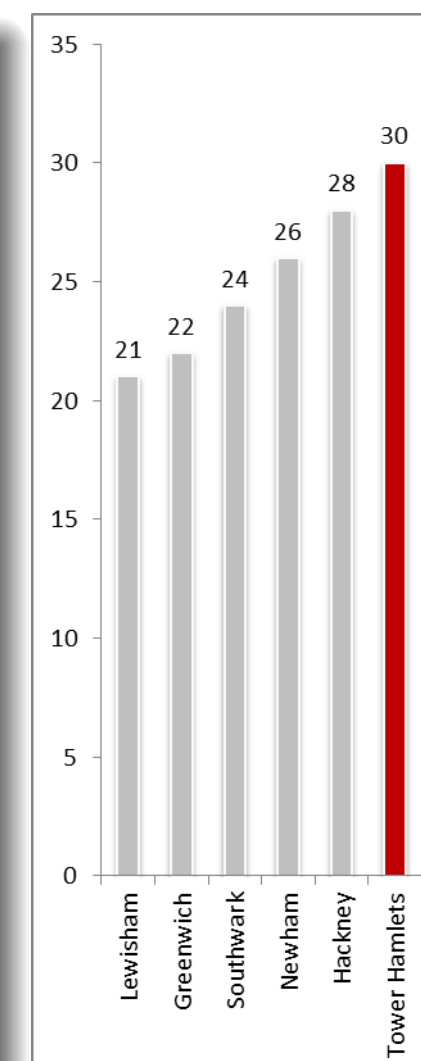
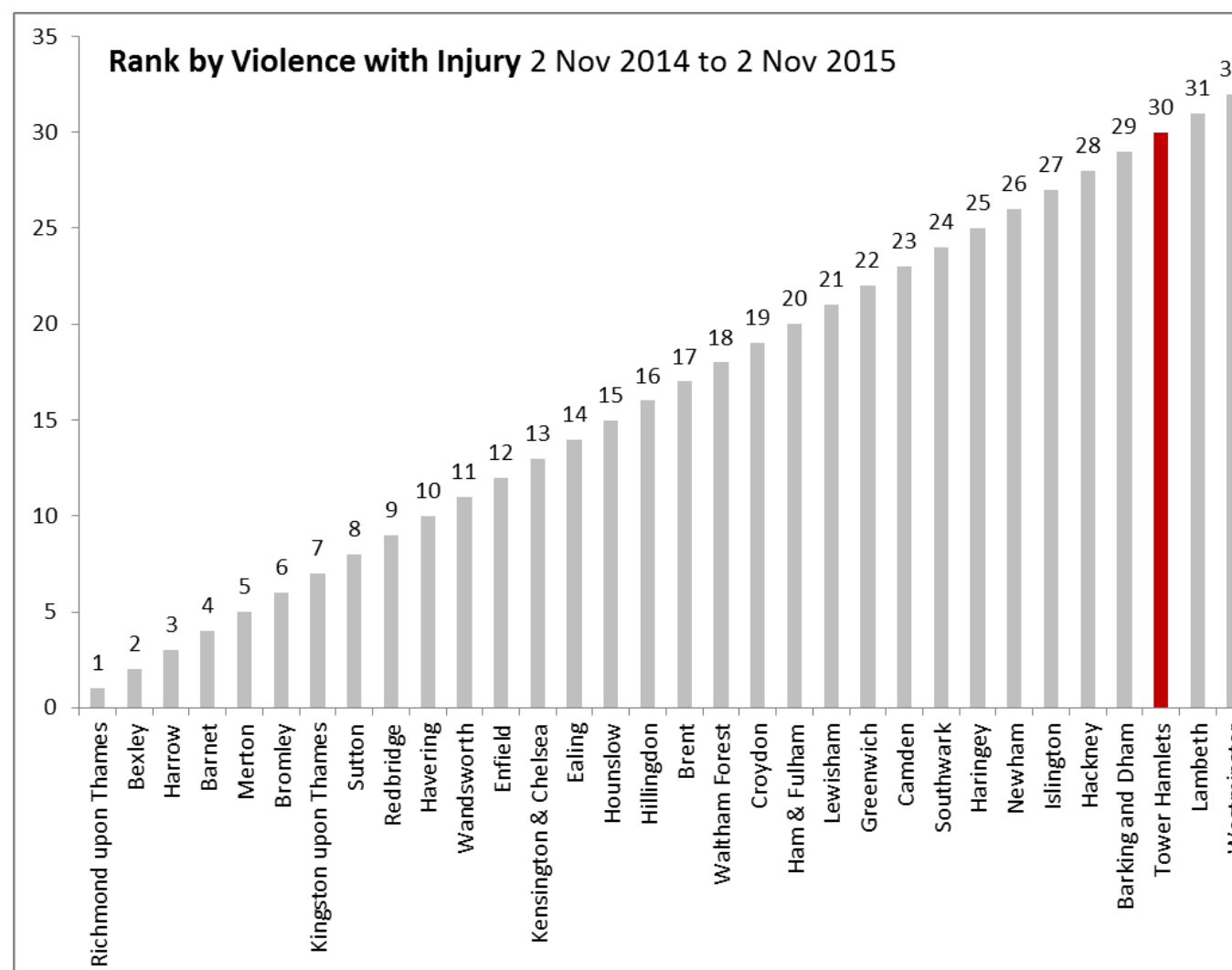
Ranked by Theft from Person

Borough	Theft Person	Rank Per 1000
Bexley	127	1
Sutton	148	2
Bromley	280	3
Richmond upon Thames	215	4
Harrow	301	5
Merton	263	6
Croydon	499	7
Hillingdon	377	8
Havering	327	9
Enfield	464	10
Ealing	542	11
Barking and Dham	301	12
Hounslow	446	13
Barnet	651	14
Lewisham	515	15
Redbridge	521	16
Greenwich	476	17
Waltham Forest	557	18
Kingston upon Thames	347	19
Brent	692	20
Wandsworth	703	21
Ham & Fulham	824	22
Haringey	1210	23
Newham	1535	24
Southwark	1454	25
Tower Hamlets	1443	26
Lambeth	1988	27
Kensington & Chelsea	1326	28
Hackney	2421	29
Camden	3328	30
Islington	3884	31
Westminster	6263	32




Ranked by Violence with Injury

Borough	Violence With Injury	Rank Per 1000
Richmond upon Thames	879	1
Bexley	1288	2
Harrow	1340	3
Barnet	2139	4
Merton	1272	5
Bromley	2022	6
Kingston upon Thames	1055	7
Sutton	1265	8
Redbridge	1978	9
Havering	1702	10
Wandsworth	2294	11
Enfield	2376	12
Kensington & Chelsea	1256	13
Ealing	2758	14
Hounslow	2217	15
Hillingdon	2403	16
Brent	2773	17
Waltham Forest	2395	18
Croydon	3421	19
Ham & Fulham	1740	20
Lewisham	2689	21
Greenwich	2500	22
Camden	2304	23
Southwark	3024	24
Haringey	2709	25
Newham	3323	26
Islington	2275	27
Hackney	2778	28
Barking and Dham	2122	29
Tower Hamlets	2941	30
Lambeth	3522	31
Westminster	3282	32



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<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>30th November 2015</p>	
<p>Report of: Melanie Clay, Corporate Director for Law, Probity and Governance</p>	<p>Classification: Unrestricted</p>
<p>Overview and Scrutiny Transparency Commission Final Report</p>	

Originating Officer(s)	Mark Cairns, Senior Strategy, Policy & Performance Officer
Wards affected	All wards

Summary

The Final Report at Appendix 1 sets out the evidence, findings and recommendations of the Overview and Scrutiny Committee's Transparency Commission, which ran over the course of three Committee meetings in July, September and October 2015.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Agree the report and recommendations included in Appendix 1, for submission to the Mayor in Cabinet.

1. DETAILS OF REPORT

- 1.1 In Tower Hamlets, a lack of transparency was an issue identified in the Best Value inspection of the council in 2014, particularly in relation to decision-making on grants. While the specific problems highlighted in the inspection are being addressed through the council's Best Value Action Plan, transparency was also a key theme of the recent local mayoral election, and it remains a matter of real interest and concern to local people.

At its first meeting of the 2015-16 municipal year, the Overview and Scrutiny Committee decided its next three meetings would be focused primarily on a review of the council's transparency, with the full committee sitting as the Overview and Scrutiny Transparency Commission. This was seen as an opportunity for members from all political parties to work together to identify actions to help the council become more transparent. In addressing this, members considered different aspects of the issue, such as:

- how residents could be better informed about council activity, processes and decisions;
- How members could be supported to make more transparent decisions; and
- How decision-makers could be held to account transparently.

- 1.2 The Commission's evidence-gathering sessions took place at the Overview and Scrutiny Committee meetings on 27th July, 7th September and 5th October 2015, where it heard from the Mayor, officers, local journalists and bloggers, trade unions, and professional experts involved in improving transparency in other authorities and organisations. It also consulted other sources, and held a public consultation to gauge perceptions of council transparency, the results of which are also included as an appendix to the report.

- 1.3 The Commission's Final Report sets out the following key goals for the council:

- Make the council a beacon for openness, accountability and transparency by the end of 2017-18
- Enhance the role of Overview and Scrutiny to enable greater openness, accountability and transparency in 2016-17
- Publish all data by default wherever possible by the end of 2016-17.

- 1.4 In order to achieve these goals, the Final Report makes sixteen recommendations, as below.

- 1.5 To make the council a beacon for openness, accountability and transparency by the end of 2017-18, the Commission recommends that:

1. The Mayor considers additions to his Transparency Protocol to include actions to create an organisational culture, led by senior management,

which values and presumes openness. This should include explicit support for whistleblowing where it is appropriate.

2. The Mayor extends his Transparency Protocol to include required conditions for the use of individual mayoral decisions.
3. The Council implements a protocol governing the use of planning pre-committee briefings with applicants present, and includes materials used and any outcomes in reports to the development committees.
4. The new process for deciding on the spending of planning contributions is open and transparent, and includes some resident involvement.
5. Information on spending of planning contributions is publicly and easily available delineated by ward, and sent to members, with regular progress reports to the Overview and Scrutiny Committee.
6. The Council increases opportunities for community engagement in democratic processes, including by:
 - Exploring holding committee meetings in a variety of venues more amenable to the public in different parts of the borough;
 - Providing plain English summaries of items on upcoming committee agendas via the Council's existing communications channels, and reporting these afterwards;
 - Making Council and Cabinet webcasts viewable from the Council's main social media accounts and on popular video hosting sites such as YouTube;
 - Exploring options for remote and electronic participation in committee meetings, such as offering live streaming and tweeting, and allowing questions via social media;
 - Enabling e-petitions on the council's website; and
 - Allowing the public to propose items for Overview and Scrutiny workplans.
7. The new Community Engagement Strategy, and changes planned under the Mayor's Transparency Protocol to the consultation process for policy development and service change, takes account of the findings of the Commission's consultation.

8. New localised consultation forums allow a key role for ward councillors.
 9. Licensing and Planning Teams explore the feasibility of enabling the public to sign up to receive weekly email bulletins detailing applications received, consultation arrangements, and the status of existing applications, at ward level. They should also:
 - Explore utilising social media and text alerts in relation to consultations; and
 - Use plain English as far as possible in communications, and include guides to technical language that cannot be avoided.
- 1.6 To enhance the role of Overview and Scrutiny to enable greater openness, accountability and transparency in 2016-17, the Commission recommends that:
10. The council undertakes a full review of its Overview and Scrutiny arrangements, and amends these as necessary.
- 1.7 To publish all data by default wherever possible by the end of 2016-17, the Commission recommends that:
11. Officers undertake a full review of compliance with the requirements of the Local Government Transparency Code, and take any action required to secure this compliance on a regular basis.
 12. Officers explore approaches to achieving three-star status for all relevant information required to be published by the Local Government Transparency Code (as applicable) within six to nine months; and assess the feasibility of achieving five-star status for different categories of data published by the council on an ongoing basis, in the longer term.
 13. The Mayor's Transparency Protocol is extended to include exploring the feasibility of publishing all of the information recommended in part 3 of the Local Government Transparency Code.
 14. In the short term, the council develops a frequently-updated online hub of information accessible from the Council homepage, including all information required by the Local Government Transparency Code, as well as additional categories of information suggested in the body of the Commission's report.

15. In the longer term, the Council explores the costs and benefits of regularly publishing all of its data, with exceptions, as recommended in the Local Government Transparency Code.
16. Officers explore options to allow the public to access data published by the council via user-friendly, visually appealing and easily-navigated interfaces, using Redbridge DataShare and Bath:Hacked as benchmarks.

2. COMMENTS OF THE CHIEF FINANCE OFFICER

- 2.1 The report recommends a number of changes to Council procedures and processes in order to improve transparency within the Council. The Overview and Scrutiny committee are asked to agree that these be put forward for Cabinet approval. This alone does not have any financial implications.
- 2.2 However, should cabinet agree to implement the above recommendations, it is expected that the changes can be implemented through existing resources. In the case that additional resources may be required, approval will need to be sought through the Councils budget approval process.

3. LEGAL COMMENTS

- 3.1 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 that the Scrutiny Challenge Session Report and recommendations in it be submitted to the Mayor's Advisory Board and then to Cabinet for consideration.
- 3.2 The Overview and Scrutiny Committee's Transparency Commission ran over the course of three Committee meetings in July, September and October 2015. The core question for the Transparency Commission was "How can the Council be more transparent?" The desired outcome was "Recommendations to improve transparency within the Council." At Appendix 1 is the Final Report titled "Overview & Scrutiny Transparency Commission Final Report" and which sets out the evidence, findings and recommendations of the Transparency Commission. There are sixteen (16) recommendations and which are also set out in paragraphs 3.5 to 3.7 of the cover Report.
- 3.3 With regard to transparency, Local authorities are encouraged to be transparent and open in their decision making and business dealings generally. Legislation provides a minimum level of publication through the

Local Government Acts 1972 and 2000, the Localism Act 2011 and a variety of attendance regulations.

3.4 The Council has discretion to go beyond the statutory minimum in the interests of developing its transparency and openness and the recommendations in this report and the accompanying protocol are all matters within their discretion.

3.5 With regard to the specific recommendations, the following should be noted.

3.6 **Recommendation 1**

3.7 At Cabinet on 3rd November 2015, the principles and action plan contained in the Transparency Protocol were agreed. Additions to the Transparency Protocol would have to be agreed at Cabinet and a revised action plan agreed.

3.8 With regard to whistleblowing, an important aspect of accountability and transparency is a mechanism to enable Members, employees, contractors, suppliers and partners to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the Council then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in certain circumstances the line manager would be the appropriate person to be told).

3.9 It should be emphasised that any whistleblowing policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question operational decisions taken by the Council nor should it be used to reconsider any matters which have already been addressed through the Council's existing procedures (e.g. The Grievance Procedure). Further, this Policy is a supplement for and not a substitute for the usual channels of complaint. In that regard, it is important to note that the Whistleblowing Policy is not intended to replace any of the complaint/concern mechanisms already in place at Tower Hamlets.

3.10 Any policy should aim to:

- encourage employees etc. to feel confident in raising serious concerns and to question and act upon concerns;
- provide avenues for employees etc. to raise those concerns and receive feedback on any action taken;
- ensure that employees etc. receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- reassure employees etc. that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have raised any concern in good faith.

- 3.11 The Council should treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation should be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. Of course, the disclosure can be raised through the employee's trade union or professional association representative.
- 3.12 As to anonymous allegations, any policy should encourage individuals to put their name to any disclosures they make as concerns expressed anonymously are much less powerful. Nevertheless, anonymous allegations can be considered at the discretion of the Council but in exercising this discretion, factors to be taken into account will include:
- The seriousness of the issues raised
 - The credibility of the concern
 - The likelihood of confirming the allegation from attributable sources, and obtaining information provided.
- 3.13 **Recommendation 7**
- 3.14 "Consultation" is the process by which a decision-maker seeks the views of the public, or a section of the public, on a proposal that may have a general impact, before a decision is made whether to implement that proposal. There is no general duty that requires decision-makers to consult prior to taking a decision as otherwise the business of both central and local government would likely grind to a halt.
- 3.15 There are essentially three (3) types of consultation:
- (a) Statutory – This is where the exact nature of the consultation is prescribed by statute (or common law).
 - (b) Statutory but with in-built discretion – This is where the consultation is prescribed by statute but there is discretion as to the nature of the consultation (e.g. who to consult with).
 - (c) Voluntary – This is where there is no statutory requirement to consult but due to a promise, established past practice or where a failure to consult would lead to conspicuous unfairness.
- 3.16 If there is no statutory (or common law) duty to consult then the Council may still choose to consult. This would arise where there has been a promise to consult on a proposal; past practice has been to consult on the proposal; or where, in exceptional cases, a failure to consult would lead to conspicuous unfairness.
- 3.17 In deciding to consult, the Council should bear in mind that effective consultation is based upon the principles of openness, transparency, integrity and mutual respect and that by consulting we are entering into two-way

communications and meaningful dialogue with residents and other stakeholders. Further, open and effective communication can enhance the reputation of the Council.

3.18 It is important not to undertake consultation for consultation's sake however as the flip side is that consultation can slow down the decision making process when a faster response would have been beneficial. It is therefore not necessary to consult on every operational decision. Further consultation can also be used as an excuse for not making a decision.

3.19 Community consultation is most effective when it contributes to the decision making process and consider whether stakeholders can help inform the proposal. Alternatively, could the proposal have an adverse impact on stakeholders?

3.20 When voluntary consultation does take place then the Council must comply with the common law principles set out in *R v Brent London Borough Council, ex p Gunning*, (1985) and recently approved by the Supreme Court in *R(Mosely) v LB Haringey 2014* . These are:

- *Firstly consultation must be at a time when the proposals are still at a formative stage.*
- *Secondly, that the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response.*
- *Thirdly that adequate time must be given for the consideration and response.*
- *Fourthly that the product of consultation must be conscientiously taken into account in finalising any statutory proposals.*

3.21 **Recommendation 9**

3.22 Where there are statutory consultation requirements, then these are mandatory and the Council is obliged to consult in both the prescribed manner; with the prescribed persons; and with prescribed time limits, if any. Failure to comply with any part of the consultation leaves the decision open to legal challenge and the decision being overturned. That being said, the Council can look at ways in which it provides information to a wider group of people. There is a fine line however and the Council must not do so in such a way that it can be seen to be canvassing for objections to applications.

3.23 **Public Sector Equality Duty**

3.24 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). The Council will have to comply with this duty in bringing forward and taking decisions on any proposed changes and appropriate screenings or equalities assessments will need to be undertaken. There is

some information in the report relevant to these considerations in paragraph 6 below.

4. ONE TOWER HAMLETS CONSIDERATIONS

- 4.1 The Commission's focus on transparency and openness, manifested in the Final Report's recommendations, are in keeping with the One Tower Hamlets emphasis on the empowerment and resilience of communities. As noted in the report, greater information fosters democratic accountability and helps them to shape services. Fully-realised open data, made available in useable and consumable formats by third parties for public consumption, can help people make decisions not just about services, but also about other matters in their everyday lives, from where to send their children to school, to where to park their car for the afternoon.

5. BEST VALUE (BV) IMPLICATIONS

- 5.1 The Commission's Final Report supports the Best Value duty by setting out a number of recommendations which aim to secure improvement in the council's transparency, informed by consideration of economy, efficiency and effectiveness. These are factors both in how the recommendations can be implemented, and in the effect they can have once implemented.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 6.1 There are no direct environmental implications arising from the report or recommendations.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 The recommendations in the Final Report aim to mitigate any risks associated with the council potentially failing to meet its obligations under the current Local Government Transparency Code.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 8.1 There are no direct crime and disorder reduction implications arising from the report or recommendations.

Linked Reports, Appendices and Background Documents

Linked Report

- Transparency Protocol: A Transparent Mayor, and Open Council – Cabinet, 3rd November 2015

Appendices

- Appendix 1 – Overview and Scrutiny Transparency Commission Final Report

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- The terms of reference of the council’s Freedom of Information Board
- A written submission from Kelly Powell, Acting Deputy Head of Communications and Marketing, on how the Corporate Communications function can support transparency
- A written submission from Children’s Social Care officers in response to views expressed by UNISON in its presentation to the Commission.

Officer contact details for documents:

- Mark Cairns, Senior Strategy, Policy and Performance Officer - 020 7364 2260, mark.cairns@towerhamlets.gov.uk



OVERVIEW & SCRUTINY COMMITTEE

**OVERVIEW & SCRUTINY TRANSPARENCY COMMISSION
FINAL REPORT**

Chair's Foreword

The ambition of the Overview and Scrutiny Transparency Commission is to move Tower Hamlets Council forward to enable it to become a beacon council for openness, transparency and accountability.

This agenda is paramount if the Council wants to regain the trust of our residents while turning around our reputation.

It was right for the cross-party committee, which holds the council and decision-makers to account, to establish a commission to begin this journey. Our goals and recommendations set out the building blocks needed.

It has become clear we need to create an organisational culture, led by senior management and the Mayor, which values and presumes openness. I welcome the Mayor's transparency protocol, and the commission's recommendations enhance this work.

The challenges for the council in the coming years are unprecedented. We need to enhance the role of the Overview and Scrutiny Committee to support the council to meet these challenges, along with the requirements of the Best Value Improvement Plan.

With this, transparent open data is essential for accountability, and providing access to our data can empower individuals, the media, civil society and businesses to achieve better outcomes for themselves and for our public services.

Tower Hamlets Council's motto is 'from great things to greater'. So let's aspire to set the gold standard for local government transparency.

I would like to thank everyone who supported and participated in our commission.

Cllr John Pierce
Chair, Overview and Scrutiny Committee

SUMMARY

Key Goals

- Make the council a beacon for openness, accountability and transparency by the end of 2017-18
- Enhance the role of Overview and Scrutiny to enable greater openness, accountability and transparency in 2016-17
- Publish all data by default wherever possible by the end of 2016-17.

Recommendations to achieve key goals

To make the council a beacon for openness, accountability and transparency by the end of 2017-18, the Commission recommends that:

1. The Mayor considers additions to his Transparency Protocol to include actions to create an organisational culture, led by senior management, which values and presumes openness. This should include explicit support for whistleblowing where it is appropriate.
2. The Mayor extends his Transparency Protocol to include required conditions for the use of individual mayoral decisions.
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6. The council increases opportunities for community engagement in democratic processes, including by:
 - Exploring holding committee meetings in a variety of venues more amenable to the public in different parts of the borough;
 - Providing plain English summaries of items on upcoming committee agendas via the council's existing communications channels, and reporting these afterwards;

- Making Council and Cabinet webcasts viewable from the Council's main social media accounts and on popular video hosting sites such as YouTube;
 - Exploring options for remote and electronic participation in committee meetings, such as offering live streaming and tweeting, and allowing questions via social media;
 - Enabling e-petitions on the council's website; and
 - Allowing the public to propose items for Overview and Scrutiny workplans.
7. The new Community Engagement Strategy, and changes planned under the Mayor's Transparency Protocol to the consultation process for policy development and service change, takes account of the findings of the Commission's consultation.
8. New localised consultation forums allow a key role for ward councillors.
9. Licensing and planning teams explore the feasibility of enabling the public to sign up to receive weekly email bulletins detailing applications received, consultation arrangements, and the status of existing applications, at ward level. They should also:
- Explore utilising social media and text alerts in relation to consultations; and
 - Use plain English as far as possible in communications, and include guides to technical language that cannot be avoided.

To enhance the role of Overview and Scrutiny to enable greater openness, accountability and transparency in 2016-17, the Commission recommends that:

10. The council undertakes a full review of its Overview and Scrutiny arrangements, and amends these as necessary.

To publish all data by default wherever possible by the end of 2016-17, the Commission recommends that:

11. Officers undertake a full review of compliance with the requirements of the Local Government Transparency Code, and take any action required to secure this compliance on a regular basis.

12. Officers explore approaches to achieving three-star status for all relevant information required to be published by the Local Government Transparency Code (as applicable) within six to nine months; and assess the feasibility of achieving five-star status for different categories of data published by the council on an ongoing basis, in the longer term.
13. The Mayor's Transparency Protocol is extended to include exploring the feasibility of publishing all of the information recommended in part 3 of the Local Government Transparency Code.
14. In the short term, the council develops a frequently-updated online hub of information accessible from the council homepage, including all information required by the Local Government Transparency Code, as well as additional categories of information suggested in the body of the Commission's report.
15. In the longer term, the council explores the costs and benefits of regularly publishing all of its data, with exceptions, as recommended in the Local Government Transparency Code.
16. Officers explore options to allow the public to access data published by the council via user-friendly, visually appealing and easily-navigated interfaces, using Redbridge DataShare and Bath:Hacked as benchmarks.

INTRODUCTION

The previous Coalition Government made transparency a priority, with the view that in general it fosters democratic accountability, and makes it easier for local people to contribute to the local decision making process and help shape public services. For example, it can inform choice in those services and how they are run, and thereby drive improvements, as well as stimulating innovation and growth.

This was manifested in a presumption in favour of making data freely available – specifically, the factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery. This led to the development of a range of new policies, laws and regulations, including:

- The Local Government Transparency Code, which mandated local authorities to publish a number of open datasets (discussed in more detail in the body of this report);
- The Protection of Freedoms Act 2012, which expanded the right of access to information to a right for this to be made available as open data for reuse;
- An amended Reuse of Public Sector Information Regulation, requiring public bodies to make information created under public task available for reuse and, whenever possible, under an open government licence in machine-readable formats;
- The Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations (2009), which define how to publish and share spatial data among public sector organisations through a common Europe-wide spatial data infrastructure.

Locally in Tower Hamlets, a lack of transparency was an issue identified in the Best Value inspection of the council in 2014, particularly in relation to decision-making on grants. While the specific problems highlighted in the inspection are being addressed through the council's Best Value Action Plan, transparency was also a key theme of the recent local mayoral election, and it remains a matter of real interest and concern to local people.

Therefore, at its first meeting of the 2015-16 municipal year, the Overview and Scrutiny Committee decided its next three meetings would be focused primarily on this issue as a scrutiny review, with the full committee sitting as the Overview and Scrutiny Transparency Commission. This was seen as an opportunity for members from all political parties to work together to identify actions to help the council become more transparent. In addressing this, members considered different aspects of the issue, such as:

- how residents could be better informed about Council activity, processes and decisions;
- How members could be supported to make more transparent decisions; and
- How decision-makers could be held to account transparently.

The Commission's Scope is attached as Appendix A.

The Commission's evidence-gathering sessions took place at the Overview and Scrutiny Committee meetings on 27th July, 7th September and 5th October 2015. Witnesses and information provided at these were as follows:

27th July

- Ted Jeory, journalist and local blogger, on his perspective on the transparency of the council
- Mark Baynes, citizen journalist and blogger, on his perspective on the transparency of the council
- David Galpin, then-Service Head for Legal Services, and Ruth Dowden, Complaints and Information Manager, on freedom of information and transparency obligations
- Owen Whalley, Service Head for Planning and Building Control, and Paul Buckenham, Development Manager, on transparency in planning and development processes and decision-making
- David Tolley, Head of Consumer and Business Regulations Service, on transparency in licensing processes and decision-making.

7th September

- The Executive Mayor, John Biggs, on his plans for a Transparency Protocol
- Mike Brooks, senior reporter for the Docklands and East London Advertiser, on his perspective on the transparency of the council
- Aman Dalvi, Corporate Director for Development and Renewal; Owen Whalley, Service Head for Planning and Building Control; and Matthew Pullen, Infrastructure Planning Team Leader, on transparency in planning contributions processes and decision-making
- Louise Russell, Service Head for Corporate Strategy and Equality, on plans for a new Community Engagement Strategy
- John Williams, then-Service Head for Democratic Services, on transparency and engagement in democratic processes and decision-making
- Anna Finch-Smith, Employee Relations and Policy Manager, and Minesh Jani, Head of Risk Management, on whistleblowing
- Ed Hammond, Head of Programmes for the Centre for Public Scrutiny, on a national perspective on the overview and scrutiny function

5th October

- Lee Edwards, Chief ICT Officer for Redbridge Council, on Redbridge DataShare

- Ben Unsworth, Data Solutions Engineer for Socrata Inc, on Socrata’s experience in working with governments and councils to help them share data
- Kerie Anne, Assistant Branch Secretary for Social Care, for Tower Hamlets UNISON
- Louise Russell, Service Head for Corporate Strategy and Equality, on interim results of the public consultation held by the Commission.

The Commission’s public consultation was held to gauge perceptions of council transparency in Tower Hamlets. The full consultation report, including details of the methodology used, is attached as Appendix B.

Other information considered by the Commission included:

- A paper on models of participatory and ward budgets by Cllr Peter Golds
- A written contribution from Cllr Oliur Rahman on behalf of the Independent Group, on proposals to improve council transparency
- A written submission from Unite on proposals to improve council transparency
- A written submission from Kelly Powell, Acting Deputy Head of Communications and Marketing, on how the Corporate Communications function can support transparency
- A written submission from Children’s Social Care officers in response to views expressed by UNISON in its presentation to the Commission
- An email from Prabhjot Babra, GIS Data Manager, on the publication of mapping data in open formats
- The terms of reference of the council’s Freedom of Information Board
- The Local Government Transparency Code 2015
- The Institute of Government’s 2011 report “Making the Most of Mayors”
- A note by the Local Government Association on its Local Transparency Programme
- A webinar by Socrata on the datastore they have built for Bath and North East Somerset.

FINDINGS AND RECOMMENDATIONS

A Culture of Openness

In a large and complex organisation like a local authority, there are many different areas which transparency can be achieved and improved, and this report looks at some of these which were of particular interest to the Commission. However, an overall organisational culture which appreciates the importance of being open to the public, and views it as a desirable characteristic, is essential to accomplish these. It is also necessary if the council is to be well-equipped for the future, as the Local Government Transparency Code makes clear that the Government's overall aspiration is for all council data to be made publicly available (with exceptions where necessary to protect vulnerable people or commercial and operational considerations)¹.

In evidence, local journalists expressed the view that this attitude was not currently widespread in the council, and that in general there existed a presumption against disclosure. An example of this was the council's willingness to classify reports as exempt from publication requirements on the grounds of commercial sensitivity - they felt that too little weight was given in such judgements to the right of the community to know the advice and information guiding decisions.

UNISON also felt that the authority had proven too reluctant to share important information in the course of the 2014 Your Borough Your Voice public consultation. They felt that the public summaries of budget proposals had not been fully open about how service provision could be affected, and also expressed concern at the restrictions placed by management on how staff could discuss these proposals with service users.

Views expressed in responses from the public to the Commission's consultation echoed these general concerns. Most respondents felt that the council was not transparent and open about its activities, and that consultation was not undertaken in good faith, as the council had often already decided on a course of action and would disregard opposing views. The methodology used in this consultation means that these views cannot be interpreted as representative of the community generally, but they can provide a useful starting point for the council in seeking to create and maintain a culture which values openness, and strives to achieve it.

In this respect, Tower Hamlets can learn from other authorities which have made strides in achieving greater transparency. The Commission heard from Redbridge Council, which has developed its own online application to share its data with the public; and from Socrata, an international data solutions company with its UK base in Tech City, which has partnered with other authorities and governments (in the UK and abroad) to help them achieve this. Both spoke of the importance of the authority's leadership in embedding such a culture. At Redbridge, for example, the drive for achieving a high standard for open data came personally from the chief executive, who ensured that the corporate management team received regular progress reports on the rollout of the programme. This had led to all departments actively taking responsibility for publishing their own data.

¹

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATI
ON_Final_LGTC_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATI
ON_Final_LGTC_2015.pdf) (para 4).

Socrata's open data guide² also identifies executive sponsorship as a key component of a successful open data programme, along with a dedicated policy.

The Mayor of Tower Hamlets has already made a clear commitment to achieving a more transparent council, with his Transparency Protocol articulating "a need for organisational culture change: away from a protective and defensive approach to one which recognises the importance of openness and engagement, and embraces the opportunities this will bring about". This also sets out some useful practical actions to help achieve this, through communications, data publication, engagement activity and the council's democratic processes.

The Commission is pleased that the Mayor has expressed a strong commitment to the value of transparency, and endorses his decision to launch a dedicated Protocol and action plan. However, it believes that the impact of these could be bolstered by including a focus on improving the culture within the organisation, and changing the attitudes of officers and managers towards sharing information with members and with the public. There are strong practical and moral arguments for a public sector organisation being open with the community, and staff should understand these and embrace transparency and accountability as a value of the organisation. Along with the commitment made by the Mayor, this requires the officer leadership of the council to set the tone for the whole council, lead by example, and ensure that the presumption is in favour of openness rather than secrecy, at all levels.

As noted when it was considered at Cabinet, the Mayor's Transparency Protocol provides a starting point for work to improve transparency, to be further developed by the Commission. Therefore, the Commission believes that the Mayor's action plan should include another set of actions aimed specifically at achieving a culture of openness and attitudes which value transparency amongst officers. Leading by example should include ensuring that staff are fully aware of public consultations on proposals affecting their services. Other possible actions to consider may include adopting openness as one of the organisation's core values; communicating the importance of public transparency in staff inductions; building transparency into team planning requirements; and ensuring that team and service managers communicate the importance of this through team meetings, and exemplify it in day-to-day operations. The Commission was pleased to note that the most recent staff conference in October 2015 included a presentation on the topic of transparency, which is a positive first step.

A specific area where the culture of the organisation may need to change is the attitude towards whistleblowing by staff. UNISON brought to the Commission's attention its concerns about the lack of protection provided to internal whistleblowers, and shared results from the 2014 "Health Check" of Tower Hamlets by the Government's Social Work Task Force. This showed that only 26% of social work staff felt whistleblowing was safe, and almost a third of social work staff had such doubts about the protections in place that they would avoid whistleblowing altogether. These caused "serious concern" in the view of the Task Force, which identified the need for action to increase staff confidence in the council's policy, with the involvement of trade unions.

²

<http://moderngov.towerhamlets.gov.uk/documents/s77339/Open%20Data%20perspective%20from%20Socrata.pdf> (page 9)

Officers from the council's Human Resources and Audit teams agreed that the culture of the organisation is key when it comes to raising concerns, and informed the Commission of a review of the whistleblowing processes and of the support available for those reporting concerns. This review may result in a whistleblowers' charter, publicity for the reformed process, and potential e-learning options about this for staff, amongst other measures. As mentioned above, the Commission believes that changing the culture of the organisation requires a clearly articulated commitment from its leaders – in this case, that in certain clearly-defined circumstances, whistleblowing is safe, and is the right thing to do. A charter which explicitly authorises staff to report their concerns anonymously (when other avenues are not practical or available), and sets out the support and protections they can expect in doing so, would be welcome in building their trust. Similarly, educating staff on how and when to use the procedures is vital, and an e-learning module along with promotion would help achieve this.

The Commission believes that these measures and others to improve the authority's attitude towards whistleblowing should be an integral part of the overall work to change organisational culture around transparency (and therefore part of the Mayor's Transparency Protocol action plan). It is also important that the role of trade unions as important advocates for and representatives of employees is recognised and respected, and the Commission would like to see implemented the Social Work Task Force's recommendation that the unions be involved in this work.

Recommendation 1: The Mayor considers additions to his Transparency Protocol to include actions to create an organisational culture, led by senior management, which values and presumes openness. This should include explicit support for whistleblowing where it is appropriate.

Democratic Processes and Decision-making

Although statutory in nature, local authorities derive much of their legitimacy from their status as democratically elected institutions. Councillors, and in Tower Hamlets the Executive Mayor, are elected, and certain key elements of council processes and decision-making are required by law to be open to the public (with some exceptions). These include 28 days' advance notice to the public of key decisions; publication of agendas and papers in advance of all formal meetings; meetings being open to the public to attend; and publication of executive decisions taken individually by the Mayor. Particular information about all councillors and the Mayor must also be published, including their contact details, membership of council committees, and any interests which they are required to register. Other members of the community are also co-opted onto some committees.

Beyond these legal requirements, the council does more to facilitate public representation, and participation in decision-making. For example, committee meetings are publicised in East End Life and on the council website, and video recordings of meetings of the Cabinet and full Council are available to watch on demand (officers reported that each Cabinet recording tends to receive around 100 views). Audio recordings of other committees are also currently being trialled. A tablet application to view details and papers from meetings is available, and the right of members of the community to bring petitions to committees is enshrined in the council's constitution, where they may also be granted the right to ask questions. Indeed at full Council,

between July 2014 and July 2015, 19 petitions were received (with one being the subject of a formal debate), and 50 questions were asked by members of the public.

Furthermore, councillor information published online includes records of how their time on council business has been spent, membership of any council committees, their appointments to outside bodies by the council's General Purposes Committee, and details of surgeries that constituents can attend. Officers stated that most executive decisions were made in public; and expressed the view that relatively few committee items were considered in private (permitted when necessary to avoid the illegal disclosure of confidential information, or of other types of information classified as "exempt" by law, such as that pertaining to an individual, or to a legal person's financial or business affairs).

In spite of the above, the Commission believes that both the use of individual mayoral decisions, and the consideration of reports as exempt items, has been too common in the council's recent past, to the detriment of transparency and public accountability. The Commission is therefore pleased to see that the Mayor has committed in his Transparency Protocol to taking all decisions in public by default, and to including a written explanation for their when making an individual decision. However, the Commission believes that this could be strengthened further by the Mayor outlining a set of prescribed circumstances or conditions which must exist to justify the use of private decision-making powers.

Recommendation 2: The Mayor extends his Transparency Protocol to include required conditions for the use of individual mayoral decisions.

The Commission also considered the openness of information and advice provided to the council's Development Committee and Strategic Development Committee, in taking decisions on planning applications. Information provided to the council by developers assessing the viability of their applications (ie whether or not they realistically can be delivered) is currently confidential, to encourage maximum candour. This enables the council to have the best information available to review the appraisal, and to negotiate any planning obligations for the benefit of the area. However, officers acknowledged that there was a tension between this and transparency, and that public confidence in the planning system, and accountability, could be increased with greater information on viability assessments. Indeed, recent decisions by the Information Commissioner have required the disclosure of these; and Islington Council's newest Strategic Planning Document actively advocates transparency in viability negotiations. The Mayor's Transparency Protocol also includes exploration of requiring the publication of viability assessments, which the Commission supports.

Occasionally, for large and complex developments, members are briefed by officers on the relevant issues in private prior to formal committee meetings or before applications are submitted, sometimes with applicants in attendance. The Commission wishes to see the conditions for and purpose of these briefings clearly set out, in liaison with members of the committees, and for them to be recorded in the published papers of the committees when they occur.

Recommendation 3: The council implements a protocol governing the use of planning pre-committee briefings with applicants present, and includes materials used and any outcomes in reports to the development committees.

Detailed negotiations for planning contributions to the council from developers to help mitigate the impacts of their developments (under section 106 of the Planning Act 1990) begin after planning permission has been granted. The council's position on these is determined by the Planning Contributions Overview Panel (PCOP), made up of officers from across the council's directorates and chaired by the Corporate Director for Development and Renewal. This panel also considers projects proposed by directorates for funding from planning contributions, based on the particular obligations agreed with the developer, and takes account of the degree of public consultation underpinning a proposal (amongst other factors) in determining if funding should be agreed. Agreements made between the council and developers on contributions, projects with agreed funding, and factsheets on these projects are available on the council's website, along with the relevant planning applications.

The introduction of the Community Infrastructure Levy, however, has prompted a review of this process, as expenditure under the new regime will be an executive decision. The Commission believes that this should represent a move towards greater transparency, and aim to enable a degree of resident involvement in the process, whilst maintaining the council's ability to take strategic decisions on the basis of need.

Recommendation 4: The new process for deciding on the spending of planning contributions is open and transparent, and includes some resident involvement.

Members also welcomed plans to make planning contributions agreements and details of how they were spent more accessible online. In particular, they believed it was important for residents to be able to view the spending of planning contributions by ward, and for members to be proactively informed when such decisions were made. They also requested that the Overview and Scrutiny Committee receive regular reports on the progress of infrastructure projects funded by these contributions.

Recommendation 5: Information on spending of planning contributions is publicly and easily available delineated by ward, and sent to members, with regular progress reports to the Overview and Scrutiny Committee.

The Commission considered ways in which the provisions made to keep democratic processes visible could be enhanced to maximise the engagement of the public. In their presentation, officers gave some examples of measures which could be undertaken in order to increase engagement in democratic processes, such as requiring plain English in committee papers and the constitution, live video and audio webcasting of committee meetings which are currently recorded and viewed on-demand only, and reviewing the arrangements for nominees to outside bodies to report back on their work. The Commission was pleased that officers were thinking proactively about such improvements, and hopes the measures mentioned will be explored and implemented if feasible and beneficial.

The Commission focused on some specific possibilities for improvement which it felt could have a particular impact. A common view in evidence was that committee meetings held at alternative venues to the Town Hall in Mulberry Place were more likely to attract

attendees to view or participate, if these were more accessible or familiar to residents. It was pointed out to the Commission, however, that there were resource implications to this proposal, especially when taken together with others. It was also considered that the information included in East End Life on agenda items for upcoming committee meetings could be more extensive and informative, to give readers a better indication of what is being considered, recommended and decided on, although it was recognised that the reach of East End Life in this respect was likely to decline in the future, if and when it was produced less frequently. However, these synopses could also be posted on the council's Facebook and Twitter accounts in advance of these meetings, and may stimulate greater interest from residents. Ideally the Commission would like to see this for all committees, with particular emphasis given to executive decisions and decisions of full Council relating to the Policy Framework. The decisions taken should also be reported in the same way.

Newer technology and media also offer greater opportunities for the public to not only see the decisions being taken, but to participate in the processes without having to be physically present. The internet and social media are important and powerful means for individuals to express their views on issues which matter to them, including hashtags on Twitter and electronic petition platforms Change.org and the UK Parliament's own petition scheme. The Commission believed that these could be better exploited. Furthermore, all such measures should be as easy as possible for the public to find and use, including existing engagement channels – for example, council webcasts currently are hosted on the website of the council's delivery partner, but not on YouTube (technical limitations mean these cannot currently be embedded on the council's own website).

Again, the Commission welcomes the steps taken by the Mayor in his Protocol to investigate how to broaden the use of social media into democratic meetings, but would like to see these built on further.

Recommendation 6: The council increases opportunities for community engagement in democratic processes, including by:

- **Exploring holding committee meetings in a variety of venues more amenable to the public in different parts of the borough;**
- **Providing plain English summaries of items on upcoming committee agendas via the council's existing communications channels, and reporting these afterwards;**
- **Making Council and Cabinet webcasts viewable from the Council's main social media accounts and on popular video hosting sites such as YouTube;**
- **Exploring options for remote and electronic participation in committee meetings, such as offering live streaming and tweeting, and allowing questions via social media;**
- **Enabling e-petitions on the council's website; and**
- **Allowing the public to propose items for Overview and Scrutiny workplans.**

The Commission also welcomes the Mayor's action to develop and promote new guidelines on the use of exempt papers and their availability to non-executive members. As this will require amendment of the council's constitution, it will be carried out through the Governance Review Working Group, and the Commission hopes that this report will also be taken into account by that Group in its work.

Community Engagement and Consultation

Along with the provisions for public access to and participation in the formal procedures of democratic decision-making, another important way in which the community should be able to play a part is through engagement and consultation. This is clearly a priority for the council - its new Strategic Plan explicitly links transparency to engaging more residents and community leaders in policy and budget changes, and also commits to a framework of borough-wide equality forums, which contribute to the council meeting its legal duty to promote equality. In addition, the new Community Plan includes a cross-cutting priority of "empowering residents and building resilience", with the aim of engaging them in actually designing and delivering public services.

The council's Annual Residents Survey for 2014-15 shows that, using a representative sample of the community, the majority feel that the council both listens to residents' concerns, and involves them when making decisions. The Commission's own consultation exercise showed a less positive perception amongst respondents who did not identify themselves as working for the council, with majorities feeling that the council does not listen to residents' concerns or involve them when making decisions. Similar proportions believed the council is not open and transparent when conducting consultations, nor keeps residents informed about how their involvement has made a difference.

By comparison, the majority of council staff who responded to the consultation felt that the authority was open and transparent with its consultations, listened to residents' concerns and involved them in decision-making. Less than half agreed that the council kept residents informed about how their involvement has made a difference.

While these consultation results cannot be interpreted as representative of the borough as a whole, the additional comments provided by respondents can provide an insight into the reasons for a lack of confidence in the council's engagement work amongst some. Alongside the clear conclusion that the council could better feed back to participants the results of consultations and their influence on decisions, there were also criticisms that these were rushed and not managed well; that they were tokenistic, due to a perception that the council had often decided on a course of action regardless of the results of consultation; and that those engaged were often a vocal minority heard often, rather than representative of the community.

Residents' suggestions to improve consultation and engagement included more direct, proactive and targeted engagement of those who are likely to be affected by a potential decision or action, such as events for the community or based around specific issues, as well as open forums and written materials. It was felt that merely putting information online was insufficient, although there was room for creative use of digital and social media. Consultations should also be better planned, with supporting information and materials provided in good time, adequate publicity, longer times allowed for responses,

more careful consideration given to venues and times for events, and better feedback on results and impact. Respondents were also keen to have more involvement in formal meetings, and greater contact with members and officers. The full results of the consultation can be found as Appendix B to this report.

As mentioned earlier in this report, UNISON expressed criticism of how consultation on the budget and future savings proposals was carried out in 2014. The union believed that the information provided to the public on these proposals was insufficient to enable them to provide informed responses, particularly about their risks and implications.

The council is currently developing a new Community Engagement Strategy, the content of which is being developed and consulted upon. This will aim to better coordinate and standardise the range of engagement and consultation activity carried out by various teams in the authority and, as set out in the Community Plan, will see the council and partners “co-produce” solutions with local people and the third sector. It is likely this will take advantage of existing resident and equality forums, and digital and social media, as methods of engagement. The strategy will also look at new options for local participatory structures, and the Commission was keen that the role of ward members is a key consideration in this.

Alongside new structures, the Mayor’s Protocol also plans to develop an improved consultation process for policy development and service change. The Commission believes that this should draw on the findings of its consultation in the report attached at Appendix B.

Recommendation 7: The new Community Engagement Strategy, and changes planned under the Mayor’s Transparency Protocol to the consultation process for policy development and service change, take account of the findings of the Commission’s consultation.

Recommendation 8: New localised consultation forums allow a key role for ward councillors.

For both licensing and planning applications, there are statutory consultation requirements which the council must fulfil in order to inform potentially affected individuals and organisations, and give them the opportunity to express their views prior to a decision being made. Tower Hamlets policy and practice is to exceed these requirements. In the case of licensing applications, along with displaying a notice on the premises in question, placing a notice in East End Life and consulting the responsible authorities, the council provides information about applications on its website and writes to addresses within a radius of 40 metres of the premises. For events expected to attract more than 1000 attendees, this radius is expanded further – with such events being held in Victoria Park, for example, these are extended to the park’s perimeter.

The latter measure is not undertaken universally by councils, as an informal survey of seven other nearby London boroughs showed that only two wrote to additional addresses.

Where the council receives a planning application, while required to either post a notice on the site or notify the adjoining occupiers, it writes to all addresses within 10 metres of the premises (20 metres for a larger “major development”, and 40 metres for an even

larger “significant development”). Residents can also register to receive a bulletin of all planning applications received in the borough. The law requires a notice in the press for other specific types of applications, such as major developments and those in conservation areas, which the council also carries out.

However, planning officers recognised that response rates to their consultations are currently low; and licensing officers stated that an email bulletin like that sent by the planning department was something that it had not explored (and was something that some of the other boroughs contacted undertook, where requested by members of the public). Members also commented that the language used in official correspondence relating to planning and licensing matters could be difficult for ordinary residents to understand, as it often used technical or legal language that was not familiar to them. The Commission therefore felt that measures should be explored to better inform and consult the public in relation to planning and licensing applications.

The Mayor’s Protocol sets out that the Community Engagement Strategy will include a facility for the public to sign up to receive alerts on reports posted on the council website with particular “tags” or keywords attached, including planning and licensing. This is a welcome step, although the Committee was concerned that by the time of publishing reports online, the opportunity to respond to a consultation may have passed. Therefore, the Commission believes that this could be bolstered by additional activity by the teams themselves, including exchanging and adopting each other’s good practice. Officers presented some potential actions which they suggested might achieve this, which the Commission would like to be explored and implemented where feasible. It is pleased that the Planning team has already moved to improve the functionality of its online search facility.

The Commission noted that that any new measures pertaining to the use of social media should be consistent with legal advice regarding these statutory processes, as well as the latest version of the council’s corporate social media policy. They should also take account of any recommendations arising from the Local Government Association’s review of the council’s communications activity.

Recommendation 9: Licensing and planning teams explore the feasibility of enabling the public to sign up to receive weekly email bulletins detailing applications received, consultation arrangements, and the status of existing applications, at ward level. They should also:

- **Explore utilising social media and text alerts in relation to consultations; and**
- **Use plain English as far as possible in communications, and include guides to technical language that cannot be avoided.**

Enhancing Overview and Scrutiny

The Overview and Scrutiny function plays an important role in the transparency of a local authority, by exposing the executive to public examination and requiring answers to its questions, alongside its role in advising the executive. Tower Hamlets currently has one

Overview and Scrutiny Committee (OSC), with a Health Scrutiny Panel (HSP) undertaking the statutory role of scrutinising health services.

There is a mixed picture regarding the OSC's influence on executive decision-making. The previous mayor rarely attended meetings when requested, and despite a relatively high number of called-in decisions, those referred back for further consideration have seldom been changed. However, both committees have a good record of having the recommendations of their in-depth reviews and challenge sessions accepted by the administration.

Members of the Commission noted the Mayor's plans to ensure that target response times are developed for OSC questions. They also agreed that early opportunities to examine and input into policy decisions, including the budget, were of key importance, and were pleased that the Mayor intends to offer these in his Protocol. It is vital that the OSC is able to examine the basis of significant and strategic decisions which are to be made by the executive, and members look forward to doing so in relation to matters such as the scoping principles and priorities which will guide the council's assets strategy; and major asset disposals decided by the Mayor (though the latter also currently require the agreement of the Commissioners appointed by the Secretary of State).

The Commission also believes that the OSC should carry out pre-decision scrutiny for grant awards, which are currently made by the Commissioners. It understands that plans are in the process of being developed to facilitate this within the existing grant-making process.

The Commission did note, however, that no examination of the Overview and Scrutiny function had been undertaken following the change in executive arrangements from Leader and Cabinet to Mayor in 2010. In these circumstances, and given the scope of work envisaged for the OSC above, the Commission felt that a review would be timely, to ensure that the structures in place were appropriate. For example, the Institute of Government's 2011 report "Making the Most of Mayors"³ advises putting more emphasis on time-limited task and finish groups or commissions which scrutinise particular areas of executive responsibility, rather than a standing full committee. It also suggests that such a review should be undertaken by Overview and Scrutiny members themselves.

This work should, in turn, inform the resources available for member training and officer support for the OSC. Ideally, any changes should be included in the 2016-17 budget.

Recommendation 10: The council undertakes a full review of its Overview and Scrutiny arrangements, and amends these as necessary.

Open Data

As mentioned earlier, in October 2014 the Government released the Local Government Transparency Code, which sets out both minimum requirements for data that must be

³

http://www.instituteforgovernment.org.uk/sites/default/files/publications/Making%20the%20Most%20of%20Mayors_0.pdf

published by councils, and recommendations for data that should be published. This was updated in February 2015. The Local Government Association has also published practical guides to help councils implement the requirements.

The Code requires local authorities in England to publish information related to the following themes:

- Expenditure over £500
- Government procurement card transactions
- Procurement information
- Grants to voluntary, community and social enterprise organisations
- An organisation chart
- Salaries of senior officers
- The ratio between the highest and median earnings in the council (the “pay multiple”)
- Trade union facility time
- Local land assets
- Social housing asset value
- Parking accounts and parking spaces
- Fraud, and
- The constitution.

The council has a dedicated transparency webpage to access this information⁴, which also links to other information not specifically required by the Code, including the council’s log of Freedom of Information requests and responses; details of allowances paid to members since 2010; and business rate charges for premises.

The Commission did not have sufficient capacity to review in thorough detail the extent of the council’s compliance with the Code’s requirements. However, from a brief examination of the information linked from the transparency page, it did appear that there were some areas which required attention or amendment to more fully comply with the Code at the time of writing. For example:

- The link to “procurement information” requires complex navigation through multiple internal and external webpages, filtering through information concerning all London boroughs, and does not lead to all of the information required;
- Only Government Procurement Card transactions above £500 are published, rather than all transactions as required, and can only be found within the expenditure data as “payment card spend”;
- Information on grants is out of date, and omits some required details;
- Senior salary information appears to be contradictory and confusing;
- The link to “fraud” does not directly lead to the required information, requiring additional navigation;

⁴ http://www.towerhamlets.gov.uk/lgnl/council_and_democracy/transparency.aspx

- Some other annual information included also appears to require updating, including the social housing asset register and parking information.

The Commission notes that the Mayor’s Protocol contains two actions to review the way in which the council publishes contracts. Beyond this, it considers that it would be in the best interests of both local people and the council for officers to rigorously audit all information currently published against the requirements of the Transparency Code, and ensure that it fully meets our obligations. This should be undertaken as regularly as required in the code for each category of information. The Commission is pleased to learn that the Complaints and Information Governance Team is planning improvements in this regard.

Recommendation 11: Officers undertake a full review of compliance with the requirements of the Local Government Transparency Code, and take any action required to secure this compliance on a regular basis.

As pointed out by local citizen journalist Mark Baynes, the format of published data has a strong influence on its usefulness and accessibility to users. The Code also sets out a hierarchy of standards for this, as follows:

One star	Available on web (whatever format) but with an open license
Two stars	As above plus available as machine-readable structured data (eg Excel instead of an image scan of a table)
Three stars	As above plus using a non-proprietary format (eg CSV and XML)
Four stars	As above plus using open standards from the World Wide Web Consortium (such as RDF and SPARQL ²¹)
Five stars	As above plus links data to others’ data to provide context

The Government’s recommendation at the time of publishing the Code was that local authorities publish data in three star formats, where suitable and appropriate, alongside open and machine-readable formats, within six months (ie by the end of March 2015, except for social housing assets).

The Commission was keen to see how data published in open formats could be useful to different audiences, and was impressed with examples provided by Redbridge Council and Socrata, the latter of which had worked with a number of public bodies to help them publish their data effectively. In the case of Bath and North East Somerset Council, demand for data from software developers in the community had actually driven the creation of a “data-store”, built by Socrata and curated by a community interest company created for this purpose. This data had been published in formats which allowed software developers to draw on it in developing their own applications which could be useful to residents, such as smartphone apps displaying live parking space information for drivers to use in real time.

Having considered these examples, the Commission then looked at the information currently linked on the Tower Hamlets transparency page, benchmarking it against the star-rating system in the Code as follows (where data is split between different

formats, the Commission has used the lower rating, on the basis that the full dataset is not available in the more open format):

Information category	Current format	Current star rating
Expenditure	CSV files, but Excel spreadsheets for 2013-14 and 2014-15	Two stars
Government procurement card transactions	As above	Two stars
Procurement	Link to summaries on London Tenders Portal for current invitations; contracts available from London Contracts Register as CSV.	One star
Grants	Excel spreadsheets	Two stars
Organisation chart	Excel spreadsheet	Two stars
Senior salaries	Excel spreadsheet (limited data in CSV)	Two stars
Pay multiple	PDF	One star
Trade union facility time	Excel spreadsheet	Two stars
Land assets	Excel spreadsheet and CSV	Three stars
Social housing asset value	PDF	One star
Parking accounts and spaces	PDF	One star
Fraud	Webpage	One star
Constitution	PDF	One star

This demonstrates that overall, the council has immediate work to do to make the data it publishes more suitable for others to use. Therefore, the Commission believes that once the council has reviewed its compliance with the requirements of the Transparency Code in terms of the types of information published, it should also improve the formats in which this data is published, initially to meet the standard already expected of councils by the Government. Beyond this, officers should also plan to achieve the highest standards of usability for the community in the longer term. The Commission hopes that the improvements planned by the Complaints and Information Governance Team will aim to do this.

Recommendation 12: Officers explore approaches to achieving three-star status for all relevant information required to be published by the Local Government Transparency Code (as applicable) within six to nine months; and assess the feasibility of achieving five-star status for different categories of data published by the council on an ongoing basis, in the longer term.

While the above recommendations deal with data that the council is obliged to publish, the Commission believed that it should also be exceeding those requirements by opening up more data to the public (in suitable formats). The Code itself makes

specific recommendations in this regard for the required categories of information, such as more frequent updating and a lower threshold for expenditure publication.

The Mayor's Protocol includes an action to explore the feasibility of publishing spend under a lower threshold than the £500 that the Code requires. The Government's recommendation for this is £250, and the Commission believes that the Mayor should consider at least matching this, or exceeding it - for example Mark Baynes, in his Love Wapping blog⁵, suggests £100 (as well as including unique identifiers for recipients, such as company or charity registration numbers for recipients).

The Commission also feels that the Mayor should consider meeting the other recommendations in Part 3 of the Code, in addition to his plan to explore publishing the names of directors and service heads (which is not a recommendation in the Code).

Recommendation 13: The Mayor's Transparency Protocol is extended to include exploring the feasibility of publishing all of the information recommended in part 3 of the Local Government Transparency Code.

Beyond the categories of information which the Code explicitly deals with in its requirements and recommendations, the Commission believes that the council should work towards publishing other categories of data and information (while maintaining open format standards as previously discussed).

Deciding which data to publish would require liaison and planning across the organisation. Socrata suggested that a council should start from its strategic goals when deciding on how to initially prioritise publication of data. This might also be informed by analysis of existing indicators of public demand, such as traffic to particular council webpages, FOI requests, complaints and Members' Enquiries. Socrata further suggested learning from the experience of other authorities which were further along in the journey than Tower Hamlets, as well as explicitly consulting the community on this specific issue.

While limited, the Commission's public consultation yielded some insight into the kinds of information that respondents would like to see more of, or see improved. These included:

- Council finances
- Planning matters
- Staff structures, responsibilities and contact details
- Housing information
- Contracts, including performance
- Consultations
- Policies and performance, and
- Decision-making.

⁵ <http://lovewapping.org/2015/08/tower-hamlets-council-transparency-commission-begins-work/>

However, publishing more data alone is inadequate, if people are unaware of it or unable to find it. Issues with navigating the council's website and finding desired information was mentioned at various points to the Commission, and in its discussions. Respondents to the consultation reported that doing so was difficult, an observation echoed by Mark Baynes. Planning officers conceded that it could be difficult for users to locate information on applications, and members of the Commission stated that they were unaware that the transparency webpage existed at all. While Communications officers noted that they are currently working to make the website more accessible, this nonetheless demonstrates the importance of making information easy to find.

Most authorities, in meeting the requirements of the Transparency Code, have created a portal of some kind from which users can access the different sources, including Tower Hamlets with its transparency webpage. An information "hub" would give users an obvious starting point when trying to find particular data about the borough or the authority, thereby making the process easier for them and aiding overall transparency. This hub could be an expansion of the transparency webpage, and in any event should include all the information currently required by the Code, and all other information currently linked from that page, such as the FOI disclosure log. This hub, as the "one-stop shop" for information queries, should be prominently featured on the council's homepage.

Having considered the evidence gathered, the Commission believes that it would also be beneficial to include other specific types of information within such a hub. Some were suggested by officers or other witnesses, and some are available online already, but could be more easily found through this portal. These include:

- The borough profile
- The council's mapped data (including the background data published on data.gov.uk which, in XML form, currently meets the three-star standard)
- Licensing and planning applications
- Easy-to-understand guides to the council's decision-making processes and complex policies
- Plain English executive summaries of reports to council committees for decisions, along with summaries of decisions taken and short explanatory videos
- Links to video and audio recordings of committee meetings, and
- All information currently published about members.

The Commission notes that the Mayor's Protocol includes an action to produce an easy-to-read performance scorecard for publication, and this would also be a sensible addition.

Respondents to the consultation reported that, on the occasions when they could find information on the website, it was often out of date. In addressing the Commission, journalist Ted Jeory also gave examples of member information on the council's pages which was demonstrably out of date. Therefore, it is important that information on the hub is regularly and frequently updated, so that it remains a useful resource for the community and can be relied upon.

Recommendation 14: In the short term, the council develops a frequently-updated online hub of information accessible from the council homepage, including all

information required by the Local Government Transparency Code, as well as additional categories of information suggested in the body of the Commission's report.

As mentioned earlier, the Government's aspiration is for all data held and managed by local authorities to be made available to local people unless there are specific sensitivities preventing this. In the longer term, therefore, the Commission believes that the council should explore the costs and benefits of doing so. Clearly, there are strong arguments for completely open data, including those set out in the introduction to this report. In addition, given the Government's strong endorsement, this may in the future become an obligation on local authorities, in which case it would be useful for the council to be prepared in advance.

On the other hand, such a project would require a major shift for the whole organisation, and could have significant resource implications, at a time when the council is required to make large scale savings. The demand within our community for access to all council data is unknown at present, and it may be that publication of particular datasets for which there is a clear appetite, rather than all data, strikes the best balance between transparency and effective use of resources. The council would then act to discharge any future duty of full publication if and when it was imposed by the Government.

Recommendation 15: In the longer term, the council explores the costs and benefits of regularly publishing all of its data, with exceptions, as recommended in the Local Government Transparency Code.

Regardless of the approach the council takes in relation to the amount of data it chooses to publish, however, the Commission believes that the portal to that data should make it as easy as possible for residents and any other interested parties to access, visualise and use. This was also endorsed by Mark Baynes in his blog, and should go beyond the hub of links to data sources in open formats envisaged in Recommendation 14, and involve dedicated software designed for this purpose.

Members were shown the web-based application that Redbridge Council's ICT department had developed to let services and teams publish their data directly online. This was accessible from the council's homepage, user-friendly, and could be easily searched, with data available in a variety of formats and presentation styles, including maps and charts. Similarly, the data-store built by Socrata for Bath: Hacked (the community interest company formed to curate the area's open data) also provided a portal through which residents could access information presented in ways to make them understandable, alongside raw data.

Recommendation 16: Officers explore options to allow the public to access data published by the council via user-friendly, visually appealing and easily-navigated interfaces, using Redbridge DataShare and Bath:Hacked as benchmarks.

Appendix A

Overview and Scrutiny Transparency Commission – Scope

Councillor(s) submitting proposal	Cllr John Pierce, Chair
Working title Reason for enquiry	<p>OSC Transparency Commission</p> <p>The enquiry seeks to identify what actions the Council should take to improve transparency.</p> <p>Transparency was an issue identified in the Best Value Inspection of the Council, including in relation to some decision making processes. The specific problems highlighted in the inspection are being addressed through the Council’s Best Value Action Plan.</p> <p>More generally, transparency in local authorities has been a central government priority, encouraging councils to provide more information on how they are spending public money and about the decisions they make.</p> <p>Transparency was also a key theme of the recent local Mayoral election.</p> <p>The OSC Transparency Commission is an opportunity for Members, from all political parties, to work together to identify how the Council could be more transparent.</p>
Proposed completion date	It is proposed that the Commission will report by November 2015.
Core Questions	<p>The core question is how can the Council be more transparent?</p> <p>In addressing this question, Members may seek answers to a range of related questions, such as:</p> <ul style="list-style-type: none"> • How could residents be better informed about Council activity, processes and decisions? • How could Members be supported to make more transparent decisions? • How can decision makers be held to account transparently? <p>In seeking to address the core question, the Chair of Overview and Scrutiny has identified a number of particular areas where he would wish the Committee to focus.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Management of Freedom of Information requests • Open Data and Access to Information • Transparency and community engagement in decision making, including public notices, consultation and decision

	<ul style="list-style-type: none"> making on Licensing and Development Committees • Planning Contributions
Desired outcome	Recommendations to improve transparency within the Council.
What will not be included	Specific issues identified within the Best Value Inspection; these are being addressed through the Best Value Action Plan.
Risks (mitigation)	<p>Transparency is a broad topic. There is a risk that the scope of this work exceeds the time available, including the intention to report by November 2015. Following discussion by Overview and Scrutiny in July, a scoping document will be submitted for OSC's approval to help mitigate this.</p> <p>There is also a risk that some identified witnesses, including national organisations, will not be available to attend OSC meetings. Where witnesses are not available to attend OSC, other evidence gathering methods will be used, such as written questions and submissions.</p>
Equality & Diversity considerations	The Commission may wish to consider whether there are any specific equality issues relating to transparency, such as whether some disabled residents, or those whose language or literacy skills are limited, experience particular access issues.
Possible co-options	Commission consists of full OSC, including co-opted members.
Key stakeholders/ consultees	<p>Potential witnesses are identified below.</p> <p>In addition, a survey of local residents is planned to ascertain their views on transparency.</p>
Cabinet member(s)	Mayor
Potential witnesses	<p>John Biggs, Executive Mayor</p> <p>Andy Bamber, Service Head for Community Safety Melanie Clay, incoming Director of Law, Probity and Governance and Monitoring Officer Aman Dalvi, Corporate Director of Development & Renewal David Galpin, Service Head for Legal Services Louise Russell, Service Head for Corporate Strategy and Equality Owen Whalley, Service Head for Planning and Building Control John Williams, Service Head for Democratic Services</p> <p>Other local authorities, considered to best practice in particular aspects of transparency. These authorities are tbc but potentially include: Royal Borough of Windsor & Maidenhead Brighton Council London Borough of Redbridge</p>

	<p>London Borough of Enfield London Borough of Richmond London Borough of Lambeth</p> <p>National organisations with an interest or focus on transparency e.g. Local Government Association Centre for Public Scrutiny</p> <p>Citizen journalists e.g. Mark Baynes, “Love Wapping” blog Ted Jeory, “Trial By Jeory” blog</p>
<p>Research/Evidence required</p>	<p>A public survey on transparency will be carried out. The survey will also be shared with representatives of local groups, including Tenants and Residents Associations and local political parties.</p> <p>The remainder of evidence will be taken orally and in writing from the range of witnesses identified.</p>
<p>Timetable</p>	<p>July OSC meeting</p> <ul style="list-style-type: none"> • Introduction and Scope (Cllr John Pierce, Chair) • Journalists’ perspective (Mark Baynes, “Love Wapping” blog Ted Jeory, “Trial By Jeory” blog) • Responding to Freedom of Information requests (David Galpin, Service Head for Legal Services) • Public notice, consultation and decision making on Licensing and Development Committees (Andy Bamber, Service Head for Community Safety; Owen Whalley, Service Head for Planning and Building Control) <p>September OSC meeting</p> <ul style="list-style-type: none"> • Executive perspective on decision-making (Mayor) • Decisions on use of planning contributions (Aman Dalvi, Corporate Director of Development & Renewal) • Community Engagement (Louise Russell, Service Head for Corporate Strategy & Equality) • Democratic Engagement John Williams, Service Head for Democratic Services;

	<ul style="list-style-type: none"> • Whistleblowing Simon Kilbey, Service Head for Human Resources • Best practice in transparency Representatives of Enfield, Richmond, Brighton, Lambeth, Windsor & Maidenhead, London Borough of Redbridge, Local Government Association (longlist – actual organisations tbc, some will be scheduled for October) <p>October OSC meeting</p> <ul style="list-style-type: none"> • Results from public survey on openness, transparency and accountability (Louise Russell, Service Head for Corporate Strategy & Equality) • Views from the Centre for Public Scrutiny on openness and accountability in decision-making, including the role of Overview & Scrutiny (Ed Hammond, Head of Programmes (Local Accountability), Centre for Public Scrutiny) • Best practice in transparency (see September OSC meeting) <p>November OSC meeting</p> <ul style="list-style-type: none"> • Draft Transparency Commission report
Publicity	<p>Communications Plan has been developed. There will be regular press releases updating on the Commissions’ work, article in East End Life and use of social media.</p> <p>All sessions will be held in public.</p>
Links to Strategic/ Mayoral Priorities	<p>The Mayor indicated in his election commitments a focus on transparency and accountability, including answering questions at full Council and OSC. The development of a Transparency Protocol by the Executive is an action with the Strategic Plan. The work of the Transparency Commission can directly inform this work.</p>

**Transparency Consultation
Key findings report**

Transparency Consultation
Key findings

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Summary

This report summarises the views of people who responded to the Transparency Consultation. In total, 173 people responded: 127 were residents/other individuals and 46 were Council staff. In summary:

Transparency (section 2): The majority of residents who responded to the consultation felt that the Council was not good at keeping residents informed about what it does. Around three quarters felt that the Council does not keep residents informed about how it spends its money or about how decisions are made.

Most also felt the Council was not ‘open and transparent’ about its activities. Particular areas of concern felt to be lacking in transparency included Council finances (eg spending, contracts, grant funding) and planning matters. For some, there was a perception that key decisions were made ‘behind closed doors’, and that the information that is made available, is partial or selective in some way. However, there was also a recognition that the Council is in a period of transition, and for some, a feeling of tentative optimism.

Quality of information (section 2): Overall, the views of residents responding to the consultation were fairly mixed about the quality of information provided on the Council’s website. Areas rated as particularly weak included information about: consultation, finances, policies and performance, and Council decision making. Many felt the Council’s website was difficult to use and some felt that important information was ‘buried’ or difficult to find.

Views about East End life, as an information source, were mixed: some said they found it useful and said it the only/main way they get information, while others were critical and felt the content was lacking or partisan.

Consultation and engagement (section 3): The majority of residents who responded were fairly negative about the Council’s record on resident engagement: just over two thirds felt that the Council does not listen to concerns of local residents and almost three quarters of respondents took the view that the Council did not involve residents when making decisions. A similar proportion felt that the Council does not keep residents informed about how their involvement has made a difference.

Seven in ten respondents felt the Council was not open and transparent when conducting consultations. Comments from residents who responded indicated that many feel consultations are tokenistic (ie that the Council has already made up its mind).

Views of staff (section 4): In general, the views of the 46 staff who responded were more positive than those of residents, across all topics. For example, while most staff felt the Council kept residents informed about what it was doing, only a quarter of resident respondents felt this was the case.

Consultation views vs. Annual Residents’ Survey views (section 5):

The views of the 127 residents who responded to the consultation were significantly

more negative than the views of residents more generally, on issues around engagement and information.

1. About this consultation

Background

The aim of the consultation was to explore views about transparency to inform the work of the Tower Hamlets Overview and Scrutiny Transparency Commission (OSTC). This report outlines the key findings emerging from the consultation responses.

The consultation was run online but questionnaires were also made available in other formats (hard copy and word formats) to ensure anyone who wanted to respond could do so.

The consultation was publicised on the Council's website and promoted widely using a variety of council contacts (eg East End Life, Community Champions). Flyers were printed and displayed in Idea Stores, and on their social media accounts, with staff available to support residents to complete the survey on their computers. The consultation was also promoted through a wide range of forums, associations and user groups (eg Older People's Reference Group, Asian Women's Lone Parents association, Children's Centres Parents Forums etc).

In addition, the consultation was covered in a range of local press, such as the Docklands and East London Advertiser, as well as national local government sector publications.

Questionnaire content

The consultation questionnaire covered three key areas:

- Views about how well the Council keeps residents informed about what is going on, and how transparently it conducts its business.
- Views about the quality of information provided on the Council's website.
- Views about resident engagement and consultation.

Respondents were asked some 'closed' (ie tick box) questions, but also invited to submit written comments about reasons for dissatisfaction, and suggestions on how the Council could do better. The full consultation questionnaire is provided in [Annex A](#).

The online consultation period ran from the 17th August to 21st September.

Respondent profile

While this consultation was primarily aimed at residents, Council staff were also invited to give views. [Table 1](#) shows the profile of all those who responded. In total, 173 responses were received: 46 from Council staff and 127 from residents (and others). Of the 173 responses, 164 were submitted online and nine were received in hard copy.

As this report shows, residents and staff have a different perspective on these issues and for this reason, results have been analysed, and presented, for both groups separately. [Sections 2 and 3](#) focus on the views of residents and [section 4](#) explores how the views of staff compare.

Table 1 Profile of consultation respondents		
Respondent type	Number	
All responses received	173	
<i>By main capacity in which people responded:</i>		
As Tower Hamlets resident / individual	102	} Residents and others = 127
On behalf of organisation or business	5	
Other	4	
Prefer not to say/unknown	16	
Council staff	46	Staff = 46

For analytical purposes, those who did not state in what capacity they were responding have been included in the residents (and others) group as indicated in table 1. Throughout this report, the term ‘resident views’ is used as shorthand to relate to the views of this latter group of 127 respondents. [Annex B](#) provides the demographic profile of these respondents.

Interpreting the findings

In considering the consultation findings, it is important to remember that this was a consultation exercise, not a ‘scientific’ survey. While the results provide valuable insight into the nature of perceptions around the topics of transparency, information and resident engagement, it is important to bear in mind that the views, and experiences, of the 127 residents who responded are unlikely to be representative of the views of all residents across the borough. Furthermore, the numbers who responded are relatively modest.

[Section 5](#) explores this issue in more detail by comparing the consultation findings with views captured in the Council’s Annual Residents Survey on key topics. This shows that consultation respondents are significantly less positive, than residents generally, on these issues.

Technical notes

All percentages presented in table have been rounded to the nearest percentage point.

The total numbers of respondents shown on different tables (and within tables) vary due to the fact that not all residents answered every question. Tables cover the views of all those who responded to that particular question.

2. Transparency and information

Views about how well the Council keeps residents informed

The majority of respondents felt that the Council does not keep residents particularly well informed about what it does and what it spends (Table 2):

- Just over two thirds of residents who responded felt that the Council does not keep residents informed about what it is doing;
- Around three quarters felt that the Council:
 - does not keep residents informed about how it spends its money;
 - does not keep residents informed about how decisions are made;
 - is not transparent and open about its activities.

Quality of information

Respondents were asked to rate the quality of information provided on the Council's website for eight different topic areas (Table 3).

Overall, views were fairly mixed about the quality of information provided. The weakest areas – where far more rated the quality as poor than good - include: consultation information, financial matters, Council policies and performance and decision making.

Views were more positive about the quality of information about elected members, and information about council services and facilities. For both these topics similar proportions rated the information as good and poor.

Written comments around the issue of transparency and information

Respondents were asked to elaborate on their views on all these topics. Specifically residents were asked:

- why they had disagreed with any of the statements in Table 2, and to provide any suggestions on how the Council could do better;
- why they felt information was poor or average (on topics shown in Table 3), and any suggestions for improvement;
- what other sort of information they think the Council should publish, or provide detail about;
- suggestions of ways the Council could make information more open and accessible.

Numerous, and wide ranging, comments were provided in response to these questions around both the themes of both transparency and information. Figures 1 and 2 summarise the themes emerging under these headings, and provide examples of the verbatim comments provided.

Table 2 Views about how well the Council keeps residents informed (resident views)				
Statements:	Agree	Disagree	Don't know	Total
				Number of respondents
The Council... Keeps residents informed about what it is doing	33	86	7	126
Keeps residents informed about how it spends its money	20	97	9	126
Keeps residents informed about how decisions are made	19	96	11	126
Is open and transparent about its activities	21	93	12	126
The Council...	% total			
Keeps residents informed about what it is doing	26	68	6	100
Keeps residents informed about how it spends its money	16	77	7	100
Keeps residents informed about how decisions are made	15	76	9	100
Is open and transparent about its activities	17	74	10	100
<i>Source: Tower Hamlets Council, Transparency Consultation (17 August-21 September 2015)</i>				
<i>Notes: Total respondent counts exclude those who did not answer the question (so totals can vary). 'Agree' includes those who said 'definitely agree' or 'tend to agree'; 'Disagree' includes those who said 'definitely disagree' or 'tend to disagree'.</i>				

Table 3 Views about the quality of information provided on the Council website (resident views)					
<i>Question wording: The Council publishes a wide range of information on its website; please tell us how you would rate the quality of information provided for any areas you are familiar with.</i>					
	Good / Very good	Average	Poor / very poor	Don't know	TOTAL
					Number of respondents
Financial matters	9	31	50	35	125
Council decision making	16	43	49	17	125
Information about elected members	37	26	35	23	121
Consultation information	15	34	61	13	123
Freedom of Information	19	27	43	33	122
Lists and public registers	26	45	32	21	124
Council services and facilities information	34	45	32	11	122
Council policies and performance information	13	42	49	20	124
	% total				
Financial matters	7	25	40	28	100
Council decision making	13	34	39	14	100
Information about elected members	31	21	29	19	100

Appendix B Transparency Consultation – Key findings

Consultation information	12	28	50	11	100
Freedom of Information	16	22	35	27	100
Lists and public registers	21	36	26	17	100
Council services and facilities information	28	37	26	9	100
Council policies and performance information	10	34	40	16	100

Source: Tower Hamlets Council, Transparency Consultation (17 August to 21 September 2015).
Notes: Total respondent counts exclude those who did not answer the question (so totals can vary).

Figure 1: Written comments: Transparency

Key themes:

- Perception that there is a lack of transparency generally, but especially in relation to: Council finances (eg spending, contracts, grant funding/allocation) and information about planning matters.
- View that key decisions are made ‘behind closed doors’, and that the information that is made available, is partial / selective. For some, a suspicion about why information is held back due to confidentiality, and the need for this.
- However, there was also a recognition that the Council is in a period of transition. For some, a feeling of tentative optimism.

Examples of comments:

‘There is a history of secrecy and complete lack of transparency in how the council is run, especially when it comes to funding grants and planning...’

‘Please provide us with a basic budget for how our taxes are being spent. I’d especially like to know how the section 106 money is spent...’

‘How decisions are made are on the website but contained in lengthy papers buried deep in Committee reports and minutes. This is not particularly accessible full of jargon and not straightforward’

‘A feeling that money is allocated on occasion and in some services in a less than transparent way and that value for money or monitoring of these services is not rigorous’

‘Allocation of money to groups and organisations could be published in East End Life, along with reasons for the allocation, and, measures used by the Council to monitor the groups/organisation’

‘Important decisions are taken behind closed doors in private... There should be no

PINK reports when it comes to spending our money, public money. It is understandable that identities of some companies may be necessary to be kept disclosed, but the actual content of the report should be made public always’.

Who is the person who decides what is confidential?

‘TH has historically been very good relating actions once agreed (usually via East End Life) but not about their community or residents participating in the democratic decision making within the borough; most of which appears to be undertaken behind closed doors - at least that is the impression’

‘Things have improved a lot since the election of the new Mayor, but there is still a long way to go to restore the trust that was lost’.

Figure 2: Written comments: Information

Key themes:

- Lack of awareness about what information is available and how to access it.
- Council website: considered to be poor and difficult to use. Respondents reported that it was difficult to find the right information (information sometimes ‘buried’). Information was often out of date, or difficult to understand.
- Information about planning applications and decisions felt to be poor – online information difficult to navigate/access.
- East End life: views mixed – some find it useful and say it the only way they get information, while others felt it was a waste of money, or that content was lacking or partisan.
- Examples of the sort of information people wanted to see more of included:
 - Council finances: budgets, spending, grants etc
 - Planning matters: applications, decisions, S106 etc
 - Contact details: staff numbers, responsibilities, structure plans.
 - Housing information eg major works, allocations.
 - Contract terms and performance of contractors.
 - Updates on Council response to the previous allegations against the Council.

Examples of comments:

‘Information on the website is often difficult to find, or buried in a link in a link etc. Information on how the council manages its money and exactly what they spend it on is virtually impossible to obtain in specific terms, as in relating to specific blocks, council tax, services charges etc’.

‘In order to access the information on the Council website you have to know where to

look. The search facility seems to bring up pages that are not up to date. There is no direct access to planning applications from the home page’.

‘I think finding specific planning proposals on the website can be difficult unless you are a confident web user and researcher. The letters from the planning department don’t give enough information about how to find particular pieces of information on the planning section of the website’.

‘We rarely receive information on what going on. If we receive anything, it is either after it has or it’s just about to happen

‘East End Life is the only way I find out about the council’s activities and the info tends to be buried amongst other articles’

‘The only regular information that residents receive is via East End Life and even then what we get is very much biased towards making those who govern the Borough look good.’

‘All spending and grant awards or financial awards of any nature should be published clearly in a register that can be accessed easily by residents through the council website. No reports should be RED because this is an excuse to hide information from the public’.

3. Engagement and consultation

Views about resident involvement and consultation

The majority of respondents felt the Council does not engage with residents effectively (Table 4):

- Just over two thirds felt that the Council does not listen to concerns of local residents.
- Almost three quarters of respondents took the view that the Council did not involve residents when making decisions;
- A similar proportion felt that the Council does not keep residents informed about how their involvement has made a difference.
- Seven in ten respondents disagreed with the statement that the Council is open and transparent when conducting consultations

Table 4 Views about resident engagement and consultation (resident views)				
<i>Question wording: Overall, to what extent do you agree or disagree with these statements about how effectively the Council engages with residents:</i>				
	Agre e	Disagre e	Don't know	Tota l
	Number of respondents			
The Council involves residents when making decisions	24	90	9	123
The Council is open and transparent when conducting consultations	18	86	19	123
The Council listens to concerns of local residents	19	82	19	120
The Council keeps residents informed about how their involvement has made a difference	18	92	13	123
	% total			
The Council involves residents when making decisions	20	73	7	100
The Council is open and transparent when conducting consultations	15	70	15	100
The Council listens to concerns of local residents	16	68	16	100
The Council keeps residents informed about how their involvement has made a difference	15	75	11	100
<i>Source: Tower Hamlets Council, Transparency Consultation (17th August to 21st September 2015)</i>				
<i>Notes: Total respondent counts exclude those who did not answer the question (so totals can vary). 'Agree' includes those who said 'definitely agree' or 'tend to agree'; 'Disagree' includes those who said 'definitely disagree' or 'tend to disagree'.</i>				

Written comments: engagement and consultation

Respondents were asked to elaborate on their views on all these issues. Specifically residents were asked: why they had disagreed with any of the statements (in Table 4), and to provide any suggestions on how the Council could improve things.

A wide range of comments were provided in response to these questions. Comments about consultation were also prevalent in comments made in responses to earlier questions about information and transparency. [Figure 3](#) summarises the themes emerging, and provide examples of the verbatim comments provided.

Figure 3: Written comments: Resident engagement and consultation

Key themes:

- Consultations perceived to be tokenistic - view that Council has already made up its mind and does not listen to views.
- Lack of feedback on consultation findings and what has happened as a result. Some felt consultations were rushed / not well managed or planned.
- Some felt engagement was selective: ‘usual suspects’ consulted. ‘Vocal minority’.
- Examples of resident suggestions to improve consultation and engagement:
 - More direct engagement needed – not just online. More pro-active and targeted approaches to engaging/briefing those who will be affected (eg community events, open forums, issues based events, targeted leaflets/material).
 - Creative use of social media and digital opportunities.
 - Better publicity to promote consultations.
 - Better planning eg material ahead of time, longer consultation periods, venues/times carefully considered, better information and feedback.
 - More public involvement in meetings eg Q&A sessions with members and officers.

Examples of comments:

‘Because residents are only informed after the fact, not before and invitations to give an opinion hasn’t changed the course of events. We’re not involved in making any decisions...’

‘The Council provides minimum information, time to object or appeal during consultation. This shows how its priority is just to get their box ticked and not the best interest of its residents. Never enough consultation time’.

‘You probably satisfy the narrow rules about communication. You tie little notices to trees. But you know that no one reads these...’

‘I received a letter regarding some work in my neighbourhood. I emailed regarding it, and heard nothing in return. The work had already started before I received the letter’.

‘There has been only tokenistic consultation regarding the Major Works project and residents have not been invited to participate in this process...’.

'Major developments seem to be largely decided before the public are invited to comment at the stage of planning permission, by which time so much work has gone into the project that public consultation is unlikely to have much impact...'

'They could post notices in the area a meeting/ consultation is due to take place this way it would enable all residents to attend, not everyone has access to the internet so cannot get information from the website or Twitter. Also changes affect everyone not just the select few who seem to deal with the council behind closed doors'

'Get out and meet people. Talk to people.'

'Tell people in advance what is happening that affects their area.'

'tell us what the consultations replies were'

4. Consultation responses: views of staff

Of those who responded to the consultation, 46 people identified as Council staff. Overall, the views of staff were more positive than those of residents across all topics (Table 5). For example, while most staff felt the Council kept residents informed about what it was doing, only a quarter of resident respondents felt this was the case.

On the issue of transparency, just over half of the 46 staff respondents felt the Council was open and transparent about its activities, and just under a quarter felt unable to give an informed view one way or another.

Table 5: Views of staff on transparency, information and resident engagement					
	Number (staff responses = 46)				% agree
	Agree	Disagree	Don't know	Total	
Information and transparency:					
The Council keeps residents informed about what it is doing	36	0	10	46	78
The Council keeps residents informed about how it spends its money	23	10	12	45	51
The Council keeps residents informed about how decisions are made	22	11	13	46	48
The Council is open and transparent about its activities	24	13	9	46	52
Engagement and consultation					
The Council involves residents when making decisions	25	7	14	46	54
The Council is open and transparent when conducting consultations	24	8	14	46	52
The Council listens to concerns of local residents	25	7	13	45	56
The Council keeps residents informed about how their involvement has made a difference	22	6	17	45	49
<i>Source: Tower Hamlets Council, Transparency Consultation (17th August to 21st September 2015)</i>					
<i>Notes: Total respondent counts exclude those who did not answer the question (so totals can vary). 'Agree' includes those who said 'definitely agree' or 'tend to agree'; 'Disagree' includes those who said 'definitely disagree' or 'tend to disagree'.</i>					

5. How consultation views compare with Annual Residents’ Survey

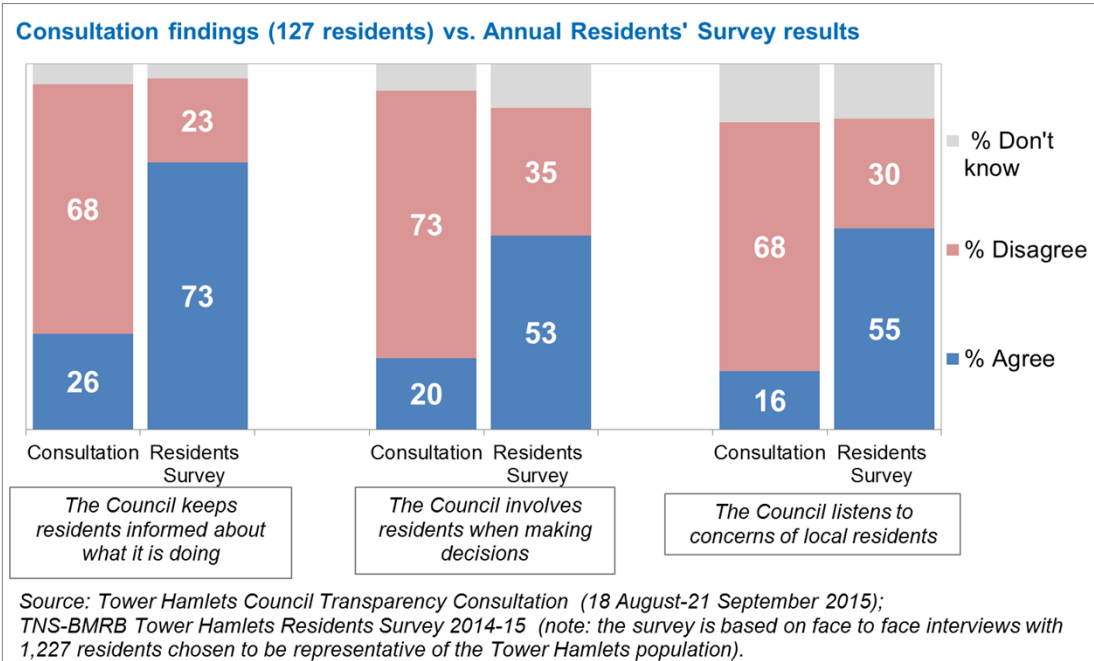
In considering the findings in this report, it is important to remember that this was a consultation exercise, not a representative survey. While the results provide valuable insight into the nature of perceptions around the topics of transparency and engagement, the findings relate to the views of 127 residents, and are unlikely to be representative of the views of borough residents more generally.

To explore this, the views of residents who responded to the consultation, have been compared to views captured via the Council’s Annual Residents’ Survey. The Residents’ Survey results are based on a large sample of residents (1,227) chosen to be representative of the population generally. Figure 4 compares views from the survey and the consultation across three different perception statements about information and resident engagement:

- The Council keeps residents informed about what it is doing
- The Council involves residents when making decisions
- The Council listens to concerns of local residents

The survey results indicate residents, in general, are significantly more positive, than those who responded to the consultation. For example, the Annual Residents Survey found that almost three quarters of residents felt the Council kept them informed about what it was doing, compared with only one quarter of those residents who responded to the consultation. Similarly, just over half of those surveyed felt the Council listens to resident concerns compared with a minority of consultation respondents.

Figure 4: Consultation response vs. Annual Residents Survey results



Annex A: Copy of consultation form
(word version of the online form)

Transparency Consultation: Your chance to have your say

The council's Overview and Scrutiny Committee is leading a Transparency Commission (OSTC) to identify actions the council should take to ensure that decisions are taken in an open and accountable way and to improve how the council provides information.

The Transparency Commission aims to make it easier for local people to contribute to local decision making processes and help shape public services.

Greater local transparency, openness and accountability provides residents with tools and information to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to help improve and create local services.

The council currently uses a range of channels to communicate with residents to share information about decision making and how the council spends money. This includes East End Life, the council's website, social media and leaflets and publicity.

The purpose of this consultation is to find out how we can improve:

- What else would you like to know?
- How can we make information more accessible?
- What other things could the Council do to ensure that decision makers are held to account?

Please take 5-10 minutes to complete this short questionnaire and tell us what you think. This consultation will run from Monday 17th August to Friday 18th September.

If you have any questions about this survey or the Transparency Commission, please email: ostc@towerhamlets.gov.uk

Confidentiality: All of your answers will be stored in accordance with our responsibilities under the Data Protection Act 1998. Any personal information you give us is held securely and will only be used for council purposes.

A. VIEWS ABOUT THE INFORMATION THE COUNCIL PROVIDES

Q1a. Please say whether you agree or disagree with the following statements about the extent to which the Council keeps residents well informed about its activities:

Statement	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree	Don't know
The Council keeps residents informed about what it is doing					
The Council keeps residents informed about how it spends its money					
The Council keeps residents informed about how decisions are made					
The Council is open and transparent about its activities					

Q1b Please tell us more:

If you disagreed with any of the statements, please tell us why.

If you have suggestions on how you think we could do better, please explain:

Q2a. The Council publishes a wide range of information on its website, please tell us how you would rate the quality of information provided for any areas you are familiar with.

	Very good	Good	Average	Poor	Very poor	Don't know / not familiar with
Financial matters (e.g. details of council spending, contracts, grants and salaries)						
Council decision making (e.g. meeting information, democratic processes, major policy proposals and decisions)						
Information about elected members , (e.g. contact details and declarations of interest)						
Consultation information (e.g. how to comment on specific proposals)						
Freedom of Information (e.g. how to request information, how requests are managed, response performance)						
Lists and public registers (e.g. planning and licensing applications, listed buildings, rights of way)						
Council services and facilities information (e.g. access information, including contact details)						
Information about Council policies and performance (e.g. key plans and policies, performance indicators, inspection reports)						

Q2b. Please tell us more:

If you rated any area as poor or average, please tell us why.

If you have any views on how we could improve information about any of these areas, please tell us more.

Q3. Is there any other sort of information you think the Council should publish, or provide more detail about?

Q4. Do you have any other views or suggestions about how the Council could make its information more open and accessible?

B. VIEWS ABOUT RESIDENT ENGAGEMENT AND CONSULTATION

The Council aspires to inform, consult and engage with residents about decisions that affect them, in an open and effective way. To do this, it employs a wide range of methods, including consultation exercises on specific issues and local community ward forums. We want to know what you think of the way we consult and engage, and how you think we can improve.

Q5a. Overall, to what extent do you agree or disagree with these statements about how effectively the Council engages with residents:

Statement	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree	Don't know
The Council involves residents when making decisions					
The Council is open and transparent when conducting consultations					
The Council listens to concerns of local residents					
The Council keeps residents informed about how their involvement has made a difference					

Q5b. Tell us more:

If you disagreed with any of these statements, please tell us why.

Q6. Do you have any other views about how the Council consults with residents, or any suggestions about how the Council could improve its engagement with residents?

Q7. Lastly, is there anything else you would like to say about how the Council could be more open, or to ensure that decision makers are held to account?

C. ABOUT YOU

Q8. Please tell us, in what capacity you are responding to this consultation (if more than one, please choose the main one)?

(Please also complete Q12-17)

- As a Tower Hamlets resident / individual
- As an elected Member
- Other (Please specify.....)

- On behalf of an organisation or business
- Prefer not to say

Q9. May we use comments provided in your response in reporting the findings of the consultation? Any comments used in this way will be anonymised.

- Yes
- No

Q10. The council would like to make public a list of people and organisations that responded to this consultation. Are you happy for your name, or the name of any organisation or business you are representing, to be named on this list?

- Yes
- No

If yes, please provide your name, or the name of the business/organisation you are representing (this will appear on the list):

Q11. May we contact you to discuss your response to this consultation? If so, please provide your name and email address / telephone number. For example, there may be specific points that we need to clarify.

NAME

EMAIL ADDRESS

CONTACT NUMBER

If you are completing this consultation as an individual, elected member or other:

Individual details

The questions below ask you to provide some details about yourself. These questions are optional but the information is valuable to us in understanding our local population. This information will help us build a profile of who has responded to the consultation to assess how representative respondents are of the population generally. The information you provide in this questionnaire will remain strictly confidential, in accordance with the Data Protection Act 1998. Any personal information you give us is held securely and will only be used for statistical purposes.

Q11a. Please indicate which age band you fall into:

- 0-15
- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+
- Prefer not to say

Q11b. Which of the following describes how you think of yourself?

- Male
- Female
- Trans
- Intersex
- Prefer not to say

Q11c. Do you consider yourself to have a disability according to the terms given in the Equality Act 2010?

(Under The Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.)

- Yes No **(Skip to Q11d.)** Prefer not to say **(Skip to Q15.)**

Please state the type of impairment that applies to you:

(People may experience more than one type of impairment, in which case you may indicate more than one. If none of the categories apply, please mark 'Other' and specify the type of impairment.)

- Sensory impairment, (such as being blind / having a visual impairment or being deaf / having a hearing impairment)
- Physical impairment, (such as using a wheelchair to get around and / or difficulty using your arms)
- Learning disability, (such as Downs syndrome or dyslexia) or cognitive impairment (such as autism or head-injury)
- Mental health condition, (such as depression or schizophrenia)
- Long-standing illness or health condition (such as cancer, HIV, diabetes, chronic heart disease, or epilepsy)
- Other (please specify)
- Prefer not to say

Type of impairment

Q11d. How would you define your sexual orientation?

- Bisexual (an attraction to both men and women)
- Gay man
- Gay woman / Lesbian
- Heterosexual/Straight
- Other (please specify)
- Prefer not to say

Q11e Ethnicity

I would describe my ethnic origin as:-

- | | |
|--|--|
| <input type="checkbox"/> White: British | <input type="checkbox"/> Mixed/Dual Heritage: White & Black Caribbean |
| <input type="checkbox"/> White: Irish | <input type="checkbox"/> Mixed/Dual Heritage: White & Black African |
| <input type="checkbox"/> White: Traveller of Irish Heritage | <input type="checkbox"/> Mixed/Dual Heritage: White & Black Asian |
| <input type="checkbox"/> White: Gypsy/Roma | <input type="checkbox"/> Mixed/Dual Heritage: Any Other Mixed Background |
| <input type="checkbox"/> White: Other | <input type="checkbox"/> Other Ethnic Groups: Vietnamese |
| <input type="checkbox"/> Black or Black British: African | <input type="checkbox"/> Other Ethnic Groups: Chinese |
| <input type="checkbox"/> Black or Black British: Somali | <input type="checkbox"/> Other Ethnic Groups/ Any Other Group |
| <input type="checkbox"/> Black or Black British: Caribbean | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Black/Black British/ Other Black Background | |
| <input type="checkbox"/> Asian or Asian British: Bangladeshi | |
| <input type="checkbox"/> Asian or Asian British: Pakistani | |
| <input type="checkbox"/> Asian or Asian British: Indian | |
| <input type="checkbox"/> Asian/Asian British/Other Asian Background | |

Q11f. What is your religious belief?

- No Religion
- Agnostic
- Muslim
- Christian
- Jewish
- Buddhist
- Sikh
- Hindu
- Humanist
- Other Religion (please specify)
- Prefer not to say

THANK YOU

Thank you for taking the time to take part in this consultation exercise. This survey forms part of the Overview and Scrutiny Transparency Commission (OSTC). Information about the Commission's work is available at: www.towerhamlets.gov.uk/OSTC

Annex B: Demographic profile of respondents

Demographic profile of respondents (resident respondents)			
		Number	% totals
TOTAL		127	100
Age	Under 34	17	13
	35-54	45	35
	55 and over	35	28
	Prefer not to say/not answered	30	24
Gender	Female	45	35
	Male	45	35
	Prefer not to say/not answered	37	29
Disability	Yes	17	13
	No	75	59
	Prefer not to say/not answered	35	28
Sexual orientation	Heterosexual/Straight_	57	45
	Bisexual /Gay/Lesbian/Other	11	9
	Prefer not to say/not answered	59	46
Ethnicity	White British/White Other	63	50
	Bangladeshi	7	6
	Other BME groups	9	7
	Prefer not to say/not answered	48	38
Religion	Christian	26	20
	Muslim	8	6
	Other religion	4	3
	No religion/agnostic	39	31
	Prefer not to say/not answered	50	39

Note: Staff responses have not been included / broken down here due to relatively small numbers.

Non-Executive Report of the: Overview & Scrutiny Committee 30 November 2015	 TOWER HAMLETS
Report of: Debbie Jones, Interim Corporate Director, Children's Services	Classification: Unrestricted
Planning for School Places	

Originating Officer(s)	Pat Watson, Head of Building Development
Wards affected	All

Summary

This report follows up from the scrutiny challenge session on tackling the school places gap – pupil place planning and the impact of academies and free schools which went to Overview and Scrutiny Committee in November 2013. A further report was considered by Overview & Scrutiny Committee on 7 July 2015. This report reviews the progress against the recommendations.

The annual report Planning for School Places – 2015/16 Review was considered by Cabinet on 8 September 2015.

Recommendations:

The Committee is recommended to:

1. Note the contents of this report.

1. **REASONS FOR THE DECISIONS**

1.1 The report notes progress on a previously agreed action plan.

2. **ALTERNATIVE OPTIONS**

2.1 The report is for noting only.

3. **DETAILS OF REPORT**

3.1 In September 2015 Cabinet agreed the annual report on planning for school places. This is available [here](#). The report provides information on the latest school roll projections and actions taken to meet the need for school places.

3.2 The Scrutiny Challenge Session was held in November 2013. The report and action plan were subsequently agreed. The July 2015 report to Overview & Scrutiny Committee gave an update on the action plan at that date. The following paragraphs (3.3 – 3.45) are extracted from the July report with further update comments *in italics* on each recommendation.

3.3 **Recommendation 1: Continue to identify options for expansion of existing schools, whilst retaining existing standards about quality and space.**

3.4 Service comment at action planning stage: This is a priority for the ESCW capital programme to ensure the continuing supply of places. However, the number of suitable sites with capacity for expansion is now very limited and therefore options for expansion of secondary schools are also very limited. The service drew up three actions to support the implementation of this recommendation as follows:

- Continue to review expansion options for schools and consider for inclusion in the ESCW capital programme
- Design briefs for school expansions to continue to include working to BB 98 and 99 standards (i.e. standards applicable before DfE introduced lower standards) wherever possible
- Implementation of school expansions to consider the priority location of schools to meet needs, the management capacity of the school to implement expansion successfully and the site capacity to deliver a cost-effective and good quality school environment.

3.5 Comment from service: Primary school site reviews are ongoing to identify further expansion options. Schemes for inclusion to be identified take account of location, site capacity and cost-effectiveness for extra places provided as well as school management capacity. Viable schemes to be programmed according to available funds and to meet need for places by the appropriate time. Design standard for primary expansions uses BB103 as starting point but is considered flexibly based on existing practice and operation of the school.

- 3.6 *Comment November 2015: Decisions were taken by Cabinet in May 2015 to create 5FE of new primary capacity by development of the Former Bromley Hall School site and the Former site of Bow Boys' School. The places are expected to be available from September 2018. Further options for other sites will be brought forward to meet the programme needs. The options will take account of other capacity being created as part of other development schemes, such as the Wood Wharf site – see below 3.13.*
- 3.7 **Recommendation 2: Prioritise the continuation of procuring and developing sites in the borough for schools, the delivery of which can be supported by funding mechanisms which could include S106 or (in future) the Community Infrastructure Levy. Explore all options for retaining site allocations for community schools maintained by the local authority, as far as possible.**
- 3.8 Service comment at action planning stage: Site allocations for new schools have been achieved, but availability of sites will depend on developers' timetables. The need for seeking additional sites through the strategic planning process will be kept under review. The need for school capacity is included in the Council's IDP (Infrastructure Delivery Plan) which is kept under review. CIL/s. 106 contributions are sought from new residential development and funds used in the ESCW capital programme to provide school places. Operation of any new schools will be considered in accordance with the applicable legislation. The service drew up four actions to support the implementation of this recommendation as follows:
- Work with developers to ensure that the LA secures the ability to develop the allocated sites
 - Ensure IDP reviews include updated school requirements
 - Develop funding strategies for sites to establish delivery programmes
 - Establish operation of new school sites to meet programmes for opening, taking into account where possible the options for expansion of community schools
- 3.9 Comment from service: Outline planning approval has been obtained for Neptune Wharf (primary) and London Dock (secondary) of the site allocations. S.106 agreements have secured the Council's ability to obtain the sites. Development programmes for opening to be confirmed. The Council is engaging with developers for some other allocated sites eg. Westferry Printworks. Additional primary school accommodation is planned in the new Wood Wharf development. In addition, additional primary school accommodation at Millharbour has been submitted, not yet determined. The Local Authority will be providing a financial contribution for school provision at these sites. Potential opening dates of both schools are yet to be confirmed. The use of the former Bromley Hall School site and former Bow Boys' School site for primary provision was agreed by Cabinet May 2015, dates for opening are yet to be programmed. Operation of the extra capacity to be proposed as expansion of existing community schools (subject to consultation and a separate decision-making process).

- 3.10 Between May 2014 and May 2015, £2,399,974 of developers' contribution was secured for school places. Following the adoption of the Council's CIL Charging Schedule, future contributions are likely to come from S106, CIL and other sources.
- 3.11 The Council has updated its Infrastructure Delivery Plan (IDP) as part of the production of the CIL Charging Schedule, which came into force on 1 April 2015. The IDP includes updated references to the need for school capacity and the importance of keeping this under review with our colleagues in CLC.
- 3.12 Strategic Planning are beginning the review of the Local Plan. This will consider the need for future allocations for school sites, and how to manage the need for additional school places if required including consideration of expansion to existing schools. The requirement for additional school capacity has been included in South Quay Masterplan.
- 3.13 *Comment November 2015: The Council is working with the Canary Wharf Group on the details of the proposed primary capacity at Wood Wharf. It is anticipated that this will be available in 2020. The development scheme at 3 Millharbour referred to above has been approved for consent by Strategic Development Committee but there is no programme for implementation at this stage.*
- 3.14 *In both cases at Wood Wharf and Millharbour the developers will provide "shell and core" buildings and the Council will fund and procure the fit-out.*
- 3.15 *A planning application has now been submitted for the Westferry site, including secondary school accommodation. Subject to determination of the application, it is anticipated that the Council will be responsible for the detailed design and procurement of the school.*
- 3.16 **Recommendation 3: Review the provision of information to parents, about the schools admissions process and allocation of places, to ensure it is flexible, user-friendly and understandable.**
- Consult with parents via the Parents Advice Centre project about the current information provided
 - Explore alternative methods and formats, including digital options
 - Re-assess user satisfaction with the information provided after each admissions round.
- 3.17 Service comment at action planning stage: This has been included as a key priority in the 2014-15 Pupil Admissions and Exclusions Team Plan. The Team is in the process of reviewing the provision of information available to parents and preliminary work has taken place to revise the various publications, including information on the Tower Hamlets website. The service drew up three actions to support the implementation of this recommendation as follows:
- A review of existing publications and online information was introduced to parents at the Parent Carer Council (PCC) meeting held by the Parent & Family Support Team, on 8th March 2014.

- The PCC to review the Primary and Secondary brochures.
 - Additional workshops will be held to ensure there is wider engagement from parents to capture their views.
 - The outcome of this exercise and other planned meetings will be used to make improvements on the publications and information available to parents to ensure that information is clear; user friendly and offers clarity on policy and procedures
- 3.18 Comment from the service: The actions from the workshops held with Parent Carer Council (PCC) in March 2014 formed the basis of the content of the 2015/16 school admissions guidance for parents. The school admission brochures were rewritten to make them less text heavy and flow-charts and visual aids were included to clarify the processes and guidance for parents. The PCC again reviewed the school admission brochures and other guidance this year (March 2015) and welcomed the improvements, including the online admissions guidance and visual aids.
- 3.19 The Admissions Forum has produced guidance for own admissions authority schools. The purpose of this guidance is to ensure that admissions arrangements for these schools are compliant with the School Admissions Code. The guidance recommends procedures and other good practices that serves the needs of the local community in line with local issues. The Working Group consists of representatives from parent governors; community groups, schools and Diocesan representatives.
- 3.20 Essential statutory guidance and other related information must be included in the brochure, which limits the amount of changes that can be made. However Pupil Services is providing interactive options through the school admissions website to seek to ensure that information is easily accessible and user friendly. Parent advice sessions are held throughout the borough in schools and other accessible locations in the autumn to raise awareness and share information so that parents can make informed decisions when applying for school places. This work is being done in conjunction with the Parental Engagement Team.
- 3.21 The 2015/16 applications round saw a significant increase in the number of online applications for Primary and Secondary schools. There were also fewer enquiries from parents' post-offer day. Tower Hamlets continues to be in the top 10 London Boroughs when meeting parental preference. This is indicative that parents are able to make informed and realistic choices. Where they have not received an offer at their preferred schools, parents had a better understanding of how the decisions were made and the further school options available. It should also be noted that there has been a significant decrease in the number of school admission appeals lodged since 2013. The total number of appeals received last year represented a 46% reduction over a two year period.
- 3.22 With regard to consulting with parents about the current information provided: Pupil Services continues to develop a robust mechanism for receiving regular

input from the Parent and Carers Council, parental representatives on the School Admissions Forum and parents in general. This has included focus groups and user surveys giving insight into how parents experience the school admission process, ranging from the quality and clarity of information, contact with the School Admissions Team and the helpfulness of the various publications and online facilities.

- 3.23 Planned improvements to the service or publications are reported back to the parent groups through the PCC and the Parent Matters newsletter, which is widely distributed.
- 3.24 With regard to exploring alternative methods and formats, including digital options: Through the process of gathering information from its service user questionnaire and through regular meetings with the PCC, Pupil Services has introduced a range of measures to encourage and support parents in using online facilities. This has included a leaflet giving guidance on making online school admission applications as well as local advice surgeries providing the facility and assistance to parents to complete their school applications online. This has resulted in a significant increase in the take up of online services, which has been externally verified. Online applications for secondary schools have increased from 34% last year to 59% this year; for primary schools there has been an increase 44% to 58%.
- 3.25 Pupil Services is continuing to explore new ways to encourage more families to access online facilities, with the aim of providing a wider range of online facilities that are user friendly and accessible. The Authority has also introduced a dedicated website to alert parents to changes in the school admission process; help their understanding of how decisions on nursery and primary school admission are made; as well as provide an interactive tool for parents to find information on the schools in the catchment area for their address and the likelihood of gaining a school place at a particular school: [Community primary and nursery schools admissions arrangements](#)
- 3.26 The interactive website facility is being further developed to provide more detailed information about schools and extended services in the local area. However, it has become necessary to explore additional resourcing streams in order maintain this progress and provide further online services, including the facility for parents to apply online at times other than at the normal points of school entry. The 2015 Equalities Impact Assessment is available on our website: [School admissions](#)
- 3.27 Pupil Services continues to hold roadshows across the borough to raise awareness of both primary and secondary school admissions process. The sessions are held at times and in locations to enable as many parents as possible to access advice and support. There is regular collaboration with the Parental Engagement Team to support these sessions and enable their success.
- 3.28 Further collaborative work is being undertaken with the Family and Parent Support Team with Pupil Services funding the appointment of appointment of

two Transition Officers whose primary purpose is to promote parental engagement in the school admissions process and raise awareness of policy changes.

3.29 With regard to re-assessing user satisfaction with the information provided after each admissions round: Pupil Services, in conjunction with the Council's Parental Engagement Service and Communications Team, introduced an ongoing questionnaire to obtain feedback from service users on their experience of the school admissions process. The responses are coordinated by the Family and Parent Support Team and the results shared with the Parent Carers Council and School Admissions Forum, a group representative of all the key stakeholders in the school admission process. The findings from the survey followed by the outcome of its analysis with these representative groups provide the basis for the Authority's forward planning for improvements in service delivery. The record of discussions and outcomes are publicised in the minutes from the meetings of the Parent Carers Council and Tower Hamlets School Admission Forum http://www.towerhamlets.gov.uk/lgs/1-50/17_schools/school_admissions/admissions_forum.aspx. In addition the Service is also working with the parental engagement service to ensure that vulnerable families receive support throughout the school admission process. Impact on services users is monitored through survey evaluations and periodic Equality Impact Assessments.

3.30 *Comment November 2015: The Council is currently undertaking a public consultation on its school admission arrangements for 2017/18:*

http://www.towerhamlets.gov.uk/lgn/council_and_democracy/consultations/school_admissions_consultation.aspx.

An analysis of the responses and recommendations will be presented to Cabinet in February 2016.

3.31 **Recommendation 4: Provide more information and in a timelier fashion to Members about pupil places and admissions criteria to support them in dealing with residents' queries, especially on the day school places are announced.**

- Provide information at ward level and borough-wide
- Provide information about the process at application time
- Provide summary information about the process and information on outcomes at decision time (for both secondary and primary places)

3.32 Comment from service at action planning stage: The policies for Primary and Secondary admissions have already been presented to Members. The paper included information on the application procedure and how offers of places are determined. The service drew up three actions to support the implementation of this recommendation as follows:

- Information on the breakdown of offers by Council ward and borough wide is provided to Council Members after each admissions round. This includes information on parental preference outcomes and the planned

arrangements for children who have not been offered places at the preferred school(s).

- Information on the policy and process will be provided to Council Members before the start of each admissions process.
- Reports with a breakdown of how places were offered, clearly explaining the policy and tie-break used to make offers will be presented to Members.

3.33 *Comment from the service November 2015: A breakdown of outcomes by Council ward and parental preference for both the 2015/16 secondary transfer and primary coordination exercises were provided to Members via Council bulletins in March and April 2015, including an analysis of Tower Hamlets performance as compared with the other 32 London Boroughs.*

3.34 *For secondary school admission in September 2015, 74 per cent of Tower Hamlets children received a place at their first preference school compared to an average of 67.5 per cent across London. With regard to a place at one of their top three preferences of secondary schools, the figures are 94 per cent for Tower Hamlets and 88 per cent London-wide. For primary school children for admission for September 2015, the outcome was 94.8 percent gaining a place at one of their top three choices compared to the London average of 92.6 per cent.*

3.35 *Information on the policies for school admissions in 2015/16 were presented to Members in September 2015. The publications included advice on the application procedure; how offers of school places were determined and who parents should contact in the case of query.*

3.36 *Members have been invited to participate in the Authority's consultation on school admission arrangements for the 2017/18 academic year via the Member Bulletin in November 2015. Consultation was for Tower Hamlets community schools (nursery, primary and secondary schools. A report advising of the outcome of the consultation on school admission arrangements for 2017/18 together with recommendations will be presented to Cabinet in February 2016.*

3.37 **Recommendation 5: Pursue efforts to bring free schools and academies within the strong family of community schools, supported by the local authority:**

- **Prioritise the development of a formal agreement with free schools and academies, to ensure they deliver education in line with the Council's values around admissions, curriculum and standards**
- **Seek Members' input to the draft 'Working with Academies and Free Schools protocol' prior to publication**
- **Where new schools are agreed, continue to build positive relationships with them at the Member and officer level and sell the benefits of the family of schools, including council services on offer.**

3.38 *Comments from the service at action planning stage: The Council facilitates network meetings for head teachers to ensure they are kept up-to-date with policy and other developments in Tower Hamlets. All head teachers, including*

those from academies and free schools, are invited to these meetings. In addition, the Council provides a weekly e-bulletin during term time to heads and academy and free school heads are invited to subscribe to this.

- 3.39 In addition to the free support the Council can provide a range of support services to academies and free schools on a traded basis and there are a fair amount of services which are already bought in by these schools. The Council also provides a named link for each academy/free school from its school improvement team.
- 3.40 With regard to prioritising the development of a formal agreement with free schools and academies, to ensure they deliver education in line with the Council's values around admissions, curriculum and standards: Operationally we have a draft protocol which we look to adopt with academies and free schools. This sets out both sides' responsibilities and the Council's expectations about how these schools will work with us in relation to admissions, safeguarding, data sharing etc. However, we cannot enforce sign up to the principles in the draft document.
- 3.41 With regard to seeking Members' input into the draft 'working with academies and free schools protocol' prior to publication: Service comment at action planning stage: This is a draft document which guides us operationally. It could become more formalised with Member input. One action was drawn up to support the delivery of this recommendation:
- Engage the Lead Member and Scrutiny Lead for children in the draft protocol
- 3.42 With regard to where new schools are agreed, continue to build positive relationships with them at the Member and officer level and sell the benefits of the family of schools, including council services on offer: Comments from the service at the action planning stage: The intention through the draft Working with Academies and Free Schools protocol is to do exactly this. In addition, these schools are invited to be part of the borough's family of schools through attendance at termly heads meetings and subscription to the e-bulletin etc. The following action was drawn up to support this recommendation:
- Hold early discussions with any new academy or free school about the support the Council can provide and how they can be part of the family of schools
- 3.43 Comment from service: This recommendation has not been progressed. This is partly because of the substantial senior management and organisational changes within the ESCW Directorate; services have been prioritising the Business As Usual activities. In addition, a new Education and Adoption Bill 2015-16 which is currently passing through the House of Commons. The Bill is making provision about schools in England that are causing concern, including provision about their conversion into Academies and about intervention powers; and to make provision about joint arrangements for carrying out local authority adoption functions in England. The Learning and Achievement Service will have to identify steps forward to progress this recommendation in the light of the changes in the Bill. This recommendation

will be revisited once staffing and organisational changes have been embedded.

- 3.44 *Comment November 2015: Action on this is now being taken forward as part of the work to investigate the Tower Hamlets Schools Partnership. This is a schools-led approach which aims to promote and extend existing joint working. The value of the existing partnership and collaborative working arrangements are recognised and valued. The Partnership proposal seeks to establish an organisational vehicle to embed a more formal organisation.*
- 3.45 *The School Admissions Forum has produced guidance for Academies when determining or reviewing their school admission arrangements. The purpose of this guidance is to ensure that these schools serve the interests of local children by adopting policies and practices that are congruent with the Tower Hamlets principles of fairness and transparency and those set down in the School Admission Code*

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 Meeting the Authority's statutory duty with regard to providing sufficient school places will require significant additional resources. The cost of a form of entry (fe) for primary will range from £5.5m - £6m (the latest report to Cabinet in September 2015 suggested that an additional 7 primary FE would be needed over the next ten years) and a secondary FE will range from £5m to £6m (with an expected 20 FE required over the next ten years). This pointed to a ballpark range of £140m - £162m at current prices to fund the additional capital costs over the next ten years. This excludes potential costs for additional 6th form and SEN provisions referred to in the report.
- 4.2 Capital funding from the Department for Education will assist, as will the creation of additional places through the establishment of free schools. Nonetheless, DfE capital does not necessarily cover London costs, nor does it cover site acquisition costs. The LA has s.106 contributions which were paid prior to April 2015, when they were replaced by the Community Infrastructure Levy (CIL) for "Public Education Facilities" which can be used to support the provision of additional education facilities arising from new housing developments. However, the flow of contributions depends on development activity so is outside the Council's control.
- 4.3 The revenue consequences of additional pupils will in most cases be met from additional Dedicated Schools Budget, which varies according to pupil numbers. At present there are General Fund costs in the region of £0.6m associated with transporting (or providing travel support) for individual pupils where school places are not nearby. Changes to the admissions arrangements will ease that pressure, as will any efforts to provide additional school places.

5. LEGAL COMMENTS

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants 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 and it is reasonable for the Committee to be provided with progress updates.
- 5.2 The Council has a duty under the Education 1996 to secure that sufficient schools are available for Tower Hamlets. Section 14 of the Education Act 1996 places a general duty on local authorities to secure sufficient primary and secondary schools in their area. Schools will be regarded as sufficient if they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. Appropriate education means education which offers such variety of instruction and training in view of pupils' different ages, abilities and aptitudes and the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.
- 5.3 The development and delivery of new sites for schools in the Borough could be wholly or partly funded by s106 contributions secured by agreement prior to April 2015. Subsequently, the Council's Community Infrastructure Levy (CIL) was adopted in April 2015. The Council's CIL Regulation 123 List, lists "Public Education Facilities" as one of several types of infrastructure that the Council intends will be, or may be, wholly or partly funded by CIL.
- 5.4 In the exercise of its functions, the Council must, in respect of the public sector equality duty, eliminate unlawful conduct under the Equality Act 2010, have regards to equality of opportunity and the need to foster good relations between persons who share a protected characteristic, including ethnicity, and those who do not. Regard has been paid to the Council's equality duty in the preparation of this report and it is considered that there are / are no implications for the Council.
- 5.5 s.6 Human Rights Act makes it is unlawful for a public authority (which includes the Council) to act in a way which is incompatible with a Convention right. "Convention" means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998.

The proposals in this report support Article 2, PART II OF THE FIRST PROTOCOL - *Right to education which states;*

"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State

shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.”

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The Council has a statutory duty to provide sufficient school places. It has to fulfil that duty within the changing context of academies and free schools, including where schools have been agreed for opening by the DfE outside the local programme for places.
- 6.2 The LA has a duty to ensure diversity of provision to enable parents to express their preference for a school place. Commissioning of school places is universally applicable to children and young people of school age and there is unlikely to be unequal impact on different groups.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The report supports the Best Value duty by monitoring progress against a number of recommendations which aim to secure improvement, informed by consideration of economy, efficiency and effectiveness.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no specific implications arising from the recommendations of this report

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The Council has procedures in place to monitor the supply of school places and the need for places. The reviews by Overview & Scrutiny Committee are part of the overall risk management of the Council's fulfilment of its duties.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no specific implications arising from the recommendations of this report.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report


List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

- N/A

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<p>Non-Executive Report of the: Overview and Scrutiny Committee</p> <p>30 November 2015</p>	
<p>Report of: Melanie Clay, Corporate Director – Law Probity and Governance</p>	<p>Classification: Unrestricted</p>
<p>Complaints and Information Annual Report</p>	

Originating Officer(s)	Ruth Dowden, Complaints and Information Manager, Graham White, Interim Service Head – Legal Services
Wards affected	All wards

Summary

This report provides information regarding the Council’s handling of complaints and information requests in the year 2014/15.

A summary of the key features of the report is contained in the introduction section starting at section 1.3 in the body of the report.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

Note the performance figures for 2014/2015 under the complaints procedures and for requests under the Freedom of Information Act and Data Protection Act.

Note the work of Council in relation to Information Governance matters.

Note that remedial action in respect of complaints and lessons learnt are will be drawn out further in the 6 month update report.

1. REASONS FOR THE DECISIONS

1.1 This report is for noting

2. ALTERNATIVE OPTIONS

2.1 This report is for noting

3. DETAILS OF REPORT

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)).

Complaints and Information Governance Annual Report

2014-2015

Version 1

Contents

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- Section 2 Information Governance
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- Section 5 Corporate Complaints
- Section 6 Adult Social Care Complaints
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- Section 8 Ombudsman Complaints
- Section 9 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 2014/15. 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 2014 to 31 March 2015, 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 2014/2015 were that –

- Information Governance audits revealed:
 - compliance at 70%, with all criteria met as satisfactory or above for Health and Social Care Information Council Toolkit.
 - , council completed improvement programme following the consensual audit by ICO in September 2014.
- FOI
 - One of the highest volumes in London.
 - Only 3% escalation to internal review and of 2161 only 5 to ICO (0.2%)
 - Of the five ICO decisions, 3 were upheld due to delay.
 - The rate of requests for internal reviews from information requests remained low (at 3.1%).
 - The Information Commissioner determined only five complaints in relation to the Council.
- Subject Access Requests
 - Performance improved from 61% in time 2013/14 to 80% in 2014/15
 - This improvement needs to continue.

- Corporate Complaints
 - 17% year on year increase in stage 1 complaints, LGO reports this is common across authorities.
 - Individual services variance explained in the report, including where performance is required to improve.
 - Escalation rates to the final stage fell from 5% to 4%
 - Adult Social Care complaints saw:
 - Fall in volume from 57 in 2013/14 to 52 in 2014/15
 - Turn around slipped, and Complaints and Information Team working with services to improve management information to support high level performance.
 - Children's Social Care
 - Small increase in volume from 46 to 49.
 - Again, the service and complaints team are working to improve turnaround.
 - Local Government Ombudsman
 - Increase in volumes from 11 to 128, however this is common across London and the country.
 - Benchmarking across London sees Tower Hamlets 13 out of 33 for fewest enquiries received by the LGO.
 - Of those matters actually investigated (23 cases), 47% were upheld, and this also compares favourably against other boroughs, ranked 13 again.
 - Housing Ombudsman
 - 3 out of 47 cases upheld and required remedy.
 - The Local Government Ombudsman and the Housing Ombudsman have made no reports against the Council since 2009/10.
- 1.4.** The response times for information requests improved, however these are still below target, but yet again there was a significant increase in the number of requests by 12%.
- 1.5.** Overall, the number of corporate complaints increased during 2014/2015 with Stage 1 complaints increasing by 17%. 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. 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 2014/2015, the SIRO role was held by Chris Holme, Interim 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 2014/2015.
- 2.6.** The Council's annual submission for the Health and Social Care Information Council (HSCIC) Toolkit (Information Governance assessment) was submitted in March 2015. The Council scored 70% (Satisfactory) having actioned the improvement plan from the

previous year. Each of the 28 components is ranged from 0 (not compliant) to 3 and the Council attained level 2 (satisfactory) or above for every component. A certificate was also obtained for the Public Sector Network (PSN) in August 2014.

2.7. ICO Audit

2.8. The Council was approached by the ICO in December 2013 with the offer of a voluntary audit of data protection practices and agreed the three focus areas as Records Management, Security of Personal Data and Subject Access Requests. The Council facilitated the audit in September 2014 and actioned an improvement plan, the outcomes of which were further reviewed by the ICO in May 2015. The audit provided a useful focus and the few actions still ongoing are incorporated into the 2015/16 Information Governance Work plan.

2.9. Information Asset Register

2.10. The information governance group embarked on a review of the Information Asset register in order to establish a single register for electronic and paper assets and to identify their properties, usage and potential risks.

2.11. Transparency

2.12. The Council improved the availability and quality of information published and has met the 2015 Government Code on Transparency requirements.

2.13. Security incidents

2.14. 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.

2.15. Risk

2.16. 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.

2.17. Training

2.18. The annual Information Governance Training and Communication Programme is updated in the light of risks identified and security incidents. IN 2014/15 a council wide e-learning package was pushed out to all staff (and face to face sessions for staff not on ICT systems). A range of posters placed in print hubs, intranet messages and emails were used to raise awareness and bookable courses on FOI and Data Protection delivered.

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 2013/2014 and 2014/2015 are summarised in Figures 1 and 2.

Figure 1

FOI and EIR	2013/14 Total			2014/15 Total		
	Rec	In Time		Rec	In Time	
Apr	161	139	88%	200	163	82%
May	148	131	89%	171	123	73%
Jun	134	115	86%	168	125	75%
Jul	165	146	90%	192	168	89%
Aug	154	121	80%	182	162	90%
Sep	118	87	74%	157	144	94%
Oct	172	141	82%	204	193	97%
Nov	179	153	86%	178	177	99%
Dec	126	109	87%	126	114	93%
Jan	220	192	88%	176	168	96%
Feb	180	150	83%	210	200	96%
Mar	169	135	79%	197	168	88%
Total	1926	1617	85%	2161	1905	89%

Figure 2

FOI & EIR Requests	2013/14			2014/15			Change	
	Rec	In Time		Rec	In Time			
CLC	497	420	86%	561	509	91%	64	13%
Development & Renewal	326	261	81%	364	326	91%	38	12%
ESCW	411	387	94%	449	433	97%	38	9%
Law Probity and Governance	168	113	69%	199	121	63%	31	18%
Resources	431	362	84%	460	411	92%	29	7%
Tower Hamlets Homes	92	76	83%	128	105	82%	36	39%
Total	1925	1619	85%	2161	1905	89%	236	12%

3.7 The number of information requests increased significant by 12% in 2014/2015. 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 85% in 2014/2015 to 89%. This may appear only a modest increase in performance, but it should be considered that the number of requests increased by 12% and there were no changes in the number of officers available to process these. Steps were taken to improve performance; however the IT system in place during the period reported is outdated and does not handle automated reminders. It was replaced in July 2015 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 then current system has no way of recording the level of complexity of requests.

3.10 Internal Review

- 3.11 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 2161 requests received during 2014/2015, 67 (or 3.1%) were taken to Internal Review. This escalation rate is considered to be low, although higher than 2.6% the previous year. There were 33 cases (50% 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.
- 3.12 Eight complainants were given apologies because the FOI was not answered in time.
- 3.13 In six cases incorrect information was originally given and following review the correct information was provided with an apology.
- 3.14 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.
- 3.15 Six complaints involved instances where information was wrongly withheld because of the incorrect application of an exemption.
- 3.16 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.

3.17 Complaints to the Information Commissioner

- 3.18 The Information Commissioner issued five decision notices concerning the Council in 2014/2015. The summaries from the ICO website are reproduced below, none of which were upheld with regard to the data published. However three were upheld in regard to delay.
- 3.19 **Case ref FS50557032:** The complainant has requested information from the London Borough of Tower Hamlets ("the Council") relating to the grounds on which five applicants were placed above her for a property. The Commissioner's decision is that the Council correctly applied section 40(2) of FOIA.
- 3.20 **Case ref: FS50553348:** The complainant has requested from the London Borough of Tower Hamlets ("the Council") information relating to the statement of persons nominated in 2010. After investigation, the Information Commissioner has found that the information sought by the complainant is not held by the Council for the purposes of FOIA. The Commissioner's decision is that the Council is entitled to rely on section 3(2)(a) of the FOIA. However the Council has breached section 10 as it failed to provide a substantive response within twenty working days. The Commissioner requires the public authority to take no steps.

- 3.21 **Case ref FS50549048:** The complainant has requested from the London Borough of Tower Hamlets (“the Council”) information relating to the declaration of election results, the storage of ballot boxes and suspected fraudulent ballot papers. After investigation, the Information Commissioner has found that the information sought by the complainant is not held by the Council for the purposes of FOIA. The Commissioner’s decision is that the Council is entitled to rely on section 3(2)(a) of the FOIA.
- 3.22 **Case ref FS50547099:** The complainant has requested the council to disclose information relating to a BBC Panorama program relating to the recent media investigations surrounding Lutfur Rahman. The council responded releasing some information but refusing to disclose other information under sections 43 and 36 of the FOIA. During the Commissioner’s investigation the council released further information, which then satisfied this element of the complainant’s complaint. He however requested the Commissioner to consider how the request had been handled and to record any procedural breaches of the FOIA. The Commissioner has reviewed how this request was handled and he has found that the council did not meet the statutory deadline, or explain in full the reasons for refusing the request. He does not however require any further action to be taken.
- 3.23 **Case ref FS50548231:** The complainant has requested the council to disclose copies of all correspondence between Lutfur Rahman, various staff within the council, any PR firms specifically dealing with Lutfur Rahman and the council’s press office over a two month period. The council responded providing a link to some relevant information on the subject. It then later issued a further response confirming that it wished to rely on sections 31, 36 and 40 of the FOIA. During the Commissioner’s investigation the council released the requested information, with a small amount of personal data redacted under section 40. The complainant had no complaint about the application of section 40, but felt that further recorded information should be held. He also wished the Commissioner to consider how the request had been handled and to record any procedural breaches of the FOIA. The Commissioner has decided that on the balance of probabilities the council does not hold any further recorded information. He has however reviewed how the request was handled and found that the council did not meet the statutory deadline, or explain in full the reasons for refusing the request.

3.24 Equalities

- 3.25 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 2014/2015 are set out in Figures 3 and 4.

Figure 3

Subject Access Requests	2013/14			2014/15		
	Rec	In Time		Rec	In Time	
Apr	21	13	65%	15	6	50%
May	24	6	32%	15	5	36%
Jun	12	6	55%	16	6	50%
Jul	35	14	50%	14	10	83%
Aug	8	5	83%	17	13	93%
Sep	16	12	80%	31	28	97%
Oct	21	10	59%	18	15	100%
Nov	18	6	43%	18	17	100%
Dec	14	11	85%	39	31	86%
Jan	7	5	71%	16	12	86%
Feb	18	11	73%	13	7	78%
Mar	20	12	71%	24	13	68%
	214	111	61%	236	163	80%

Figure 4

Subject Access Requests	2013/14			2014/15			Change	
	Rec	In Time		Rec	In Time			
CLC	12	7	88%	15	10	100%	3	25%
Development & Renewal	8	5	71%	9	5	100%	1	13%
ESCW	104	56	58%	144	107	77%	40	38%
Law Probity and Governance	8	2	40%	6	3	100%	-2	-25%
Resources	70	35	61%	49	29	83%	-21	-30%
Tower Hamlets Homes	12	6	67%	13	9	82%	1	8%
Total	214	111	61%	236	163	80%	22	10%

4.2 Requests for personal information held by the Council rose slightly in 2014/15. 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) and these rose more significantly.

4.3 The overall response rate has improved with 80% 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 **Information requests and Subject Access Requests by Service Area**
- 4.7 Education Social Care and Wellbeing Directorate
- 4.8 FOI/EIR performance: There has been an increase from 411 FOI requests in 2013/14 to 449 FOI requests during 2014/15. Annual increases in the number of FOI requests received is now an established trend over the last couple of years. Despite the increase in requests there has still been an improvement in performance from 94% in 2013/14 to 97% of requests completed on time in 2014/15. The majority of FOI requests that go over the timescale are usually sensitive requests that are often more complex or require exemption.
- 4.9 Subject Access Requests: ESCW receive a significant amount of Subject Access Requests compared to other Directorates and are primarily sensitive requests for social care records. The number of requests received have increased from 104 in 2013/14 to 144 in 2014/15. The overall performance of requests completed within the 40 day time scale, despite the 38% increase in requests, has also increased from 58% 2013/14 to 77% of requests completed within timescales.
- 4.10 The ESCW Information Governance function has been part of a restructure to improve poor performance during the early part of the year. The result of the restructure saw the Access to Records Team and the ESCW IG team merge. Processes have and are continuing to be improved as a result of the new IG team. The merger was completed in April 2015 and resulted in the loss of some staff to the ER or VR processes and vacant posts to be filled. Performance has dipped during the last part of the financial year due to the loss of staff and the delay in being able to recruit to vacant posts.

4.11 Resources

- 4.12 FOI: 92% of our FOIs were responded to within the statutory response period although this is slightly below the 95% corporate target. A more detailed look at the figures show that In Q3 the directorate responded to 98% of all FOIs on time and 97% in Q4, unfortunately its performance in Q1 (82%) and Q2 (92%) has brought down the final year-end outturn. We have recognised this and for 2015/16 will closely monitor Q1 and Q2 performance. We have a standing item on our DMT agenda looking at responses due for FOIs, MEs and Complaints. Our business support team do a sterling job of ensuring a smooth transition in FOIs being triaged appropriately and forwarded quickly and accurately to services in the directorate. We have KPIs setup on Excelsis which track the performance of FOIs, MEs and Complaints. Every quarter this data is reported to DMT through the quarterly performance monitoring report.
- 4.13 SAR: In 2014/15 83% of subject access requests were completed on time, although due to the sensitive nature of these requests made under the Data Protection Act and there being no central record of SARs in the directorate as they go straight to the service in question it's very difficult to explain why they are being held up above the 40 days statutory time limit – if IG could provide further information as to the service area they relate to we may be able to get further commentary from the relevant service(s).

4.14 Communities, Localities and Culture

- 4.15 FOI and EIR requests that CLC received increased by 13% (64) in 2014/15 compared to the previous year. This increase is in line with the Council-wide increase in FOI and EIR requests.
- 4.16 In spite of the increase in requests, CLC performance in responding to requests within the 20 working day statutory deadline improved from 86% (420) in 2013/2014 to 91% (509) in 2014/15.

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 2014/15. Overall, the number of complaints – excluding the FOI internal reviews – was 21% 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 2013/14 to 2014/15 has remained similar at 10.2 complaints per 1,000 population.

5.9. The 2014/15 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	2013/14	2014/15	Variance	
Stage 1	2477	2925	448	17%
Stage 2	372	476	104	25%
Stage 3	160	230	70	36%
FOI Internal Reviews (Stage 3)	51	67	16	27%
Total Complaints	3009	3631	622	19%

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		
	2013/14	2014/15	Variance	2013/14	2014/15	Variance	2013/14	2014/15	Variance
CLC	1019	1170	151	150	172	22	30	49	19
Development & Renewal	236	239	3	55	71	16	17	35	18
ESCW	41	50	9	9	6	-3	4	3	-1
Law Probity and Governance	42	47	5	6	11	5	58	72	14
Resources	371	366	-5	25	36	11	11	13	2
Tower Hamlets Homes	768	1053	285	127	180	53	40	58	18
Total complaints	2477	2925	448	372	476	104	160	230	70

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 2014/15 (Excludes FOI Reviews)					
Directorate	Stage 1	Stage 2		Stage 3	
		Stage 2	Escalated from Stage 1	Stage 3	Escalated from Stage 2
CLC	1170	172	15%	49	28%
Development & Renewal	239	71	30%	35	49%
ESCW	50	6	12%	3	50%
Law, Probity & Governance	47	11	23%	5	50%
Resources	366	36	10%	13	36%
Tower Hamlets Homes	1053	180	17%	58	32%
Totals	2925	476	16%	163	34%

5.12. Figure 8 shows the rate at which complaints are upheld at Stage 1 of the process and the percentage completed on time. During 2014/2015, response times for Stage 1 complaints have remained the same with 89% completed on time. The figure of 89% is 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 8

Stage 1 Resolutions by Directorate											
2014/15	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	1170	711	61%	135	12%	282	24%	42	4%	94%	7.8
Development & Renewal	239	148	62%	31	13%	32	13%	28	12%	74%	8.3
ESCW	50	17	34%	8	16%	23	46%	2	4%	68%	11.6
Law, Probity & Governance	47	20	43%	4	9%	16	34%	7	15%	79%	10.5
Resources	366	185	51%	93	25%	63	17%	25	7%	98%	4.3
Tower Hamlets Homes	1053	525	50%	101	10%	371	35%	56	5%	86%	8.7
Total Stage 1 Complaints	2925	1606	55%	372	13%	787	27%	160	5%	89%	7.8

5.13. Figure 9 shows the rate at which complaints are upheld at Stage 2 of the process and the percentage completed on time. During 2014/2015, response times for Stage 2 have improved from 82% to 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. Steps are being undertaken in the directorates where performance targets have not been met to address any delays.

Figure 9

Stage 2 Resolutions by Directorate											
2014/15	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	172	109	63%	19	11%	40	23%	4	2%	94%	15.9
Development & Renewal	71	47	66%	9	13%	10	14%	5	7%	76%	17.5
ESCW	6	3	50%	1	17%	2	33%	0	0%	83%	14.3
Law, Probity & Governance	11	7	64%	2	18%	2	18%	0	0%	45%	32.2
Resources	36	27	75%	3	8%	5	14%	1	3%	100%	11.3
Tower Hamlets Homes	180	62	34%	23	13%	88	49%	7	4%	86%	16.8
Total Stage 2 Complaints	476	255	54%	57	12%	147	31%	17	4%	87%	16.5

5.14. Figure 10 shows the rate at which complaints are upheld at Stage 3 of the process and the percentage completed on time. During 2014/2015, response times for Stage 3 complaints have fallen from 94% to 84%, this falls below the corporate target of 87% completed in time. It is noteworthy, however that there was a significant increase of 44% in the volume of Stage 3 complaints. This was also been impacted by the increase work load due to the large increase in FOI requests that the Complaints and Information Team also handle. Steps are being taken to improve the address the delays.

Figure 10

Stage 3 Resolutions by Directorate											
2014/15	Total	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		Closed in Time	Average Days to Close
CLC	49	25	51%	13	27%	9	18%	2	4%	80%	19.3
Development & Renewal	35	23	66%	7	20%	3	9%	2	6%	74%	20.3
ESCW	3	2	67%	0	0%	0	0%	1	33%	67%	18.7
Law, Probity & Governance	5	2	40%	3	60%	0	0%	0	0%	100%	13.0
LPG* - FOI Reviews	67	30	45%	13	19%	20	30%	4	6%	90%	17.3
Resources	13	9	69%	0	0%	1	8%	3	23%	100%	17.5
Tower Hamlets Homes	58	23	40%	11	19%	21	36%	3	5%	83%	21.1
Total Stage 3 Complaints	230	114	50%	47	20%	54	23%	15	7%	84%	19.0

5.15. FOI review performance times have slightly dropped from 92% to 90% 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.

5.16. Overall the volume of Stage 3 complaints (both escalations from Stage 1 and Stage 2 Complaints and FOI Reviews) has significantly increased over the previous year from 160 to 230, an increase of 70%, but the mix of these has changed with more FOI Reviews.

5.17. Corporate Complaints by Service Area

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

5.19. Education, Social Care and Wellbeing (ESCW)

5.20. 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.

5.21. Law, Probity and Governance (LPG)

5.22. 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.

5.23. Communities Localities and Culture (CLC)

5.24. Volume of complaints

CLC delivers a wide range of universal customer-facing services impacting residents' everyday lives. The number of complaints is therefore reflective of the numbers of customers served by universal services rather than targeted services. CLC continues to receive the largest number of Corporate Complaints among all directorates (40% of the total complaints that the Council received in 2014/15 – 1170 out of 2925). This, however, cannot be interpreted as demonstrating a lower quality of service provision.

While the number of complaints in the Directorate increased year on year by 15%, this is reflective of the overall 18% increase of complaints received by the Council.

5.25 Upheld and partially upheld complaints

In 2014/15, there were 417 complaints 'upheld' or 'partially upheld' at Stage 1 and 59 at Stage 2. The number of the 'partially upheld' or 'upheld' Stage 1 and 2 complaints were comparable to those of 2013/14. Not upheld Stage 1 complaints increased by 127 in 2014/15 from the previous year, which was equivalent to 84% of the total increase in complaints received by the Directorate. This suggests that the service performance was maintained. The increase of the not-upheld complaints is thought to have been affected by other reasons, including media attention the Council received in 2014/15.

Stage 3 partially upheld and upheld complaints increased from 6 to 22. The Directorate will review the responses to the Stage 2 complaints which were later escalated to Stage 3, aiming to understand reasons for the increase.

5.26 Resolution times

Resolution times for Stages 1 and 2 complaints were good, with 94% closed on time. This was an improvement from the previous year (93% Stage 1 and 90% Stage 2).

Effective performance management, including monthly directorate performance figures, has resulted in the prioritisation of response times at Stages 1 and 2.

5.27 Complaints by service area

The number of complaints received remained broadly steady across all service issues 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 were a small number of variations compared to 2013/14 for which additional contextual information is provided below.

Streetcare (Fly-tipping, dumped waste)

The number of complaints about dumped waste and fly-tipping increased from 22 in the previous year to 47, of which 21 complaints were upheld or partially upheld. This means that an upheld or partially upheld complaint was made by one in every 13,169 residents. Considering the Borough's population in 2014 (276,544) and the volume of the service, the number of the upheld or partially upheld complaints remains very small.

A number of complaints were made in respect of fly-tipping on private land. Where possible, officers will take steps to find out who the land owner is and make contact with them to advise of the issue and for them to take responsibility for their land. On occasions the Council will take steps to clear the waste at the land owners' expense (recharge). Complaints made about waste / fly tipping on private land are not reflective of Council performance in relation to dealing with fly tipping on the land it owns and maintains.

Failed collections (Domestic refuse, garden recycling and bulk collection),

There were additional 12 complaints of failed collections (domestic reuse: communal and doorstep), but the number of upheld or partially upheld complaints decreased by 33. This suggests the service maintained the service level or rather improved.

There were an additional 22 complaints about failed collections (garden recycling and bulk collection). A number of complaints about failed collections were made as customers were unaware of the changes of collection dates due to public holidays. These changes are published in East End Life in advance. In the context of more than

11m collections per year, the number of complaints about the service remains extremely low.

Street cleaning and pavements

The number of complaints about street cleaning and pavements increased (29 to 68). However, the number of upheld or partially upheld decreased from 29 to 24 indicating that service performance has been maintained as is reflected in third party monitoring of street cleanliness.

Parking service – Appeals process and Disabled Bay

The number of complaints about the parking appeals process halved from 65 to 32. This is reflective of the improved performance of the parking service 2014/15, when the service has responded more quickly to customer representations (within 5-10 days, as opposed to 30-40 days in 2013/14). This has reduced the number of repeat complaints.

Complaints about Disabled Parking Bays increased from 1 to 29. This was due to a review of the Personalised Disabled Parking Bay scheme. The purpose of the review was to ensure that all 444 designated bays were still needed and that the users of those bays remained eligible under the scheme criteria. The process has been complete and it is expected that the number of complaints in the coming year will decrease.

Idea Store & Idea Store Learning

In 2014/2015, the Idea Store service received a slightly higher number of complaints for services at Idea Stores in comparison to the previous year (18, up from 14). Considering that the Idea Stores and libraries have ca. 2,100,000 visits every year, these numbers are very small, as they amount to 1 complaint for every 116,000 visits.

There were 9 complaints about Idea Store Learning compared to 1 in the previous year. The changes in the fee structure and the delays in repayment for cancellation of programmes provided the majority of complaints in this area. Recent upgrades to the Council's online payments system are expected to speed up repayments.

4.24 Development and Renewal (D&R)

4.25 The overall volume of complaints in D&R has stayed broadly the same, when compared to last year. However, this masks changes to the volume of complaints received in particular services.

4.26 There has been an increase (38 in 2013/14 to 63 in 2014/15) in the number of complaints received in the Planning & Building Control service. The most significant increase has been within the Building Control department, showing an increase from 5 to 18 complaints. It is acknowledged that while this represents a significant increase in percentage terms, the actual number of complaints remains relatively low. The

authority's planning and building control department is one of the busiest in the country. The authority deals with the largest and most complex planning applications in the country and the building control surveyors are operating at the cutting edge of construction and fire safety methodology.

4.27 The Development Management and Building Control services are both currently undergoing a structural review to ensure that staffing levels and officers' responsibility and accountability are fit for purpose in an increasing demanding development market. In particular the Street Naming & Numbering service is to be enhanced with a more senior manager post to be created a larger team of officers to be developed to better deal with street naming and numbering requests expeditiously

4.28 The directorate's performance on responding to complaints within 10 working days remains below the expected standard. However, there has been improvement for the second consecutive year, increasing the percentage of complaints responded to within 10 working days from 68% to 74% and reducing the average number of working days to close a complaint from 10 to 8.3. It is noted that there is still work to be done to bring performance up to the expected standard.

4.29 Resources

In 2014/15 the complaints for Council Tax and Business Rates at stage 1 accounted for 42% of all of the directorate's complaints, in numbers this equated to 112 complaints for council tax and 12 for rates out of the total 366 complaints received. Benefits accounted for 31% receiving 112 complaints. The Customer Contact Centre received 49 complaints and One Stop Shops received 36 complaints accounting for 23% of all complaints, the remaining others equated to 5% amounting to 17 complaints. The profile of services in Resources is a mix of back office and customer facing services. Most of the complaints received by Resources are concentrated on the frontline facing services this bias is expected due to the customer facing nature of these services and therefore there would normally be a higher proportion of these services receiving complaints. As can be seen from the stats a lower number of these complaints were upheld at stage 1, 2, and 3 with 50-75% of complaints not being upheld.

Stage	14/15	13/14
Stage 1 –	98%	99%

We continued to maintain a good level of performance in resolving stage 1 complaints, 98% of complaints were resolved on time which is well above the corporate target. This level of performance also shows that the directorate has been effective in resolving most of its complaints in the first instance thereby reducing inconvenience to customers and limiting the cost and time of a more prolonged process. It is useful to note that 51% (185) of complaints at stage 1 were not upheld, 25% (93) partially upheld with 17% (63) upheld and 7% (25) withdrawn.

Stage	14/15	13/14
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Stage 2 – 100% 88%

At stage 2 all complaints were resolved on time an excellent level of performance considering volumes have risen (in 14/15 we had received 15 more complaints that reached stage 2 than in 13/14) but our performance has risen with it. 75% (27) of complaints were not upheld, 8% (3) being partially upheld with 14% (5) being upheld and 3% (1) withdrawn.

Stage 14/15 13/14
Stage 3 - 100% 100%

As at 13/14 we have again resolved all complaints in 14/15 at stage 3 on time. 73% (8) of complaints were not upheld with 9% (1) being upheld and 18% (2) withdrawn.

4.30 Tower Hamlets Homes (THH)

4.31 Complaints increased by 25% compared to last year whilst Members enquiries reduced by nearly 40%. The increase in complaints is mostly a function of the enormous number of homes being improved through the Decent Homes programme.

4.32 We plan to implement changes to the way we handle complaints this year with a shift on focus onto quick resolution rather than investigation. We have improved the way we monitor ongoing communication with residents that have made a complaint and providing progress updates until a complaint is fully resolved.

4.33 We received 1053 Stage 1s, 285 more than 2013/14 and received 180 Stage 2s, 53 more than 2013/14.

4.34 The main issues have been delays in contractors completing works, and insufficient communication with residents when there are delays. The main lesson learnt is therefore that our focus for 2105/16 need to improve our communication with residents especially if there are delays in carrying out repairs.

4.35 As part of the ongoing learning from complaints all THH staff who respond to Stage 1 complaints that are upheld are required to complete lesson learnt where the service area determines whether there is a process/procedural/training change required. This information has fed into our Complaints Service Improvement Plan to ensure that we are improving our services.

4.36 99.3% of all THH staff attended our Customer Care Here to Help programme. Our key focus is to ensure that staff provide a positive first response to problems and offer alternative solutions when we are not in a position to agree to a resident's request. We know that if we consistently provide progress updates and follow up on promises made this will improve the way we manage complaints and lead to more satisfied residents.

4.37 THH Complaints Service Improvement Action Plan

Listed below are the key Complaints Service Improvement Actions identified, which have been completed.

- To ensure that we provide progress updates until resolution of service charge queries we have produced an outstanding query log
- Following complaints regarding the frequent breakdown with mechanical gates our main contractor has changed the subcontractor who carried out this type of work and we have seen an improvement in the work undertaken
- We have amended the billing process for major works, invoicing once the final account is received at the end of the works. Previously we produced an estimated bill after the first evaluation. To reduce the number of complaints regarding issues relating to TV aerials we now have a TV aerial renew programme
- A guidance note has been produced for staff regarding aids and adaptations to ensure referrals are made to OTs sooner
- To ensure residents are kept updated regarding Decent Homes works, three months after carrying out the survey a 'not forgotten' letter is sent updating residents when the work will commence.
- To reduce complaints where multi skill operatives are required, every Mears operative has had a skills assessment to identify training needs, so that we can increase the number of multi-skilled operatives

4.38 Future Focus

Some of the areas of focus for the year ahead will be:

- Embedding the introduction of Getting It Sorted to resolve complaints quicker with an outcome to minimise the escalations of complaints
- Consider changing from a 3 to 2 stage complaint process
- Implement the complaints process using the new complaints handling software.
- Roll out E Learning Training on Dispute Resolution to complaint handlers
- Review our complaint procedures.
- Obtain agreement from LBTH to recognise the Resident Complaint Panel and jointly support them to fulfil their role to agree local resolution to reduce the number of cases referred from and to the Housing Ombudsman
- Track promises made for Stage 1 and 2 complaints to prevent unnecessary calls from residents and to prevent cases from escalating unnecessarily

4.39 Stage 3 complaints

4.40 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.

4.41 As indicated earlier in the report, the numbers of Stage 3 complaints increased by 60 in 2014/2015. The percentage completed has dropped to 84% and the average response time has increased to 19 days per complaint as can be seen in Figure 11.

Figure 11

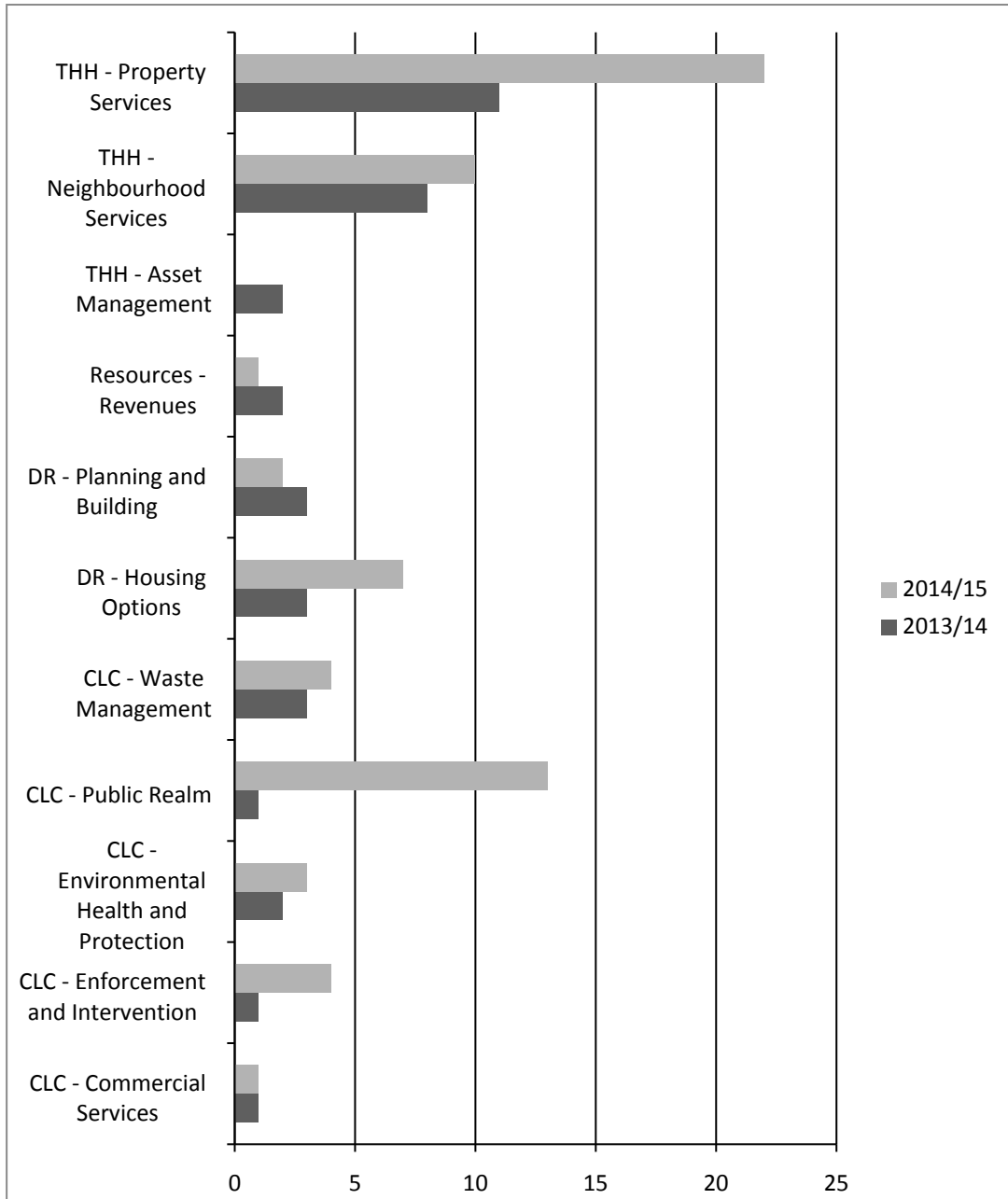
Stage 3 Complaints Response Times						
Financial Year	Total Answered	Completed in Time		Answered outside timescale		Average response times (days)
2012/13	155	128	83%	27	17%	18
2013/14	160	150	94%	10	6%	18
2014/15	230	193	84%	37	16%	19

4.42 The rate at which complaints were upheld or partially upheld at Stage 3 was lower in 2014/15 at 23% compared with 43% in 2013/2014.

4.43 Figure 12 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 12

Upheld and Partially Upheld complaints at Stage 3



4.44 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 13

	Number of Stage 3 cases warranting compensation	Total value of Compensation
2014/15	23	£8,186
2013/14	12	£3,385
2012/13	8	£2,025

4.45 Summary of Key Issues in upheld Stage 3 complaints

4.46 In total 33 FOI review complaints were upheld or partially upheld, details of which are summarised in section 3 above. Of the Corporate Complaints upheld (or partially upheld) the key issues are summarised below:

Communities, Localities and Culture

4.47 There were 9 complaints for the Communities, Localities and Culture Directorate which were upheld. 4 related to domestic refuse and missed collection, 1 related to recycling, 3 for public services and 1 related to Streetcare.

4.48 One complaint where missed collection of domestic refuse was not happening on a weekly basis. Complainant was given compensation of £25 and reminded to report all missed collection to Customer Contact Centre.

4.49 Three complaints from residents about missed collection. Apology given and advised that there will be further monitoring and a formal notification given to Veolia of consistent missed collection.

4.50 One complaint was in regard to missed collection and a goodwill payment of £30 was given to the resident, with assurances that refuse collections will be monitored.

4.51 One complaint about a complainant who felt they were being targeted by CEO's and issuing him with parking tickets. It was decided to cancel the outstanding PCNs on the basis that they were served when correct signages were not in place. Apologies were made that this was not done earlier and for the PCN being served incorrectly

4.52 One complaint about a complaint who requested refund of Bailiff charges for recovery of debt belonging someone driving a car to which the owner no longer is the registered keeper. Registered owner proved that DVLA had been informed he was no longer the registered keeper. Bailiff action refunded £805.10

Development and Renewal

- 4.53** There were 3 complaints upheld in Development and Renewal Directorate. All 3 related to Housing Options.
- 4.54** One complaint regarding ASB-Ongoing Noise Nuisance/ late night parties and Drug taking in area 14 Kerry House by tenant Ms Abdi. 4 month delay resulted in avoidable ASB. Offer an ex-gratia payment of £250 as a goodwill gesture in recognition of the additional ASB nuisance. Steps are being taken to improve the process. Officers to be more diligent in future.
- 4.55** One complaint about the way their complaint was dealt with at Stage 1 and 2. Apology and £250.00 previously offered at Stage Two

Tower Hamlets Homes

- 4.56** There are 4 complaints related to Capital Works, 1 regarding Caretaking and 5 regarding Decent Homes.
- 4.57** One complaint regarding service charge and a delay in providing actuals which led to the rebate not given to complainant until three years later. This was due to various issues regarding the works. THH also did not keep him informed and he had to continuously chase. Apologies for the poor service and offer £200 for time and trouble
- 4.58** One complaint about a complainants final account which was late, they were advised that New procedures, in future will be issued within 3 months. They were asked to explain how inconvenienced so that we can assess compensation
- 4.59** One complaint about Problems with Hot Water and Heating System at Orion House. Complained about the hot water and heating system at Orion House which has not been working properly since 12 December 2014. Boiler system is running very close to optimum with regard to hot water service however the heating system is not at full capacity. System has been due for replacement for many years however the operation has been hampered by presence of asbestos
- 4.60** Five 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.
- 4.61** One THH complaint was raised about Breyer Group not being in contact with the resident with regard to the laminate flooring that was water damaged during DH boiler replacement works. Contractor should have contacted tenant sooner and THH complaints to ensure responses are of a better quality. £100.00 was offered and laminate flooring in hallway to be replaced by Breyer

- 4.62** One THH complaint Decent Homes works to Kitchen were not completed. Improvements needed and redecoration of flat not carried out as promised. Faults were rectified and a compensation of £200 was offered.
- 4.63** Five complaints related to Mears about outstanding works and repairs.
- 4.64** One THH complaint was raised about a leak in property which was not fixed. Leak was fixed and £200 compensation was offered.
- 4.65** One THH complaint relating to poor customer service at Mears and outstanding repairs (Leak/Scaffolding). An Apology was given and a £950.00 compensation and agreement from Molly Wallis to centralise a bedroom light fitting
- 4.66** Six THH complaint related to Neighbourhood Services. 4 in Bethnal Green and 2 in Stepney Wapping.
- 4.67** One THH complaint was raised about lift replacement works and how this effected the wellbeing of a disabled resident. It was found that there should have been close liaison between Property Services and NHO and notification at a far earlier stage. There was n oversight by Housing Officer in allocating a decant property and also of Lift Engineer who felt that NHO was lead. An apology was given and an offer of £2400 compensation
- 4.68 Complaints service user profiles**
- 4.69** The complaints service can be accessed by email, in person, phone, post, and web-form. A breakdown of access methods is provided in Figure 14 below.

Figure 14

Breakdown of Stage 1 how complaints are received				
How Received	2013/14		2014/15	
Email	1183	48%	1317	45%
Web	454	18%	408	14%
Fax	1	0%	0	0%
Post	145	6%	195	7%
Phone	682	28%	995	34%
In Person	12	0%	10	0%
Total Complaints	2477		2925	

- 4.70** Web usage decreased this year, and there was a significant increase in the use of phone. This is against the trends of the past few years which saw web and email usage increase.

4.71 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.

4.72 The level of non-response presents challenges in terms of equality analysis. For example, Figure 15 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 15

Stage 1 Complaints by Ethnicity					
	2013/14		Borough Projection	2014/15	
Asian	597	24.1%	41%	490	16.8%
Black	97	3.9%	7%	69	2.4%
Mixed /Dual Heritage	16	0.6%	4%	14	0.5%
Other	7	0.3%	2%	10	0.3%
White	486	19.6%	45%	465	15.9%
Sub Total	1203	-	-	1048	-
Declined	179	7.2%	-	172	5.9%
Not Known	1095	44.2%	-	1705	58.3%
Total Stage 1 Complaints	2477			2925	

4.73 The one area in which there is complete data is in relation to gender. The data is summarised in Figure 16 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 16

Stage 1 Complaints by Gender					
	2013/14		Borough Projection	2014/15	
Female	1155	46.6%	48%	1374	47.0%
Male	1314	53.0%	52%	1532	52.4%
Not known	8	0.3%		18	0.6%
Total Stage 1 Complaints	2277			2925	

5 ADULTS SOCIAL CARE COMPLAINTS

5.1 Procedure, volumes and timeliness

5.2 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.

5.3 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.

5.4 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 17. 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 raise through the statutory process.

Figure 17

Locally Resolved Concerns April 2014 – March 2015		Not Upheld	Partially Upheld	Upheld
Access to services	0	0	0	0
Challenge decision	7	2	3	2
Conduct/competence	6	2	3	1
Policy/procedure	0	0	0	0
Records/information held	0	0	0	0
Service delay/failure	8	1	3	4
Service quality	20	3	10	7
Other	7	5	1	1
Total	48	13	20	15

5.5 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.

5.6 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.

5.7 Figure 18 below compares the year on year volumes and shows another fall in complaints in 2014/2015, by a modest 3%.

Figure 18

Volume of Adult Social Care Complaints				
	2013/14	2014/15	Variance	
Total Complaints	57	52	-5	-9%

Figure 19

Adults Social Care Complaints by Division - 2014/15 First Half								
	Total		Not Upheld		Partially Upheld		Upheld	
Commissioning Services	6	21%	1	17%	3	50%	2	33%
First Response	5	18%	4	80%	0	0%	0	0%
Learning Disability	2	7%	0	0%	0	0%	2	100%
Longer Term East	3	11%	2	67%	0	0%	1	33%
Longer Term West	4	14%	2	50%	2	50%	0	0%
Re-ablement	8	29%	5	63%	1	13%	2	25%
Totals	28	100%	14	50%	6	21%	7	25%

Adults Social Care Complaints by Division - 2014/15 Second Half								
	Total		Not Upheld		Partially Upheld		Upheld	
Commissioning Services	7	29%	1	14%	2	29%	3	43%
First Response	5	21%	4	80%	0	0%	1	20%
Learning Disability	1	4%	1	100%	0	0%	0	0%
Longer Term East	4	17%	1	25%	2	50%	1	25%
Longer Term West	4	17%	2	50%	1	25%	1	25%
Re-ablement	3	13%	2	67%	1	33%	0	0%
Totals	24	100%	11	46%	6	25%	6	25%

5.8 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 20 indicates that 18 of the 52 complaints were completed within 20 working days, and at 35%, this is an improvement over last year's performance.

Figure 20

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
2013/14	57	37	65%	16	28%	4	7%	0	0%	0	0%	0	0%	0	0%	0	0%	9
2014/15	52	15	29%	18	35%	8	15%	4	8%	2	4%	3	6%	2	4%	0	0%	21

5.9 Figure 20 also demonstrates that the average number of working days to complete has increased from 9 to 21.

5.10 Reason For Complaints

5.11 Figure 21 provides a summary of the reasons for which people complained.

Figure 21

Adults Social Care Complaints by Reason													
	2013/14	Variance		2014/15	Not Upheld		Partially Upheld		Upheld		Withdrawn or Referred On		
Access to Service	0	-2	0%	2	4%	2	100%	0	0%	0	0%	0	0%
Challenge Assessment Decision	24	-9	7%	15	29%	9	60%	3	20%	2	13%	1	7%
Conduct / Competence	15	0	7%	15	29%	5	33%	6	40%	4	27%	0	0%
Service Delay / Failure	14	-4	10%	10	19%	2	20%	2	20%	6	60%	0	0%
Service Quality	1	-1	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Not specified	3	7	10%	10	19%	7	70%	1	10%	1	10%	1	10%
Totals	57		2%	52	100%	25	48%	12	23%	13	25%	2	4%

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

5.13 Access and Profiles

5.14 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 22

Breakdown of how Adults Social Care Complaints are received				
	2013/14		2014/15	
Email	24	42%	30	58%
In Person	2	4%	1	2%
Phone	10	18%	7	13%
Post	19	33%	14	27%
Web	2	4%		-
Total Complaints	57		52	

5.15 Summary of key issues in upheld cases

- 5.16 Two complaints about OT Equipment Staff not carrying out tasks as requested. Apology given and on one occasion OT was changed.
- 5.17 Five complaints regarding the conduct and competence of staff, apology offered on all occasions
- 5.18 There were two complaints where there was poor communication from the social worker and an apology given.
- 5.19 One complaint challenging the reduction of personal care to elderly person which is alleged will put person in danger of falling when care not provided. Service user was offered a re-assessment.
- 5.20 There were three complaints where a poor service was given by a care agency and the situation is being monitored.
- 5.21 One complaint about claim for money owing for care home contribution to costs. Council offered to arrange repayment plan and reduce the debt by £200 as compensation.

6 CHILDREN'S SOCIAL CARE COMPLAINTS

6.1 Procedures

6.2 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.

6.3 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.

6.4 Complaint volumes

6.5 The number of children's social care complaints rose in 2014/2015 as shown in Figure 23, there is no clear explanation for this.

Figure 23

Volume of Children's Social Care Complaints				
Year	2013/14	2014/15	Variance	
Stage 1	46	49	3	6%
Stage 2	3	3	0	0
Review Panel	0	1	1	100
Total Complaints	49	53	19	8%

6.6 Complaint Response Times

6.7 Figure 24 sets out the response times for Stage 1 complaints. It shows that 43% of Stage 1 complaints in Children’s Social Care were answered within the 10 working day time scale, and 76% completed in the extended times scale. This is a drop compared to last year while the volume of complaints remains similar.

Figure 24

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)
2013/14	46	31	67%	43	93%	3	7%	6
2014/15	49	21	43%	37	76%	12	24%	11

6.8 There were three Stage 2 complaints this period with an average response time of 81 working days.

Figure 25

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)
2013/14	3	0	0%	2	67%	1	33%	59
2014/15	3	0	0%	1	33%	2	67%	81

6.9 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.

6.10 Complaints by Service

6.11 The areas on which complaints have been recorded at each stage are set out in figures 26 and 27 below.

Figure 26

Stage 1 Children's Social Care Complaints by Section				
	2013/14		2014/15	
Child Looked After & Leaving Care	14	30%	10	20%
Child Protection and Reviewing	6	13%	8	16%
Children's Resources	6	13%	3	6%
Fieldwork Services	14	30%	23	47%
Int. Services Children Disability	6	13%	3	6%
Not specified	0	-	2	4%
TOTAL	46		49	

6.12 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 27

Stage 2 Children's Social Care Complaints by Section				
	2013/14		2014/15	
Child Looked After & Leaving Care	0	-	1	33%
Child Protection and Reviewing	1	33%	1	33%
Fieldwork Services	2	67%	1	33%
TOTAL	3		3	

6.13 Summary of key issues in upheld complaints at Stage 3

- 6.14** There were 18 complaints upheld at Stage 3
- 6.15** One complaint related to financial matters as birthday allowance and support allowance to carers have not been paid. Apology was given for the delay in resolving the issues and allowances were paid.
- 6.16** One complaint challenging the change of social worker. The request was accepted to continue social worker support by present allocated worker.
- 6.17** Three complaints related to the lack of support services for child
- 6.18** One complaint regarding the conduct of LAC review meeting where young person was invited to attend. Some mistakes were made in the way meeting was conducted, an apology was given about the meeting.
- 6.19** One complaint about a social worker report about SEN of child which mother says is incorrect. It was acknowledged that SEN statement needed to be amended. Amendments were made.
- 6.20** One complaint about the lack of support by social worker for family on child protection register. There were some communication errors and mistakes made by social workers, apology was given.
- 6.21** One complaint about the alleged lack of information about change and unsuitability of foster carers. It was found that information was not passed on promptly to child's mother about the change of foster carers. Contact details of the manager were given.
- 6.22** Two complaints related to the conduct and lack of support from social workers. New social workers were allocated on both occasions.
- 6.23** One complaint challenging a placement decision, placement was re-arranged as requested.
- 6.24** One complaint related to the lack of adequate support from Leaving Care Services. Explained this was due to staff shortages and apologies given.

7 LOCAL GOVERNMENT OMBUDSMAN AND HOUSING OMBUDSMAN COMPLAINTS

7.1 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.

7.2 In 2014/15 the LGO received 128 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.

7.3 Figure 28 is a breakdown of complaints received from the LGO with their categories.

Figure 28

	LGO Complaints and enquiries received							Total
	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	
2014/15	12	15	7	13	6	29	37	128
2013/14	6	23	10	6	6	24	30	111

7.4 Complaints Closed by the Ombudsman

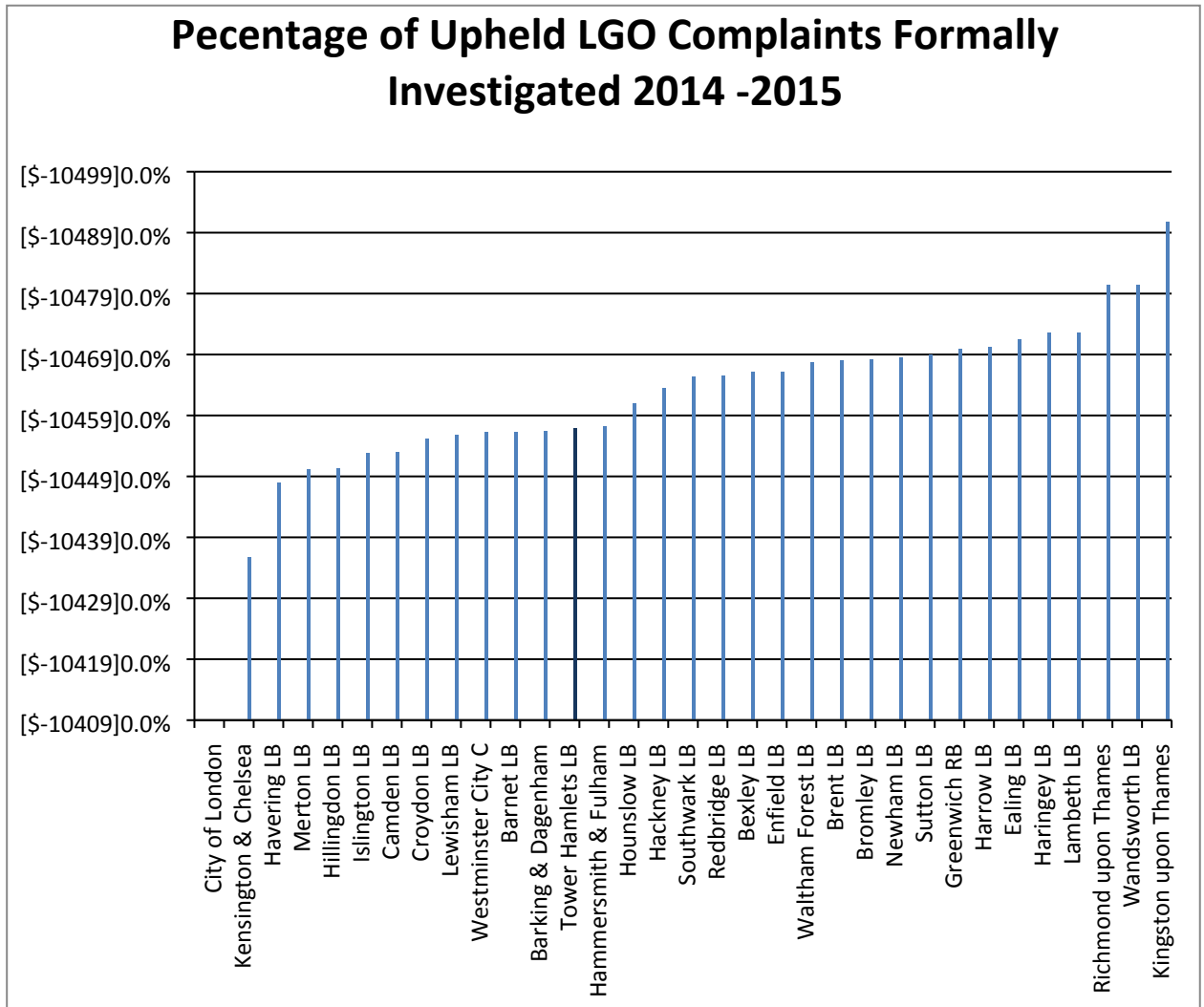
7.5 As can be seen in Figure 29, 122 complaints were determined. The LGO has changed the way complaints are recorded and focused on those where an investigation took place. These are then noted as upheld or not upheld. In eleven cases some element of the complaint was upheld. 57 cases were referred back to the Council as premature. In four cases advice was given to the complainant and 34 cases were dismissed after preliminary enquiries with the Council or on the basis of the information provided by the complainant.

Figure 29

	LGO Decisions made						Total
	Detailed investigation		Other				
	Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete /Invalid	Referred back for local resolution	
2014/15	11	12	4	34	4	57	122
2013/14	10	3	11	40	3	51	118

7.6 The Ombudsman ranks Local Authorities on the percentage of the complaints they formally investigate that were upheld.

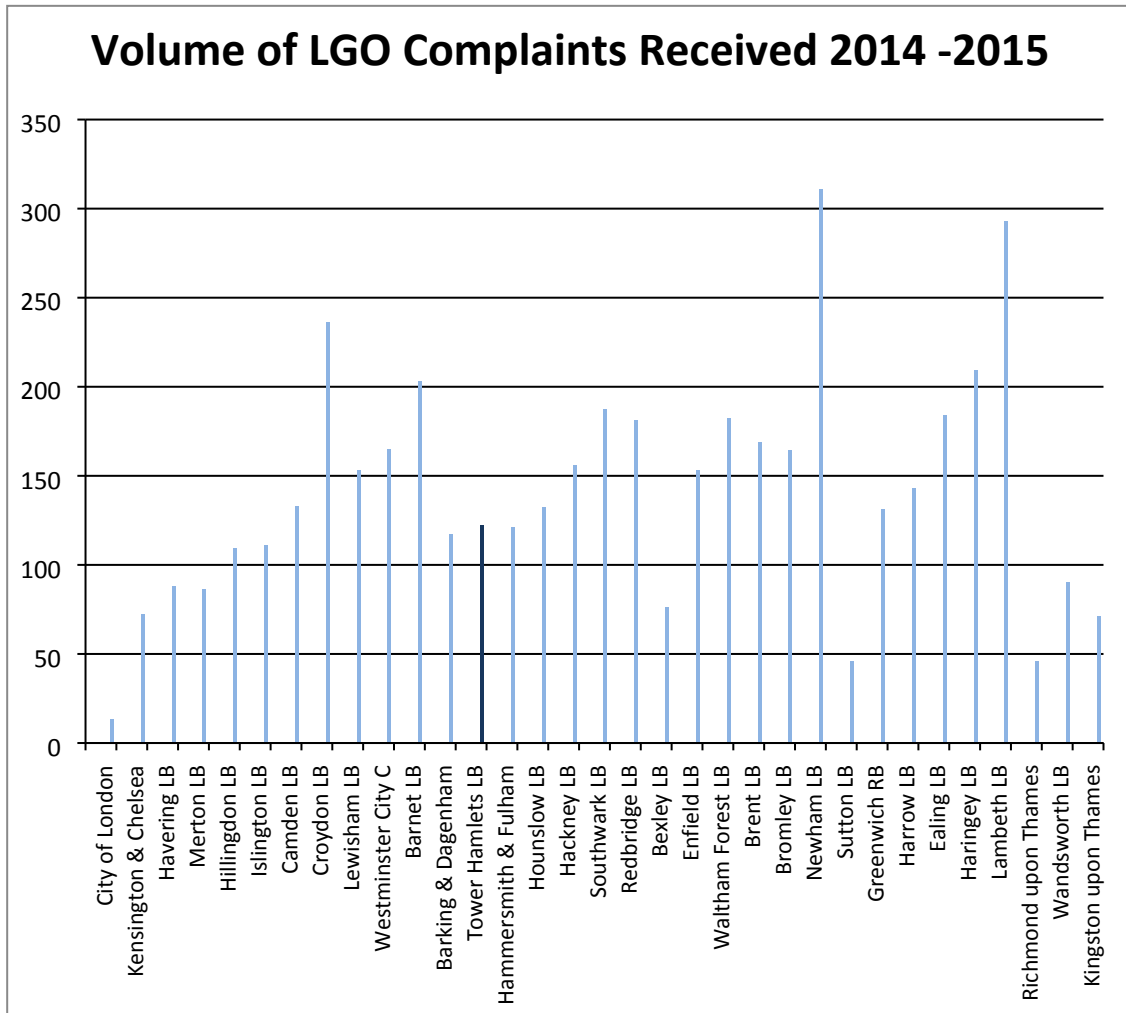
Figure 30



7.7 Figure 30 shows that Tower Hamlets had 47% of those case investigated upheld, with the highest percentages for other authorities reaching 70 and 80%. Please note this will also include complaints where the council had already recognised the issue and remedied it.

7.8 The overall volume of complaints considered varies across the boroughs. Tower Hamlets ranks 13 out of 33 for the fewest Ombudsman enquiries and complaints, as shown in figure 31 below.

Figure 31



7.9 A report on the upheld Ombudsman complaints is now submitted to Cabinet, where details of the issues and action taken are set out.

7.10 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.

Figure 32

Housing Ombudsman Outcomes	2013/14	2014/15	
	Volume	Volume	%
Advice Given	12	20	42%
Locally Resolved / Suitable Redress	0	3	6%
No Maladministration	0	3	6%
Outside Jurisdiction	0	6	13%
Refereed back for local resolution	11	12	25%
Withdrawn / Ineligible	0	3	6%
Total	24	47	

7.11 There were 3 Tower Hamlets cases determined by the Housing Ombudsman in 2014/2015 where a resolution or remedy was required.

8 IMPROVEMENT AND DEVELOPMENT INITIATIVES

8.1 External relationships

8.2 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.

8.3 As members of the Public Sector Complaints Network (for 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.

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

8.5 Monitoring Complaints

8.6 Weekly outstanding lists for complaints and information requests have been circulated to Directors and Service Heads. Detailed monthly monitoring is also provided to the Corporate Management Team and Directorate Management Teams.

8.7 This is being revised to be accommodated in the new software, iCasework, implemented in July 2015.

8.8 Changes to Housing Complaints

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

8.10 The team has worked closely with THH to facilitate residents to establish a Tenant Panel to handle the designated person stage.

8.11 Training has been provided jointly by the corporate complaints and information team and THH, to members regarding this new role. Quarterly meetings with the panel are to be held.

8.12 Once THH are happy with the panel set up they will ask the Council to recognise the group. The Council can then inform the Housing Ombudsman and have the panel registered.

8.13 Publicity

8.14 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.

8.15 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, and working with the Children's Rights Officer.

8.16 Web pages for all the team's activities were updated in June 2015.

8.17 Effective Learning Outcomes from Complaints

8.18 Effective complaints procedures can help the whole authority improve the delivery of services by highlighting where change is needed.

8.19 Where appropriate, lessons learnt from complaints are considered by the Corporate Management Team in quarterly monitoring reports.

8.20 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.

8.21 Equalities

8.22 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.

9 COMMENTS OF THE CHIEF FINANCE OFFICER

9.1 This report provides the annual complaints and information report for the period 1st April 2014 to 31st March 2015. 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 approval for any further resources will need to be requested using existing financial procedure rules.

10 LEGAL COMMENTS

10.1 The Council has statutory duties in respect of the handling of social care complaints as set out in the report. The proper handling of complaints and the consideration of information arising from a those complaints may also be consistent with good administration in the discharge of the Council's functions. It may contribute to improving the quality of services that the Council offers and hence to the Council's duty as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Proper complaints handling and review may also contribute to the avoidance of maladministration within the meaning of the Local Government Act 1974.

10.2 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not.

11 EQUAL OPPORTUNITIES/ ANTI-POVERTY/ ONE TOWER HAMLETS CONSIDERATION

11.1 The Complaints functions ensure a review mechanism by which any element of service and access can be reviewed, and efforts are made to ensure that individual issues and broader equality issues are considered.

11.2 Freedom of Information and Transparency promote access to data across the population. Subject Access Requests under the Data Protection Act offer ease of access for service users to their own data.

13. BEST VALUE (BV) IMPLICATIONS

13.1 Best Value is achieved through early resolution of complaints and the reduction in escalation rate is noted in the report.

14. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

14.1 There are no specific implications.

15. RISK MANAGEMENT IMPLICATIONS

15.1 Risk implications are detailed in the report and the actions in maintaining a good standard of Information Governance practice as well as effective complaints handling mitigate risk to the organisation both in terms of financial penalty and reputation.

16. CRIME AND DISORDER REDUCTION IMPLICATIONS

14.2 There are no specific implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

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Appendices

- Local Government Ombudsman Annual Report 2014/15.

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

- Ruth Dowden x4162

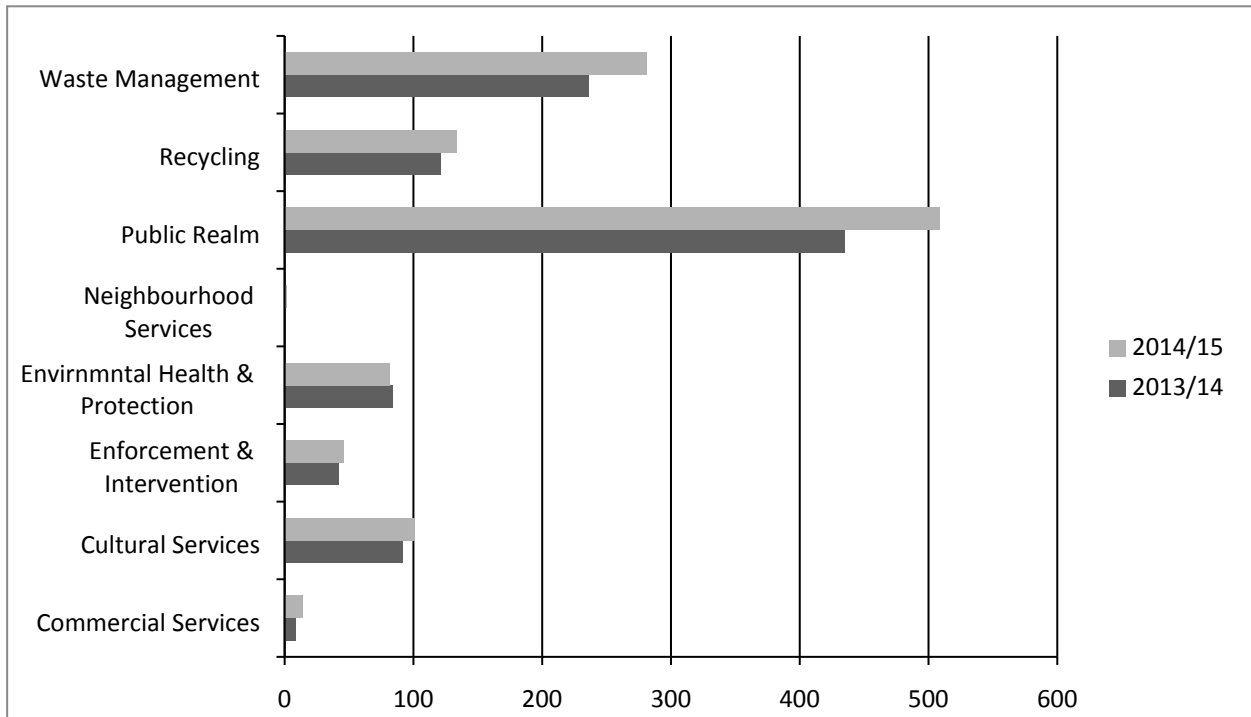
10 **APPENDICES**

Appendix A – Corporate Complaints by Directorate charts

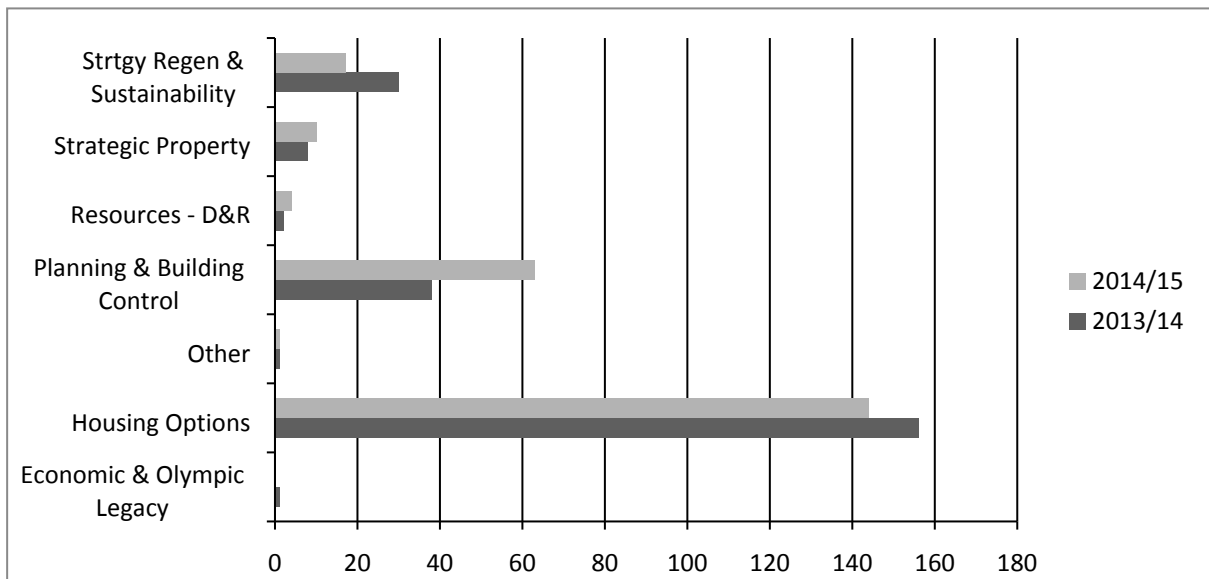
Appendix B – Ombudsman’s Annual Letter

APPENDIX A – CORPORATE COMPLAINTS BY DIRECTORATE

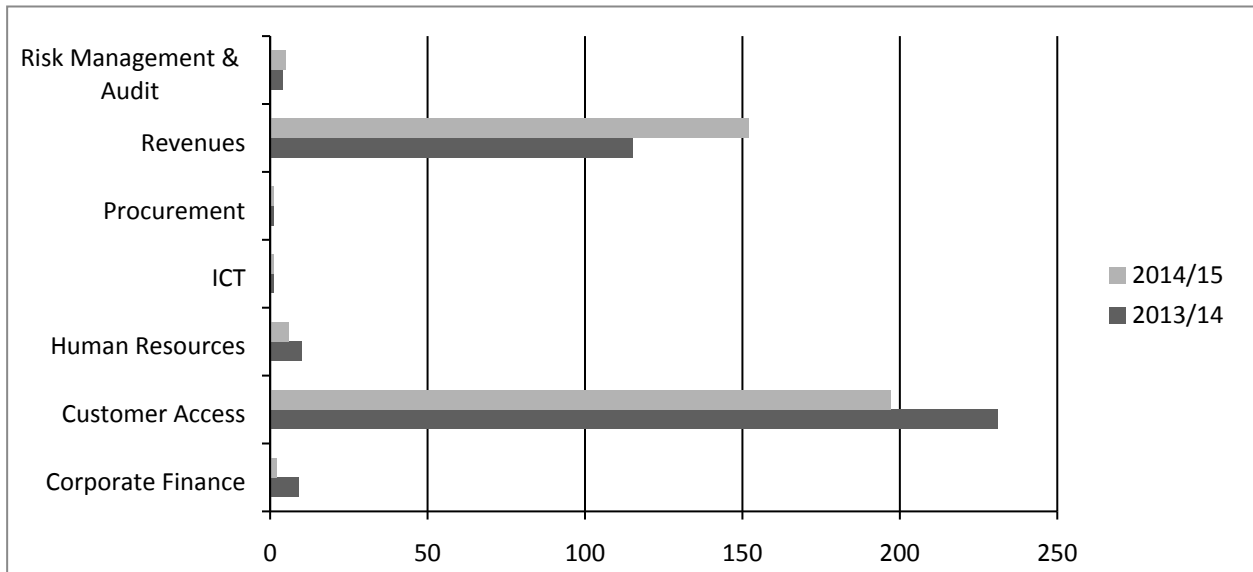
Stage 1 CLC Complaints by Division and Section



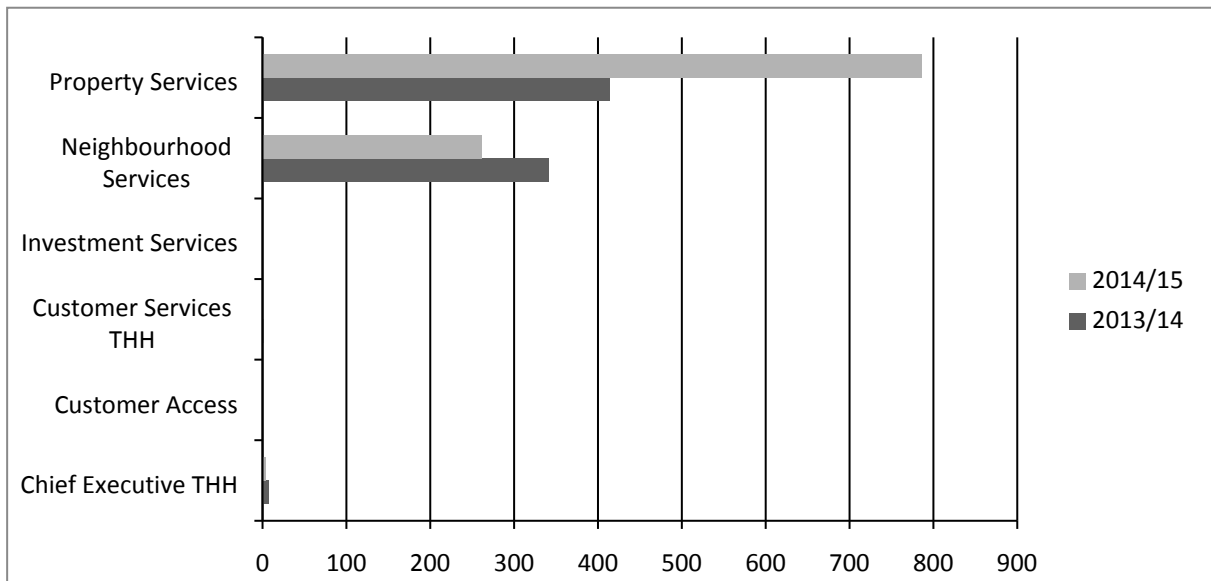
Stage 1 Development & Renewal Complaints by Division and Section



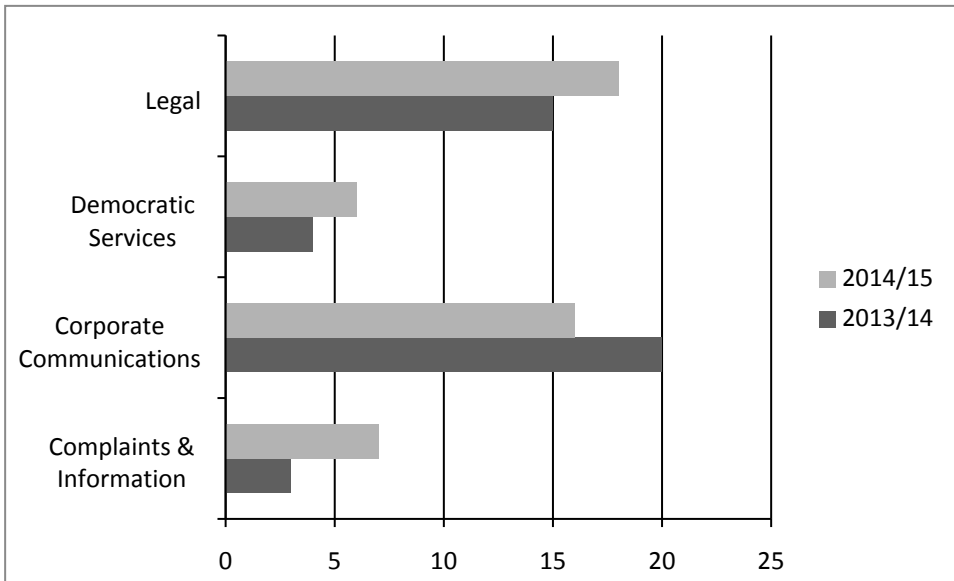
Stage 1 Resources Complaints by Division and Section



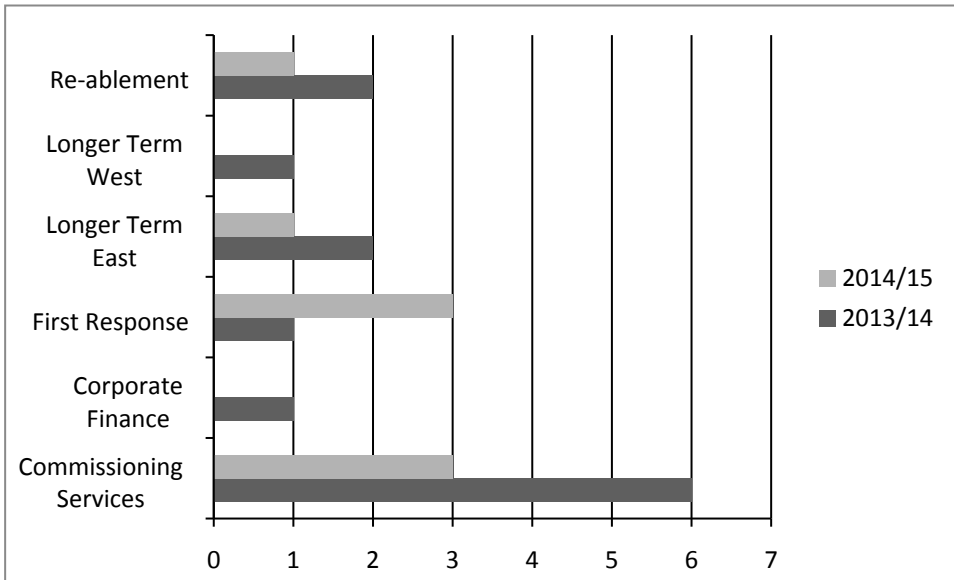
Stage 1 Tower Hamlets Homes Complaints by Division and Section



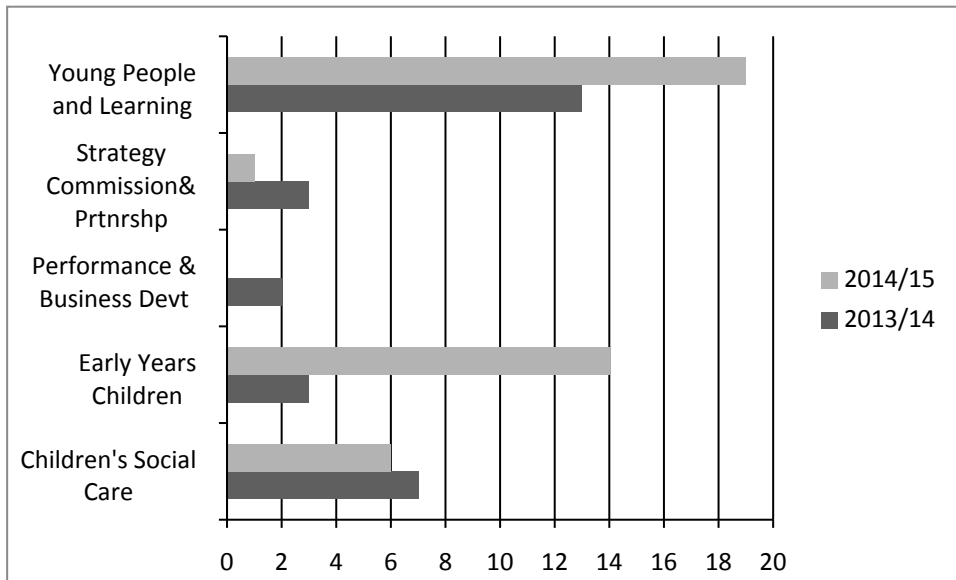
Stage 1 LPG Complaints by Division and Section



Stage 1 Adults Health & Wellbeing Complaints by Division and Section



Stage 1 Children Schools and Families Complaints by Division and Section



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18 June 2015

By email

Mr Stephen Halsey
Acting Head of Paid Service
Tower Hamlets Council

Dear Mr Halsey

Annual Review Letter 2015

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 2015. This year's statistics can be found in the table attached.

The data we have provided shows the complaints and enquiries we have recorded, along with the decisions we have made. We know that these numbers will not necessarily match the complaints data that your authority holds. For example, our numbers include people who we signpost back to the council but who may never contact you. I hope that this information, set alongside the data sets you hold about local complaints, will help you to assess your authority's performance.

We recognise that the total number of complaints will not, by itself, give a clear picture of how well those complaints are being responded to. Over the coming year we will be gathering more comprehensive information about the way complaints are being remedied so that in the future our annual letter focuses less on the total numbers and more on the outcomes of those complaints.

Supporting local scrutiny

One of the purposes of the annual letter to councils is to help ensure that learning from complaints informs scrutiny at the local level. Supporting local scrutiny is one of our key business plan objectives for this year and we will continue to work with elected members in all councils to help them understand how they can contribute to the complaints process.

We have recently worked in partnership with the Local Government Association to produce a workbook for councillors which explains how they can support local people with their complaints and identifies opportunities for using complaints data as part of their scrutiny tool kit. This can be found [here](#) and I would be grateful if you could encourage your elected members to make use of this helpful resource.

Last year we established a new Councillors Forum. This group, which meets three times a year, brings together councillors from across the political spectrum and from all types of local authorities. The aims of the Forum are to help us to better understand the needs of councillors when scrutinising local services and for members to act as champions for learning from complaints in their scrutiny roles. I value this direct engagement with elected members and believe it will further ensure LGO investigations have wider public value.

Encouraging effective local complaints handling

In November 2014, in partnership with the Parliamentary and Health Service Ombudsman and Healthwatch England, we published *'My Expectations'* a service standards framework document describing what good outcomes for people look like if complaints are handled well. Following extensive research with users of services, front line complaints handlers and other stakeholders, we have been able to articulate more clearly what people need and want when they raise a complaint.

This framework has been adopted by the Care Quality Commission and will be used as part of their inspection regime for both health and social care. Whilst they were written with those two sectors in mind, the principles of *'My Expectations'* are of relevance to all aspects of local authority complaints. We have shared them with link officers at a series of seminars earlier this year and would encourage chief executives and councillors to review their authority's approach to complaints against this user-led vision. A copy of the report can be found [here](#).

Future developments at LGO

My recent annual letters have highlighted the significant levels of change we have experienced at LGO over the last few years. Following the recent general election I expect further change.

Most significantly, the government published a review of public sector ombudsmen in March of this year. A copy of that report can be found [here](#). That review, along with a related consultation document, has proposed that a single ombudsman scheme should be created for all public services in England mirroring the position in the other nations of the United Kingdom. We are supportive of this proposal on the basis that it would provide the public with clearer routes to redress in an increasingly complex public service landscape. We will advise that such a scheme should recognise the unique roles and accountabilities of local authorities and should maintain the expertise and understanding of local government that exists at LGO. We will continue to work with government as they bring forward further proposals and would encourage local government to take a keen and active interest in this important area of reform in support of strong local accountability.

The Government has also recently consulted on a proposal to extend the jurisdiction of the LGO to some town and parish councils. We currently await the outcome of the consultation but we are pleased that the Government has recognised that there are some aspects of local service delivery that do not currently offer the public access to an independent ombudsman. We hope that these proposals will be the start of a wider debate about how we can all work together to ensure clear access to redress in an increasingly varied and complex system of local service delivery.

Yours sincerely



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 – 31/03/2015

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	Highways and transport	Housing	Planning and development	Total
Tower Hamlets LB	12	15	7	13	8	29	37	7	128

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Decisions made

Local Authority	Detailed investigations carried out		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not Upheld					
Tower Hamlets LB	11	12	4	34	4	57	122

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