OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 7 July 2015 at 5.30 p.m., Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

This meeting is open to the public to attend.

Members:
Chair: Councillor John Pierce
Vice Chair: Councillor Danny Hassell

Councillor Mahbub Alam
Councillor Amina Ali   (Scrutiny Lead for Adults)
Councillor Peter Golds   (Leader of the Conservative Group)
Councillor Denise Jones   (Scrutiny lead for Communities, Localities & Culture)
Councillor Md. Maium Miah   (Scrutiny Lead for Resources)
Councillor Oliur Rahman   (Leader of the Independent Group)
Councillor Helal Uddin   (Scrutiny Lead for Development & Renewal)

Co-opted Members:
1 Vacancy   (Parent Governor Representative)
Nozrul Mustafa   (Parent Governor Representative)
Victoria Ekubia   (Roman Catholic Church Representative)
Dr Phillip Rice   (Church of England Representative)
Rev James Olanipekun   (Parent Governor Representative)

Deputies:
Councillor Khales Uddin Ahmed, Councillor Dave Chesterton, Councillor Shafiqul Haque, Councillor Gulam Robbani and Councillor Candida Ronald

[The quorum for this body is 3 voting Members]

Public Information

Attendance at meetings.
The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.
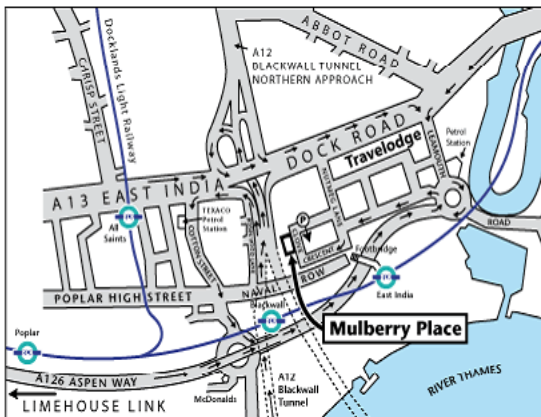
Audio/Visual recording of meetings.
Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

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

Access information for the Town Hall, Mulberry Place.

Bus: Routes: 15, 277, 108, D6, D7, D8 all stop near the Town Hall.
Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through complex to the Town Hall, Mulberry Place Blackwall station. Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.
Tube: The closest tube stations are Canning Town and Canary Wharf
Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

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

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

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

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

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.
Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.

QR code for smart phone users.

SECTION ONE	WARD	PAGE NUMBER(S)

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

1 - 4

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Interim Monitoring Officer.

3. **UNRESTRICTED MINUTES**

5 - 16

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 12th May, 2015.

4. **REQUESTS TO SUBMIT PETITIONS**

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

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

All Wards

To consider and adjudicate on the 'Call In' relating to the decision of the Mayor taken on 22nd June, 2015 and that was called in on 26th June, 2015
detailed at agenda item 5.1 below.

5 .1 **Rich Mix Litigation - Call In**

17 - 22

6. **SCRUTINY SPOTLIGHT**

Nil Items

7. **UNRESTRICTED REPORTS FOR CONSIDERATION**

7 .1 **Overview & Scrutiny Committee Terms of Reference, Membership, Quorum, Dates of meetings, Protocols and Guidance**

All Wards   23 - 48

7 .2 **Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments**

All Wards   49 - 54

7 .3 **Poplar Town Hall**

Report to follow.

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   WARD   PAGE
                                                        NUMBER(S)

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items.

13 .1 Rich Mix Litigation Mayoral Decision Log Number 101   All Wards

Appendix 1 – Rich Mix Litigation Mayoral Decision Log Number 101 will be provided to Overview and Committee at the meeting.

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

Nil items.

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, 27 July 2015 at 7.15 p.m. to be held in Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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 Dispensations 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.

<u>Further advice</u>

For further advice please contact:-

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.15 P.M. ON TUESDAY, 12 MAY 2015

COMMITTEE ROOM ONE - THALL

Members Present:

Councillor Joshua Peck (Chair)
Councillor John Pierce (Vice-Chair)
Councillor Denise Jones   (Scrutiny Lead for Children's Services)
Councillor Dave Chesterton   (Scrutiny Lead for Development and
                                            Renewal)
Councillor Peter Golds   (Scrutiny Lead for Law Probity and
                                            Governance)
Councillor Rachael Saunders

Co-opted Members Present:

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

Councillor Shahed Ali   (Cabinet Member Clean and Green)
Councillor Rachel Blake   (Representing the Call-In Councillors)
Councillor Danny Hassell   (Representing the Call-In Councillors)

Apologies:

Councillor Asma Begum   (Scrutiny Lead for Adult Health and
                                            Wellbeing)

Councillor Mahbub Alam
Councillor Abjol Miah   (Scrutiny Lead for Resources)
Councillor Muhammad Ansar Mustaquim

Officers Present:

Simon Baxter   (Acting Service Head, Public Realm,
                                            Communities Localities & Culture)
Mark Cairns   (Senior Strategy, Policy and
                                            Performance Officer)
Emily Fieran-Reed   (Head of Community Safety
                                            Partnership, Domestic Violence & Hate

	Crime, Community Safety, Communities Localities and Culture)
Monica Forty	Interim Service Head - Learning & Achievement
David Galpin	(Service Head, Legal Services, Law Probity & Governance)
Robert McCulloch-Graham	(Corporate Director, Education Social Care and Wellbeing)
Louise Russell	(Service Head Corporate Strategy and Equality, Law Probity & Governance)
Ann Sutcliffe	(Service Head Corporate Property and Capital Delivery, Development and Renewal)
David Knight	(Senior Democratic Services Officer)

1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. Begum; A. Miah; M.A. Mustaquim and M. Alam.

In addition, it was noted that Councillor Rachel Saunders was substituting for Councillor Asma Begum.

2. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Nil items.

3. **UNRESTRICTED MINUTES**

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

RESOLVED

That the unrestricted minutes of the meetings of the Overview and Scrutiny Committee held on 7th April, 2015 be approved as a correct record of the proceedings.

4. **REQUESTS TO SUBMIT PETITIONS**

Nil items.

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

5.1 **New Civic Centre Whitechapel - Procurement Proposal and Programme**

The Overview and Scrutiny Committee received the "Call In" regarding the report on the "New Civic Centre Whitechapel – Procurement Proposal and

Programme" that had been considered by the Mayor in Cabinet on 8th April, 2015.

The Committee noted the Call-in requisition stated that:

1.   The decision to agree a packaged development and disposals procured via OJEU raised serious concerns, particularly with regard to cost and timings;
2.   The overall cost of the project raised concerns which it was felt merited full review and thorough scrutiny. The deliverability of this project is also under question, as the Mulberry Place lease ends in 2020, meaning that staff will have to decant by September 2019. This will leave no margin for error and require the project to be delivered precisely on schedule. There is also no clear detail on where council staff will be based in the interim period;
3.   The change to the procurement route for the new Civic Centre was announced last-minute, at the Cabinet meeting itself. This decision was not fully explained and members were not given enough time to adequately consider the implications or address the downsides identified by officers;
4.   The uncertainty over the loss of One Stop Shop and Idea Stores provision is of further concern. The list of disposal sites identified in the report, including the sale of Gladstone Place (the Bow ideas store) and the loss of Southern Grove as a Community Land Trust will have a negative effect on the borough and therefore it merited reconsideration;
5.   Members of the council have also expressed concerns over the sequence of events leading to this decision, whereby the Royal London Hospital building was acquired first – and the service delivery model considered afterwards; and
6.   The Civic Centre Whitechapel project also raised questions over the redevelopment of Roman Road.

As a result of a full and wide ranging discussion on this report the Committee

RESOLVED:

That, given the on-going concerns regarding site selection, cost and deliverability; the lack of cross party support for the project; and the significant change now proposed to the delivery mechanism, the report should be referred back to the Executive with a recommendation that the project should be paused to allow the new Mayor the opportunity of a stop/go review and that in the meantime work should be progressed to find solutions to the concerns raised by members.

5.2   Recommendation to sell 296 Bethnal Green Road

The Overview and Scrutiny Committee noted that following the Cabinet decision made on 4th February, 2015 authorising the sale of properties by informal tender officers had reconsidered the options of the sale for 296 Bethnal Green Road. Accordingly, officers were of the opinion that the sale

by auction for this property would be beneficial in terms of speed of sale, market coverage and the likely price achieved.

The Committee noted the Call-in requisition stated that:

1. Until the election of a new mayor, executive decisions should be paused in order to ensure legitimacy and accountability of any decisions made. The deputy mayor has no democratic mandate to make decisions, including the decision over 296 Bethnal Green Road;

2. The disposal of assets such as 296 Bethnal Green Road during a period of uncertainty over governance issues – namely the removal of the executive mayor from office – would benefit from full scrutiny in a cross-party arena. Consideration by the Overview and Scrutiny Committee would provide such scrutiny and examination; and

3. The disposal of assets requires the agreement of the DCLG appointed commissioners.

As a result of a full and wide ranging discussion on this report the Committee

RESOLVED that:

That this decision is referred back and that it is re-considered through the established cross party procedure.

6.   **SCRUTINY SPOTLIGHT**

Nil items

7.   **UNRESTRICTED REPORTS FOR CONSIDERATION**

7.1   **Covert Investigation under the Regulation of Investigatory Powers Act 2000**

The Committee noted that:

The report had not been published five clear days in advance of the meeting. However, the Chair of the Committee indicated that he was satisfied that it was necessary to consider information about the Council's use of covert investigation without that consideration being delayed to a later meeting. This was because the use of covert investigation was a sensitive matter and given that the last meeting of the Standards Committee had been cancelled, the Chair took the view that it was important that there should not be an extended period without member oversight.

The Council has broad statutory functions and takes targeted enforcement action in relation to those functions, having regard to the Tower Hamlets Community Plan, the Council's Local Development Framework, any external targets or requirements imposed under relevant legislation and the Council's enforcement policy.

There may be circumstances in the discharge of its statutory functions in which it is necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

RIPA was enacted to provide a framework within which a public authority may use covert investigation for the purpose of preventing or detecting crime or of preventing disorder. It had been designed to ensure that public authorities would not contravene the obligation in section 6(1) of the Human Rights Act 1998 not to act in a way which is incompatible with an individual's rights under the European Convention on Human Rights ("ECHR").

The main points of the discussion on the report may be summarised as follows:

1. The Committee heard that the use of the use of RIPA needed to be necessary and proportionate e.g. the investigation of a serious offence that carries at least a six-month custodial sentence.

2. The Committee heard that Tower Hamlets Homes (THH) is not covered by RIPA but as a public authority they have to comply via the human rights act to a RIPA-like process. The Committee asked for written advice to be circulated to them on this point.

3. The Committee heard that issues such as litter, which do not carry significant enough penalties, do not fall within the definition of serious offence in the legislation, as is required to justify the use of RIPA.

4. The Committee was reminded to make use of the smart phone app, Find It, Fix It, Love It that has been introduced as part of the Council's commitment to making the Borough an even cleaner and safer place to live, work or visit.

5. The Committee heard that with regard to drug related offences one needs to be able to test what substance it is and video evidence will not provide that level of evidence. The Committee indicated that they wanted to see a robust approach by the partnership to address drug related issues.

6. The Committee felt that social landlords like Tower Hamlets Homes should make more use of RIPA to address anti-social behaviour in those properties that they manage. In addition, THH should provide details on how many evictions had been undertaken of the perpetrators of ASB. In response it was noted that THH take such matters very

seriously and they are working with partner agencies to address such issues.

7. The Committee heard that THH are looking at an improved communications strategy so that residents know what is being done to address ASB by their residents.

As a result of a full and wide ranging discussion on this report the Committee

RESOLVED that:

The next year's Committee is recommended to hold a spotlight session with THH and Social Landlords on this topic.

7.2   Scrutiny Review Report: Effect of Literacy and Numeracy Levels on outcomes for children and their families

The Committee received and noted a report that provided recommendations following a scrutiny review to support literacy skills across Early Years, Primary, Secondary and Adult Learning. The review took place throughout February and March 2015, led by Cllr Denise Jones, Scrutiny Lead for Children, Schools and Families.

The Committee noted that literacy has a significant impact in improving life outcomes ranging from better employment prospects, health and wellbeing outcomes and economic benefits to the taxpayer. Tower Hamlets as a deprived borough has high levels of functional illiteracy amongst its adult population. In addition, based on the results from 2014, 13% of students did not achieve a Level 4 in reading and writing at Key Stage 2 whilst approximately 40% of learners left secondary school without 5 A*-C grades which included English and Maths. At the Early Years stage, results are below the London average.

The review it was noted had been underpinned by following three core questions:

1. What are the key causes of underachievement and how can attainment be sustained?
2. What are the interventions available to all teachers to identify and tackle poor literacy in children?
3. How effective are the adult learning provisions in identifying and reaching out to learners with poor literacy?

The main points of the discussion on the report are summarised as follows:

The Committee heard that:

- Literacy is recognised as a basic right and 'is fundamental to informed decision-making, personal empowerment, active and passive participation in local and global social community.' Investment in

developing literacy skills has shown to have supported statistically significant increases in life satisfaction, mental well-being, locus of control and self-esteem' and provides a greater return to the taxpayer;

- Whilst exploring the attainment figures for pupils at the end of Key Stage 4, the review explored the issue of underachievement amongst White British pupils in the borough. Setting out the disparity in attainment, the Ethnic Minority Officer presented statistical evidence which suggested ethnic minorities such as the borough's Bangladeshi population were meeting national expectations whilst the White British population were typically amongst the lowest 20%.

- To further support the objective of delivering universal access the service had invested in the development of a triage tool aimed at capturing data and allowing for users to be directed more precisely to relevant services. The tool was to undergo a pilot testing period at two of the major Idea Stores in Whitechapel and Chrisp Street Market.

- There is a possible relationship between criminal behaviour and literacy. It is frequently claimed that low literacy is related to unemployment, a lack of aspirations, poor physical and mental health, and/or great deprivation, which can lead to crime. Therefore, it is said that literacy is a key part of any crime prevention strategy.

- Consideration is being to looking at the education journey and where appropriate interventions do and do not work. Accordingly, the Committee felt that research should be undertaken as to where the system was not meeting the students' needs and aspirations.

As a result of a full and wide ranging discussion on this report the Committee

RESOLVED that:

1. A recommendation should be added to research the range and effectiveness of academic interventions for learners of all backgrounds currently attending Pupil Referral Units;
2. The draft report and the recommendations contained within it be submitted to Cabinet; and
3. The Service Head for Corporate Strategy and Equality be authorised to amend if necessary the draft report before submission to Cabinet, after consultation with the Scrutiny Review Chair.

7.3   Scrutiny Review Report: Drugs Enforcement

The Committee received a report that provided a summary of the findings of a Scrutiny Review into how the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting. It also outlined a number of recommendations to improve practice and performance in this area.

The main points of the discussion on the report are summarised as follows:

The Committee heard that:

- Issues of anti-social behaviour (ASB) can affect anyone irrespective of gender, sexuality, disability, age, class, religion or ethnicity. Fear of anti-social behaviour and crime is often higher for certain groups and access to ASB service(s) including reporting needs to be widely advertised to reach diverse communities, as there is a risk that 'hard to reach groups' or communities may feel isolated, unsure or unaware of the procedure for reporting anti-social behaviour.
- The Find it, Fix it, Love it app could be developed from primarily fixing problems such as graffiti, fly posting and fly tipping to the reporting of ASB.
- On several estates where the electro magnet door entry systems had ceased to function due to ASB it has taken several weeks for these systems to be repaired.
- In certain parts of the borough residents had asked to overt CCTV to be used to monitor and deter ASB.

As a result of discussions on this report the Committee

RESOLVED that:

4. The draft report and the recommendations contained within it be submitted to Cabinet; and
5. The Service Head for Corporate Strategy and Equality be authorised to amend if necessary the draft report before submission to Cabinet, after consultation with the Scrutiny Review Chair.

7.4   Annual Scrutiny Report 14-15

Members received and noted the Annual Scrutiny Report that summarised the work of the Overview and Scrutiny Committee and the Health Scrutiny Panel in the 2014-15 municipal year, for approval prior to being presented to Council.

It was noted that the report was not circulated with the Committee agenda and was unavailable for inspection within the timescales set out in the Authority's constitution as it was not possible to collate the necessary information prior to agenda despatch. The report is nevertheless recommended for consideration at this meeting in order to ensure that there is no delay in the deliberations on the contents of the report.

The main points of the discussion on the report are outlined below:

The Committee noted that:

The reviews that members have lead over the past twelve months have addressed policy issues that, whilst often being niche, nonetheless have a real impact on the lives of residents. The quality of those reviews - detailed,

focussed investigations that drew widely on the expertise of residents and partners - has been exceptional and the policy changes they have delivered will have wide and lasting impact once implemented.

Scrutiny has been equally substantial and focussed (if wide-ranging), challenging decisions of the executive, scrutinising proposed mayoral decisions and taking evidence from a range of Cabinet members and partners. The latter has been particularly effective, with a focus this year on the borough's housing providers e.g. there had been long sessions with One Housing Group about their poor performance across the borough; with Tower Hamlets Homes about the problems leaseholders have faced with major works bills; and with Old Ford about the breakdown of their repairs services. Real changes in attitude, process and planning have been secured as a result, although the committee is in no doubt about the challenges that still remain.

With regard to the report into the sale of Poplar Town Hall this had not yet been published and as a result there was a full and wide ranging discussion on when this report should be considered. Accordingly, the Committee indicated that it wished to be consulted on any legal advice commissioned in connection with this report and that the Annual Report should be amended to indicate the Committee's concerns at the time it had taken to commission the independent external advice and to publish the report.

As a result of discussions on this report the Committee

RESOLVED that:

Subject to amendment as agreed, the report be submitted to Council.

8.   **VERBAL UPDATES FROM SCRUTINY LEADS**

The Committee received and noted the following brief verbal update from the relevant Scrutiny Lead.

Councillor J. Peck - Challenge session report: town centres policy and delivery

9.   **PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS**

The Committee considered the following reports prior to the consideration by the Executive on 13th May, 2015.

Education, Social Care and Wellbeing Capital Programme 2015/16

The Committee noted that this report advised the Cabinet on the 2015/18 Education, Social Care and Wellbeing (ESCW) Capital Programme and seeks various approvals as set out below:

1.   Note the contents of this report and specifically the anticipated out-turn for the 2014/15 ESCW Capital Programme (detailed in Appendix A) and proposed allocation of the funding available in 2015/18 (as detailed in Appendix B);

2.   Approve the adoption of capital estimates for the 2015/16 capital condition and improvement programme schemes in schools and service premises as shown in Appendix C (Schools and Children's Services) and Appendix D (Adult Services) and authorise expenditure;

3.   Approve the adoption of a capital estimate of £350,000 for the additional dining accommodation at Oaklands School;

4.   Note the completed projects within the Primary Capital Programme (PCP) schemes as shown in Appendix D;

5.   Note the Primary School Expansion Programme as detailed in Appendix E;

6.   Approve the adoption of a capital estimate of £750,000 to cover the costs of developing proposals to be considered for inclusion in the capital programme and authorise expenditure;

7.   Approve the adoption of a capital estimate of £300,000 for the costs of providing additional short term accommodation if required for additional pupils until major works have been carried out to provide permanent additional school places and authorise expenditure;

8.   Note progress with creating early education provision and further consultation with providers as shown in Appendix D;

9.   Note the proposed procurement approach for the capital works to provide 6th form accommodation at Stepney Green School (paragraph 3.55);

10.   Agree that Council-approved Frameworks be used, where appropriate, to deliver the various projects within the approved programmes;

11.   Authorise the Corporate Director of ESCW, in respect of all proposed tenders referred to in this report, to agree tenders for projects within the approved programmes and capital estimate;

12.   Authorise the Corporate Director of ESCW to prepare and carry out a Bill of Reductions for any scheme exceeding the approved budget, where relevant to ensure expenditure is contained within the agreed costs

As a result of discussions on this report the Committee

RESOLVED to support the recommendations as outlined in the report.

Primary School Places Programme

The Committee noted that this report included proposals for two sites to provide additional primary school capacity to meet the rising need for school places in the borough. These sites are the Former Bromley Hall Special School and the former site of Bow Boys' School.   Both sites are currently vacant and provide opportunities to be brought into primary school use.

It was noted that Cabinet is recommended to:

1. Approve the adoption of a capital estimate of £9.0m for the proposed works to the former Bromley Hall Special School;
2. Delegate to the Corporate Director, Development & Renewal, the power to appropriate land in Lochnagar Street shown in Appendix A from the HRA to the General Fund for Education purposes, subject to prior consultation with the Service Head – Legal Services, and agree that the land is incorporated into Bromley Hall School site;
3. Approve the proposed procurement of works to the Bromley Hall School by use of a suitable pre-tendered framework;
4. Approve the adoption of a capital estimate of £11m for the proposed works to the former site of Bow Boys' School;
5. Approve the proposed procurement approach for the former Bow Boys' School site of working with Tower Hamlets Schools Ltd ;
6. Authorise the Corporate Director of ESCW to agree tenders for projects referred to in this report within the approved programmes and capital estimate; and
7. Authorise the Corporate Director, Development and Renewal, following consultation with the Service Head – Legal Services, to agree and enter into the contracts required to give effect to the above recommendations.

As a result of discussions on this report the Committee

RESOLVED to support the recommendations as outlined in the report.

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

   A. Poplar Town Hall

   The Chair indicated that it was his intention to raise with the DCLG appointed Commissioners the concerns of the Committee regarding the length of time it had taken to commission the independent external legal advice and to the publication of the report on Poplar Town Hall.

   The Committee

   RESOLVED that

   1.   It would meet on 26th May to consider its report on Poplar Town Hall

   2.   It wanted further independent legal advice to be commissioned for the committee on holding this meeting, and any other relevant issues; and that other legal advice should not be commissioned separately by the Council.

   B. Tower Hamlets Homes (THH)

The Committee agreed that it would be appropriate on invite the Corporate Director and the Chief Executive of THH to address the progress that had been made to address the Committees concerns regarding the standard of housing management on those estates managed by THH.

11.   EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

12.   EXEMPT/ CONFIDENTIAL MINUTES

Nil items.

13.   EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items.

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

Nil items.

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

Nil items.

16.   VOTE OF THANKS

Due to the fact that this was the last meeting of the Committee in the current Municipal Year, the Chair thanked all those who had been involved in the Committee's work. In particular thanks were paid to the officers who support the committee for their advice, careful stewarding and incredibly hard work. In response the Committee thanked the Chair for his positive and inclusive approach to chairing the meetings.

The meeting ended at 9.45 p.m.

Chair, Councillor Joshua Peck
Overview & Scrutiny Committee

Non-Executive Report of the: **Overview & Scrutiny Committee** **7ᵗʰ July 2015**	TOWER HAMLETS
Report of: Service Head, Democratic Services	**Classification:** Unrestricted
Rich Mix Litigation – Call In	

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

1.   **SUMMARY**

1.1   The attached report "Rich Mix Litigation" was considered by the Mayor on 22ⁿᵈ June, 2015 and has been "Called In" by Oliur Rahman; Kibria Choudhury; Maium Miah; Gulam Robbani and Muhammad Mustaquim This is in accordance with the provisions of rule 16 of the Overview and Scrutiny Procedure Rules in Part 4 of the Council's Constitution.

2.   **RECOMMENDATION**

2.1   That the OSC considers

    A. The contents of the attached report, review the Mayor's decision (provisional, subject to Call In) arising; and
    B. Decide whether to accept the decision or to refer the matter back to the Cabinet with proposals and reasons.

3.   **BACKGROUND**

3.1   The request (received 26ᵗʰ June, 2015) to "call-in" the Mayor's decision published on 22ⁿᵈ June, 2015 was submitted under rule 16 of the Overview and Scrutiny (OSC) Procedure Rules. It was considered by the Interim Monitoring Officer who has delegated responsibility for calling in Cabinet and Mayoral decisions in accordance with agreed criteria.

3.2   The Call-In request fulfilled the required criteria and the decision is referred to OSC in order to consider whether or not to refer the matter back to the Cabinet for further consideration.

3.3   Implementation of the Cabinet decision is suspended whilst the "Call In" is considered.

4. THE MAYOR IN CABINET'S PROVISIONAL DECISION

4.1 The overall report, attached at Appendix 1 (To be tabled at the meeting), considered the. However for ease, all the Decisions agreed by the Mayor in Cabinet in relation to the report are listed below:-

DECISION

The report contained recommendations that related to an on-going case in the High Court. The recommendations were as follows:

1. Decide whether to proceed with the trial which is listed for 3 days in the week commencing 20 July 2015 or not.

2. Decide whether to accept Rich Mix's settlement proposal of 27 March 2015 or to continue with settlement discussions on the basis outlined in the report or on some other basis.

3. Agree, subject to 2, to continue the constructive discussions with Rich Mix concerning co location

4. Specify the balance of supporting reasons in respect of the decisions in 1 and 2.

4.2 Reasons for Decisions

4.2.1 Appendix 1 to this report sets out the full reasons for the proposals.

4.3 Alternative Options Considered

4.3.1 Appendix 1 to the report sets out any alternative options considered.

5. REASONS AND ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'

5.1 The Call-in requisition signed by the five Councillors listed above gives the following reason for the Call-in:

5.1.1 Independent Group fully supports and appreciates the wonderful work done by Rich Mix, its staff and partners at grassroots level. The key issues and reasons to call-in this decision herein, relates to the process; rack of transparency, accountability, precedent, best value for money, avoidance from criticism of cronyism and nepotism, together with, a fair and honest level-playing field for all local organisations, among other areas.

5.1.2 While it may be the case that a similar decision can be reached after going through the proper process, the issue of concern is that transparency should be observed with information available for scrutiny by local residents and elected members.

5.1.3 This call-in is based on the following reasons

5.1.4 This decision was not being undertaken in the right way - here had been insufficient evidence and work to date to clarify the potential risk of a precedent, costs and benefits of writing off such a significant amount of public money, without public and elected councillors having the opportunity to objectively scrutinise and judge the merit of such a haphazard decision taken behind closed doors without evidence.

5.1.5 Need to know the cost of implementation of this decision for the council and local residents.

5.1.6 There has been a lot of talk about transparency and accountability - even criticism by Labour, Conservatives, and Secretary of State/Commissioners previously - about decisions being taken behind the close doors. If they were genuine in their criticism then all documents relating to this decision should be made public and members should be able to scrutinise the decision.

5.1.7 Given the overall grants/funding related issues, best value review, PWC report and other relevant criticism, would it be wise, professional or appropriate for the new Labour mayor or the Executive to make such a decision now or in future to write off such a significant sum of Tax Payers' money, without proper accountability and transparency

5.1.8 On what criteria and rationale can such a decision be made? We would request that the criteria and rationale be made public and shared with elected members in general, particularly councillors who have called-in this decision taken in a hurry and behind closed doors, opening up the council to potential criticism and cherry-picking, if no such information and evidence is made available. The criteria and rationale must be in writing am; 1 formally announced or made public and all organisations should be informed so they are aware of its existence and potential benefits on the same basis as the Rich Mix

5.1.9 Will other agencies, projects or similar venues be allowed to make such a case (if and once the criteria or rationale is known) and receive the same treatment from the Labour Mayor, Labour executive, and Labour-controlled Overview and Scrutiny Committee which is now supposed to scrutinise and monitor the Mayor, its policies and decisions rather than opposition? More importantly, how will other bodies know on what criteria and rationale this decision was made on, and how can they pursue similar course with the council if there is no clear information

5.1.10 If there is genuine need for 'Exempt Information' under legislation relating to this decision - summarised and appropriately redacted information must be provided and at the very least a criteria to inform public and other bodies be available so a fair, honest and transparent level playing fields is established

5.1.11 How does this decision fit in with the cuts a Labour Mayor and Cabinet will have to make soon. Is it best use of our resources? What evidence is

there to support such a claim vis-a-vis other cuts and pressures facing the council?

5.1.12 The decision has been undertaken in such a hurry, whereas, this decision could have been made in a few days at the Cabinet meeting, following proper protocol with full information. Reports, rationale and details provided for scrutiny so that a transparent and robust decision is reached

5.1.13 The lack of information, rationale, fairness, transparency, secretive manner in which this decision seemed to be handled has resulted in this decision being called-in - not the work done by Rich Mix. This decision will also make other groups in the community uneasy as there may be a risk of perceived level of cronyism and nepotism due to the manner in which is being taken behind closed doors. In order to support the some of the good work done by Richl• Mix, and the Council's reputation, the above points must be addressed immediately

5.2   Alternative action proposed:

5.2.1   That the Executive:

1.   Make all documents and information relating to this decision public for a proper and genuine scrutiny and accountability in a transparent manner and postpone any action until such time.
2.   Publicise and make available the rationale for this decision and how other local organisations can benefit from such approach from the Council.
3.   Provide requested information to all Councillors especially those who have called-in this decision to protect the Council's reputation in the community.
4.   Publicise and make available the true cost of implementing such a decision.
5.   Revert back to the previous state of play until above steps have been taken, and then, make an objective decision based on the results, facts and professional advice in a democratic manner.

6.   CONSIDERATION OF THE "CALL IN"

6.1   Having met the "Call In" request criteria, the matter is referred to the OSC in order to determine the "Call In" and decide whether or not to refer the matter back to Cabinet for further consideration.

6.2   The following procedure is to be followed for consideration of the "Call In":

(a)   Presentation of the "Call In" by one of the "Call In" Members followed by questions from members of OSC.
(b)   Response from the Lead Member/officers followed by questions from members of OSC.
(c)   General debate followed by OSC decision.

N.B. In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June, 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

6.3 It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Mayoral decision), or to refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

7.1 The comments of the Chief Financial Officer are incorporated Appendix 1 of this report.

8. LEGAL COMMENTS

8.1 The Mayor in Cabinet's decision has been called-in in accordance with the Overview and Scrutiny Procedure Rules set out in the Council's Constitution. The alternatives presented in paragraph 2.1 of the recommendations in this report are options available to the Committee under the Overview and Scrutiny Procedure Rules.

8.2 Legal comments relevant to the Mayor's decision and to the review by the Overview and Scrutiny Committee are set out in the report on which the decision was based.

9. APPENDICES

Appendix 1 – Rich Mix Litigation Mayoral Decision Log Number 101 –To be tabled at the meeting.

_____

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

Brief description of "background papers"	**Name and telephone number of holder and address where open to inspection.**
None	

This page is intentionally left blank

Non-Executive Report of the: **Overview & Scrutiny Committee** **7th July 2015**	TOWER HAMLETS
Report of: Service Head, Democratic Services	**Classification:** Unrestricted
Overview & Scrutiny Committee Terms of Reference, Membership, Quorum, Dates of meetings, Protocols and Guidance	

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

1.   Summary

1.1   This report sets out the Terms of Reference, Membership, Quorum and Dates of meetings of the Overview & Scrutiny Committee (OSC) for the Municipal Year 2015/16;

1.2   The report also sets out suggested protocols and guidance to facilitate the conduct of the Committee's business and thereby meet its statutory and constitutional requirements.

2.   Recommendation

The OSC is recommended to:-

2.1   Note its Terms of Reference, Membership and Quorum as set out at Appendices 1, 2 and 3 to this report;

2.2   Consider and agree a start time for scheduled OSC meetings during the remainder of the Municipal Year 2015/16; and

2.3   Adopt the protocols as set out at Appendix 3 to this report

2.4   Note the guidance to facilitate the conduct of OSC business, in line with statutory and constitutional requirements, as set out at Appendix 3 to this report.

3.   Background

3.1   At the Annual General Meeting of the full Council held on 24 June
        2015, the Authority approved the proportionality, establishment of the
        Committees and Panels of the Council and appointment of Members to
        these bodies.

3.2   It is traditional that, following the Annual General Meeting of the
        Council at the start of the Municipal Year, at which various committees
        are established, those committees note their Terms of Reference,
        Membership and Quorum for the forthcoming Municipal Year. These
        are set out in Appendix 1 and 2 to this report respectively.

4.   Dates and Start Times

4.1   The dates of OSC meetings for the remainder of the Municipal Year,
        agreed by the full Council AGM on 24 June 2015 (Calendar of
        Meetings for the 2015/16 Municipal Year) are set out in Appendix 3 to
        this report.

4.2   In general committee meetings are scheduled to take place at 7.30pm
        in accordance with the Council's Constitution and Calendar of Meetings
        agreed by the full Council. However, in recent years the OSC has met
        at 7.00pm, and former OSC Chairs / OSC members considered that
        this time had worked well for OSC members and others attending.
        OSC Members may therefore wish to consider if a start time other than
        the time stated in the Constitution would be appropriate and agree a
        start time for scheduled OSC meetings during the remainder of the
        Municipal Year.

5.   Protocols for the conduct of business

5.1   The protocols and guidance attached at Appendix 4 to this report have
        been prepared with the intention of assisting the Committee to carry
        out its Constitutional and statutory obligations. They provide a viable
        framework for the practical functioning of the Committee and outline
        how the Committee will manage its work.

6.   Comments of the Chief Financial Officer

6.1   This report describes the Terms of Reference, Membership, Quorum
        and Dates of meetings of the OSC for the Municipal Year 2015/16 for
        the information of members of the Committee.

6.2   There are no specific financial implications arising from the reports
        recommendations; however in the event that the Council agrees further
        action in response to this report's recommendations then officers will
        be obliged to seek the appropriate financial approval before further
        financial commitments are made.

7. Legal Comments

7.1 Section 9F of the Local Government Act 2000 requires authorities to set up an Overview and Scrutiny Committee. The report properly informs the Committee of the Constitutional arrangements and proposes protocols and guidance for adoption by the Committee to supplement the implementation of those arrangements.

8. One Tower Hamlets Considerations

8.1 Equal opportunities and reducing poverty will be central to the work of the OSC. The report will allow the Committee and its members to function well over the coming year and work towards reducing poverty in the borough and improve equal opportunities.

10. Risk Management Implications

10.1 The adoption of the protocols and guidance set out in Appendix 1 will assist in the effective and efficient functioning of the OSC and therefore reduce the risk of poor delivery of the Council's Overview and Scrutiny function.

11. Crime and Disorder Reduction Implications

11.1 The report indicates for Member's information that the OSC has within its Terms of Reference the discharge of functions required of the Authority under the provisions of the Police and Justice Act 2006.

12. Appendices

Appendix 1 OSC Procedure Rules
Appendix 2 OSC Membership 2015/16
Appendix 3 OSC Protocols and guidance for conduct of business

---

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

Brief description of "background paper"	If not supplied Name and telephone number of holder
n/a	**n/a**

This page is intentionally left blank

OVERVIEW AND SCRUTINY COMMITTEE PROCEDURE RULES
(PART 4 – Section 4.5 of the Council's Constitution 2014)

1.   THE ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

1.1   The Council will establish the Overview and Scrutiny Committee and Sub-Committees or Scrutiny Panels set out in Article 6. The Council will appoint the Chair and Members of the Overview and Scrutiny Committee and the Overview and Scrutiny Committee will appoint the Chair and Members of the Sub-Committees or Scrutiny Panels. The Vice-Chair of each Committee and Sub-Committee/Panel shall be appointed by the Committee or, as the case may be, Sub-Committee/Panel itself.

1.2   There will be one standing Scrutiny Panel to discharge the Council's functions under the National Health Service Act 2006. There will be such other Scrutiny Panels during the course of the municipal year as the Committee considers appropriate from time to time to carry out individual reviews under the Overview and Scrutiny work programme.

1.3   The Overview and Scrutiny Committee will comprise nine Members of the Council and six co-opted members. Up to three substitutes may be appointed for each Councillor. Its terms of reference are:

(a)   The performance of all overview and scrutiny functions on behalf of the Council.

(b)   The appointment of such Sub-Committees (Scrutiny Panels) as it considers appropriate to fulfil those functions, determining those Scrutiny Panels' composition (including any co-opted Members) and terms of reference.

(c)   To approve an annual overview and scrutiny work programme including the work programme of any Scrutiny Panels it appoints to ensure that there is efficient and effective use of the Committee's time and the time of the Council's Scrutiny Panels.

(d)   To advise the Mayor and Cabinet of key issues/questions to be considered in relation to reports due to be considered by the Executive.

(e)   To exercise the right to call in for reconsideration any executive decisions taken but not yet implemented.

(f)   To determine whether to request full Council to review or scrutinise any decision called in, where considered contrary to the budget and policy framework and whether to recommend that the decision be reconsidered.

(g)   To receive and consider requests from the Executive for scrutiny involvement in the annual budget process.

(h)   To monitor the Executive's forward plan to ensure that appropriate matters are subject to scrutiny.

(i)   To consider any matters relevant to the remit of the Committee required by a Committee Member to be considered under s.21 (8) Local Government Act 2000.

(j)   To consider any local government matter referred to the Committee by a Councillor in accordance with section 119 of the Local Government and Public Involvement in Health Act 2007.

(k)   To discharge the functions conferred by the Police and Justice Act 2006 as the Council's Crime and Disorder Committee.

1.4   The Health Scrutiny Panel will undertake the Council's functions under the National Health Service Act 2006 and consider matters relating to the local health service as provided by the NHS and other bodies including the Council:

(a)   To review and scrutinise matters relating to the health service within the Council's area and make reports and recommendations in accordance with any regulations made thereunder;

(b)   To respond to consultation exercises undertaken by an NHS body; and

(c)   To question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of the services.

1.5   The membership of individual Scrutiny Panels and their terms of reference will be determined by the Overview and Scrutiny Committee. They will include the following:

(a)   To investigate, scrutinise, monitor and advise in relation to:

- How services are being delivered and the Council's functions discharged.
- How policies have been implemented and their effect on the Council's corporate strategies (i.e. equal opportunities, anti-poverty and crime and disorder).
- The development of relevant policy.
- How resources are being used, spent and managed.
- Any other matter, relevant to the specific remit of the Scrutiny Panels, which affects the Council's area or any of its inhabitants.

2. WHO MAY SIT ON OVERVIEW AND SCRUTINY?

2.1 All Councillors except Members of the Executive may be Members of the Overview and Scrutiny Committee and Scrutiny Panels. However, no Member may be involved in scrutinising a decision in which s/he has been directly involved.

2.2 The Overview and Scrutiny Committee will select from among its Councillor Members six lead Scrutiny Members, one for each of the following service areas:-

Communities, Localities and Culture
Children's Services
Resources
Development and Renewal
Chief Executives
Adults, Health and Wellbeing

These themes may be subject to change from time to time.

2.3 The Lead Scrutiny Member for Adults, Health and Wellbeing shall be appointed as a member and Chair of the Health Scrutiny Panel.

3. CO-OPTEES

3.1 The Overview and Scrutiny Committee will be responsible for approving co-opted Members for the Scrutiny Panels. Co-opted Members will be non-voting.

4. EDUCATION REPRESENTATIVES

4.1 The Overview and Scrutiny Committee must include in its membership the following voting representatives in respect of education matters:

4.1.1 One Church of England diocese representative;

4.1.2 One Roman Catholic diocese representative; and

4.1.3 Three parent governor representatives elected under the procedures contained in the Parent Governor Representatives (England) Regulations 2001.

This Rule and Rule 4.2 and 4.3 below also apply to any Scrutiny Panel established in respect of education matters.

4.2 The Committee may also include a Muslim representative in a non-voting capacity.

4.3 These Members may speak but not vote on any other (i.e. non educational) matters.

5. MEETINGS

5.1 The Overview and Scrutiny Committee shall meet in accordance with the calendar of meetings approved by the Council. The Chair of the Committee may call an extraordinary meeting of the Committee at any time subject to the ordinary rules on the convening of meetings and the Access to Information Procedure Rules.

5.2 The Scrutiny Panels shall meet in accordance with a timetable agreed by the Overview and Scrutiny Committee, but will establish their own pattern of meetings within this framework and the Chair of Scrutiny may decide to lead any scrutiny panels.

6. QUORUM

6.1 The quorum for the Overview and Scrutiny Committee and the Scrutiny Panels shall be three voting Members.

7. WHO CHAIRS THE OVERVIEW AND SCRUTINY COMMITTEE AND THE SCRUTINY PANELS

7.1 The Chair of the Overview and Scrutiny Committee and the Chairs of the Scrutiny Panels will be drawn from among the Councillors sitting on the Committee.

7.2 The Council shall appoint a Member to serve as Chair of the Overview and Scrutiny Committee. If the Council does not, and subject to the requirement at 7.1 above, the Committee may appoint such a person as it considers appropriate as Chair.

8. WORK PROGRAMME

8.1 The Overview and Scrutiny Committee will be responsible for agreeing the overview and scrutiny work programme for the year.

9. AGENDA ITEMS

9.1 Any Member of the Overview and Scrutiny Committee and/or any Scrutiny Panel shall be entitled to give notice to the Director of Law, Probity and Governance that s/he wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting. On receipt of such a request the Director of Law, Probity and Governance will ensure that it is included on the next available agenda provided that it is relevant to the Committee work programme.

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

9.3 Any Member of the Council may refer to the Overview and Scrutiny Committee a local government matter in accordance with section 119 of the Local Government and Public Involvement in Health Act 2007. In relation to any matter referred under this provision, the Committee shall consider whether or not to exercise its powers under section 21B of the Local Government Act 2000 to make a report or recommendation(s) to the authority or the executive on the matter.

9.4 A "local government matter" at 9.3 above is one that: (a) relates to the discharge of any function of the authority; (b) affects all or part of the Member's electoral area or any person who lives or works in that area; and (c) is not an excluded matter. Excluded matters are: any matter relating to a planning decision; any matter relating to a licensing decision; any matter relating to an individual in respect of which the individual has a right of appeal; and any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or disclosed at, the Overview and Scrutiny Committee or Panel.

9.5 If the Committee decides not to exercise any of its powers in relation to a matter referred to it under 9.3 above, it shall notify the Member who referred the matter of its decision and the reasons for it. If the Committee does make any report or recommendation(s) to the authority or the executive on the matter referred, it shall provide the Member with a copy of that report or recommendation(s), subject to the provisions of section 21D of the Act regarding confidential or exempt information.

10. POLICY REVIEW AND DEVELOPMENT

10.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.

10.2 In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Overview and Scrutiny Committee may make proposals to the Mayor or Executive for developments in so far as they relate to matters within its terms of reference.

10.3 The Overview and Scrutiny Committee or any Scrutiny Panel established for this purpose may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

11. REPORTS FROM OVERVIEW AND SCRUTINY

11.1 All reports from Scrutiny Panels must first be considered by the Overview and Scrutiny Committee. Once it has formed recommendations on proposals for development, the Overview and Scrutiny Committee will prepare a formal report and submit it to the Director of Law, Probity and Governance for consideration by the Mayor or Executive (if the proposals are consistent with the existing budgetary and policy framework) or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).

11.2 The Executive shall consider the report of the Overview and Scrutiny Committee one of its next two meetings following submission of the report to the Director of Law, Probity and Governance. The Council will consider the report at its next ordinary meeting if appropriate.

12. MAKING SURE THAT OVERVIEW AND SCRUTINY REPORTS ARE CONSIDERED BY THE EXECUTIVE

12.1 Once the Overview and Scrutiny Committee has completed its deliberations on any matter it will forward a copy of its final report to the Director of Law, Probity and Governance who will allocate it to either the Executive or the Council for consideration in accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) and the Local Authorities (arrangements for the Discharge of Functions) Regulations 2000.

12.2 If the Director of Law, Probity and Governance refers the matter to Council, s/he may first refer it to the Mayor or Executive, who will have two weeks in which to consider the Overview and Scrutiny report and formulate any additional comments or recommendations. The Mayor or Executive will then refer the report, along with their own additional comments and recommendations, to the Council. When the Council does meet to consider any referral from an Overview and Scrutiny Committee, it shall also consider any additional comments or recommendations of the Mayor or Executive to the Overview and Scrutiny Committee proposals.

12.3 For the avoidance of doubt, the Mayor or Executive shall not alter or amend any Overview and Scrutiny Committee report before referring it to Council, but shall only make additional comments or recommendations (including any corporate, financial or legal implications) as may be appropriate. However, if the Council does not agree with the Mayor's or Executive's recommendations, the disputes resolution procedure in Part 4.3 – Budget and Policy Framework Procedure Rules – Rule 2 – will apply.

12.4 If the contents of the report would not have implications for the Council's budget and policy framework, and is thus not referred to Council by the Director of Law, Probity and Governance, the Mayor or Executive will have 2 weeks in which to consider the matter and respond to the overview and scrutiny report.

12.5 Where the Overview and Scrutiny Committee makes a report or recommendations to the authority or the Mayor or Executive in accordance with section 21B of the Local Government Act 2000 as amended, the Committee shall by notice in writing require the authority or Mayor or Executive:-

(a) to consider the report or recommendations;
(b) to respond to the overview and scrutiny committee indicating what (if any) action the authority propose, or the Mayor or Executive proposes, to take;
(c) if the Overview and Scrutiny Committee has published the report or recommendations, to publish the response,
(d) if the Overview and Scrutiny committee provided a copy of the report or recommendations to a Member of the Authority under paragraph 9.4 of these Procedure Rules, to provide that Member with a copy of the response,

and to do so within two months beginning with the date on which the authority or Mayor or Executive received the report or recommendations or (if later) the notice.

12.6 It is the duty of the authority or Mayor or Executive to which a notice is given under 12.5 above to comply with the requirements specified in the notice.

13. RIGHTS OF COMMITTEE MEMBERS TO DOCUMENTS

13.1 In addition to their rights as Councillors, Members of the Overview and Scrutiny Committee or a Scrutiny Panel have such additional rights to documents, and to notice of meetings as may be set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

13.2 Nothing in this paragraph prevents more detailed liaison between the Executive and the Overview and Scrutiny Committee as appropriate depending on the particular matter under consideration.

14. MEMBERS AND OFFICERS GIVING ACCOUNT

14.1 The Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council function. As well as reviewing documentation, in fulfilling their role, they may require the Mayor, any other Member of the Executive, a Councillor, the Head of Paid Service and/or any senior officer to attend before it to explain in relation to matters within their remit:

14.1.1 any particular decision or series of decisions;

14.1.2 the extent to which the actions taken implement Council policy; and/or

14.1.3 their performance, within their area of responsibility; and it is the duty of those persons to attend as so required.

14.1.4 any function exercisable by a Councillor in accordance with any delegation made by the Council under section 236 of the Local Government and Public Involvement in Health Act 2007.

14.2 Where any Member or officer is required to attend the Overview and Scrutiny Committee or a Scrutiny Panel under this provision, the Chair of the Committee or Panel will inform the Chief Executive. The Chief Executive shall inform the Member or officer in writing giving at least 15 working days notice of the meeting at which s/he is required to attend. The notice will state the nature of the item on which s/he is required to attend to give account and whether any papers are required to be produced for the Committee or Panel. Where the account to be given to the Committee will require the production of a report, then the Member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

14.3 Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the Committee or Panel shall in consultation with the Member or officer arrange an alternative date for attendance, to take place within a maximum of 21 working days from the date of the original request.

15. ATTENDANCE BY OTHERS

15.1 The Overview and Scrutiny Committee or a Scrutiny Panel may invite people other than those people referred to in Rule 14 above to address it, discuss issues of local concern and/or answer questions.

It may for example wish to hear from residents, stakeholders and Members and officers in other parts of the public sector and shall invite such people to attend.

16.   CALL-IN

16.1   When a decision is made by the Mayor, the Cabinet, an individual Member of the Executive, a Committee of the Executive, or a key decision is made by an officer with delegated authority or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 5 working days of being made. Members of the Overview and Scrutiny Committee will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.

16.2   That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented at 5pm on the fifth clear working day, after the publication of the decision unless, after receiving a written request to do so, the Director of Law, Probity and Governance calls the decision in.

16.3   During that period, the Director of Law, Probity and Governance shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested by:

16.3.1   Not fewer than five Members of the Council; or

16.3.2   Two voting church, faith or parent governor representative in respect of any education matters only;

16.3.3   The request for a call-in must give reasons in writing and outline an alternative course of action. In particular, the request must state whether or not those Members believe that the decision is outside the policy or budget framework.

16.4   The Director of Law, Probity and Governance shall call-in a decision within twenty-four hours of receiving a written request to do so and shall place it on the agenda of the next meeting of the Overview and Scrutiny Committee on such a date as s/he may determine, where possible after consultation with the Chair of the Committee, and in any case within five clear working days of the decision to call-in. However, the Director of Law, Probity and Governance will not call-in:

16.4.1   Any decision which has already been the subject of call-in;

16.4.2   A decision which is urgent as defined in Rule 17.1 below and has to be implemented prior to the completion of any review. In such circumstances the decision – taker(s) shall give reasons to the Overview and Scrutiny Committee; and

16.4.3 Decisions by regulatory and other Committees discharging non-executive functions;

16.4.4 Day to day management and operational decisions taken by officers;

16.4.5 A resolution which merely notes the report or the actions of officers;

16.4.6 A resolution making recommendations to full Council.

16.5 Where the matter is in dispute, both the Chief Executive and the Monitoring Officer should be satisfied that one of the above criteria applies.

16.6 The Director of Law, Probity and Governance shall then notify the decision-taker of the call-in, who shall suspend implementation of the decision.

16.7 If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the Mayor or Executive for reconsideration, setting out in writing the nature of its concerns or if the matter should properly be considered by Council refer the matter to full Council. If referred to the decision-maker they shall then reconsider within a further 5 clear working days or as soon as is reasonably practical thereafter, amending the decision or not, before adopting a final decision.

16.8 For the avoidance of doubt, if the Overview and Scrutiny Committee refers a matter back to the decision-making person or body, the implementation of that decision shall be suspended until such time as the decision-making person or body reconsiders and either amends or confirms that decision.

16.9 If following an objection to the decision, the Overview and Scrutiny Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision-making person or body, the decision shall take effect on the date of the Overview and Scrutiny Committee meeting, or the expiry of that further 5 working day period, whichever is the earlier.

16.10 If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, then the Council will refer any decision to which it objects back to the decision making person or body together with the Council's views on the decision. That decision making person or body shall decide whether to amend the decision or not before reaching a final decision and

implementing it. Where the decision was taken by the Executive as a whole or a Committee of the Executive, a meeting will be convened to reconsider within five clear working days of the Council request. Where the decision was made by an individual, the individual will reconsider within five clear working days of the Council request.

16.11 If the Council does not meet, or it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

17.   CALL-IN AND URGENCY

17.1 The call-in procedure set out in Rule 16 above shall not apply where the decision being taken by the Mayor, the Executive or a Committee of the Executive, or the key decision being made by an officer with delegated authority from the Executive or under joint arrangements is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interests.

17.2 The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.

17.3 The Chair of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chair, the Speaker of the Council's consent shall be required. In the absence of both, the consent of the Deputy Speaker of the Council or the Head of Paid Service or her/his nominee shall be required.

17.4 Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

17.5 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

18.   THE PARTY WHIP

18.1 The use of the party whip to influence decisions of the Overview and Scrutiny Committee or one of its Panels is inappropriate.

18.2 In this rule "a party whip" means any instruction given by or on behalf of a political group to any Councillor who is a Member of that group as to how that Councillor shall speak or vote on any matter before the Council or any Committee, or the application or threat to apply any

sanction by the group in respect of that Councillor should s/he speak or vote in any particular manner.

19. PROCEDURE AT OVERVIEW AND SCRUTINY COMMITTEE MEETINGS

19.1 The Overview and Scrutiny Committee and the Scrutiny Panels shall consider the following business:

    (i)   Minutes of the last meeting;

    (ii)   Declarations of interest;

    (iii)   Consideration of any matter referred to the Committee for a decision in relation to call-in;

    (iv)   Responses of the Executive to reports of Overview and Scrutiny;

    (v)   The business otherwise set out on the agenda for the meeting.

19.2 Where the Overview and Scrutiny Committee or a Scrutiny Panel conducts investigations (e.g. with a view to policy development), the body may also ask people to attend to give evidence at meetings of the body. Such meetings are to be conducted in accordance with the following principles:

    19.2.1   that the investigation be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;

    19.2.2   that those assisting the Committee by giving evidence be treated with respect and courtesy; and

    19.2.3   that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

19.3 Following any investigation or review, the Committee or Panel shall prepare a report, for submission to the Mayor/Executive and/or Council as appropriate by the Overview and Scrutiny Committee, and shall make its report and findings public in so far as the report does not contain exempt or confidential information.

20. SUSPENSION

20.1 Any part of these Rules may be suspended in accordance with Council Procedure Rule 26 of Part 4.1 of this Constitution provided such suspension is not contrary to the law.

OVERVIEW AND SCRUTINY COMMITTEE (Nine members of the Council plus six co-opted members) (*NB Scrutiny Lead Members and Chair of Health Scrutiny Panel to be appointed by the O&S Committee*)			
Labour Group (5)	*Independent Group (3)*	*Conservative Group (1)*	*Co-opted Members (for information – to be appointed by Overview & Scrutiny Committee)*
Councillor John Pierce *(nominated for Chair)* Councillor Amina Ali Councillor Danny Hassell Councillor Denise Jones Councillor Helal Uddin Deputies:- Councillor Dave Chesteron Councillor Candida Ronald Councillor Khales Uddin Ahmed	Councillor Mahbub Alam Councillor Oliur Rahman *(nominated for Chair)* Councillor Maium Miah Deputies:- Councillor Gulam Robbani Councillor Shafiqul Haque Councillor Shahed Ali	Councillor Peter Golds Deputies:- t.b.c.	1 vacancy– Muslim Community representative Ms Victoria Ekubia – Roman Catholic Diocese of Westminster representative Dr Phillip Rice - Church of England Diocese representative Parent Governor representatives:- • Mr Nozrul Mustafa • Revd James Olanipekun • 1 vacancy

This page is intentionally left blank

Overview and Scrutiny Committee – Guidance and Protocols

1. Introduction

1.1 This report outlines guidance and protocols for the functioning of the Overview and Scrutiny Committee (OSC) in Tower Hamlets. The protocols and guidance are intended to assist the OSC to implement the requirements of the Local Government Act 2000 and the Council's Constitution. To the extent of any inconsistency, the Act and the Constitution prevail.

Guidance

2. Roles and Responsibilities for Scrutiny Members

2.1 The overall purpose of each position will be to strengthen the Scrutiny process in Tower Hamlets and to make it part of the process of improvement. To accomplish this, Members will have the following roles and responsibilities.

2.2 Chair of Overview and Scrutiny
- co-ordinates the work of Scrutiny by developing the Committee's work programme in line with the Council's Forward Plan
- chairs the Committee meetings
- plans co-operatively meeting agendas and timetables with officers and other members (from both minority and majority parties) to ensure all areas of Scrutiny business are undertaken effectively
- leads the work of OSC on budget matters
- represents Overview and Scrutiny at Executive meetings and at community and other outside events
- represents Tower Hamlets at London Scrutiny Network meetings
- works in a cross-party and consensual manner to ensure the effectiveness of Scrutiny
- contributes to developing the community leadership role of Scrutiny
- Delegates to scrutiny Members to represent the Committee at Council meetings and external events.

2.3 Overview and Scrutiny Committee will appoint Scrutiny Leads who will:
- ensure the accountability of those Executive members and chief officers who have primary responsibility within their portfolio theme
- assess the effectiveness of existing policy in the portfolio area
- support the development of new and revised policy
- ensure effective liaison with the Tower Hamlets Partnership
- lead and co-ordinate scrutiny activity in his/her area including reviews, investigations and challenge sessions
- ensure effective liaison with internal and external stakeholders
- work in a cross-party and consensual manner to ensure the effectiveness of Scrutiny
- contribute to developing the community leadership role of Scrutiny

2.4   Skills and aptitudes
       Members will require the following skills and aptitudes to undertake the above roles
       effectively:

- understanding of the Scrutiny process and its place within the Council's overall objectives
- understanding of how Scrutiny can help improve performance management by effective performance monitoring
- willingness to help develop Scrutiny's role within the local Partnership agenda and, where appropriate, within London-wide and national arena
- willingness to work co-operatively with members from all political parties, officers and partners (outside organisations)
- ability to chair meetings
- ability to question constructively and get the best from those attending Scrutiny meetings
- willingness to liaise with officers in the drafting of reports and refining reporting mechanisms
- willingness to participate in developmental work to strengthen the Scrutiny process including training and seminars

       A willingness to develop these skills through Member Learning and Development will
       be as crucial as being able to demonstrate them.

3.   Agenda

3.1   The Committee's regular agenda items will comprise of the following in the course of
       the year:

Report	Timing
'Call-in'	When these occur – see paragraph 4.1
Budget and Policy Framework items	Normally considered at the OSC meeting the evening before Cabinet - see paragraph 4.3
Strategic Performance and Budget Monitoring reports	Timetabled through the year - see 4.4
Tracking progress of OSC recommendations	Periodic reports on progress implementing previous scrutiny reviews.
Updates on implementation of previous scrutiny reviews	Timetabled throughout the year
Scrutiny Spotlights	Timetabled throughout the year
OSC Work Programme including the programme of topics for review.	Beginning of the municipal year and progress considered each month thereafter - see paragraph 4.2

3.2   Ad hoc agenda items might include the following:

- Items of business requested by members of the Overview and Scrutiny Committee under the provisions of the Council's Constitution as amended (Part 4 – "Rules of Procedure", Section 4.5 – "Overview and Scrutiny Procedure Rules", Rule 9.1). See paragraph 4.7.

- Matters referred to the Overview and Scrutiny Committee under the provisions of the Council's Constitution as amended (Part 4 – "Rules of Procedure", Section 4.5 – "Overview and Scrutiny Procedure Rules", Rule 9.3) in accordance with Section 119 of the Local Government and Public Involvement in Health Act 2007. See paragraph 4.8.

Protocols / Procedures

4. 'Call-In'

4.1.1 For details of the call-in procedure, please see Appendix 1.

4.1.2 There are 2 forms of Executive Decision that can be 'Called In':
- Decisions of the Mayor taken in Cabinet
- Decisions of the Mayor taken outside Cabinet (Mayor's Executive Decision Making).

Should the OSC decide to refer a 'Call In' back to the Executive for further consideration it will be referred to the Mayor in Cabinet or Mayor outside Cabinet consistent with the way in which the original decision was taken.

4.1.3 Protocol for transacting a 'Call In' at OSC:
If a decision is Called In, the OSC will consider it at its next meeting in a strictly time limited slot of up to one hour. The protocol for transacting this business would be as follows:
- presentation of the 'Call In' by one of the 'Call In Members followed by questions from OSC Members
- response from Cabinet Members/officers followed by questions from OSC Members
- general debate among OSC Members followed by a decision
- The 'Call In' Member who presented to OSC would not be allowed to speak again or vote on the item
- the Committee would then either resolve to take no action (in effect endorsing the original decision) or refer the matter back to Cabinet for further discussion, setting out the nature of its concerns and possibly recommending an alternative course of action.

5. Overview and Scrutiny work programme
5.1 OSC will agree its work programme at the beginning of the municipal year and consider progress every month. The work programme will take into account the Cabinet's Forward Plan. The programme will include when OSC will consider budget and policy framework reports and Strategic Performance & Budget Monitoring reports.

6. Budget and Policy Framework items
6.1 The Budget and Policy framework, set out in Article 4 of the Constitution, outlines the plans and strategies required by statute to be approved by the full Council and which OSC should examine:
- Crime and Disorder Reduction Strategy
- Development Plan Documents and plans/ alterations which together comprise the Development Plan.
- Licensing Authority Policy Statement

- Sustainable Community Strategy
- Authority's Housing Strategy
- Authority's Environmental Strategy
- Employment Strategy
- Enterprise Strategy
- Waste Strategy
- Open Space Strategy

6.2 The Council's budget which the OSC should examine includes the annual allocation of financial resources to different services and projects following the announcement of the government's grant to the authority, the treatment of risk including level of reserves and proposed contingency funds, setting the council tax (including the recommended council tax base), and decisions relating to the control of the Council's borrowing, the control of its capital expenditure and the setting of virement limits.

7.   Performance and information monitoring

7.1 OSC will throughout the course of the year regularly monitor and examine reports on performance monitoring, Strategic Plan performance and Budget monitoring (Quarterly). Within the Scrutiny Spotlight session, it will also receive presentations from the Mayor, the Borough Commander, Lead Members and Corporate Directors on the performance and challenges facing key Council services.

8.   Reviews, Investigations and Challenge Sessions

8.1 As part of its work programme for the year, OSC will include issues and services for investigation, review and challenge sessions.   This must be:
- flexible to allow some capacity to address new issues during the year or to delve deeper into some issues following initial work.
- achievable and reflect the capacity available to support Scrutiny's work.

8.2 The Work Programme will be drawn up after consideration of key documents such as the Annual Residents' Survey, Annual Audit and Inspection Letter, Strategic Plan Performance & Budget monitoring, Tower Hamlets Index and the Local Area Partnership Plans to identify potential scrutiny issues It will also consider issues raised through Scrutiny's own work such as the performance monitoring role, as well as specific reviews.

8.3 The following criteria act as a guide in prioritising the selection of issues:
- a service or issue that requires significant improvement
- a service or issue of poor or challenging performance
- an area of national policy development that impacts or has the potential to impact on one or more sections of the community
- an inspection is planned for the service where Scrutiny would add value to Council and partner performance
- a controversial or sensitive issue that would benefit from a risk-management approach and the pro-active engagement of partners and local communities.

8.4 Where Scrutiny Panels are established to deliver the Committee's work, their membership will be constituted according to proportionality rules and in liaison with Party whips. It would be expected that membership would be based on the expressed interests of Members.

8.5   Please see Appendix 1 to this report for further details on the conduct of scrutiny reviews.

8.6   A report on all investigations, reviews and challenges sessions will be presented to OSC. Where there are recommendations that Cabinet need to consider, the review report will be submitted to Cabinet with an action plan (via the usual pre-agenda planning process). Reports may also be submitted to partner organisations for their response following consideration by Cabinet. Challenge Session reports are agreed by OSC following this an action plan is developed by the department which is then monitored through an implementation progress report. In circumstances, where there are resource implications the report will be presented to Cabinet.

8.7   Progress updates on implementation of previous scrutiny review recommendations will be considered throughout the year by OSC. .

9.   **Pre-decision scrutiny of Cabinet business**
9.1   Consideration of the Forward Plan will allow the OSC to highlight upcoming issues for the review programme or for further work by the relevant Lead Scrutiny Member.

9.2   The OSC meets the night before Cabinet and has the opportunity to raise questions which it considers Cabinet should take into account in reaching its decisions. OSC Members receive the Cabinet papers on their initial despatch the week before the meeting.

9.3   Protocol for submission of pre-decision scrutiny questions:
   - Members must notify the Chair in writing (via the SPP Team) of any questions they wish to raise by 12 noon on the Monday of the same week of OSC and Cabinet meetings.
   - When necessary, the Chair, Vice Chair and a nominated Minority Member will meet prior to OSC meeting to determine how the time allocated for pre-decision scrutiny questions at the OSC meeting could best be used if there are a significant number of questions raised. The following criteria would be used:

     o questions should be new and not ones already addressed in the report or that have been the subject of correspondence or review elsewhere
     o questions for information should be raised directly with the report author
     o first priority should be given to consideration of reports with large scale, cross-borough policy implications
     o questions should consider they can influence the decision of the Cabinet to ensure it meets local needs.

9.4   Protocol for transacting pre-decision scrutiny at OSC:
   - There will be a maximum time slot of 45 minutes to consider pre-decision scrutiny questions for Cabinet.
   - Members will be able to raise questions and comments only, not to have a full scale debate on issues.
   - The OSC will aim for a consensual agreement on the issues/ questions to be raised with Cabinet.

9.5   The OSC Chair will have an allocated 10 minute slot on the Cabinet agenda to feedback any questions together with any other issues from the Committee's

deliberations. The Chair may also appoint a delegate to undertake this function if he/she is unavailable to attend.

10. Items of business requested by members of the OSC under the provisions of the Overview and Scrutiny Procedure Rule 9.1

10.1 Members of the OSC may request the Assistant Chief Executive to include an item relevant to the functions of the Committee on the agenda of the next available meeting. Please see Appendix 1 to this report for full details.

10.2 Protocol for transacting such business at OSC:
- "Presentation" by requesting Member to the Committee - Time allowed 10 minutes. Member to outline why he/she thinks the OSC should initiate a review of the matter and set out his/her alternative course of action.
- OSC members then to be given the opportunity to ask questions of clarification and receive answers from requesting Member.
- Corporate Director response to be asked to address the points raised by the requesting Member (brief written response to be tabled providing sufficient information for the Committee to take a view) and any remaining points raised by the OSC members in the Question and Answer session.
- Cabinet Member (who may be present) may be given an opportunity, by the Chair, to make a contribution on specific points if he/she so wishes but this not to be a generalised right of reply or a lengthy matter.
- OSC members to discuss and reach a determination. The Chair to summarise the deliberations and move a motion for consideration/ agreement of the Committee.

Deliberations
- The Committee are required to decide whether or not further scrutiny of the matter in question is appropriate.
- The OSC must be satisfied that the matter is relevant to its work programme, and if it is not the request for consideration must be refused. If the request is determined to be relevant to the work programme the Committee should identify the item in the work programme to which it relates.
- If the committee decide that further scrutiny is required it should indicate how the matter should be dealt within the context of the work programme item ie specify what form the further scrutiny should take. Perhaps requesting a detailed report from officers and their attendance at the next OSC meeting to address the issues, or perhaps a scrutiny review.
- Should the Committee decide to undertake a scrutiny review:
  o The broad terms the terms of reference of the Scrutiny Working Group should be stated.
  o A date should be set for submission of a report upon the Working Group's findings to the Committee.
  o It should be established upon a representational basis as per paragraph 4.5.4 above.

10.3 Scrutiny Review Groups
Once appointed it is the responsibility of a Scrutiny Working Group:
- To scope the review and establish a timetable to meet the Committee's reporting requirement
- To convene one or more meetings to scrutinise/review the issues under consideration

- To prepare a report with such recommendations as the Working Group considers appropriate for submission to the Committee.

11.   Items referred to OSC by councillors under the provisions of the Overview and Scrutiny Procedure Rule 9.3

11.1   Any member of the Council may refer a local government matter to the OSC for examination under the Councillor Call for Action (CCfA) provisions introduced by Section 119 of the Local Government and Public Involvement in Health Act 2007 that came into force on 1st April 2009.

12.   Health Scrutiny

12.1   The Health Scrutiny Panel is a sub-committee of the OSC which meets on a quarterly basis with terms of reference and membership as set out in the Constitution (Article 6 and Part 4 – "Rules of Procedure", Section 4.5 – "Overview and Scrutiny Procedure Rules". As well as its statutory obligations, the Panel will also consider a work programme agreed by the OSC. The Scrutiny Lead for "Adult Health and Wellbeing" chairs the Health Scrutiny Panel must regularly report to OSC on the work of the Panel.

13.   Protocol for the Conduct of Business

13.1   Given the Terms of Reference of the Committee, the nature of business that it will consider will vary depending upon the role it is undertaking. It can also be assumed that in addition to Committee Members, a variety of persons, in differing capacities are likely to attend meetings of the Committee. These would include:
- Church/Faith or Parent Governor representatives
- the Mayor and Cabinet Members
- non-executive members
- members of the Health Scrutiny Panel
- chief officers or their representatives
- external witnesses invited by the Committee to give evidence and advice
- members of the public

13.2   In order to facilitate the smooth conduct of business it will be necessary for all concerned to have an understanding of when and how it is appropriate for them to participate in meetings of the Committee. It is therefore suggested in accordance with the provisions of the Council's Constitution, the Committee continues to use the protocol previously adopted for the conduct of business as detailed below:

(i)   Voting Members to occupy specified seats (nearest to the Chair and Vice-Chair and Lead Officer.)
(ii)   ''Call In'' Members to occupy specified seats.
(iii)   Cabinet Member(s) to occupy specified seats.
(iv)   Subject to any variance agreed by the Committee, items of business to be dealt within the order that they appear on the agenda.
(v)   The agenda be structured so that business is considered in the order set out in Appendix 1 to this report.

This page is intentionally left blank

Non-Executive Report of the: **Overview & Scrutiny Committee** **7ᵗʰ July 2015**	TOWER HAMLETS
Report of: Service Head, Democratic Services	**Classification:** Unrestricted
Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments	

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

1. Summary

1.1 This report informs Overview & Scrutiny Committee (OSC) of:

- the Scrutiny Lead portfolios based on the Council's Directorates.
- the requirement to appoint co-opted members to OSC in accordance with legislation.
- the establishment, by full Council, of the Health Scrutiny Panel, to discharge the Council's functions under the National Health Service Act 2006, with terms of reference and quorum as set out in the Council's Constitution.

1.2 This report also requests OSC to consider the following appointments:

- Lead Scrutiny Members for those portfolios, in accordance with the Council's Constitution.
- co-opted representatives in respect of education matters in accordance with statutory requirements and the Council's Constitution.
- Health Scrutiny Panel Members for the Municipal Year 2015/16, the exact membership of which remains a matter for its determination (provided it is congruent with proportionality requirements and other specific constitutional provisions).
- Two co-opted representatives to the Health Scrutiny Panel from the Tower Hamlets HealthWatch in accordance with constitutional provisions.

2. Recommendations

The OSC is recommended to:

2.1 Determine whether it wishes to continue to operate Lead Portfolios in the forthcoming term and appoint Lead Scrutiny Members for the Scrutiny Lead portfolios as set out at Section 3 of this report.

2.2   Note the co-option to the membership of the OSC of representatives in respect of education matters, as set out at paragraphs 4.1 to 4.7 of this report;

2.3   Note the establishment of the Health Scrutiny Panel by full Council, to discharge the Council's functions under the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 as set out in paragraph 5.1 of this report; with terms of reference and quorum as set out in paragraph 5.2 of this report;

2.4   Appoint members to the Health Scrutiny Panel for the Municipal Year 2015/16 as set out at paragraph 5.3 of this report; and

2.5   Agree the co-option of representatives from the Tower Hamlets HealthWatch to the membership of the Health Scrutiny Panel for the Municipal Year 2015/16, as set out at paragraph 5.4 of this report.

3.   Scrutiny Lead Portfolios

3.1   The OSC is requested to note that the Scrutiny Lead portfolios were aligned to the Authority's directorates for the Municipal Years 2011/12 to 2014/15 and consider whether it wishes to continue this arrangement in the forthcoming administration.

3.2   The OSC is requested to consider the appointment of Lead Scrutiny Members for the portfolios set out below:

- **Children's Services**
- **Adult Health and Wellbeing**
- **Communities, Localities and Culture**
- **Development and Renewal**
- **Law Probity and Governance**
- **Resources**

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

4.1   Section 9FA (4) of the Local Government Act 2000 provides that an overview and scrutiny committee of a local Council may include persons who are not members of the Council. This provision empowers, rather than obliges, local authorities to have co-opted members on their overview and scrutiny committees.

4.2   However Schedule A1 to the LGA 2000 also has effect in relation to the Council's executive arrangements. Paragraph 7 of Schedule A1 makes provision for overview and scrutiny committees to have church representatives. The Council must have a Church of England co-opted member on its overview and scrutiny committee if the committee's functions relate wholly or partly to education functions and if the Council maintains one or more Church of England Schools. Similarly, the Council must have a Roman Catholic representative on its overview and scrutiny committee if the committee's functions relate wholly or partly to

education functions and if the Council maintains one or more Roman Catholic schools.

4.3   Paragraph 7 of Schedule A1 to the LGA 2000 also deals with appointment of the church representatives. The Church of England representative must be nominated by the Diocesan Board of Education for any Church of England diocese which falls wholly or partly in Tower Hamlets. The Roman Catholic representative must be a nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in Tower Hamlets.

4.4   Paragraph 8 of Schedule A1 to the LGA 2000 sets out power for the Secretary of State to make regulations requiring local authorities to have representatives of parent governors at maintained schools included on their overview and scrutiny committees. The Secretary of State has made the Parent Governor Representatives (England) Regulations 2001. Regulation 3 provides that a local education Council shall appoint at least two, but not more than five, parent governor representatives to any overview and scrutiny committee that has functions which relate wholly or partly to any education functions which are the responsibility of the Council's executive. The Regulations specify the process for electing representatives.

4.5   Consistent with the statutory provisions, the Council's Constitution provides in Part 3 "Responsibility for Functions", for the membership of the overview and scrutiny committee to include a Church of England representative, a Roman Catholic representative and two Parent Governor representatives. The Constitution also provides for the committee to have a non-voting Muslim faith representative, although this is not a statutory requirement.

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

        o   One Church of England diocese representative;

        o   One Roman Catholic diocese representative; and

        o   Three parent governor representatives elected under the procedures contained in the Parent Governor Representatives (England) Regulations 2001."

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

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

4.7   The OSC is requested to agree the co-option of nominated representatives in respect of education matters as set out in the table below.

Role	Co-Optee
Church of England Diocese representative	Dr Phillip Rice
Roman Catholic Diocese representative	Victoria Ekubia
Parent Governor representative	A nomination is awaited
Parent Governor representative	Nozrul Mustafa
Parent Governor representative	Reverend James Olanipekun
Muslim Community Representative (non-voting)	To be confirmed

5.   Health Scrutiny Panel (HSP)

5.1   Establishment

5.1.1   The Constitution states that the Annual Council Meeting will establish "such other committees/panels as it considers appropriate to deal with matters which are neither Executive Functions nor reserved to the Council".

5.1.2   The Council's Constitution refers to the establishment of "a standing Sub-Committee to discharge the Council's functions under the Health and Social Care Act 2001 to be known as the Health Scrutiny Panel". The reference to the Health and Social Care Act 2001 is out of date and this should be taken as a reference to the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

5.1.3   At the Annual General Meeting of the Council, held on 24th June, 2015 the Health Scrutiny Panel was established for the Municipal Year 2015/16 with a membership numbering 7, and an allocation of places in accordance with overall proportionality requirements as follows: 4 Majority Group Members (Labour), 1 Minority Group Member (Conservative) and 2 Minority Group Members (Independent). The OSC is therefore requested to note the establishment of the Health Scrutiny Panel, its total membership and the allocation of places between the political groups.

5.2   HSP Terms of Reference and Quorum

5.2.1   The Health Scrutiny Panel will undertake the Council's functions under the National Health Service Act 2006 and associated Regulations and consider matters relating to the local health service as provided by the NHS and other bodies including the Council:

(a) To review and scrutinise matters relating to the health service within the Council's area and make reports and recommendations in accordance with any regulations made thereunder;

(b) To respond to consultation exercises undertaken by an NHS body; and

(c) To question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of the services.

5.2.2 The quorum will be 3 voting members.

5.3 Appointment of Members to Health Scrutiny Panel

5.3.1 As indicated in para 5.1.3 above the total membership for the Health Scrutiny Panel and the allocation of these places between the political groups has been determined by the full Council.

5.3.2 However the exact membership of the Health Scrutiny Panel remains a matter for the determination of the OSC (provided it is congruent with proportionality requirements and other specific constitutional provisions). The OSC should note that the Scrutiny Lead Member: Adult Health and Wellbeing should have been determined by it, following a motion from the Chair, at recommendation 2.1 above and this Member must be appointed as a member and Chair of the Health Scrutiny Panel.

5.3.3 Accordingly the OSC is requested to consider making appointments to the Health Scrutiny Panel for the Municipal Year 2015/16.

5.4 Co-option of Representatives to the Health Scrutiny Panel

5.4.1 The Overview and Scrutiny Procedure Rules state that:

"The Overview and Scrutiny Committee will be responsible for approving co-opted Members for the Scrutiny Panels. Co-opted Members will be non-voting."

5.4.2 In the Municipal Year 2014/15 two representatives previously recruited from the Tower Hamlets Local Involvement Network served as co-opted members of the Health Scrutiny Panel. It is recommended that these representatives be co-opted to the membership of the Health Scrutiny Panel in 2015/16.

5.4.3 Accordingly the OSC is requested to agree the co-option of **David Burbidge** and Professor **Tim Oliver** from Healthwatch Tower Hamlets (formerly Tower Hamlets Involvement Network) to the membership of the Health Scrutiny Panel for the Municipal Year 2015/16.

6. Comments of the Chief Financial Officer

6.1 This report describes the OSC request to consider the appointment of Lead Scrutiny Members, in accordance with the Council's Constitution (as amended).

6.2   Also, OSC are requested to agree the following: co-option of representatives in respect of education matters in accordance with statutory requirements and the Council's Constitution; the creation of a Health Scrutiny Panel; co-option of 2 representatives from the Tower Hamlets HealthWatch.

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

7.   Legal Comments

7.1   Most of the relevant statutory and constitutional provisions are set out in the body of the report. It is also proposed that independent members be co-opted to the Health Scrutiny Panel. Section 9FA (4) of the Local Government Act 2000 confirms that a sub-committee of an overview and scrutiny committee may include persons who are not members of the authority. This is consistent with section 102(3) of the Local Government Act 1972 which makes similar provision in relation to committees and sub-committees.

8.   One Tower Hamlets Considerations

8.1   The establishment of the Health Scrutiny Panel may contribute to the reduction of health inequalities that exist in the borough.

9.   Risk Management Implications

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

10.   Crime and Disorder Reduction Implications

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

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

Brief description of "background paper"	If not supplied Name and telephone number of holder
n/a	**n/a**

Non-Executive Report of the: **Overview & Scrutiny Committee** **7th July 2015**	TOWER HAMLETS
Report of: Louise Russell, Service Head – Corporate Strategy and Equality	**Classification:** Unrestricted
Progress update: Tackling the school places gap – pupil place planning and the impact of academies and free schools	

Originating Officer(s)	Vicky Allen, Strategy, Strategy, Policy and Performance Officer; Corporate Strategy and Equality
Wards affected	N/A

1. 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.   This report reviews the progress against the original recommendations.

2.   Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the report findings

3. DETAILS OF THE REPORT

3.1 The challenge session was held in November 2013 to investigate whether the Council's pupil place planning arrangements are effective and what more could be done to meet the school places gap. This issue was identified as a priority piece of work by OSC in light of parents' concerns to Members about the growing problem.

3.2 The objectives of the challenge session were therefore to answer the following questions:

- What measures had the local authority put in place to plan for school places?
- How has national policy impacted on the options open to the local authority?
- How do we work with schools which are their own admissions authorities to improve accessibility of school places?
- What more could the Council do to ensure the pupil place planning arrangements were effective to meet the gap in school places?

3.3 Members concentrated on finding out about provision of school places in three main respects: provision of a sufficient number of places; ensuring places are in the right place geographically; and giving families appropriate choice of different types of places.

3.3 The review acknowledged that local authorities faced a number of tensions in meeting the school places gap which make short and long term planning pupil place planning very challenging. The five recommendations arising from the challenge session concentrated on improving information for both parents and Members, continuing to seize opportunities for expansion and procurement of new sites and proactively engaging with new schools that are approved in the borough.

3.5 The report made 5 recommendations which were agreed by OSC and by Cabinet. The body of this report outlines the progress against these recommendations. The original report with recommendations is attached as **Appendix A**. The action plan which accompanies the report is attached as **Appendix B**.

4. BODY OF REPORT

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

4.2 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.

4.3 <u>Comment from service:</u> 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[1] as starting point but is considered flexibly based on existing practice and operation of the school.

4.3 **<u>Recommendation 2:</u> 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.**

4.4 <u>Service comment at action planning stage</u>: 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

---

[1] **BB 103 is Area Guidelines for Mainstream Schools published by the DfE in June 2014**, superseding BB98 and 99. The purpose of this document is to set out simple, non-statutory area guidelines for mainstream school buildings (part A) and sites (part B) or all age ranges from 3 to 19. It supersedes the area guidelines in Building Bulletins (BB) 98 and 99, recommending reduced minimum internal and external areas. The document aims to assist architects, sponsors and those involved in creating a design brief for new school buildings, or for school refurbishment or conversion projects. However, in line with policies which seek to increase choice and opportunity in state funded education, these guidelines will not necessarily have to be met in every case and should always be applied flexibly in light of the particular circumstances

- 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

4.5 <u>Comment from service:</u> 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 e.g. Westferry Printworks. Additional primary school accommodation 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).

4.6 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.

4.7 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.

4.8 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 in including consideration of expansion to existing schools. The requirement for additional school capacity has been included in South Quay Masterplan.

4.9 **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.

4.10 <u>Service comment at action planning stage</u>: 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

4.11 <u>Comment from the service:</u> 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.

4.12 The Admissions Forum agreed at their meeting in December 2014 to form a Working Group to produce guidance for own admissions authorities.   The purpose of this guidance is to ensure that admissions arrangements for own admissions authority schools are compliant with the Admissions Code. The guidance will also take into account good practice 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.

4.14 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 will be 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.

4.15 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.

4.16 <u>With regard to consulting with parents about the current information provided:</u> 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.

4.17 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.

4.18 <u>With regard to exploring alternative methods and formats, including digital options:</u> 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%.

4.19 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: www.towerhamlets.gov.uk/equalchance.

4.20   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: www.towerhamlets.gov.uk/schooladmissions.

4.21   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.

4.22   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.

4.23   <u>With regard to re-assessing user satisfaction with the information provided after each admissions round:</u> Pupil Services, in conjunction with the Council's Parental Engagement Service and Communications Team, has devised 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 will provide the basis for the Authority's forward planning for improvements in service delivery. The record of discussions and outcomes will be publicised in the minutes from the meetings of the Parent Carers Council and Tower Hamlets School Admission Forum http://www.towerhamlets.gov.uk/lgsl/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 will be monitored through survey evaluations and periodic Equality Impact Assessments.

4.24   **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)

4.25 <u>Comment from service at action planning stage</u>: 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.

4.26 <u>Comment from the service:</u> 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.

4.27 For secondary school admission for September 2014, 74 per cent of Tower Hamlets children received a place at their first preference school compared to an average of 68 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 percent London-wide. For primary school children for admission for September 2014, the outcome was 94.8 percent gaining a place at one of their top three choices compared the London average of 92.6 per cent.

4.28 Information on the policies for Primary and Secondary school admissions in 2015/16 were presented to Members in September 2014. The paper included advice on the application procedure; how offers of school places were determined and who parents should contact in the case of query.

4.29 Members were invited to participate in the Authority's consultation on school admission arrangements for the 2016/17 academic year via the Member Bulletin in December 2014. 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 2016/17 together with recommendations was presented to Cabinet in May 2015. The arrangements as determined by Cabinet were notified to members via the members Bulletin in May 2015.

4.30 **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.

4.31 <u>Comments from the service at action planning stage</u>: 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.

4.32 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.

4.33 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.

4.34 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

4.35 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

4.36   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.

5.   **COMMENTS OF THE CHIEF FINANCIAL OFFICER**

5.1   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 £4.5m - £5m (the latest report to Cabinet in September 2014 suggested that an additional 19 primary FE would be needed over the next ten years) and a secondary FE will range from £3.5m to £4m (with an expected 21 fe required over the next ten years). This pointed to a ball-park range of £159m - £179m to fund the additional capital costs over the next ten years.

5.2   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 (to be replaced by Community Infrastructure Levy (CIL)) which are 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.

5.3   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 £1m 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.

6. LEGAL COMMENTS

6.1 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.

6.2 The report proposes that the Committee consider whether to include this item within its programme for 2015/2016. In this regard, Rule 8.1 of the Overview and Scrutiny Procedure Rules provides that the Overview and Scrutiny Committee will be responsible for agreeing the overview and scrutiny work programme for the year.

7. ONE TOWER HAMLETS CONSIDERATIONS

7.1 Tower Hamlets is the fastest growing local authority in the country so ensure there are enough school places remains a key challenge. With approximately 263,000 residents, the borough's population has increased by around 25% over the last 10 years. The borough also has a higher than average young population, and growth in demand for school place is anticipated to grow at a faster rate than was previously projected. Current projections suggest that demand for reception places will increase by 23% over the next 10 years and by 44% for secondary school places.

7.2 Whilst councils retain the duty to ensure that all pupils living within the local authority are guaranteed a school place, their ability to influence the number of suitable school places available has become more restricted due to Government legislation.

6.2 A key objective of the challenge session is to explore how the council engages own-admissions schools in order to ensure it can meet this statutory duty. Members were pleased to hear about the work the service does with Free Schools and Academies to get them to support some key joint principles for educating pupils in the borough, with the majority of Free Schools and Academies following the council's admissions policy. This has ensured that the admission arrangements are fair and accessible as well as serving the needs of local residents.

7.   BEST VALUE 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.

_____

Linked Reports, Appendices and Background Documents

Linked Report
- NONE.

Appendices
- Appendix 1 – Scrutiny Review and Action Plan

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report
- NONE.

Officer contact details for documents:
- N/A

_____

SUMMARY REPORT

**Tackling the school places gap:
Pupil place planning and the impact of academies and free
schools**

Scrutiny Challenge Session Report
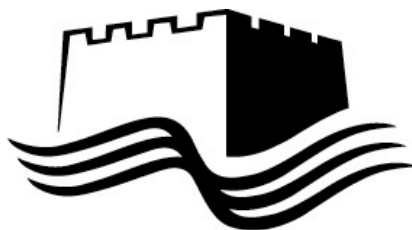
**London Borough of Tower Hamlets
November 2013**

Chair's Foreword

Councillor Amy Whitelock Gibbs

Chair of the review panel, Scrutiny Lead for education

The lack of future school places has featured heavily in the news recently. While this is a London-wide issue, it is particularly significant in Tower Hamlets, as our borough has one of the fastest growing young populations in the country. Members are also acutely aware of parents' concerns about the growing school places gap.

As such, Overview and Scrutiny wanted to investigate how the council is currently managing school places in the borough and whether more needs to be done to both meet the growing gap and enable parents to navigate the system appropriately. Members wanted to understand the key national and local pressures on school places, relevant policy levers and restrictions, what steps the local authority has already taken and what other opportunities are available to expand school provision.

I am pleased to present this report which outlines the key challenges facing the borough and makes a number of practical recommendations for the council.

It became clear through the challenge session that the local authority is operating within a very restricted framework, as national policy prevents councils from setting up new community schools, while local policy opposes the development of academies and free schools. There is a strong tension between local authorities' statutory duty to provide sufficient school places and their inability to set up their own community schools, which is compounded by insufficient funding to meet need.

Nevertheless, Members identified a number of recommendations to address the three key challenges facing the borough – providing the right number of places, in the right place geographically, which offer sufficient choice for families. The recommendations focus on school expansion, proactively identifying new sites for schools, reviewing and improving information available to parents and Members, and prioritising measures to bring new schools into the family of community schools.

I would like to thank the officers and external speakers that contributed to the challenge session, especially Anne Canning, Service Head Learning and Achievement – early years, Pat Watson, Head of Building Development; and Terry Bryan, Head of Pupil Admissions and Exclusions. I am also grateful to my colleagues on the challenge session – both Members and co-opted parent governors – for their support, advice and insights.

Summary of recommendations

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

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

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 bout the current information provided
- Explore alternative methods and formats, including digital options
- Re-assess user satisfaction with the information provided after each admissions round.

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)

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

1. INTRODUCTION

1.1 Tower Hamlets is the fastest growing local authority in the country so ensuring there are enough school places remains a key challenge. With approximately 263,000 residents, the borough's population has increased by around 25% over the last 10 years. The borough also has a higher than average young population and growth in demand for school places is anticipated to grow at a faster rate than was previously projected. Current projections suggest that demand for reception places will increase by 23% over the next 10 years and by 44% for secondary school places.

1.2 The aim of the challenge session was to investigate whether the council's pupil place planning arrangements are effective and what more can be done to meet the school places gap. The need for the session arose in light of parents' concerns about the growing problem.

1.3 The objectives of the challenge session were therefore to answer the following questions:
- What measures has the local authority put in place to plan for school places?
- How is national policy impacting on the options open to the local authority?
- How do we work with schools which are their own admissions authorities to improve accessibility of school places?
- What more can the council do to ensure the pupil place planning arrangements are effective to meet the gap in school places?

1.4 The session was facilitated by Cllr Amy Whitelock Gibbs, Scrutiny Lead for Children, Schools and Families. It took place on Tuesday 26th November 2013.

1.5 The session was attended by:

Cllr Amy Whitelock Gibbs	Scrutiny lead for Education
Cllr Josh Peck	Councillor
Cllr Carlo Gibbs	Councillor
Cllr Lesley Pavitt	Councillor
Memory Kampiyawo	Parent Co-optee
Nozrul Mustafa	Parent Co-optee
Clive Grimshaw	Head of Children's Services, London Councils
James Hodgson	LB Barking & Dagenham, BSF Project Director
Anne Canning	Service Head Learning and Achievement
Pat Watson	Head of Building Development
Terry Bryan	Head of Pupil Admissions and Exclusions
Frances Jones	One Tower Hamlets Service Manager
Vicky Allen	Strategy, Policy and Performance Officer, Corporate Strategy & Equality

2.   BACKGROUND

<u>School types in England</u>

2.1   There has been a drive by the Coalition Government towards the establishment of Free Schools and Academies, which are independent of local authority control, and a reduction of schools maintained by the local authority. This creates a tension, as whilst councils retain responsibility for ensuring that all school aged children have access to an appropriate school place, it has become more difficult to influence the location and type of school within their jurisdiction. The urgent need for additional school places leaves the local authority with the option of expanding the size of existing schools or relying on providers to operate a school which responds to the needs of the residents in its locality.

2.2   There are several types of publicly-funded schools in England with the majority of pupils attending either a maintained school or an academy. Maintained schools are maintained and funded by the local authority; they follow the national curriculum, national pay and conditions, and are overseen by the local authority. Maintained schools include:
- Community schools – responsibility of the local authority
- Foundation Trust schools – responsibility of their trust and governing body
- Voluntary Aided schools – mainly faith schools and supported by a trust
- Voluntary Controlled schools – as above but responsibility of the local authority

2.3   Academies, Free Schools and Academy converters all have the same status in law, they are all 'academies' which means that they are all funded directly by the Department for Education (DfE) and are independent of local authority control. They are funded and held accountable through a legally binding funding agreement with the DfE. School land and property is transferred to Academy converters on a long lease at nil cost. Free Schools and Academies do not have to follow the national curriculum although teaching must be 'broad and balanced' and teach a range of subjects including English, maths and science.

2.4   The Government has both encouraged existing schools to convert to Academy status and interested parties to establish new Free Schools. They sell the benefit of the Free School and Academy route as a way of enabling schools to have greater autonomy over their curriculum, budget and staff in order to raise standards of education.

<u>Legislation</u>

2.5   The Education Act 2011 made changes to the arrangements for the establishment of new schools by introducing a presumption that when local authorities identify the need for a new school it will be established as an Academy (or free school).

2.6   The Act also made changes to the legislation relating to school land, to increase the Secretary of State's ability to make land available for free schools. There is no longer a requirement for Academies to have a specialism, and there have been changes to the requirements around consultation on the set up of an Academy. In addition, the DfE have recently published revised accommodation standards which reduce the standard areas for a school from the current requirements.

2.7   Local authorities have a statutory duty to provide sufficient school places for children of school age. These include the academic standards of maintained schools, the coordination of admissions arrangements, the education of permanently excluded pupils, and paying for additional support needed for individual statemented pupils with high needs.

2.8   As of 1st November 2013, 3,444 [1] academies have been established in England, 382 of which are in London. 93 new free schools opened in in England in September 2013. With London having around 2,200 schools, this equates to over 17% of all London schools in comparison to 15% in England as a whole. There are 78[2] academy conversions in the pipeline in London with 47 of those approved to open and 31 awaiting approval.

2.9   London Councils [3]predicts that around 101,000 additional primary school places and 16,800 additional secondary school places will be required in London by 2016/17. As most new schools will be established as Academies and Free Schools, it is inevitable that the proportion of children attending a maintained school will decrease substantially.

---

[1] http://www.education.gov.uk/schools/leadership/typesofschools/academies/b00208569/open-academies
[2] http://www.education.gov.uk/schools/leadership/typesofschools/academies/b00208569/open-academies
[3] London Councils delivering school capacity, November 2013

Local context:

Population and projections

2.10 The census 2011 shows that 8% of the borough's population are aged under 5 years old, compared to the London average of 7% and England average of 6%. Information relating to the projected need for additional primary and secondary school places is in section 3.5-3.7 below.

Council's stance on academies and free schools

2.11 The Mayor and Full Council have pledged to oppose the development of academies and free schools. There has been a long-standing commitment by the council to protecting the family of community schools, given the diverse needs in Tower Hamlets, to ensure every child has equal access to good quality education and prevent a two-tier system developing.

2.12 A range of reasons why the Cabinet opposes academy and free schools include the following:
- A network of local authority schools supported by the local authority is the best way to ensure that all our schools and young people get the support and resources they require to achieve the best level of education;
- The reduced level of funding for the local authority limits its ability to work with schools to improve practice, support schools that are failing, and maintain the fabric of schools to a decent standard;
- Support services will need to be procured either from the local authority or arranged independently by individual schools;
- Reduced local democratic accountability to parents;
- Pupils excluded by academies will impact on neighbouring maintained schools that the local authority will have to place them in;
- Difficulty for the local authority to plan for future pupil places;
- Schools with their own admissions' policies may mean pupils have less access to a school of their choice and if they do not sign up to the 'fair access protocol' this could mean reduced community cohesion;
- Transferring land and assets to academies will make it more difficult for the council to co-locate services

<u>Academies and Free Schools in Tower Hamlets</u>

2.13   Tower Hamlets currently has 8 Free Schools and Academies, five of
       these are primary schools, two are secondary schools and one
       provides education to 14-19 year olds. There are further schools in the
       pipeline subject to finding sites or receiving DfE approval.

       Current Academies and Free Schools

Age range	Name	Type	Date operational
Primary	Canary Wharf College 1	Free School	Sept 2011
Primary	Constable Education Trust (CET) primary school Tower Hamlets	Free school	Sept 2012
Primary	Culloden	Academy converter	Conversion in September 2013
Primary	Old Ford	Academy converter	Conversion in September 2013
Primary	Sir William Burrough	Academy converter	Conversion in December 2011
Secondary (11-19)	Bethnal Green Academy	Academy converter	Conversion in January 2012
Secondary (11-18)	Wapping High School	Free school	Sept 2012
14-19	City Gateway	Free School	Sept 2012

       Approved by the DfE to open

Age range	Name	Type	Date operational
16-19	East London Academy of Music	Free school	Sept 2014
Primary	Canary Wharf College 2	Free school	Sept 2014
Secondary (11-16)	London Enterprise Academy	Free school	Sept 2014

       Known proposed Free School applications to the DfE (but not yet
       approved)

Age range	Name	Type	Date operational
4-18	Canary Wharf College 3	Free school	Not yet determined
Primary	Constable Education Trust (CET) 2	Free school	Not yet determined
5-16	Tower Science Academy	Free school	Not yet determined
14-19	The Aldridge Centre for Entrepreneurship	Free school	Not yet determined

3.   KEY FINDINGS AND RECOMMENDATIONS

Insufficient capital funding for school places

3.1   Members heard from Clive Grimshaw, the head of children's services at London Councils, about the Government's allocation of capital grants for funding new school places. He advised there is a significant mismatch between the funding the Government provides for school places – which has remained fixed – and the demand for school places, which has been rising. This has left a substantial gap in the funding settlement.

3.2   London Councils also reported that there is an issue with the methodology used to calculate the capacity required. The Government uses an average cost of £11,000 per new pupil place and bases capital funding allocations on this. However, conditions are different in London, compared to the rest of England, and especially difficult in a growth area such as Tower Hamlets. London-specific factors include rapid population growth, operating at a high capacity within school historically, most of the straightforward options for expansion of capacity having been delivered already and local cost drivers. London Councils estimate that an average cost per place of £20,000 would be more appropriate in London.

3.3   Members were very concerned that the average rate disproportionately disadvantaged Tower Hamlets and London as a whole. London Councils are currently lobbying Government on behalf of London local authorities about the problems with the funding methodology and the challenge local authorities face given their lack of control over new schools. There has been constructive dialogue with the Department for Education about the need to address the mismatch in the funding methodology for London, and the overall tension between local authorities' duties and lack of direct control, but further lobbying by London Councils is needed.

Rising school place capacity need

3.4   London Councils also reported that the population growth of young people in London is growing faster than any other region in England. Between the 2001 and 2011 censuses, the birth rate in London rose by around 27%. In the same period, there has been a rise in the number of young people aged 0-19 of around 12% in London compared to 3% in England as a whole. By 2016/17 it is projected that the number of additional primary school places needed in London will be approximately 101,000 and 17,000 for secondary. This means 42% of the additional primary school places required for the whole of England will be needed in the London, and 52% of all secondary school capacity needed.

3.5   Members heard that this significant demand for school places in London was partly due to London being an employment hub for young people who then go on to have families. Added pressure comes from the fact that while traditionally families have moved out to the suburbs, this is not as simple an option now because of rising housing costs. London

Councils also reported that there is some evidence that families come to London because education is often perceived as of a higher standard.

3.6   For Tower Hamlets, Members were advised that the rising need for school places was due both to the impact of new housing developments in the borough and the birth rate[4] which is higher than the inner-London average. The births figure for 2011 was 25% higher than the number of births in 2001 (an additional 911 births). This trend is projected to continue, meaning increasing pressure on school places into the future. Officers confirmed that meeting the need for school places is one of the biggest risks facing the Education, Social Care & Wellbeing Directorate.

GLA School roll projections for Tower Hamlets
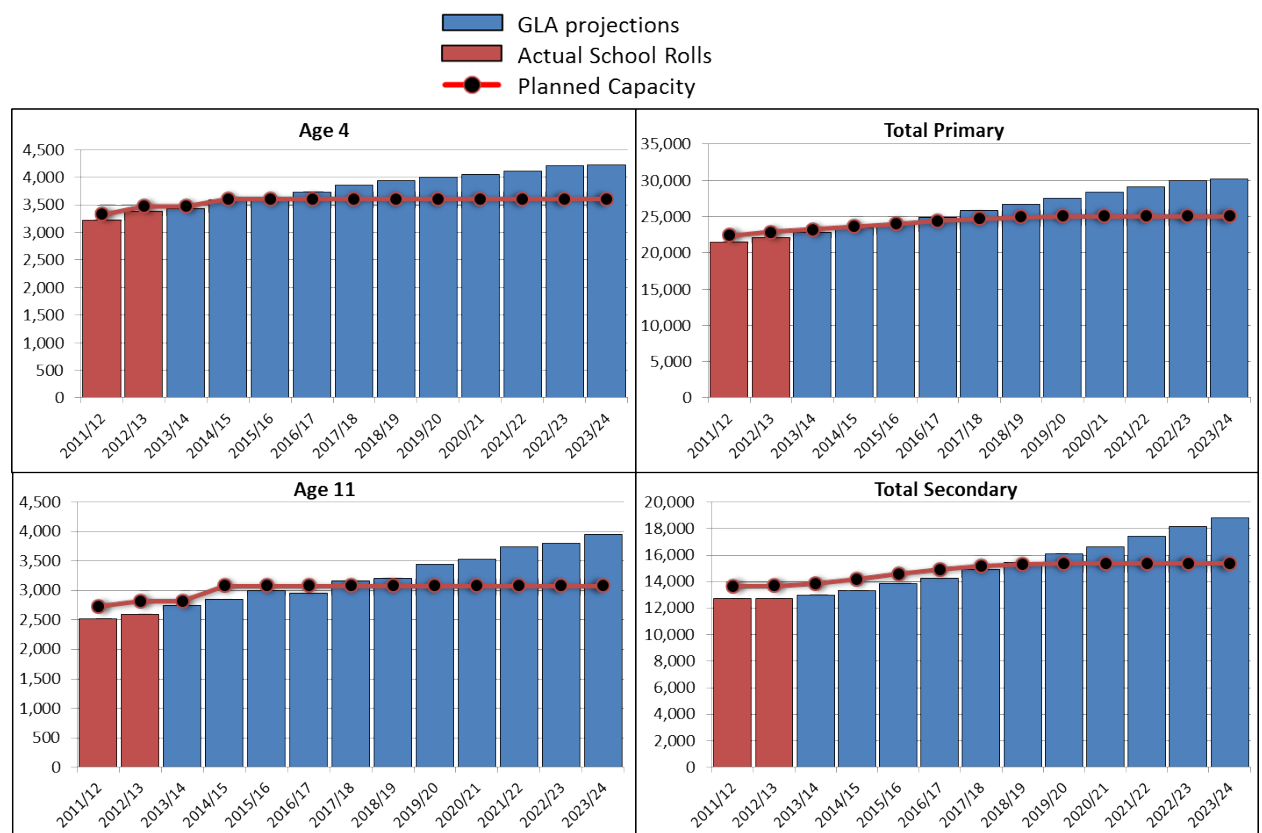
3.7   Members analysed the graphs above which show that by 2016/17, there will be more primary aged pupils, and by 2017/18 more secondary aged pupils, than there are currently school places within the borough. 800 additional primary school places and 1,200 additional secondary school places are needed in the next 10 years. A total of 6 extra forms of entry for primary places are required on top of those already planned by 2016/17, rising to a further 9 extra forms of entry by 2022. For secondary schools, there is projected to be a need for a further 4 extra forms of entry by 2015/16 rising to 27 extra forms of entry by 2022.

---

[4] ONS Births by area of usual residence of mother 2012, released September 2013.

Meeting the need

3.8   Members asked what measures are taken to meet the need for additional school places. Members were concerned about provision of school places in three main respects:
- Provision of a sufficient number of places
- Ensuring places are in the right place geographically
- Giving families appropriate choice of different types of places

Members asked officers to outline how the council's pupil place planning meets these three pressures to ensure both need and choice are met.

3.9   Officers confirmed that two main principles underpin their approach for managing the demand for school places: guaranteeing equitable admissions and good quality schools. These drivers mean some options for meeting the need – for example, further expansion of already large schools – are rejected, as they would compromise quality.

Identifying the gaps

3.10   The maps below shows where the existing schools are located in the borough, compared to where the greatest need is for school places. The darker the shading the higher the percentage of population increase in the area, and therefore need for school places. The diagram shows that there is greater need for school places in the Isle of Dogs and to the East of the borough than in the West. The rapid and extensive expansion in the East of the borough and on the Isle of Dogs has resulted in insufficient school places for families in these areas and means they often have to travel further for to access a school. The map also identifies which schools have potential for expansion, which have already been expanded and which have no site capacity for expansion.

3.11   Clear conclusions are that there is limited further scope for expansion on existing sites, in order to meet the rising demand for school places – though there are still a limited number of schools with potential site capacity, which should be pursued. Members also noted the geographical gaps in terms of where current schools are and where new developments are in progress or planned.

Percentage Increase in the Number of Children 2012/13 - 2022/23
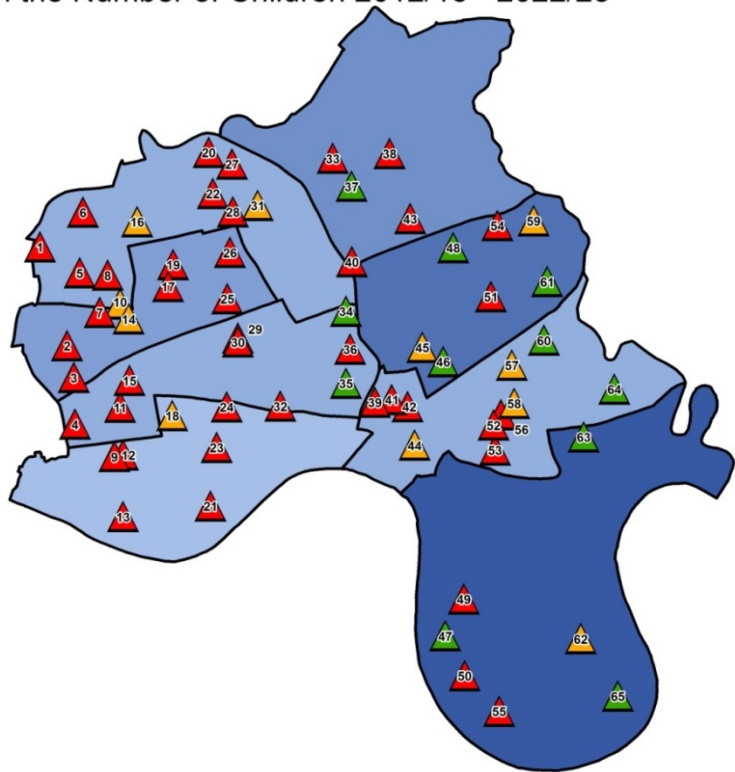
Reception Age Pupils
Source: GLA School Roll Projections 2013

Legend

▲ Expansion implemented / in progress

▲ Potential site capacity

▲ No site capacity

**Percentage Increase
2012/13 to 2022/23**

- 4.4% - 10%
- 10.1% - 20%
- 20.1% - 30%
- 30.1% - 40%
- 40.1% - 50%
- 50.1% - 60%
- 60.1% - 70%
- 70.1% - 80%

© Crown copyright and database rights 2013 Ordnance Survey, London Borough of Tower Hamlets 100019288.

Percentage Increase in the Number of Children 2012 - 2022

Children Aged 11
Source: GLA Population Projections 2012

Legend
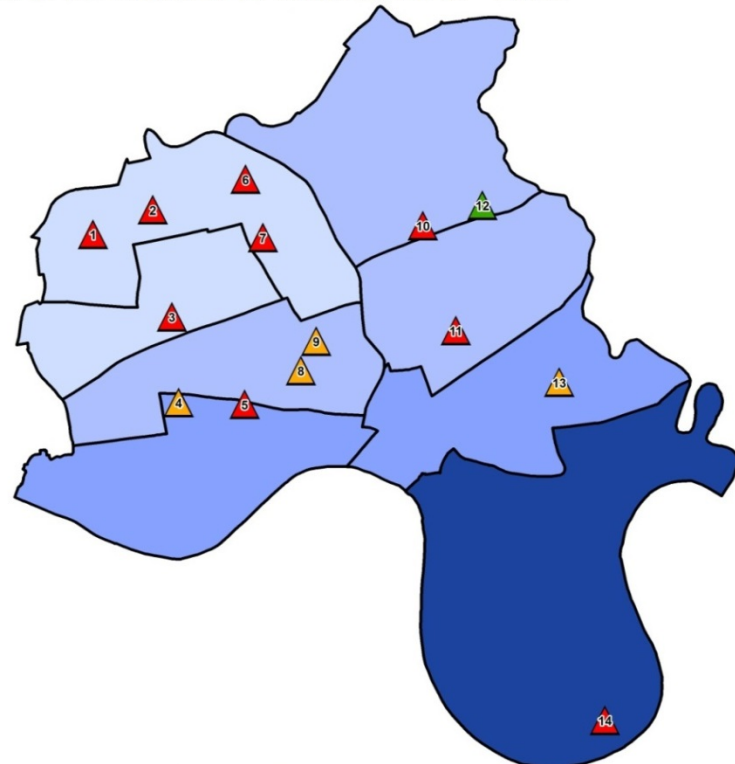
▲ Expansion implemented / in progress

▲ Potential site capacity

▲ No site capacity

**Percentage Increase
2012 to 2022**

- 0% - 10%
- 10.1% - 20%
- 20.1% - 30%
- 30.1% - 40%
- 40.1% - 50%
- 50.1% - 60%
- 60.1% - 70%
- 70.1% - 80%
- 80.1% - 90%

© Crown copyright and database rights 2013 Ordnance Survey, London Borough of Tower Hamlets 100019288.

3.12 Additional pressures come from changes to the school leaving age. Members heard how the Pupil Place Planning group have started to look at finding additional school places to accommodate an increased need due to the 'Raising the Participation Age' agenda – which requires all young people up to the age of 18 to be either in education, training or employment. They also welcomed the work the group has planned on reviewing provision for children with special educational needs (SEN) to ensure that there are proportionate additional places for pupils with SEN who require places in special schools.

13.3 Officers reported that the council also cannot control the arrival of new free schools in the borough or of new housing developments (subject to planning approvals), both of which impact on pressures around where and how many places are needed.

The right numbers of places – Expanding existing schools

3.13 Members heard that given the council's position on free schools and academies, the main option available is to expand schools – either providing more forms in each year, or expanding the school into new age ranges. Officers reported that the more straightforward options for expanding primary schools within their existing sites had generally been implemented. Officers stated that further options are likely to be more difficult or costly to achieve. A number of primary schools have already been expanded and this has provided 9.5 extra forms of entry up to September 2013. In addition, a further 7 extra forms of entry are being provided in September 2014: 3 for primary and four for secondary.

3.14 For primary schools, options for further potential capacity have been identified and are being explored. For secondary schools, expansion has been implemented or is in progress in one school, there is potential site capacity which is being explored at 4 schools and for the remaining 9 schools, there is no site capacity.

3.15 Officers explained that tackling the school places gap may mean investigating options that would not normally be considered including:
   • mixed use development with housing above school accommodation;
   • reducing the standard for external recreation areas, particularly where there is a public open space adjacent to the school which could be used by pupils;
   • the use of non-traditional buildings such as former office or retail premises;
   • whether schools and other services could be co-located.

3.16 The Service Head for Learning and Achievement spoke about the innovative plans that are in place to provide additional capacity for St. Paul's Way School, by expanding to accommodate a wider age range of pupils. The new building will include residential properties above the school.

3.17 Members and Officers alike agreed that consideration to expand a school could not be taken lightly, especially if there was a chance that educational standards may be affected. In addition, they did not want the council to reduce the high specifications already adhered to for school buildings and play grounds. They considered these standards essential for young people whose own living conditions may be overcrowded and lacking access to outdoor space.

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

<u>Schools in the right place – Identifying and predicting potential sites</u>

3.18 Members asked whether the council was doing enough to predict potential sites for Free Schools and Academies that may be secured by the DfE for new schools, as this could help proactively manage the council's pupil place planning duty. Officers reported that knowledge is shared through the Pupil Place Planning Group but it is becoming increasingly more challenging as standards relating to school buildings have been reduced and the DfE is allowing schools to consider sites which the local authority would not have identified or agreed as being acceptable in terms of space, location, size etc.

3.19 Members heard that as a response to the need for more school places, the council now places high priority on the procurement of sites for schools, as it does for affordable homes through the planning application process. Long term planning has achieved several site allocations for new schools. The site allocations would potentially provide for two secondary schools and four primary schools at London Dock, Westferry Printworks, Fish Island, Neptune Wharf, Bow Common and Leven Road Gas Works. Members were advised that the council will develop these sites which may then be operated by a Free School or Academy provider. However the council will not be in a position to control the timing of potential implementation, which will be driven by the site owners coming forward with planning applications.

3.20 Members were concerned to hear that the council may not be aware of a Free School or Academy's intention to set up in the borough until the DfE approves the application. Moreover, there is significant uncertainty about whether the school will go ahead and be developed at all, or be subject to site changes and shifting timescales. This all makes planning for pupil places more challenging and the council invests significant time in responding to the implications of new schools: waiting to hear if they are approved or have a site; managing the pressure on the admissions process; and trying to bring them under the council's admissions criteria.

3.21 Members were also worried that Free Schools and Academies opening without sufficient regard for location could lead to maintained community

schools becoming less viable because of the proximity of the new schools. Pupils may be drawn away from these maintained schools causing a strain on the school's funding. There was also a discussion about the pressure on the schools' admissions process, as the council offers school places to pupils who then may be drawn to a new Free School or Academy. Conversely, if Free Schools and Academies fail, this puts pressure on the admissions system as the council will have to belatedly find places for the pupils affected. Both scenarios destabilise the admissions process in the short-term, as well as impacting on the council's ability to plan for the long-term.

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.

<u>The right choice of schools – Meeting the needs of the local community</u>

3.22   Members welcomed the work that Officers were doing to plan for school places in the borough as far as possible, but they were concerned that the ability of a Free School or Academy to open within the borough without much regard for the wider community's needs could undermine short and long-term planning and, in the future, lead to a two-tier system of education. It was noted that recent improvements in attainment, particularly at GCSE, were achieved through the community of maintained schools, led by the local authority. Members were concerned that free schools had the freedoms to choose their own admissions criteria or curriculum specialisms – or even proactive policies – to recruit only from certain groups or abilities which would undermine social cohesion and undermine the principle that all children should have equal access to a good education.

3.23   Members expressed their constituents' concerns about ensuring that the schools in the borough met the diverse needs of local residents. With regard to single sex schools, the Service Head for Learning and Achievement confirmed that there was no policy to reduce the number of single sex schools. She explained that the decision to extend provision in Bow School to girls was because there was a shortage of provision for girls in the East of the borough. It was discussed that Free Schools and Academies brought additional parental choice which could be both positive and negative depending on perspective. The tension facing the council is between providing choice and meeting the needs of all pupils.

3.24   Members reported that there is confusion amongst many parents about both the types of schools available locally and the admissions process, particularly around the catchment area system for primary schools.

3.25   Members heard about the work being done within Children's Centres and other under-five services on raising awareness of the admissions

process. They felt however that communications could still be made clearer, and expanded to other childcare establishments such as non-maintained or private nurseries who are less aware of the system, and proactively provided to parents online and via social media networks. Members reported that they had been approached by some parents who said that they found the information about the system complicated and often had difficulty understanding the best way to make their choices about preferences for schools. Members also reported that some parents had found it difficult to access the information they needed or to get responses to queries they raised, and others found it difficult to understand why certain decisions had been made about which school their child was placed in.

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

---

3.26 There was a brief discussion about the catchment area system. Members reported that they had received enquiries from some parents who had lived close by to several schools but didn't get a place at any of them, because of the catchment area system. Members felt that residents have insufficient information to understand the system including knowing whether or not a school was likely to be over-subscribed before they moved into an area. Members also felt that they had insufficient information in order to support their constituents both before and after admissions decisions had been made. Officers reported that information on oversubscribed schools is included in the brochures parents receive when applying for a school place. There is also a dedicated website: www.towerhamlets.gov.uk/equalchance, which explains how the catchment area system works, together with a virtual map to enable parents to see which primary schools were in the catchment area for their address. It was acknowledged though that some parents still experienced challenges using the information to guide their decisions and preferences.

3.27 Clive Grimshaw from London Councils also advised Members of the London Schools Atlas hosted by the GLA. The website provides information about the projected need for school places in London. It shows details of schools across London, including the distribution of home addresses for pupils on roll. This indicates whether a school has a very local catchment area or recruits from a wider area http://www.london.gov.uk/webmaps/lsa/. It was agreed that this should be publicised to parents as part of the improved information package.

3.28 Officers explained that the Tower Hamlets catchment area model for primary schools was designed to improve accessibility for pupils to a school near to them, as schools are not distributed evenly around the borough. It has helped to significantly reduce the number of children having to travel to a school over two miles away. In terms of choice, officers reported that over 93%[5] of pupils got a place in their top three choices of schools, with nearly 84% getting their first choice school. This compares favourably to the London average of 82% gaining a place in their first choice school. As more school places become available, it might be appropriate to revise the catchment areas in order to ensure fairness in accessibility. To this end, there is currently a proposal to change the geographical area for priority admission to community schools by removing the catchment area currently known as Area 3 (Bow South) and replace it by expanding both of the catchment areas currently known as Area 2 (Bow North) and Area 4 (Poplar). [6]).

3.29 Members acknowledged the figures to show the majority of children are given their first choice of school, but were clear that nevertheless some still do not receive any of their top three choices. Members also reported that regardless of the statistics, there was still a perception of unfairness amongst some parents.

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).

Working with schools which are their own admissions authorities

3.30 Despite the Cabinet's stance to oppose Free Schools and Academies, it was recognised that there was a real need for the school places and given the restrictions the Government has imposed on local authorities opening maintained schools, they may have to be part of the solution. In particular, free schools sometimes arise due to concerns from parents about a lack of sufficient school places locally or absence of the specific type of schooling they want for their children in their local area.

3.31 Members heard how Barking and Dagenham manages its pupil place planning. The borough decided to proactively support proposed free schools and academies, as the Department for Education prefers to allow schools with Local Authority assent, meaning it gives the council a stronger negotiating position when talking to potential schools. As a

---

[5] London Councils: http://www.londoncouncils.gov.uk/news/current/pressdetail.htm?pk=1478
[6] http://www.towerhamlets.gov.uk/lgsl/851-900/867_consultation/school_admissions_for_2015.aspx?lang=en-gb

result, Barking and Dagenham have secured agreement from all of the borough's free schools and academies that they have to use the LA's admissions policy. Free schools in particular have access to other capital that the Local Authority cannot lever in, so the borough feels it's stance is a pragmatic way to deal with the growing need for school places.

3.31 The Service Head for Learning and Achievement advised Members of the work the service already does with Free Schools and Academies to secure support for some key joint principles for educating pupils in the borough. The Head of Pupil Admissions and Exclusions reported that the majority of Free Schools and Academies do follow the council's admissions policy. This is because the LA has worked with academies and free schools to seek to ensure that their admission arrangements are fair, accessible and serve the needs of local residents. This is a key provision in the Protocol the LA is devising for its work with Free Schools and Academies. Members agreed that given the context of legislation around opening new schools, it was important the council seeks to bring free schools and academies into the family of schools, to adhere to the council's standards and help meet the demand for school places.

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.

---

4. CONCLUSIONS

4.1 Local authorities, particularly in rapidly growing boroughs like Tower Hamlets, face a number of tensions in meeting the school places gap:
- Balancing the need for a sufficient number of places, in the right geographical areas, and providing the right types of schools to meet diverse community needs and parental choice
- The mismatch between Government funding for school capacity and the realities of rapid population growth that outstrips resources
- The legal responsibility to deliver a school place for every child versus the lack of control local authorities have to open new schools themselves, in the areas where they are needed
- The unpredictability of supply and demand, given new academies and free schools can open without regard to local need or plans, and the timing of new housing developments cannot be controlled

4.2 Members acknowledge that these factors make short and long-term pupil place planning very challenging, but the recommendations seek to alleviate the growing problem, so that families better understand the system and can be assured there will be a place available for their child, at a good local school. By improving information for both parents and Members, seizing opportunities for expansion and procurement of new sites and proactively engaging with new schools that are approved in the borough, the council can more effectively meet the significant need for school places in future.

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
R1. Continue to identify options for expansion of existing schools, whilst retaining existing standards about quality and space			
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. Options for expansion of secondary schools are very limited.	• 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	ESCW Resources D&R Capital Delivery	Ongoing to meet need for places Progress and review of need and capacity reported annually to Cabinet (September)
R2. Prioritise the continuation of procuring and developing sites in the borough for schools, the delivery of which can be supported			

SCRUTINY REVIEW ACTION PLAN: Tackling the school places gap – pupil place planning and the impact of academies and free schools			
Comment	**Action**	**Responsibility**	**Date**
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			
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.	• 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	ESCW Resources D&R Strategic Planning	Ongoing to meet programme needs Progress reported to Cabinet annually, as above. Cabinet decisions sought as required.

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
R3. 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			
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.	• 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 agreed to review the Primary and Secondary brochures and were asked to comment on the following: - Whether the policy was clearly set out? - Were the brochures easy to follow? - Language, style and content. - The use of pictures/visual charts to aid understanding of policy. - What other methods and formats of communication would parents find useful. - Using digital options and online facilities for communication and	Pupil Admissions and Exclusions	By Sept 2014.

SCRUTINY REVIEW ACTION PLAN: Tackling the school places gap – pupil place planning and the impact of academies and free schools			
Comment	**Action**	**Responsibility**	**Date**
	completing applications. - Views on the Tower Hamlets Website; - Other suggestions for improvement. • 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.		

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
• Consult with parents via the Parents Advice Centre project about the current information provided			
There is ongoing consultation and work with various agencies, including the PAC , Parent & Family Support team and School Admission Forum . A series of scheduled meetings; workshops and surveys will be used to capture parents' views.	• Planning meetings taking place with PAC. • Clear action plan including further meetings with parents; running workshops; and undertaking parent surveys will be devised.	Pupil Admissions and Exclusions	31st May 2014
• Explore alternative methods and formats, including digital options			
It is recognised that online and digital options are a more efficient and secure method for sharing of information. Consultation is taking place with parents and representative groups to collate views on current methods and how they could be better facilitated for families who have limited access to ICT. Pupil Admissions has seen increased	• Carryout consultation with parents to gather views on using online facilities to access information and complete applications for school admission. • Explore new methods and ways to encourage more families to access online facilities, with the aim of providing a wider range of online facilities that are user	Pupil Admissions and Exclusions	December 2014

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
requests for information via online methods, as well as an increase in the number of families applying for school places using the online facility. The LA will need to give serious consideration to the provision of significant additional funding to encourage and enable families to use the online facility to access information and complete applications across all pupil services functions. This will bring greater efficiency and enable officers to provide better support.	friendly and accessible. • Provide clear guidance on using digital and online facilities and ensure support from Pupil Admissions staff is readily available. • Carry-out an equalities impact assessment and explore ideas for Pupil Admissions to provide surgeries for parents on a regular basis • Provide a position paper for DMT and members to consider. • Plan ahead with implementation strategies to ensure maximum effect. • Inform parents of any planned changes on the process.		September 2015

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
• Re-assess user satisfaction with the information provided after each admissions round.			
Pupils Admissions will undertake surveys on user satisfaction following the completion of the 2014 Primary and Secondary admissions rounds. Outcomes and recommendations will be incorporated in the process to further improve service delivery.	• Carry out user survey • Head of Section and Service Head to consider the findings and incorporate into the procedure/planning for service delivery • Monitor impact on service users.	Pupil Admissions and Exclusions	To start in June 2014 – complete by August 2014.
R4. 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.			
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.	• Information provided in September 2014.	Pupil Admissions and Exclusions Team.	This action is already in place and will be ongoing.

SCRUTINY REVIEW ACTION PLAN:	Tackling the school places gap – pupil place planning and the impact of academies and free schools		
Comment	**Action**	**Responsibility**	**Date**
• Provide information at ward level and borough-wide			
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).	• A breakdown of outcomes by council ward and parental preference for the Secondary Transfer exercise was provided to Members in March 2014. • Similar information for Primary admissions will be provided to Members following the initial outcome in April 2014. • Ongoing information on school admission policy and any changes to the arrangements is provided to Members via the Members Bulletin and in response to Member's Enquiries. • Periodic impact assessments are carried out and the findings presented will be alerted to members through the Members Bulletin and cabinet reports.	Pupil Admissions and Exclusions	March and April 2014. Ongoing.

• Provide information about the process at application time			
Information on the policy and process will be provided to Council Members before the start of each admissions process.	• Provide information for both Secondary Transfer and Primary co-ordination at the start of each Autumn term, to enable Members to be fully informed of the school admissions process and timetable. • Primary and Secondary admissions brochures will now be provided to Members at the start of each school year.	Pupil Admissions and Exclusions.	September 2014
• Provide summary information about the process and information on outcomes at decision time (for both secondary and primary places)a			
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.	• This information will be presented after decisions have been made and outcomes finalised.	Pupil Admissions and Exclusions	May 2014 and ongoing.

R5. Pursue efforts to bring free schools and academies within the strong family of community schools, supported by the local authority			
The Council facilitates network meetings for headteachers to ensure they are kept up-to-date with policy and other developments in Tower Hamlets. All headteachers, 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. 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.	• Continue to promote engagement among new academy and free school heads in the headteacher network meetings and encourage subscription to the weekly e-bulletin • Further promote traded services to existing academies and free schools and publicise our traded services offer with heads of any new academies and free schools	ESCW Learning and Achievement ESCW Resources and Transformation	Ongoing
• 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			
Operationally we have a draft protocol	• Hold early discussions with any new academy or free school about	ESCW Learning and Achievement and	Ongoing

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.	responsibilities and expectations and encourage them to sign up to the principles in our draft protocol	ESCW Resources	
• Seek Members' input to the draft 'Working with Academies and Free Schools protocol' prior to publication			
This is a draft document which guides us operationally. It could become more formalised with Member input.	• Engage the Lead Member and Scrutiny Lead for children in the draft protocol	ESCW Learning and Achievement and ESCW Resources	September 2014
• 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			
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.	• 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	ESCW Learning and Achievement and ESCW Resources	Ongoing

Non-Executive Report of the: **Overview & Scrutiny Committee** **7th July 2015**	TOWER HAMLETS
Report of: Louise Russell, Service Head – Corporate Strategy and Equality	**Classification:** Unrestricted
Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties – Progress Report	

Originating Officer(s)	Shamima Khatun, Strategy, Policy and Performance Officer; Corporate Strategy and Equality
Wards affected	N/A

Summary

This report follows up from the scrutiny review on the council's approach to supporting staff with specific learning difficulties which went to Overview and Scrutiny Committee in April 2014. This report reviews progress against the original recommendations.

Seven recommendations were made in a number of areas including modifications to current procedures, improving internal communications, upskilling managers through training and raising awareness of hidden disabilities across the organisation.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress against recommendations.

3.   DETAILS OF REPORT

3.1   The scrutiny report on 'Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties' went to Overview and Scrutiny Committee in April 2014. The objective of the review was to investigate the issues that staff with dyslexia, dyspraxia and working levels of autism face in relation to the workplace and career progression, and identify solutions that raise awareness of learning difficulties, increase declaration rates and testing amongst staff and find resources that can support staff in the organisation. The review identified the importance of fostering a culture change as the first step towards reasonable adjustments around attitudes.

3.2   The review provided an opportunity for the council to undertake an internal health-check on its performance on supporting staff with learning difficulties. The review therefore considered the following:
* What processes are in place to identify staff with learning difficulties?
* Which service(s) are involved in the assessment process?
* What support is currently available for staff with dyslexia, dyspraxia and autism? Is there enough support?
* Could any improvements be made to the assessment process to make it easier for staff with learning difficulties to access support?
* Does the process take into account the impact of insufficient provision on the retention/promotion of disabled staff in the council's workforce?
* What guidelines/resources are available for managers to follow in providing support for their staff members?
* How are assessing staff trained to ensure that they are fully aware of the support required for staff with (hidden) learning difficulties?

3.3   The scrutiny review found that there were a number of areas where modifications to current procedures would significantly improve support available to staff with specific learning difficulties and have wider benefits for other disabled staff.

3.4   The group made seven recommendations for improvement, which were agreed by OSC. The body of this report outlines the progress against these recommendations. The Service Comment column alongside each recommendation shows the initial actions that were identified by the relevant services to help achieve the recommendation. Some of the actions evolved as work was carried out and therefore, in some cases, the recommendations may have been achieved through slightly different means than first identified.

3.5

Recommendation 1	Service comment at action planning stage
That an internal communications action plan be developed to increase the proportion of staff who declare whether or not they have a disability.	An internal communications advisor and HR to collaborate with the Education Social Care and Wellbeing (ESCW) directorate's Learning and Disability team to help develop communications on raising awareness

	of disabilities and provide information on subject matter. Internal Communications to raise general awareness of all actions below by using positive case studies of staff who have previously disclosed disabilities. The council will raise general awareness of disabilities, particularly 'hidden' disabilities and any training available for staff with disabilities. HR will organise awareness and health and wellbeing days to promote training, support and benefits that may be available for staff. Internal Communications to create a communications plan incorporating actions from June 2014 onwards.

3.6 Update from service: As part of the work undertaken by Human Resources & Workforce Development (HR&WD) to improve engagement with staff across the council, an intranet site called 'Your Workplace, Your Voice' has been created. On this, there is a page dedicated to Your Health, which provides information and links to further support for physical and mental health issues, including disabilities.

Your Workplace, Your Voice also hosts surveys where staff are asked to give their views on a number of subjects. One of the first surveys run was titled Declaring Disabilities and was aimed at raising awareness of disability. Analysis of the survey results is now being undertaken.

3.7 In addition, all staff at LPO7 and above were written to and asked, if they had not already done so, to declare whether or not they considered themselves disabled. Information was provided on the social model of disability. This exercise improved declaration rates and was subsequently rolled out to all staff across the council, which has resulted in a rise across the board in relation to declaration of disability from 247 staff (5.61%) stating they are disabled in Q3 of 2014-15, to 265 (6.04%) in Q4 of 2014/15. For staff at LPO7 and above, there has been an increase from 19 (7.88%) in Q3 of 2014-15 to 22 (8.87%) in Q4 2014-15.

3.8 Work is being undertaken, in conjunction with One Tower Hamlets, to profile staff who have multiple identities (e.g. are disabled and LGBT or are BME and disabled) and to showcase them as Role Models. This is also part of the Stonewall Action Plan for 2015.

Training on disability is currently being run, which aims to raise awareness of disabilities, including those that are 'hidden'. Members of the Disabled Staff Forum were involved in setting the aims and outcomes of the training.

As part of the Council's regular training offer, courses are run that will aid staff with disabilities in the workplace. Examples of this include stress management and training on mental health issues. These courses are regularly promoted to staff and raising awareness of them will continue to be part of the ongoing communication plan.

3.9 Communications around raising awareness of disabilities to date includes news stories/reminders in the council's internal newsletter TH Net promoting the organisation's disability audit to staff. Further work will be undertaken to promote awareness throughout the year. TH Now continues to feature staff stories about a wide range of employees, some of which have focused on staff members with disclosed disabilities. The most recent piece was in the January 2015 issue of TH Now. Even though the story was not specifically on the subject of disability, the staff member in question did discuss her disability in relation to the council's flexible working arrangements.

Furthermore, an internal communications advisor will collaborate with HR and the ESCW Learning and Disability team to further develop communications on disabilities including hidden disabilities.

3.10 As part of Occupational Health's ongoing work programme, they run health and wellbeing sessions for staff. These sessions provide training, support and signposting to other available services around a whole range of health issues, as well as sometimes involving hands on support such as massage sessions. These are promoted on the intranet as well as through other usual communication channels.

3.11

Recommendation 2	Service comment at action planning stage
That the current assessment process for accessing support for staff with learning difficulties be streamlined through the development of a defined/structured flowchart which clearly outlines the process and roles of HR, Agilisys and Occupational Health and that this information be available on the intranet for staff and managers.	HR will update the current flowchart linked to providing guidance on disability, highlighting ICT's role within this process. This would also include ICT at point of recruitment. HR will also explore the use of 'Do-IT Profiler' – a unique computerised modular assessment system that allows the individual to be understood as a whole, bringing the parts together to form a complete and accurate picture in order to help the organisation and employees in delivering screening and support of hidden impairments.

3.12 Update from service: A flow chart has been developed that shows clearly the process for staff to seek support if they have a disability. This sits alongside the council's Guidance on Access to Work and Managing Disabilities.

The Access to Work guidance has been updated to ensure it accurately reflects the services offered to staff and information has been provided to those who support staff with health problems with regards to the Mental Health Support Service offered by Access to Work. This has also been publicized through the Your Health page on the intranet, which has a section specifically focused on mental health and wellbeing.

3.13   Work has been undertaken to explore whether the Do-It Profiler could be utilised by the Council.

The Profiler makes reference to a limited number of learning difficulties; however the majority requires specific assessment tools, which have to be administered by a qualified professional. Introducing the Profiler would not, therefore, lead to a clinical diagnosis for staff. At present, if a staff member requests an assessment they will be sent to an appropriate external qualified professional. Introducing the Profiler would carry a cost and would add another step to the process.

There are a number of free self-assessment tools available online and links to these are included on the Your Health page of Your Workplace, Your Voice for staff to access.

3.14

Recommendation 3	Service comment at action planning stage
That managers are up-skilled through training to raise awareness of hidden disabilities and that progress in this area is monitored at performance reviews.	The council's Equalities and Diversity training is currently under review. The One Tower Hamlets Team and HR & WD are working with the internal staff forums to develop this programme. HR will update the current training packages to include learning disabilities/difficulties and ensure this is promoted and monitored in PDR and HR processes.

3.15   Update from service: Training on disability is currently being run for managers and staff, which aims to raise awareness of disabilities, including those that are 'hidden'. It specifically includes awareness around learning disabilities/difficulties. Members of the Disabled Staff Forum were involved in setting the aims and outcomes of the training.

As set out under recommendation 1 above, there are a number of ways that awareness is being raised around issues related to disability. The PDR process has now been automated and as part of the guidance, managers are reminded of the need to consider equality and diversity issues as part of the review process.

3.16

Recommendation 4	Service comment at action planning stage
That an accessible catalogue of software available for staff with learning difficulties which is compatible with the council's new ICT system/platform and adaptable for different working environments be developed.	The ICT service catalogue can include any defined specialist hardware or software. Currently, individual requests are made by managers for any member of staff following an assessment of needs.

3.17 Update from service: Historically ICT has had few standard item requests for staff with learning (or physical) disability. Each request tends to follow from an individual assessment, for which the recommended equipment is procured. Special needs vary widely between users as does equipment in use, and the proposed solution depends on mixture of need and equipment. A statement on ordering adaptive and assisted hardware/software requesting users to log a call with service desk to have a professional assessment of equipment before ordering these items has been added in the catalogue on page 11. http://towernet/document_library/ict/systems_support/ICTCatalogue.pdf

3.18

Recommendation 5	Service comment at action planning stage
That a centralised budget be agreed to pay towards reasonable adjustments for staff with learning difficulties.	The head of HR, in conjunction with corporate finance, will explore options for addressing this.

3.19 Update from service: Funding for reasonable adjustments currently comes from the relevant service's budget. There is also funding available from Access to Work to help with making reasonable adjustments and this can be accessed by managers. The Guidance on Access to Work makes clear that there is financial help available and how to access it.

3.20 There is funding within HR that is for dedicated work linked to the Workforce to Reflect the Community Action Plan and work on raising awareness around disabilities forms part of this plan.

Given the above, it was not felt appropriate to set up a centralised budget as reasonable adjustments are managed in service budgets and the corporate work done on raising awareness through training and other measures is funded as part of the ongoing work of HR&WD.

3.21

Recommendation 6	Service comment at action planning stage
That the stigma associated with learning difficulties be tackled through training and appointment of Disability Champions within	HR will pilot staff champion model through identification of 'Time to Change' champions who will promote awareness of mental health in the

service areas in order to build awareness of hidden disabilities across the organisation.	workplace. Following an evaluation, a decision will be made about the most effective model for promoting awareness of disability in the organisation. If disability champions are recruited this will be carried out through the Disabled Staff Forum. HR will also utilise its membership with the Disability Business Forum and Employers Network for Equality & Inclusion (ENEI) to support identified champions in this work.

3.22 <u>Update from service:</u> As previously stated, training on disability is currently being run, which aims to raise awareness of disabilities, including those that are 'hidden'.

The introduction of specific Learning Disability Champions was explored but there are other areas which also require champions and it was felt that having individual champions for each specific protected characteristic was not the most efficient model. For example, there is also the need to develop a Straight Allies network as part of the Stonewall Action Plan and champions for mental health issues have been considered.

3.23 It was therefore decided that the model to be adopted would be to create Your Voice Ambassadors (linked to the Your Workplace, Your Voice initiative), who will focus on championing all equalities and diversity issues within the workplace. The programme of training for Your Voice Ambassadors will be agreed in June 2015 and will take place in July 2015. The training will include focusing on learning difficulties/disabilities.

3.24 The council's membership of the Business Disability Forum and ENEI is being utilised to gather information about best practice elsewhere and to identify areas where they have specialists who can provide expertise to the council.

3.25

Recommendation 7	Service comment at action planning stage
That the current training package on disability for managers is reviewed by HR, eliminating unconscious bias towards physical disabilities and enabling staff with learning difficulties to articulate their experiences through a range of methods such as theatre workshops and Q&A sessions.	The council's Equalities and Diversity training is currently under review. The One Tower Hamlets Team and HR & WD are working with the internal staff forums to develop this programme. HR will update the current training packages to include learning disabilities/difficulties and ensure this is promoted and monitored in PDR and HR processes.

3.26   Update from service: The training package on disability for managers and staff has been reviewed and updated training implemented. In addition, under the Workforce to Reflect the Community Action Plan 2015-16, there will be a Management Development Programme introduced, which will include equalities and diversity training and the understanding of relevant policies. The inclusion of unconscious bias will be considered as part of this programme.

4.   COMMENTS OF THE CHIEF FINANCE OFFICER

4.1   This report provides the Overview and Scrutiny Committee with an update on progress made to date in implementing the seven recommendation made by the Committee back in April 2014, aimed at improving Tower Hamlets Council's approach to supporting staff with specific learning difficulties.

4.2   There are no specific financial implications as a result of the contents of this report.

4.3   The cost of making reasonable adjustments for staff with learning disabilities are paid for through directorate budgets, existing HR and training budgets and access to work grants and these budget provisions are deemed sufficient to meet the current need. Therefore, it has not been necessary to set aside additional corporate resources.

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 which ensure the committee has specified powers. Consistent with that 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, as appropriate, in connection with the discharge of any functions.

5.2   Section 39 of the Equality Act 2010 places an obligation on the Council not to discriminate, either directly or indirectly, in the following: offering employment; the terms of employment; opportunities for promotion, transfer or training or for receiving any other benefit, facility or service; dismissal; or by subjecting a person to any other detriment. Under the same section, the Council has an obligation to make reasonable adjustments. The above duties apply to the protected characteristic of disability, which may apply to staff with learning difficulties.

5.3   Under section 149 of the Equality Act 2010, the Council must when carrying out its functions have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not.

5.4   The Council needs to recognise that discrimination can be indirect as well as direct and that policies and procedures which are applied equally to all staff may have a disproportionate impact on certain staff with protected characteristics such as staff with disabilities. An example of this would be requiring all staff to submit written application forms or undergo written interview tests which may disproportionately disadvantage staff with problems such as dyslexia. As well as carrying out the exercise of identifying obvious "direct" issues which may adversely impact staff with the described disabilities and putting into place programmes and sourcing equipment to assist such staff, the Council should also look at employment processes and procedures which may have a disproportionate effect on these staff and consider ways in which these can be adjusted to ameliorate this effect. The Council will also need to have regard to any changes in legislation which might alter the duties and obligations that exist in regard to staff with disabilities.

6.   ONE TOWER HAMLETS CONSIDERATIONS

6.1   The recommendations contained in the report will advance equality of opportunity for council employees with specific learning difficulties (hidden disabilities). In line with the Equality Act 2010 and the Public Sector Equality Duty, embedding recommendations will also ensure that staff members are shown due regard and their needs are considered in professional/personal development plans and workforce strategy planning.

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.

_____

Linked Reports, Appendices and Background Documents

Linked Report
- NONE.

Appendices
- Appendix 1 – Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties Scrutiny Challenge Session Report
- Appendix 2 – Research on Specific Learning Difficulties (SpLDs)
- Appendix 3 – Presentations from experts in the field of learning difficulties
- Appendix 4 – Scrutiny Review Action Plan

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report
- NONE.

Officer contact details for documents:
- N/A

This page is intentionally left blank

APPENDIX ONE

SCRUTINY CHALLENGE SESSION REPORT

**Tower Hamlets Council's Approach to Support Staff with Specific
Learning Difficulties
Scrutiny Challenge Session Report**

TOWER HAMLETS

**London Borough of Tower Hamlets
March 2014**

1

Chair's Foreword

The spectrum of specific learning disabilities such as dyslexia and dyspraxia are among the most common and subtle barriers to a person achieving their full potential. It is remarkable and regrettable how many people make it through to adulthood before a diagnosis. Fortunately there is much that can be done through technology to assist people with a specific learning disability. Sometimes all that is required is patience – allowing a colleague a bit more time to get to grips with a document.

Tower Hamlets Council is determined to support all disabled staff, working with the disabled staff forum, unions, the Human Resources team as much as we can. For staff with specific learning disabilities this may involve more than just making 'reasonable adjustments'. The council may be called upon to support a member of staff who is unaware that they have a disability through the process of diagnosis and acceptance of the condition. The challenge of supporting people with a diagnosis of a specific learning disability is made harder by a general stigma within society about the existence of learning disabilities such as dyslexia, and the unwarranted assumptions about the abilities of a person who has received a diagnosis. The experiences of people with a learning disability and the evidence provided by our experts show that as a society we have a long way to go before prejudice and stereotyping of learning disabled people is eliminated.

It would be wrong and complacent to assume that within Tower Hamlets Council all managers are informed, sympathetic, listening and keen to help their staff with learning disabilities. When I proposed this scrutiny review, I was pleased that council officers were keen to engage with it, but also concerned that so little was known about specific learning disabilities, and the technological support available for people with a specific learning disability.

I believe that the detailed and specific recommendations of this report, if implemented, will help to ensure that Tower Hamlets Council supports its staff with specific learning disabilities. This is only a first step. The situation will need to be monitored and reviewed, and those staff who are affected will need to continue to be consulted and heard. I hope this review will be sent to all managers – so that they are alert to the possibility that their staff may have a diagnosed or undiagnosed disability, and they have the tools to respond sympathetically and appropriately.

Specific learning disabilities are common. They do not imply that a staff member lacks talent, creativity, intelligence or ability. If we can reduce the stigma and increase support for our staff, the council, its residents and business and our staff will all benefit.

This report could not have happened without the hard work of Shamima Khatun from the Corporate Strategy and Equality team. The expert evidence from the British Dyslexia Association, experts from the Dyspraxia Association, the Disabled Staff Forum informed and enriched the report. Colleagues from Agilisys advised on technological solutions and made a valuable contribution. My thanks to them all.

Cllr Dr Stephanie Eaton

1. INTRODUCTION

1.1 Physical, policy and attitudinal barriers can be faced by disabled people in their daily lives which can impact on the opportunities open to them in many areas of life including employment. For people with hidden disabilities, it may be less obvious what these barriers are. This concern has been at the forefront of issues raised by members of the Disabled Staff Forum in recent years, and has become exacerbated for some as a result of the council's transition to a virtual working environment. Suitable working conditions are critical in enabling employees to work and perform to the council's expectations.

1.2 This Challenge Session took place to explore how the council identifies staff with specific learning difficulties (SpLD), and what it can do as an employer, in terms of making reasonable adjustments to support disabled staff in the workplace. The Challenge Session participants were keen to understand the extent to which perceived flaws in the assessment process by employees that have undergone this assessment impacted on the performance and career progression for staff with SpLDs and the subsequent effect of this on disclosure of disabilities among staff. The Session provided an opportunity to undertake an internal health-check on the council's performance on supporting staff with learning difficulties.

1.3 The objectives of the challenge session were to investigate the issues that staff with dyslexia, dyspraxia and working levels of autism face in relation to the workplace and career progression. The session also sought to explore whether the current support in place for staff with learning difficulties is equal to that given to staff with physical disabilities. In the process it was hoped that potential solutions would be identified to raise awareness of learning difficulties, increase declaration rates and testing amongst staff and find aids/resources that can support staff members in the workplace.

1.4 Core questions for the challenge session were the following:

- What processes are in place to identify staff with learning difficulties?
- Which service(s) are involved in the assessment process?
- What support is currently available for staff with dyslexia, dyspraxia and autism? Is there enough support?
- Could any improvements be made to the assessment process to make it easier for staff with learning difficulties to access support?
- Does the process take into account the impact of insufficient provision on the retention/promotion of disabled staff in the council's workforce?
- What guidelines/resources are available for managers to follow in providing support for their staff members?

- How are assessing staff trained to ensure that they are fully aware of the support required for staff with (hidden) learning difficulties?

1.5 The Challenge Session was facilitated by Shamima Khatun from the Corporate Strategy and Equality service and was chaired by Cllr Stephanie Eaton, Scrutiny Lead for Resources. It took place on Wednesday 15th January 2014.

1.6 Presentations were delivered by experts in the field of specific learning difficulties during the challenge session. In addition, information was received from Human Resources in relation to workforce profile and on past and present work streams to promote equality for disabled staff. Representatives from Agilisys and the Client Support services (who are responsible for the delivery and maintenance of the council's ICT platform) were also present at the session.

1.7 The Group heard anecdotal evidence from key witnesses which included employees with learning difficulties and the chair of the Disabled Staff Forum on their experience(s) with the assessment process, and subsequent adjustments provided in the workplace.

1.8 The session was attended by:

Cllr Stephanie Eaton (Chair)	Scrutiny Lead, Resources
Tina Dempsey	HR Talent Strategy Manager, Resources
Ben Kelly	Service Director for LBTH Account, Agilisys
Shirley Hamilton	Service Head, ICT Client Team
Professor Amanda Kirby	GP, Patron of the Dyspraxia Association in New Zealand, Advisor to the Dyspraxia Association in Ireland, Medical Advisor to the Dyspraxia Foundation in the UK, Founder of Movement Matters UK and Chief Executive of Do-IT Solutions Ltd
Margaret Malpas	Co-Chair of the British Dyslexia Association (BDA) and Founder of Malpas Flexible Learning Ltd
Paul Gresty	Senior Strategy, Policy and Performance Officer, Corporate Strategy and Equality
Robert Driver	Senior Strategy, Policy and Performance Officer; Education, Social Care and Wellbeing and Co-chair of the Disabled Staff Forum

John Williams	Clean and Green Programme Manager; Communities, Localities and Culture
Sophia Stewart	Highways Information Officer; Communities, Localities and Culture
Kerrith Stewart	Technical Support Officer; Communities, Localities and Culture
Frances Jones	Service Manager – One Tower Hamlets, Corporate Strategy and Equality
Shamima Khatun	Strategy, Policy and Performance Officer, Corporate Strategy and Equality

2. BACKGROUND

The Equality Act

2.1 Disability (including learning difficulties) is a protected characteristic under the Equality Act and Public Sector Equality Duty. As a public sector body, the council is legally required to demonstrate 'due regard' in all its functions, including its responsibility as an employer.

Definition of disability

2.2 Disability is defined under the Equality Act 2010 as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on someone's ability to do normal daily activities.

The Disability Discrimination Act 1995

2.3 The Act prohibits discrimination against disabled people in a range of circumstances, covering employment and occupation, education, transport, and the provision of goods, facilities, services, premises and the exercise of public functions. Only those people, who are defined as disabled in accordance with section 1 of the Act, and the associated schedules and Regulations made thereunder, will be entitled to the protection that the Act provides.

Specific Learning Difficulty (SpLD)

2.4 The term 'Specific Learning Difficulty' (SpLD) refers to a difference/difficulty people have with particular aspects of learning. The most common SpLDs are dyslexia, dyspraxia, attention deficit disorder (ADD), attention deficit hyperactivity disorder, dyscalculia and dysgraphia.

All specific learning difficulties (SpLDs) exist on a continuum from mild to moderate through to severe. Common patterns of behaviour and experience do exist but there is a range of different patterns of effects for each individual. SpLDs are independent of intellectual ability, socio-economic or language background. Having a SpLD does not predict academic potential. However, the path to achievement is

5

usually more challenging and may require far greater (usually unseen) effort and a distinct set of skills.

National Demographics

2.5   In the UK overall, 6.6 million people have a disability of which a sixth do not currently work but would like to do so. This represents a significant potential resource. Research commissioned by the Department of Health estimates that the prevalence rate of learning disabilities amongst the general population in England is at 2%, approximately 985,000 people.[1] Dyslexia affects about 8-10% of the UK's population and is the most common and widely understood of the SpLDs; this is mostly due to its direct impact upon academic success, job prospects and career progression. Developmental Co-ordinator Disorder (DCD), also commonly known as dyspraxia, is a motor co-ordination disorder affecting about 2-3% of the UK's adult population and impacting on everyday life skills. DCD/Dyspraxia is distinct from other motor disorders like stroke and cerebral palsy.

Autism Spectrum Disorder (ASD) – is a spectrum of difficulties that affects communication, social relationships and behaviour. It includes Autism, Asperger's Syndrome and Pervasive Developmental Disorder Not Otherwise Specified. The 'spectrum' element of the disorder means that whilst all individuals with ASDs share similar traits and difficulties, their condition will affect them in different ways and to varying degrees. Approximately, 1% of the UK population is affected by Autism Spectrum Disorder.[2]

Profile of Learning Difficulties in Tower Hamlets

2.6   Tower Hamlets has a registered population of 267,293 of which there are an estimated 4,870 people in Tower Hamlets with a learning disability.[3] Within London, Tower Hamlets has the second highest number of adults (2,000) in the borough with autism; Southwark is the highest at 2,200.

Staff User Profile in Relation to Disability

2.7   In 2011/12, 4.05% of the council's workforce declared a disability and this rose to 4.18% (217) by 4 people, which is less than 1% in 2012/13. The council workforce, therefore, closely reflects the wider borough in terms of disability.[4]

The council's target in relation to disability relates to the percentage of staff who declare that they meet the Disability Discrimination Act (now

---

[1] Centre for Disability Research, *People with Learning Disabilities in England.* Centre for Disability Research (Report 2008:1).
[2] Professor Amanda Kirby and Dr Ian Smythe, *The Hidden Impairments:*
A specific learning difficulty guide for employers. Do-IT Solutions (2013).
[3] Tower Hamlets Joint Strategic Needs Assessment 2010-2011, *Learning Disabilities in Tower Hamlets*.
[4] Please note that the council does not disaggregate the data collected on disability amongst staff.

6

Equalities Act) definition of disability and the percentage is calculated based on the total number of staff who declare that they have or do not have a disability. Not-knowns are excluded. The percentage of people with disabilities within the council remains stable over the period 2011 to 2013 at approximately 4 per cent, though below the target level, and with significant numbers of staff – approximately 20 per cent of the workforce not providing information as to whether or not they are disabled.

2.8 A proxy for the number of staff members with learning difficulties within the council's workforce can be determined by the number of current license users of assistive software such as Dragon and Read & Write.
Total Count:
- Read & Write Software – 5 machines
- Dragon Software (Version 11) – 5 machines
- Dragon Software (11.5) – 4 machines
  Please note that these figures may be higher since it is difficult to determine in the current virtual environment.

3. KEY FINDINGS AND RECOMMENDATIONS

3.1 Initial diagnosis

3.1.1 As part of the Challenge Session, the Review Group heard from the Talent Strategy Manager who outlined the processes through which staff can identify that they have a learning difficulty and access necessary support. The first stage of this process begins once a member of staff discloses to their line manager that they have a learning difficulty. This may not necessarily lead to an 'Access to Work'[5] referral and assessment as there are a large number of reasonable adjustments that can be put in place by the council such as organisation and time management support. However, if the Access to Work route is pursued then it is the employee's responsibility (rather than the manager or HR's) to initiate the Access to Work assessment process by notifying their line manager, who puts in a request for an Access to Work referral and assessment. The overall process can take up to several months.

Access to Work assessment process
Access to Work (AtW) is a scheme run by Jobcentre Plus. The purpose of the scheme is to provide support to employees with disabilities and/or long term health conditions to overcome obstacles at work which may arise because of their disability. AtW can provide advice and financial help to employees who are disabled or have a

---

[5] Access to Work (AtW) is a scheme run by Jobcentre Plus. The purpose of the scheme is to provide support to employees with disabilities and/or long term health conditions to overcome obstacles at work which may arise because of their disability.

long term illness. AtW solutions are individually tailored to meet the needs of a disabled employee in the workplace and offer practical advice and information to the employee and their manager. AtW can offer a grant towards the costs that arise from implementing a reasonable adjustment. Typically, these grants cover most of the costs associated with implementing an adjustment recommended by the assessor in addition to ongoing costs. AtW assessments can only be instigated by the disabled employee, however, managers can contact them to request advice on the service and provide it to the employee. There is no cost for the workplace assessment and no threshold for disability. Information and contact details for AtW can be found on the Access to Work guidance page on the council's intranet.

Recommendations made by AtW should be undertaken as rapidly as possible by the manager, with Human Resources & Workforce Development Business Partners notifying and consulting with the relevant parties involved. It is the manager's responsibility to monitor the changes with the member of staff and see if there are positive effects from the adjustments; if the adjustments appear ineffective alternative methods of working should be considered.

Improving awareness of learning difficulties

3.1.2   The Review Group heard about the work that the Workforce Development team are doing to increase awareness of learning difficulties among staff and managers.

- An Autism Awareness training programme is available to all front line staff (including health). This has been developed using a tiered approach according to the level of knowledge required for roles. The council is also considering the establishment of 'Autism Champions' within mainstream services, which will seek to embed autism awareness via service Champions with specialist knowledge. These Champions would receive a level of training and support that would enable them to advise their services on making them fully accessible to people with Autism. This continues to be a development area, which will be continually reviewed once the new service becomes operational.
- Within Human Resources, strong links have been established with Access to Work who have worked with HR Business Partners (officers responsible for giving expert HR advice and support to Directorate managers) to provide foundation knowledge/support.
- Work is also in progress to develop the Disabled Staff Forum further; with promotion exercises conducted which include case studies in the council's internal newsletter. The staff focus group action plan has in place measures to increase knowledge and awareness on disability equality through equality and diversity training.
- In addition, a member of the corporate management team has been appointed to act as a Forum champion to advance equality for disabled staff within the organisation.

To further support the development of work in this area the council is a member of the Disabilities Business Forum – a not-for-profit member organisation that offers information, support and advice on disability as a proactive or reactive business issue. A proactive approach is taken to ensuring the recruitment programmes run by the council are accessible to people with learning difficulties. For example, in the latest intake of trainees to the council's apprenticeship scheme, two of the individuals recruited in this cohort have learning difficulties. Both of the apprentices have successfully completed their initial six month placement and have now had this extended for a further three months.

3.1.3   *Reasonable adjustments beyond Access to Work*
There are numerous non-ICT based reasonable adjustments which can be provided in the workplace that can enormously benefit staff with learning difficulties, and do not involve Access to Work. Many solutions are not costly and are about awareness and attitude. The Group were reminded by both of the experts on SpLDs in their presentations that foremost "knowing how to understand and manage the differences associated with SpLDS can help maximise the potential of the council's workforce, and work towards compliance under the Equality Act 2010". Possible solutions include teaching coping strategies, undertaking a baseline survey of current knowledge of staff and improving communication materials on support policies. As well as using web based accessible screening tools with support and first aid materials open to all with the aim of providing consistent and credible support to staff bespoke to the needs of the service.

3.1.4   *Implications of late presentations on hidden disabilities by line managers*
The implications of not following up disclosures made by staff with learning difficulties can vary greatly on an individual basis. Common issues are delays in Access to Work referrals especially when workers have disclosed this information at the recruitment stage. If a new employee applies to Access to Work for a workplace assessment in the first six weeks of starting a new job, there is no cost to the employer for either the workplace assessment or the implementation of reasonable adjustments (although funding for equipment is now very restricted). However, if this timeline is not adhered to the opportunity to maximise on external funding that is provided by national schemes such as Access to Work is lost and it becomes increasingly likely that costs associated with implementing adaptations may need to be absorbed by the manager's budget at their discretion. As a result, the relationship between line manager and staff member may become strained and the council could be vulnerable to legal challenge by employees due to non-compliance with the Equality Act 2010.

Furthermore, the Group heard from Amanda Kirby, a GP and Medical Advisor to the Dyspraxia Foundation in the UK in her presentation (see Appendix Three) that "the challenges that may result if there becomes a mismatch with demand and coping skills in the individual is poor performance, which may be indicated through signs and symptoms of absenteeism or presenteeism. Both forms of under-performance can result in a loss of workforce and productivity" which emphasises the need to ensure that information on a staff member's workplace requirements by line managers is communicated in a timely manner.

3.2 Communication challenges

3.2.1 The challenge session had a strong focus on the process by which staff members with learning difficulties access reasonable adjustments. Whilst it was made very clear that reasonable adjustments can take many forms, a starting point for these discussions was the process for identifying and responding to the needs of staff for specialist software. The feedback that the One Tower Hamlets team and HR had from council employees during recent focus groups suggested that under current arrangements, the delivery of reasonable adjustments has been considerably slowed down due to a breakdown in communication between the various parties involved. Where such a breakdown happens it can result in a delay in managers providing information on a member of staff's IT equipment requirements/needs to Agilisys (the council's ICT provider) which then causes further delays while appropriate software is sourced. The Group were concerned that there is a lack of transparency on what resources are available and the subsequent impact this has on an employee's performance within the organisation, especially, in light of the council's move to a new ICT platform. Poor communication can lead both to delays in sourcing appropriate software and/or not getting the most appropriate software for that individual.

3.2.2 The Group felt that greater clarity about roles and reasonable timeframes would assist staff and managers to navigate this process and Agilisys to meet staff needs in a timely and effective way. One approach to this would be to create a process map of communication which clearly sets out at what stage of the assessment procedure the relevant services involved need to inform and be informed, in order to increase communication between internal services. Information available on the intranet also needs to be regularly updated.

3.2.3 Production of a defined and structured flowchart is a must, which outlines the roles of involvement of HR, Agilisys and Access to Work/Occupational Health. One point of contact in HR is also an imperative to streamline the process. This point of contact should be publicised alongside readily available information on the range of hidden impairments that exist. Standardisation on Agilisys's behalf in

their approach to delivering support can be achieved through a catalogue listing options on software/hardware available for individuals to tailor their package. HR Learning & Development should also be relied upon to assist with this exercise. It would also be useful if workplace assessors were assigned to service areas.

> **Recommendation 1: That an internal communications action plan be developed to increase the proportion of staff who declare whether or not they have a disability.**

3.3 Streamlining processes

3.3.1 Lack of consistency in providing staff with credible support bespoke to help them carry out their work and insufficient understanding of what the impact is on an employee's productivity significantly impedes on the effectiveness of the current assessment process in place. A self-diagnosis by ICT has identified that having a dedicated specialist within its own service – is the single point of failure, since only a few staff know how to provide support on installing assistive technology which can impact upon the length of time it takes for requests for specialist software and hardware to be actioned for the worker.

> **Recommendation 2: That the current assessment process for accessing support for staff with learning difficulties be streamlined through the development of a defined/structured flowchart which clearly outlines the process and roles of HR, Agilisys and Occupational Health and that this information be available on the intranet for staff and managers.**

3.4 Barriers to disclosure and the role of managers

3.4.1 The key role of line managers in supporting personal and professional development of staff with learning difficulties was a recurring theme. The significance of a manager's role was reinforced in the research undertaken in advance of the session and in feedback received from staff and articulated during the challenge session itself. The Group were concerned by reports of a lack of understanding by some mangers of the process for supporting staff with learning difficulties. Managers need to possess the core skills and capacity to deal with disabled employees in order to face the challenges that may arise if there becomes a mismatch with demand and coping skills, which can manifest itself in absenteeism (loss of workforce) or presenteeism (loss of productivity).

3.4.2   Overall, staff with learning difficulties emphasised the need for proactive managers in order to ensure that adjustments are put in place to support employees to work. Furthermore, the Group heard how fear of workplace discrimination is a barrier to disclosing disability and the detrimental spill-over effect this has in precluding them from advancement/promotion. Amanda Kirby reminded the Group in the roundtable discussion that "reasonable adjustments around attitude is equally important – particularly amongst line managers".

3.4.3   Several measures to tackle this can be adopted such as ensuring all managers have a knowledge of conditions and are familiar with indicators to be conscious of. In addition, providing training to managers about how to encourage disclosure of learning difficulties by staff through asking proactive questions and promoting open communication can be very effective. Furthermore, recruiting a number of HR Business Partners to become specialists in Access to Work or identifying managers that are well versed in the process to champion and up-skill the wider management team could be an effective way of promoting awareness. HR should ensure that this policy and process of training/communication is implemented and promoted at management level and thereby filtered throughout the council.

> **Recommendation 3: That managers are up-skilled through training to raise awareness of hidden disabilities and that progress in this area is monitored at performance reviews.**

3.5   Solutions/Aids

3.5.1   The success of smarter working since its phased introduction two years ago remains in question. A small but significant number of staff with learning difficulties have expressed their frustration over the Virtual Desktop Interface in use at the organisation because of difficulties with installing specialist software. Capacity issues have been encountered around specialist software due to a shortage of licences. Hot-desking for staff who require access to fixed desks where there are computers with necessary software on them is also proving to be problematic for some, as it can cause negative attitude amongst colleagues who have not been assigned a fixed workstation. Furthermore, some of the software which is proscribed by AtW workplace assessors is suited to the new hot-desking work environment. For example, 'Dragon' is software which enables speech to text functionality but is awkward to utilise in an open plan office as it requires the user to speak loudly. This situation is worsened by increased pressure on meeting rooms because of higher numbers of staff being based in Mulberry Place.

3.5.2   An area of improvement is to look into specialist software that is suitable for the council's new working environment.

> **Recommendation 4: That an accessible catalogue of software available for staff with learning difficulties which is compatible with the council's new ICT system/platform and adaptable for different working environments be developed.**

3.6   Budget for reasonable adjustments

3.6.1   In a context of growing pressures on team budgets, the absorption of fees incurred from implementing reasonable adjustments into service budgets managed by line managers can be an area of tension amongst the wider team. Although, it is important to note that cost-effective methods are readily in existence; certain types of assistive software is already built into the ICT equipment used by the council or available for free. However, these capabilities need to be communicated to staff in order to boost utilisation.

3.6.2   It is suggested that a central budget be agreed to pay for reasonable adjustments for staff with learning difficulties within the council to mitigate against these tensions.

> **Recommendation 5: That a centralised budget be agreed to pay towards reasonable adjustments for staff with learning difficulties.**

3.7   Reduce stigma associated with learning difficulties

3.7.1   The neurodiversity of individuals with specific learning difficulties needs to be recognised as these tend to be on a continuum and are merely descriptors and not a cut-off. The Review Group felt that in some situations a diagnosis can provide some protection to individuals, however the latter is not effective where stigma or cultural resistance is present. A factor which can contribute to stigmatisation is the language used for disclosure which appears to be modelled on medical terminology instead of social. This does not encourage staff to disclose learning difficulties and may potentially result in the opposite effect by alienating individuals.

3.7.2   Furthermore, representatives of the Disabled Staff Forums cited a number of instances in which staff members experienced discrimination in the workplace. Due to 'hidden' nature of learning difficulties this does not get the same profile as physical disabilities. Overall, it was clear that there is a significant risk that people with learning difficulties go unheard in the workplace.

3.7.3   It is recommended that the current terminology adopted in application forms and surveys be revised to encourage disclosure. Other methods to reduce the stigma associated with learning difficulties include rolling out certain software council-wide, such as Dragon which is used by all types of people. Learning difficulties could also be included in the mental health Time to Change pledge because according to Mind UK – a national mental health charity, one in six workers experience depression, anxiety or stress at any one time and are the most common type of mental illnesses. People with specific learning difficulties who are not appropriately supported are more likely to experience workplace triggers which increase the risk of mental health conditions. Disability champions within the organisation should also be advocated through utilising and encouraging members of the Disabled Staff Forum who have specialist knowledge to take the lead in this area, and liaise with services and champion throughout the council.

> **Recommendation 6: That the stigma associated with learning difficulties be tackled through training and appointment of Disability Champions within service areas in order to build awareness of hidden disabilities across the organisation.**

3.8   Culture change as the first step towards reasonable adjustments around attitudes

3.7.1   National research and anecdotal evidence indicates that a large proportion of reasonable adjustments are based on changing attitudes particularly amongst line managers. There is a cost associated with this in regards to training, but prevailing opinion suggests that this methodology generates huge cultural and organisational change.

3.7.2   At present, there is very little benchmarking or performance monitoring undertaken around disability equality. Consequently, this makes it more difficult for the council to deliver on their duty to address inequalities that arise as a result of disability. This reinforces the importance of HR monitoring disability by category and encouraging managers to record this with the individual's consent, in order to enable directorates within the council to set local targets to increase representation of disabled employees within all groups.

3.7.3   A number of activities can be deployed to dispel the myths associated with learning difficulties such as organising lunch time seminars, and strengthening/up-skilling HR Business Partners to ensure that constructive change is brought about from a top down level. Managers must also be encouraged to view reasonable adjustments as an opportunity to enable staff to work differently aside from providing assistive technology. Instead, managers should be open to

exploring creative approaches to improve working conditions for staff with specific learning difficulties.

> **Recommendation 7: That the current training package on disability for managers is reviewed by HR, eliminating unconscious bias towards physical disabilities and enabling staff with learning difficulties to articulate their experiences through a range of methods such as theatre workshops and Q&A sessions.**

4.   CONCLUSIONS

4.1   This challenge session involved an in-depth internal health check on the assessment process in place and the support provided to staff members with learning difficulties, particularly whether this support is sufficient for retention and progression purposes. Overall, the Group felt that there were a number of areas where modifications to current procedures would significantly improve support available to staff with specific learning difficulties and have wider benefits for other disabled staff.

This page is intentionally left blank

	Appendix 4		
Scrutiny Review Action Plan – Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties			
Recommendation	Response / Comments / Action	Responsibility	Date
R1. That an internal communications action plan be developed to increase the proportion of staff who declare whether or not they have a disability.	An internal communications advisor and HR to collaborate with ESCW Learning and Disability team to help develop communications on raising awareness of disabilities and provide information on subject matter.	Internal Communications Advisor/HR Talent Strategy Manager	June 2014
	Internal Communications to raise general awareness of all actions below by using positive case studies of staff who have previously disclosed disabilities.	Internal Communications Advisor	July 2014
	The council will raise general awareness of disabilities, particularly 'hidden' disabilities and any training available for staff with disabilities.	HR Talent Strategy Manager/Internal Communications Advisor/Strategy, Policy and Performance Officer (OTH Team)	July-August 2014
	HR will organise awareness and health and wellbeing days to promote training, support and benefits that may be available for staff.	HR Talent Strategy Manager	September 2014
	Internal Communications to create a communications plan incorporating actions from June 2014 onwards.	Internal Communications Advisor	June 2014
R2. That the current assessment process for accessing support for staff with learning difficulties be streamlined through the development	HR will update the current flowchart linked to providing guidance on disability, highlighting ICT's role within this process. This would also include ICT at point of recruitment. HR will also explore the use of 'Do-IT Profiler' – a unique	HR Talent Strategy Manager/Employee Relations & Policy Manager	May 2014

of a defined/structured flowchart which clearly outlines the process and roles of HR, Agilisys and Occupational Health and that this information be available on the intranet for staff and managers.	computerised modular assessment system that allows the individual to be understood as a whole, bringing the parts together to form a complete and accurate picture in order to help the organisation and employees in delivering screening and support of hidden impairments.		
R3. That managers are up-skilled through training to raise awareness of hidden disabilities and that progress in this area is monitored at performance reviews.	The council's Equalities and Diversity training is currently under review. The One Tower Hamlets Team and HR & WD are working with the internal staff forums to develop this programme. HR will update the current training packages to include learning disabilities/difficulties and ensure this is promoted and monitored in PDR and HR processes.	HR Talent Strategy Manager/Strategy, Policy and Performance Officer (OTH Team) Employee Relations & Policy Manager	April 2014 – Sept 2014
R4. That an accessible catalogue of software available for staff with learning difficulties which is compatible with the council's new ICT system/platform and adaptable for different working environments be developed.	The ICT service catalogue can include any defined specialist hardware or software. Currently, individual requests are made by managers for any member of staff following an assessment of needs.	The development of the service catalogue to include all staff needs as well as specific needs software and hardware is underway with the new ICT strategy, due to complete end July 2014. In the meantime, there are a number of devices and services existing that can be ordered, or adhoc requirements met through request after assessment. Service Director for LBTH Account,	End July for ICT strategy to include services for special needs.

		Agilisys (Ben Kelly)/Service Head - ICT Client Team (Shirley Hamilton)	
R5. That a centralised budget be agreed to pay towards reasonable adjustments for staff with learning difficulties.	The head of HR, in conjunction with corporate finance, will explore options for addressing this.	HR Talent Strategy Manager/Head of Financial Planning & Corporate Finance Partner	Sept 2014
R6. That the stigma associated with learning difficulties be tackled through training and appointment of Disability Champions within service areas in order to build awareness of hidden disabilities across the organisation.	HR will pilot staff champion model through identification of 'Time to Change' champions who will promote awareness of mental health in the workplace. Following an evaluation, a decision will be made about the most effective model for promoting awareness of disability in the organisation. If disability champions are recruited this will be carried out through the Disability Staff Forum. HR will also utilise its membership with the Disability Business Forum and ENEI to support identified champions in this work.	HR Talent Strategy Manager	March 2015
R7. That the current training package on disability for managers is reviewed by HR, eliminating unconscious bias towards physical disabilities and enabling staff with learning difficulties to articulate their experiences through a range of methods such as theatre workshops and Q&A sessions.	Same as R3	HR Talent Strategy Manager/Strategy, Policy and Performance Officer (OTH Team) Employee Relations & Policy Manager	April 2014 – Sept 2014

This page is intentionally left blank