

OVERVIEW & SCRUTINY COMMITTEE

Wednesday, 26 October 2016 at 6.00 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

Scrutiny Lead for Law Probity and Governance

Vice Chair: Councillor Abdul Mukit MBE

Scrutiny Lead for Resources

Councillor Mahbub Alam

Councillor Amina Ali

Scrutiny Lead for Development and Renewal

Councillor Abdul Asad

Scrutiny Lead for Communities, Localities & Culture

Councillor Julia Dockerill

Scrutiny Lead for Children's Services

Councillor Oliur Rahman

Councillor Helal Uddin

Councillor Clare Harrisson

Scrutiny Lead for Adult Health and Wellbeing

Co-opted Members:

Victoria Ekubia

(Roman Catholic Church Representative)

Dr Phillip Rice

(Church of England Representative)

1 Vacancy

(Parent Governor Representative)

1 Vacancy

(Parent Governor Representative)

Deputies:

Councillor Danny Hassell, Councillor Dave Chesterton, Councillor Ohid Ahmed, Councillor Gulam Kibria Choudhury, Councillor Peter Golds, Councillor Denise Jones, Councillor Md. Maium Miah and Councillor Andrew Wood

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

David Knight, Democratic Services

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London, E14 2BG

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

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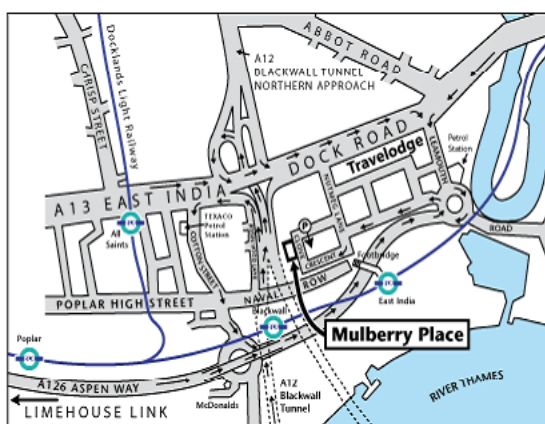
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1. APOLOGIES FOR ABSENCE

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

All Wards

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee that was held the on 28th September, 2016 – To Follow.

4. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet 4th October, 2016 in respect of those unrestricted reports on the agenda were 'called in'.

5. REQUESTS TO SUBMIT PETITIONS

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

6. SCRUTINY SPOTLIGHT

Nil items

7. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG 2016/17

5 - 8

8. FORTHCOMING DECISIONS

To follow

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

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

10. VERBAL UPDATES FROM SCRUTINY LEADS

(Time allocated – 5 minutes each)

11. UNRESTRICTED REPORTS FOR CONSIDERATION

11 .1 Local Plan - Item Deferred

11 .2	Complaints and Information Governance Annual Report	All Wards	9 - 68
11 .3	Progress report on Literacy Scrutiny Review	All Wards	69 - 114
11 .4	Progress update on Cycling Safety challenge session	All Wards	115 - 142
11 .5	Progress report on Contract Management Scrutiny Review	All Wards	143 - 170

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

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

13. 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

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NUMBER(S)

14. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

15. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet 6th September, 2016 in respect of exempt/ confidential reports on the agenda were 'called in'.

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

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

(Time allocated 15 minutes).

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

To consider any other exempt/ confidential business that the Chair considers to be urgent.

SECTION ONE

WARD

**PAGE
NUMBER(S)**

Next Meeting of the Overview and Scrutiny Committee

Wednesday, 30 November 2016 at 6.00 p.m. to be held in Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE 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 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 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 Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

- Melanie Clay, Corporate Director, Law, Probity and Governance. Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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Overview & Scrutiny Committee Query and Action Log 2016/17

Meeting and agenda item	Question or request for action	Response or current status
28 th September 2016, Strategic Performance Monitoring Quarter 1 (2016/17)	Are statistics available that breakdown unemployment and/or economic activity by ethnicity? If so can the most recent figures be provided for the borough	<p>A reliable overall and comparative figure for unemployment in the borough is not available for different groups, within the much broader BME category used in compiling national statistics. However, Nomis data from April 2015 to March 2016 shows an overall 16+ unemployment rate of 7.2%. The breakdown of the figures available show the rates are 3.5% for whites and 10.6% for BMEs. Within the BME category the rates are 13.7 for Pakistanis/Bangladeshis and 14.3% for all Black or black British.</p> <p>This Information available locally for Tower Hamlets shows a positive trend in employment, unemployment and economic activity rates since 2011/12: the employment rate of ethnic minorities (aged 16-64) has increased year on year, from 2011/12 to 2014/15 from 45.9% to 60.6%; 16+ unemployment has decreased over the same period from 19.6% to 14.6%; and the percentage of 16-64 year olds who are economically inactive has fallen from 42.9% to 29.0% over the same period.</p> <p>Tower Hamlets employment rate for BME has increased to 62.5% since last quarters reporting, the gap with the London average remains at 3%. The employment rate for BME in the borough is 1.9% higher than this time last year while the London average increased to 2.1%. Comparing Tower Hamlets performance against the East London Growth Borough's (Greenwich, Barking and Dagenham, Tower Hamlets, Newham, Waltham Forest and Hackney), Tower</p>

28 th September 2016, Community Safety Partnership Plan, Year 4 (2016/17)	Can statistics be produced for reported incidents of hate crime in the borough broken down by age, gender, ethnicity, disability, etc? If so can the most recent figures be provided for the borough	<p>Hamlets has the third highest employment rate for BME residents.</p> <p>The most recent available statistics for hate crime cover the first quarter for 2016/17, which showed the following:</p> <table border="1" data-bbox="1122 504 1742 922"> <thead> <tr> <th></th> <th>Incidents</th> <th>Offences</th> <th>SDs</th> </tr> </thead> <tbody> <tr> <td>Racist and religious</td> <td>156</td> <td>166</td> <td>36</td> </tr> <tr> <td>Racist</td> <td>148</td> <td>160</td> <td>34</td> </tr> <tr> <td>Faith Hate</td> <td>20</td> <td>17</td> <td>4</td> </tr> <tr> <td>Anti-Semitic</td> <td>2</td> <td>2</td> <td>1</td> </tr> <tr> <td>Islamophobic</td> <td>17</td> <td>14</td> <td>3</td> </tr> <tr> <td>Homophobic</td> <td>28</td> <td>34</td> <td>5</td> </tr> <tr> <td>Transphobic</td> <td>2</td> <td>2</td> <td>0</td> </tr> <tr> <td>Disability</td> <td>9</td> <td>10</td> <td>1</td> </tr> </tbody> </table> <p>Anti -Semitic incidents are considered both “Racist” and “Faith Hate”. Therefore, the reported total of “Racist and Religious” incidents will not equal the sum of “Racist and Faith Hate”.</p>		Incidents	Offences	SDs	Racist and religious	156	166	36	Racist	148	160	34	Faith Hate	20	17	4	Anti-Semitic	2	2	1	Islamophobic	17	14	3	Homophobic	28	34	5	Transphobic	2	2	0	Disability	9	10	1
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28 th September 2016, Gambling Policy 2016-19	Can a breakdown of the 3,000 gambling addicts in the borough be provided?	The rate locally, adjusted for the age-sex ratios in Tower Hamlets is 1.3% or twice the national average for problem gambling, with 3% at moderate risk. This would equate to around 3,000 problem gamblers with 6,000 at moderate risk. Local estimates suggest that rates of problem gambling are three times higher in the south Asian population compared to the white population and twice as high in the black population compared to the white. Males are more likely to be																																				

	<p>Members to receive information on the public health support services available for residents with a gambling addiction</p>	<p>problem gamblers than females and the highest rates are in the 16-34 age group, and then decreases with age.</p> <p>Problem gambling disproportionately affects lower income families and other factors may make certain groups more susceptible including: personality; psychological issues; supply and ease of access to gambling outlets and products; poor general health, etc.</p> <p>There are a number of screening tools that can be used by concerned families, GPs and other front line staff to identify problem gamblers. However, these are not widely used, nor is gambling routinely recorded in GP notes (although there is a code to capture this). In terms of where individuals can get specialist help, there are several organisations. These include: Gamblers Anonymous (there is a local group); Gordon Moody Association; Gamcare; Chinese Mental Health Association (CMHA) and the CNWL National Gambling Clinic.</p> <p>For family or friends to manage the problems of gambling, particularly the financial implications, support is available from the following: Advice UK; StepChange; Citizens Advice Bureau; National Debtline and the Money Advice Trust.</p> <p>Some problem gamblers are referred to the national specialist treatment centre at Central and North West London NHS Foundation Trust.</p>
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Non-Executive Report of the: Overview and Scrutiny Committee 26 October 2016	 TOWER HAMLETS
Report of: Melanie Clay, Corporate Director - LPG	Classification: Unrestricted
The Complaints and Information Annual Report 2015/16	

Originating Officer(s)	Ruth Dowden, Service Manager – Complaints and Information
Wards affected	All wards

Summary

The Complaints and Information Annual Report 2015/16 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

Recommendations:

The Overview and Scrutiny Committee is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling

1. INTRODUCTION/SUMMARY

- 1.1 The Complaints and Information Annual Report 2015/16 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

2. FOR OVERVIEW AND SCRUTINY COMMITTEE TO CONSIDER

- 2.1 OSC is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling.
- 2.2 This report is subsequently considered by Overview and Scrutiny Committee.

3. BACKGROUND

- 3.1 The Council receives an annual report on its complaints handling and information requests. This report accounts for the period 1 April 2015 to 31 March 2016.

- 3.2 The report's Introduction and Summary (section 1) sets out the key performance and activity points from the year.
- 3.3 Whilst the Council's escalation to internal process and to external regulators including the Information Commissioner and the Local Government and Housing Ombudsman are low, response rates could be improved in all areas of complaints and information requests.
- 3.4 The Corporate Complaints Procedure and Statutory Social Care Procedures seek to ensure that all people receiving or seeking to receive a service are treated in accordance with service standards and have an opportunity to address any concerns. The procedures are accessible to the community and can be accessed in a range of formats.
- 3.5 Responding to Information Requests and providing Council data through the Transparency and Open Data work stream promotes ease of access for the community to decision making processes and the activities of the Council.
- 3.6 The Complaints policies also address risk and provide the Council with a mechanism to identify issues that might otherwise lead to legal, reputational and other damage. This is enhanced by the policy on Compensation and Redress whereby a suitable settlement can be achieved commensurate with difficulties experienced.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report provides the annual complaints and information report for the period 1st April 2015 to 31st March 2016. There are no financial implications arising from this report. However In the event that the Council agrees further action in response to this report, then approval for any further resources will need to be approved using existing financial procedure rules before any commitments can be made.

5. LEGAL COMMENTS

- 5.1 The Council has a number of statutory duties regarding handling of information requests, including the time required to give responses. Sections 3 and 4 of the Complaints and Information Annual Report sets out the Council's performance against those required time limits.
- 5.2 The Council has statutory duties in respect of the handling of social care complaints as set out in the report. The proper handling of complaints and the consideration of information arising from a those complaints may also be consistent with good administration in the discharge of the Council's functions. It may contribute to improving the quality of services that the Council offers and hence to the Council's duty as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Proper complaints handling and review may also contribute to the avoidance of maladministration within the meaning of the Local Government Act 1974.
- 5.3 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the

need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The report sets out the Council's commitment to deal with all complaints, and information requests fairly and equally with the procedures themselves contributing to the positive opportunity for all residents and interested parties to raise concerns with service provision and gain a more detailed understanding of the Council's work.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The Council seeks to secure continuous improvement in service provision and effective complaints resolution is a key tool in this process.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no specific implications in this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 The complaints procedure provides a means of identifying issue and mitigating risk from errors and omissions in service delivery. Effective Information Governance policies and processes also enable the organisation to monitor the effectiveness of its approach in mitigating information governance related risks.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific issues.

Complaints and Information Governance Annual Report

2015-2016

Version 1

Contents

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

1. INTRODUCTION AND SUMMARY

1.1. This report provides information regarding the Council's handling of complaints and information requests in the year 2015/16. It covers –

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

1.2. In addition to addressing the volume of complaints and information requests received by the Council in the period 1 April 2015 to 31 March 2016, the report also looks at the outcomes of those cases; and the standard of performance in dealing with them. Policy and practice developments in information governance and complaints are also summarised.

1.3. The highlights for 2015/2016 were that –

- A new software system called iCasework was introduced:
 - This brings together complaints, members enquiries and information requests into a single system accessible to all Council officers.
 - The system's document handling enables easier access to relevant documents and recording of file notes.
 - Integrated email has reduced postal costs and made contact more time efficient.
 - The system only went live at the end of July 2015. Therefore the full capacity of analysing customer feedback and information requests regrettably cannot be taken advantage of in this report. However from the end of the next financial year a greater depth of management data will be available to improve service delivery.
- Information Governance:
 - In 2014/2015 we met the compliance criteria for Health and Social Care Information Council Toolkit with 70% and in 2015/2016 we increased our compliance mark to 82%.
- FOI
 - One of the highest volumes in London.
 - The rate of requests for internal reviews from information requests remained low (at 3.1%).
 - Of 1944 requests the Council considered, only 3 cases were determined by the Information Commissioner (0.15%)

- Of the three ICO decisions, 1 was upheld
- Response rates were below target, at 85% completed in time
- Subject Access Requests
 - Performance improved from 85% completed in time in 2014/2015 to 90% in 2015/2016.
- Corporate Complaints
 - 33% increase from last year in Stage 1 complaints. This increase maybe due to the new system capturing more case and should not be viewed necessarily as a negative factor.
 - Individual services variance explained in the report, including where performance is required to improve.
 - Response rates at all three stages were below target.
 - However, resolution rates and escalation rates were positive, with only 2% being escalated to stage 3.
- Adult Social Care complaints saw:
 - Steady volume, with 52 in 2014/15 and 52 in 2015/16
 - Turn around slipped a little, and the Complaints and Information Team is working with services to improve management information to support high level performance.
- Children's Social Care
 - Increase in volume from 49 to 64.
 - Again, the service and complaints team are working to improve turnaround.
- Local Government Ombudsman
 - Increase in volumes from 128 to 149, however this is common across London and the country.
 - Benchmarking across London sees Tower Hamlets 22 out of 33 for fewest enquiries received by the LGO however many are not progressed to investigation.
 - Of those matters actually investigated (22 cases), 42% were upheld, and this compares favourably against other boroughs, ranked 6th lowest out of 33.
- Housing Ombudsman
 - 2 out of 37 cases closed were upheld and required remedy.
 - The Local Government Ombudsman and the Housing Ombudsman have made no reports against the Council since 2009/10.

1.4. The response times for information requests remained below target.

- 1.5. Overall, the number of corporate complaints increased during 2015/2016 with Stage 1 complaints increasing by 33%. The reasons for this are unclear, however the population continued to increase in the borough.
- 1.6. Most successful organisations encourage service users to complain, and as such a high volume of complaints is often an indication of a healthy relationship with service users. However, complaints should be resolved at the lowest possible point and the escalation of complaints can indicate difficulties in addressing matters at the service level. With these objectives in mind, the Council has adopted corporate performance standards, designed to ensure complaints are dealt with in a timely fashion. Performance is regularly reviewed by both the Corporate Management team and elected Members. The Complaints and Information Team identifies themes and works with the service areas to bring about effective change.
- 1.7 With volumes of complaints increasing, it is essential that the Council examines how to find effective resolution at the earliest opportunity. Additionally, mindful of the numbers escalating through the internal procedure and to the Ombudsmen, consideration will be given in 12016/17 to improve the procedure, with a view to streamlining to tow internal stages.

2. INFORMATION GOVERNANCE

- 2.1.** Information governance encompasses the policies, procedures and controls designed to manage information across the Council. The Council has a framework of policies, procedures and guidance covering records management, information security and data protection. Information risk is managed within the Council's corporate risk management framework.
- 2.2.** The Council's Senior Information Risk Officer (SIRO) has overall responsibility for information governance. In 2015 Zena Cooke, Corporate Director – Resources, took over the role of SIRO.
- 2.3.** The SIRO is supported by the Corporate Complaints and Information team, managed by the Service Head - Legal Services. An Information Governance Group (IGG) of officers meets every six weeks to review information governance issues and to develop strategic approaches to legislation, policies, practice, risk management and quality assurance,
- 2.4.** The Council is a data controller within the meaning of the Data Protection Act 1998 and is required to process data in accordance with the data protection principles. These may be summarised as follows –
 - Personal data shall be processed fairly and lawfully and only where one of the conditions specified in the Data Protection Act is met.
 - Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
 - Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
 - Personal data shall be accurate and, where necessary, kept up to date.
 - Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
 - Personal data shall be processed in accordance with the rights of data subjects under this Act.
 - Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
 - Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 2.5.** A number of developments took place in relation to information governance during 2015/2016.
- 2.6.** The Council's information governance structure and arrangements are important for ensuring that all staff understand their responsibilities under the relevant legislation and how this is carried forward in practice. Our Governance arrangements are subject to review by the Information Commissioner should they wish to audit and are essential components of your submission to external accreditations.

- 2.7.** A full review of our policies procedures and guidance was undertaken and the documents updated.
- 2.8.** The Council's annual submission for the Health and Social Care Information Council (HSCIC) Toolkit (Information Governance assessment) was submitted in March 2016. The Council scored 82% improving on the 70% scored in the previous year. Each year the Council aims to achieve greater compliance. The 28 assessed components are graded from 0 (not compliant) to 3 and the Council attained level 2 (satisfactory) or above for every component. A certificate was also obtained for the Public Sector Network (PSN) in August 2015.
- 2.9.** Information Asset Register
- 2.10.** The information governance group embarked on a review of the Information Asset register in order to establish a single register for electronic and paper assets and to identify their properties, usage and potential risks.
- 2.11.** Transparency
- 2.12.** The Council improved the availability and quality of information published and has met the 2015 Government Code on Transparency requirements and is now pursuing the Mayor's agenda of transparency to a higher open data publication standard and increase the range of data.
- 2.13.** Compliance with the standard is met with the exception of two areas and these will be complete by December 2016. In order to meet the 4 star publication standard the Council requires a software platform to provide these formats.
- 2.14.** 5 star publication involves links to other web-sites and data sources for comparison. This is met in part and would be enhanced by use of a dedicated platform. A business case has been submitted for consideration.
- 2.15.** Security incidents
- 2.16.** Information security incidents are required to be reported to the Corporate Complaints and Information team. These are recorded and the register is reviewed periodically by the IGG. None of the incidents registered resulted in or required reporting to the Information Commissioner.
- 2.17.** However, there was one instance where the Information Commissioner received a complaint direct from a service user. In this case, the assessment of another service user's SEN support needs was sent to the wrong family. The Commissioner agreed that steps had been taken by the service to avoid recurrence and no further action was required.
- 2.18.** One further incident was reported direct to the Commissioner concerning Tower Hamlets Homes' residents' data. The case was closed due to lack of evidence as to whether or not there was a breach and if so this involved the Council. The Council committed to review protocols and ensure clarity over data sharing.
- 2.19.** Risk

- 2.20.** The fitness or otherwise of the Council's information governance framework was made a corporate-level risk in 2013/2014 and is now the subject of regular review in accordance with the Council's risk management procedure.
- 2.21.** Training
- 2.22.** Information Governance Training continues to be promoted in order to minimise risks for the Council. This includes e-learning packages, group training sessions, face to face training sessions and security information governance in team meetings. A range of posters placed in print hubs, intranet messages and emails were used to raise awareness and bookable courses on FOI and Data Protection delivered.
- 2.23.** Gap Analysis
- 2.24.** The Health and Social Care Information Centre Toolkit (Information Governance assessment) mentioned at section 28 provides a reliable starting point for consideration of improvement for the coming year.
- 2.25.** Level 3 requires that we not only have effective controls, policies, structures, technical measures and training in place, but also regular review processes, monitoring, satisfaction surveys, and compliance checks. It also requires that aspects of information governance are integrated into Council governance structures with changes regularly reported to senior management.
- 2.26.** . Fifteen of the 28 requirements are not yet achieving level 3. The solutions required to achieve compliance are grouped and summarised below. Please note that some requirements will need a combination of solutions. In compiling this summary due consideration has been given to the General Data Protection Regulation (GDPR) which will come into effect in May 2018. This will have implications for a number of the criteria, which are reviewed and updated annually. This report therefore anticipates updates
- 2.27. Proposed Solutions**
- 2.28. Policy Acceptance & Training Compliance Software** (to meet 5 requirements)
Software that can distribute policy documents, briefings and training materials and record staff compliance and understanding. This automated solution will enable officers to report on non-compliance, send reminders and, where appropriate, limit systems and data access. Manual methods currently deployed to ensure training compliance are limited and highly time consuming.
- 2.29. Audits and Spot Checks** (to meet 6 requirements)
A combination of spot checks made by the service for its own data and process, and engaging internal or external auditors would require resources to be available to undertake reviews and record the outcomes against agreed criteria.
- 2.30. Review Retention of Electronic Data** (to meet 3 requirements)
A full review of all electronic data assets, including risk assessments, is required. Consideration is being given to engaging an external resource to complete the retention / deletion work and set up processes where by each directorate can

complete the processes in subsequent years. This could be effectively be combined with the first iteration of the risk assessments.

2.31. Internal Processes for Information Governance_(to meet 5 requirements)

These are issues that can be picked up as business as usual for the IGG and the Complaints and Information Team. They include establishing Data Use guidance, a full register of Data Sharing Arrangements; a full register of Privacy Notices; and for Social Care, work on Data Quality and the NHS Number project;

2.32. Governance_(to meet 1 requirement)

This simply requires that processes are in place to ensure that all new projects and any changes to processes involving personal data are referred to the Complaints and Information Team via the relevant project board at the outset. Information Governance must be integrated in the planning and record keeping of any such changes.

2.33. ICT Review / Data Access Privileges_(to meet 1 requirements)

This includes reviewing access privileges to data from shared folders to software programmes, with an effective starters, leavers and movers process and periodic review. EDRMS would help with compliance however a cost / benefit analysis would need to be undertaken. Otherwise a limited programme of review could be established if Agilisys can extract data in a suitable format. Initial exploration of this did not result in a usable set of data for services to measure compliance / risk against.

2.34. Legislative and Regulatory Changes

2.35. There are two significant changes pending in terms of Information Governance.

2.36. The first is the General Data Protection Regulation, European Union legislation that will come into effect in May 2018. Whatever the UK position in relation to Europe on this date, we will need to demonstrate comparable safeguards and practice. The Council is seeking to have an action plan for compliance by December 2016.

2.37. The National Data Guardian (known as the Caldicott Guardian) has issued a consultation on Data Security, Consent and Opt-outs of data sharing. This applies specifically to social care and health data. The Council is currently addressing the consultation and considering how to integrate the standards into its governance framework.

3. INFORMATION REQUESTS

- 3.1 The Council is required to respond to information requests under both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
- 3.2 The Freedom of Information (FOI) Act 2000 was implemented in 2005 to help bring about a culture of openness within the public sector so that the information held by public authorities is available and accessible to all, both within and outside the communities they serve. It gives the public access to most structured information held by the Council unless it is appropriate for the Council to apply a legal exemption.
- 3.3 A separate but parallel process under the Environmental Information Regulations 2004 (EIR) provides for access to environmental information within the meaning of EU Directive 2003/4/EC. This covers information on –
- The state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements.
 - Factors affecting or likely to affect the elements of the environment, such as noise or waste.
 - Measures (including administrative measures), such as policies, legislation, plans, programs, environmental agreements, and activities affecting or likely to affect the elements of the environment and factors affecting them.
 - Cost-benefit and other economic analyses and assumptions used within the framework of these measures and activities.
 - Reports on the implementation of environmental legislation.
 - The state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment or, through those elements, by any of the factors, measures or activities referred to above.
- 3.4 The FOI Act and EIR both set a deadline of 20 working days for the Council to respond to written requests from the public. It is regulated by the Information Commissioner (ICO) and information on the ICO's investigations and decisions is set out below.
- 3.5 Information disclosed by the Council to applicants is usually also published on the Council's disclosure log, linked to the Council website. In this way a resource has been built up over time which is available to the public for reference.
- 3.6 Details of FOI and EIR requests received by the Council in 2014/2015 and 2015/2016 are summarised in Figures 1 and 2. It should be noted that the method

of reporting performance has changed since last year's report. In that the new system now allows for performance measurement on month completed rather than month received. This gives the advantage of bringing the reporting of information governance requests in line with complaints reporting. It also has the advantage of not having to wait until all cases are completed before reporting can take place. The information requests for 2014/2015 have been amended to be in line with this new method.

Figure 1

FOI and EIR Requests	2014/15			2015/16		
	Completed	In Time		Completed	In Time	
Apr	217	181	83%	164	141	86%
May	160	129	81%	157	137	87%
Jun	145	108	74%	165	140	85%
Jul	209	168	80%	163	137	84%
Aug	205	165	80%	156	125	80%
Sep	177	149	84%	195	135	69%
Oct	196	173	88%	170	145	85%
Nov	192	186	97%	189	157	83%
Dec	149	149	100%	139	121	87%
Jan	146	137	94%	139	132	95%
Feb	185	174	94%	149	140	94%
Mar	202	193	96%	158	141	89%
Total	2183	1912	88%	1944	1651	85%

Figure 2

FOI & EIR Requests Closed	2014/15			2015/16			Change in Volume	
	Completed	In Time		Requests	In Time			
*Adults Services	494	469	95%	163	138	85%	-68	-14%
*Children's Services				263	227	86%		
Communities Localities and Culture	536	486	91%	489	426	87%	-47	-9%
Development and Renewal	343	309	90%	326	264	81%	-17	-5%
Law Probity and Governance	210	128	61%	184	134	73%	-26	-12%
Resources	469	414	88%	392	359	92%	-77	-16%
Tower Hamlets Homes	131	103	79%	127	103	81%	-4	-3%
	2183	1909	87%	1944	1651	85%	-239	-11%

3.7 The number of information requests decreased by 11% in 2015/2016 back to a similar level to that of 2013/2014.

3.8 Performance in responding to requests within the 20 working day statutory deadline regrettably feel increased from 87% to 85% in 2015/2016. This is attributed to staff across the Council adapting to the new software. Monitoring measures have been introduced to improve performance which appears to be effective.

3.9 Internal Review

Figure 3

FOI & EIR Reviews (Complaints)	2014/2015			2015/2016		
	Requests	Reviews	Escalation Rate	Requests	Reviews	Escalation Rate
Number Completed	2183	67	3.1%	1944	60	3.1%
% Completed in Time		90%			78%	
Number Upheld / Partly Upheld At Reviews		33			14	

3.10 On receipt of a response to an FOI or EIR request, an applicant may ask for an internal review (complaint) if they are dissatisfied with the response provided. Looking at the table above, Figure 3, the escalation rate has remained the same as last year. While it is disappointing to note the fall in response performance time, fewer cases were upheld or partially upheld which is an indication that information requests were being correctly responded to in the first instance. Out of the total 1944 requests received during 2015/2016, 60 (or 3.1%) were taken to internal review. This escalation rate is considered to be low. There were 14 cases (23.3% of those taken to review) in which the applicant’s complaint was upheld in whole or in part following an internal review. Set out below is a summary of the upheld cases.

3.11 Of the 14 cases that were upheld, further information was made available following Internal Review on 12 occasions.

3.12 Some of the information released after review related to registers of Members’ interests; houses of multiple occupation; management of estate parking spaces; funding allocation for Arts; Right to Buy offer prices; and treasury management advice contracts.

3.13 On two cases, a further explanation of the reasons for refusal including the application of the public interest test was provided.

3.14 Complaints to the Information Commissioner

The Information Commissioner issued three decision notices concerning the Council in 2015/2016. The summaries from the ICO website are reproduced below, one of which was upheld with regard to the data published.

3.15 **Case ref FS50570743:** The complainant requested information relating to the Financial Viability Assessment for the Bishopsgate Goodsynd. The Commissioner’s decision is that the Council correctly applied regulation 12(5)(e) of Environmental Information Regulations as the information is commercially sensitive and the balance of the public interest on this occasion is best met in withholding the information.

3.16 **Case ref: FER0572743:** The complainant has requested Highways information relating to the adopted status and repair of local roads. The Commissioner’s decision is that the Council is entitled to rely on regulation 6(1)(e) of Environmental Information Regulations. The information is publically available and accessible by other means.

3.17 **Case ref FS0562053:** The complainant has requested from information relating to the Development Agreement for Blackwall Reach. The Council disclosed some information but refused to release other information citing regulation 12(5)(e) of the EIR. The Commissioner's decision was that regulation 12(5)(e) does not apply to the remaining withheld information. The remaining data was disclosed.

4. SUBJECT ACCESS REQUESTS

4.1 The Data Protection Act 1998 (DPA) governs the collection, storage, and processing of personal data, in both manual and electronic forms. It is regulated by the Information Commissioners Office (www.ico.gov.uk). It requires those who hold personal data on individuals to be open about how the information is used, and requires the Council to process data in accordance with the principles of the Act. Individuals have the right to find out what personal data is held about them, and what use is being made of that information. These 'Subject Access Requests' should be processed by the Council within a period of 40 calendar days. Details of the requests received in 2015/2016 are set out in Figures 4 and 5.

Figure 4

Subject Access Requests	2014/15			2015/16		
	Completed	In Time		Completed	In Time	
Apr	15	6	50%	21	21	100%
May	15	5	36%	13	12	92%
Jun	16	6	50%	28	20	71%
Jul	14	10	83%	28	26	93%
Aug	17	13	93%	18	16	89%
Sep	31	28	97%	20	14	70%
Oct	18	15	100%	32	31	97%
Nov	18	17	100%	15	14	93%
Dec	39	31	86%	22	20	91%
Jan	16	12	86%	16	16	100%
Feb	13	7	78%	16	15	94%
Mar	24	13	68%	17	16	94%
Total	236	163	80%	246	221	90%

Figure 5

Subject Access Requests Closed	2014/15			2015/16		
	Completed	In Time		Requests	In Time	
*Adults Services	88	70	80%	47	37	79%
*Children's Services				62	55	89%
Communities Localities and Culture	34	32	94%	25	24	96%
Development and Renewal	32	30	94%	16	15	94%
Law Probity and Governance	10	8	80%	16	16	100%
Resources	62	52	84%	51	48	94%
Tower Hamlets Homes	9	7	78%	29	26	90%
	235	199	85%	246	221	90%

*Adults Services and Children's Services were combined as ESCW in 2014/15

4.2 Requests for personal information held by the Council rose by 5% in 2015/2016 with response times improving to 90%. Some of this performance improvement can be attributed to the use of the new software iCasework and officers now using Adobe Professional to carry out redactions.

4.3 Requests for personal identifiable information are collated by the relevant service area and assessed under the Data Protection Act criteria. The Corporate Complaints and Information team advise on preparation of files for release, and

ensure that appropriate action is taken to safeguard data pertaining to other people and ensure that third party data redacted.

4.4 Some of the files held can be large with significant amounts of data provided by third parties (e.g. medical reports) and / or relating to other people (e.g. family members / neighbours). In order for there to be a prompt response to all requests, consideration must be given to the resources required in each directorate or service area to meet the changing demand.

4.5 **Complaints to the Information Commissioner on Data Protection Subject Access provisions**

4.6 These matters are not published, so reference numbers are not given in this report. Three such complaints were considered by the ICO

4.7 One complainant believed that the Council had not provided all the data held in relation to him. After investigation the Commissioner determined that in all likelihood the Council had provided all the data held and this complaint was not upheld.

4.8 Two other Subject Access Request complaints were upheld due to the delay in providing the response.

4.9 **Information requests and Subject Access Requests by Service Area**

4.10 Adults Services and Children's Services Directorates

4.11 The Directorate previously known as Education, Social Care and Wellbeing (ESCW) was divided into two separate directorates now known as the Children's Service Directorate and the Adults Services Directorate. This coupled with the new iCasework system has meant that there has been a number of changes during 2015/16, especially with respect to FOI requests. Although the volume of FOI requests has decreased compared to the previous year, the directorate changes coupled with the loss of key members of FOI staff, and a lengthy recruitment process, has affected the overall FOI performance for the year. However the structural changes made as part of the Information Governance team restructure is now showing the intended benefits, which saw more resources being allocated to Subject Access Requests (SAR). Although the number of SARs increased by nearly a quarter compared to the previous year, the overall performance also increased. We expect that the performance will continue to improve for both FOIs and SARs as the changes and new systems are imbedded into our normal practice.

4.12 Resources

4.13 FOI: FOI requests considered by Resources remained at a fairly constant level, with 409 in 2014/15, to 392 in 2015/16. Performance improved from 84% completed in time to 92%, well within the corporate target.

4.14 Subject Access Requests again were at a constant rate with 49 in 2014/15 and 51 in 2015/16. Performance increased from 83% in time to 94%

4.15 Communities, Localities and Culture

4.16 Due to the variety of services delivered by the Directorate, CLC continues to receive the highest number of FOI requests. Responses provided on time continue to exceed corporate performance. FOI requests that CLC received decreased by 9% (47) in 2015/16 compared to the previous year. This decrease is in line with the Council-wide decrease in FOI requests.

4.17 Development and Renewal

4.18 In terms of numbers received the numbers were not significantly different from 14/15 to 15/16. However, there was a 9% drop in performance this may have been due to loss of an experienced member of staff in Business Support team at the end of 15/16.

4.19 Other than the introduction of iCasework in July 2015, in the later part of 15/16 (Jan/Feb/Mar) there were a number of staff shortages and changes in the Business Support team and the wider directorate (mainly Planning & Building Control) which meant there were less officers to process and respond to requests/complaints. We have worked on clearing the backlog that built up and to ensure that performance keeps on track, we have increased communications with service heads and teams across the services, working more collaboratively in highlighting responsibilities around iCasework. Clarity on processes and training provided, as a result of colleagues being more proactive in taking responsibility in responding to queries. We have recruited to vacant posts and staff are in the process of receiving training to increase better understanding of the system.

4.20 Law, Probity and Governance

4.21 There was a reduction of number of FOIs by 12% from 2014/15 to 2015/16. While the change in volume is not significant enough to infer any trends from, this should be monitored to see if the drop in FOIs continue.

There has been an improvement in the number of FOIs completed in time which was 61% in 2014/15 to 73% closed in time for 2015/16, however this is still not at an acceptable level.

4.22 The number of subject access request had increased from 6 in 2014/15 to 16 in 2015/16. There was an improvement in performance on the SARs closed in time from 50% in 2014/15 to 100% in 2015/16, despite the increase in volume.

5. CORPORATE COMPLAINT STATISTICS AND ANALYSIS

5.1. The Corporate Complaints Procedure

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

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

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

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

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

5.6. Volume of complaints

5.7. Figure 5 provides summary information about the total number of complaints received by the Council in 2015/2016. Overall, the number of complaints was significantly higher, the overall volume increased by 25%. Although the closed in time rate has fallen it should be considered that the volume responded to in time has increased. For example 2603 Stage 1 complaints were closed in time in 2014/15 and 3103 were completed in 2015/2016. This increase of 500 stage 1 complaints closed in time is 19% more. This increase in volume of complaints can be attributed to the new system better capturing feedback and should not be viewed necessarily in a negative light.

5.8. Tower Hamlets population grew to an estimated 295,200 in June 2015 based on the latest figures available. The rate of complaints has increased from 10.2 complaints per 1,000 population in 2014/2015 to 13.1 per 1,000 in 2015/2016.

5.9. The 2015/16 Annual Residents Survey was completed in June 2015 with 71% of residents being very/fairly satisfied with the way the Council run things. This represents a 6% increase on the previous year.

Figure 6

Volume of Corporate Complaints and Performance	2014/15			2015/16			Variance in Volumes	
	Answered	Closed in Time		Answered	Closed in Time			
Stage 1	2925	2603	89%	3879	3103	80%	954	33%
Stage 2	476	414	87%	394	295	75%	-82	-17%
Stage 3	163	134	82%	191	144	75%	28	17%
Totals	3564	3151	88%	4464	3542	79%	900	25%

5.10. Figure 7 provides a breakdown of Complaints by each directorate and stage with the variance for each stage.

Figure 7

Volumes of Complaints by Directorate and Stage	Stage 1			Stage 2			Stage 3		
	2014/15	2015/16	Variance	2014/15	2015/16	Variance	2014/15	2015/16	Variance
*Adults Services	50	6	42	6	1	-4	3	0	-2
*Children's Services		36			1			1	
Communities Localities and Culture	1170	1548	378	172	154	-18	49	62	13
Development and Renewal	239	253	14	71	48	-23	35	24	-11
Law Probity and Governance	47	41	-6	11	4	-7	5	1	-4
Resources	366	364	-2	36	29	-7	13	9	-4
Tower Hamlets Homes	1053	1622	569	180	157	-23	58	94	36
Non-Council Issues		9	9			0			0
Totals	2925	3879	954	476	394	-82	163	191	28

*Adults Services and Children's Services were combined as ESCW in 2014/15

Figure 8 shows the escalation rates through the stages of the complaints process. Overall, 10% of Stage 1 complaints were escalated to Stage 2 of the complaints process which is a 6% reduction from escalation rate in the previous year. This demonstrates that the greater proportion of complaints are being resolved at the first stage, which is what the Council would hope to achieve with its complaints handling. Escalation rates for Stage 1 complaints to Stage 3 remain approximately the same as last year.

Figure 8

Escalation Rates by Directorate 2015/16						
Directorate	Stage 1	Stage 2		Stage 3	Stage 3	
		Stage 2	Escalated from Stage 1		Escalated from Stage 2	Escalated from Stage 1
*Adults Services	6	1	17%	0	0%	0%
*Children's Services	36	1	3%	1	100%	3%
Communities Localities and Culture	1548	154	10%	62	40%	4%
Development and Renewal	253	48	19%	24	50%	9%
Law Probity and Governance	41	4	10%	1	25%	2%
Resources	364	29	8%	9	31%	2%
Tower Hamlets Homes	1622	157	10%	94	60%	6%
Non-Council Issues	9	N/A	N/A	N/A	N/A	N/A
Totals	3879	394	10%	191	48%	5%

5.11. Figure 9 shows the rate at which complaints are upheld at Stage 1 of the process and the percentage completed on time.

5.12. During 2015/2016, response times for Stage 1 complaints fell from 89% to 80% completed on time. The figure of 80% is below the corporate target of 87%. However, the volume increased by 33% and the amount of responses in time increased by 500 (or 19%) with the same amount of resources.

Figure 9

Resolutions by Directorate 2015/2016 - Stage 1	Answered	Upheld / Partly Upheld		Not Upheld	Resolved upon receipt	Withdrawn or Referred On	Closed In Time	
Adults Services	6	3	50%	3	0	0	0	0%
Children's Services	36	10	28%	18	2	6	21	58%
Communities Localities and Culture	1548	567	37%	882	21	78	1441	93%
Development and Renewal	253	74	29%	152	0	27	182	72%
Law Probity and Governance	41	13	32%	17	5	6	29	71%
Resources	364	151	41%	197	3	13	332	91%
Tower Hamlets Homes	1622	594	37%	952	22	54	1089	67%
Non-Council Issues	9	N/A	N/A	N/A	N/A	9	9	100%
Totals	3879	1412	36%	2221	53	193	3103	80%

5.13. Figure 10 shows the rate at which complaints are upheld at Stage 2 of the process and the percentage completed on time. During 2015/2016, response times for Stage 2 have fallen from 87% to 75%, against a corporate target of 87% completed in time. Despite the volume of complaints at Stage 2 decreasing by 17% performance has fallen for the second year. The nature of investigation, complexity and issues raised will vary across the services the Council provides. Following the bedding in of the new software, performance should improve.

Figure 10

Resolutions by Directorate 2015/2016 - Stage 2	Answered	Upheld / Partly Upheld		Not Upheld	Resolved upon receipt	Withdrawn or Referred On	Closed In Time	
Adults Services	1	0	0%	1		0	0	0%
Childrens Services	1	1	100%	0		0	1	100%
Communities Localities and Culture	154	36	23%	111		7	140	91%
Development and Renewal	48	6	13%	38		4	34	71%
Law Probity and Governance	4	1	25%	2		1	3	75%
Resources	29	4	14%	23		2	27	93%
Tower Hamlets Homes	157	82	52%	69		6	90	57%
Totals	394	130	33%	244		20	295	75%

5.14. Figure 11 shows the rate at which complaints are upheld at Stage 3 of the process and the percentage completed on time. During 2015/2016, response times for Stage 3 complaints have fallen from 84% to 75%. This falls below the corporate target of 87% completed in time. It is noteworthy, however that there was an increase of 17% in the volume of Stage 3 complaints following a 44% increase the year before. Steps are being taken to address the delays and improve performance.

The introduction of the new system has impacted on officer's time in the complaints and information team as they have had to provide support to officers using the system across the Council. Now that the system has become more familiar it is hoped officers in the central team will have more time to complete Stage 3 investigations promptly.

Figure 11

Resolutions by Directorate 2015/2016 - Stage 3	Answered	Upheld / Partly Upheld		Not Upheld	Resolved upon receipt	Withdrawn or Referred On	Closed In Time	
Adults Services	0	0	-	0		0	0	-
Childrens Services	1	1	100%	0		0	1	100%
Communities Localities and Culture	62	23	37%	39		1	50	81%
Development and Renewal	24	7	29%	17		0	15	63%
Law Probity and Governance	1	0	0%	1		0	1	100%
Resources	9	1	11%	7		1	6	67%
Tower Hamlets Homes	94	57	61%	37		2	71	76%
Totals	191	89	47%	101	0	4	144	75%

5.15. Corporate Complaints by Service Area

5.16. Set out in Appendix 1 are charts providing a breakdown of the Stage 1 Corporate complaints in each directorate by reference to service area. Commentary on the significant issues for each directorate is set out below.

5.17. Adult Services and Children's Services

5.18. Adult Services and Children's Services came under a single directorate of Education, Social Care and Wellbeing (ESCW) last year. Following a reorganisation the two are now separated, however this has resulted in some difficulty in reporting comparisons in this report.

5.19. The volume of corporate complaints in each of these directorates is low and activity under the statutory complaints procedures is reported in sections 6 and 7.

5.20. Law, Probity and Governance (LPG)

5.21. Volume of Complaints

- There was a decrease in the number of Stage 1 complaints from 47 in 2014/15 to 41 in 2015/16.
- There was a decrease in the number of Stage 2s by 7. In 2014/15 there was 11 and in 2015/16 there was 4. It can be translated that less were escalated to Stage 2 complaints.
- There was a decrease in Stage 3 complaints. 5 in 2014/15 and 1 in 2015/16. Again there is a down ward trend. LPG receive the lowest number of complaints in comparison to other Directorates.

5.22. Escalation Rates

- In 2015/16 10% of Stage 1 complaints escalated to Stage 2.

- There was a 2% escalation to Stage 3, one complaint. This was not upheld, and closed in time.

5.23. Communities Localities and Culture (CLC)

5.24. While the overall volume of complaints received by CLC has increased by 32%, the percentage of complaints upheld or partially upheld has remained steady for Stage 1 (2014/15: 36%; 2015/16: 37%) while the percentages upheld or partially upheld at Stage 2 and Stage 3 have dropped from 44% to 23% and from 45% to 37% respectively. The increase in volume as well as the percentages upheld or partially upheld are in line with performance of the Council overall.

5.25. There has been a reduction in percentage terms as well as in real terms in the number of complaints escalated to Stage 2 of the complaints process. In the context of a substantial increase in the number of complaints received, this indicates an improvement in the quality of responses at Stage 1 and achieving greater levels of resolution early on.

5.26. CLC continues to perform highly in relation to completing complaint responses on time. On time performance has remained at comparable percentage levels to last year, while in real terms (due to the overall increase in complaints received following the introduction of iCasework) the number of complaints responded to on time has risen. CLC performance significantly exceeds corporate performance across all stages of the complaints process.

5.27. Due to changes in categorisation and the introduction of the new complaints handling systems, year on year comparisons are not available for specific services. It should also be noted in the context of overall service volumes, the number of complaints remains comparatively low. Whilst services will take every opportunity to learn from complaints, given numbers are relatively low (e.g. 445 complaints about recycling and waste collections in the context of more than 11m collections per annum) complaints cannot be used in isolation to draw strategic conclusions about service provision or performance.

5.28. Development and Renewal (D&R)

5.29. The overall volume of complaints in D&R has stayed broadly the same when compared to last year. However, this masks changes to the volume of complaints received in particular services. In terms of numbers received etc the numbers were not significantly different from 14/15 to 15/16. There was however an improvement in terms of the amount of complaints that escalated to S2 which was 11% less. Of those that did get escalated to S2, 1% more were escalated to S3 in 15/16 than in 14/15.

5.30. The majority of complaints are received by the Housing Options Service due to the increasing Housing crisis in Tower Hamlets and London as a whole.

5.31. Resources

5.32. In 2015/16 the complaints for Council Tax and Business Rates at stage 1 accounted for 157 of the total 364 complaints received. Benefits received 99 complaints, 13 fewer than the previous year. The Customer Contact Centre received 51 complaints (2 more than last year) and One Stop Shops received 31 complaints, 5 fewer than the last year. The profile of services in Resources is a mix of back office and customer facing services. Most of the complaints received by Resources are concentrated on the frontline facing services. This bias is expected due to the customer facing nature of these services. Therefore there would normally be a higher proportion of these services receiving complaints. As can be seen from the earlier tables, only 29 complaints (or 8%) were escalated to stage 2, of which 14 % were upheld. Only 1 of the 9 taken to the third stage was upheld. Therefore the upheld rate of 41% of stage 1 complaints indicates that there is effective management of complaints at stage 1, thus preventing escalation

5.33. Tower Hamlets Homes (THH)

5.34. Of the 1721 complaints received, 505 complaints were dealt with as Getting It Sorted cases and were resolved quickly within 5 work days.

5.35. There were 24 more Stage 3 complaints in 2015/16 compared to 2014/15. Complaints escalated mainly related to Decent Homes, Repairs Mechanical & Electrical and Responsive Repairs. Escalation mainly occurred due to promises not being kept and the time taken to complete Decent Homes works.

5.36. This reflects the fact that the majority of transactions dealt with by THH relate to this service area and to place the level of complaints with in context it is of note that in 15/16 the repairs call centre dealt with 94,000 calls and raised 56,655 repair orders.

5.37. The implementation of the new software in July 2015 impacted upon our ability to respond swiftly to complaints and members enquiries, whilst we got to grips with the new system.

Rectifying performance was one of the first areas to be prioritised by the new CEO. Measures that have been put in place include:

- Heads of Service & Director sign off to drive up the quality of responses
- Increased monitoring, auditing and reporting of performance.
- work on a revised procedure – simplifying process and emphasising resolving the cause of complaint and communicating with the customer
- more proactive communication on serious service failures (e.g. loss of communal heating) to minimise need for residents to contact us
- 'blitz days' to clear overdue cases

5.38. Root cause of complaints

The reason why residents mainly complained was due to the delays to provide (268) or deliver a service (203), followed by poor communication (184) and poor quality of work (165). This data is from iCasework and therefore relates to the period July 2015 – 31 March 2016.

5.39. Actions to improve THH service

- Reviewed van stock to ensure less delays in obtaining parts
- A new 'Appoint System' will allow THH staff to see what time slots are available from the contractor. This will reduce the number of missed appointments, prevent the appointment being rescheduled due to operatives not being available and allow the contractor to complete the works first time.
- Mears supervisors are contacting residents after works have been completed (whilst the contractor is on site) to confirm the resident is happy with the works completed. Residents are also being kept informed on the progress of jobs to minimise complaints and call backs.
- Decent Homes have introduced a new suite of KPI's which includes tracking performance and communication issues. This allows us to monitor performance in real-time through our monthly project meetings with each contractor and also to implement improvement plans to bring contractors who are performing poorly back on track.
- Our contractors now send regular newsletters to residents where we are carrying out works on blocks to advise of the works that are to be carried out and keeping them up to date with any changes.
- We have also introduced local communication plans for Neighbourhoods or individual blocks, where we recognise that certain blocks might need a more tailored approach to consultation.
- We know we have outstanding Decent Homes works. We will do less works in 2016/17, so that we will be able to finish works that were started the previous year. We have
 - Divided work geographically into three delivery areas.
 - Increased contractor efficiency and drive value for money.
 - Will manage work locally at neighbourhood level.
 - Increased THH programme management efficiency.
 -
- Manage residents expectations by producing more publicity around rights and responsibilities
- Tackled poor performance of operatives, where poor quality of work identified from resident feedback
- Appointments slots for the Gas trades have been amended to allow operatives enough time to complete the works required.

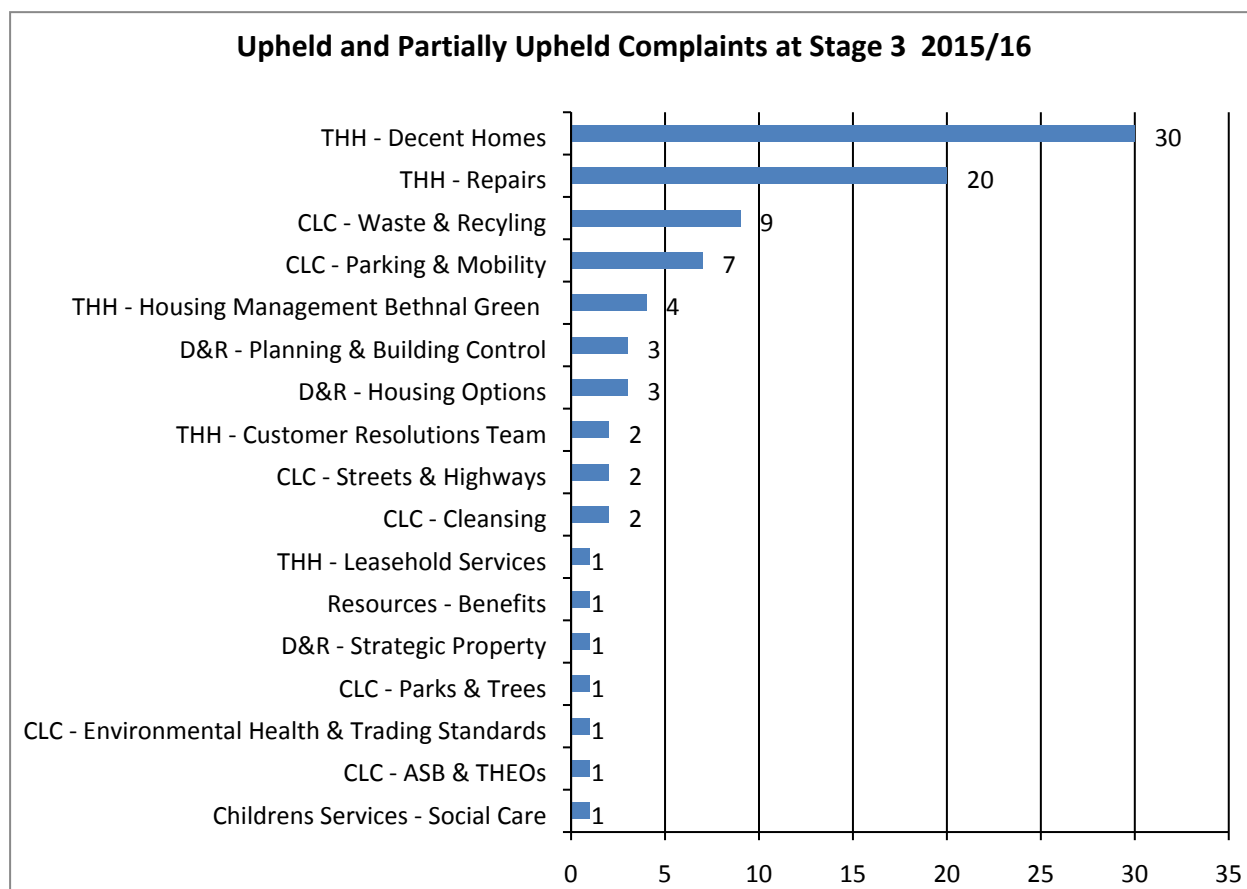
5.40. Stage 3 complaints

5.41. The rate at which complaints were upheld or partially upheld at Stage 3 was higher in 2015/16 at 47% than in 2014/15 at 23%, however it is similar to the 2013/14 rate of 43%.

5.42. Stage 3 is an important review, as the last internal stage before the Local Government Ombudsman or Housing Ombudsman.

5.43. Figure 12 provide information about the areas in which complaints were upheld.

Figure 12



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

Figure 13

	Number of Stage 3 cases warranting compensation	Total value of Compensation
2015/16	21	£10,142
2014/15	23	£8,186
2013/14	12	£3,385

5.45. Summary of Key Issues in upheld Stage 3 complaints

Communities, Localities and Culture

- 5.46.** There were 23 complaints for the Communities, Localities and Culture Directorate which were upheld. 5 related to domestic refuse and missed collection, 3 related to recycling, 2 related to Street Care and 13 for public services.
- 5.47.** One complaint concerned a pest control problem. £330 compensation was offered to cover complainant's cost of using private pest control and to cover cost of food that was contaminated.
- 5.48.** One complaint about an abandoned vehicle and the general condition of the street. The service apologised and remedial action was explained.
- 5.49.** Three complaints relating to applying for resident parking permits in a car free zone. One complainant was awarded parking permit as no car free agreement was in place.
- 5.50.** Two were complaints due to delay processing personalised disabled bay application or the process for removal of such bays. A bay was re-instated and £100 compensation awarded in one complaint. In the other a general disabled bay will be re-instated once works in the area are completed. Alternative parking arrangements were made in the short term.
- 5.51.** Three complaints about non collection of recycling waste. Apologies were given and increased monitoring of the site.
- 5.52.** Five complaints about missed collection of domestic waste. Apologies were given and a Veolia supervisor is monitoring the site.
- 5.53.** One complaint that the Council owns an area of land and is therefore responsible for repairs to the pavement. The service apologised for misinformation and acknowledged the Council is responsible.
- 5.54.** One complaint that the resident was entitled to a free bulk collection. Resident was found to be eligible for free bulk collection and was reimbursed £140.
- 5.55.** One complaint regarding planning permission needing to be obtained to carry out works on the trees. It was established permission was needed but apologies were given for not answering complaint in full at an earlier stage.

Development and Renewal

- 5.56.** There were 7 complaints upheld in Development and Renewal Directorate. 3 related to Housing Options, 3 related to Planning and Building Control and 1 Strategic Property.
- 5.57.** One complaint in relation to an address not appearing properly on Royal Mail Postcode Finder. There was delay, mostly due to lack of cooperation from the leaseholder (not the resident) provisional addresses were added to the Land and Property Gazetteer Database.

- 5.58.** Two complaints were about statutory nuisance coming from plant built illegally. No enforcement will be taken about the noise nuisance as steps were taken to reduce the noise. Apologised for the delay in responding to initial complaint.
- 5.59.** One complaint about the lack of transparency in the lettings bidding system for ground floor properties. Bidding system was explained and additional text will be added to individual applications for clarity.

Tower Hamlets Homes

- 5.60.** 57 Complaints were upheld/partly upheld. 30 of the complaints relate to Decent Homes Work, 17 relate to Repairs and General Build, 3 relate to Repairs Mechanical and Technical, 2 relate to the Customer Resolutions Team, 1 relates to Leasehold Services and 4 relate to Housing Management.
- 5.61.** £2310 compensation has been offered for Decent Homes complaints that were dealt with on iCasework (since July 2015). This compensation is mainly for inconvenience and stress caused as a result of defect Decent Homes works and delays in carrying out works.
- 5.62.** Reimbursement of food costs was a resolution on 2 occasions; one complaint was that workers left the fridge unplugged.
- 5.63.** Reimbursement for increased energy bills due to light being restricted by scaffolding was a proposed resolution to a complaint.
- 5.64.** In one complaint £3286.72 was offered in compensation for loss of amenities. This falls under Repairs Mechanical and Electrical.
- 5.65.** A total of £2250 was offered in compensation for complaints that were logged on iCasework for Repairs General Build.
- 5.66.** The largest compensation for Repairs General Build was £1000 due to outstanding works to roof.
- 5.67.** £600 compensation was offered due to outstanding repairs to property.
- 5.68.** In one complaint £200 compensation was offered due to a fault with immersion heater.
- 5.69.** 2 Housing Management complaints were in Stepney and £2000 Compensation was offered. £1000 for costs incurred and failure to communicate. £1000 was offered due to a bathroom being unusable for 10 months.

5.70. Complaints service user profiles

5.71. The complaints service can be accessed by email, in person, phone, post, and web-form. A breakdown of access methods is provided in Figure 14 below.

Figure 14

Breakdown of Stage 1 how complaints are received				
How Received	2014/15		2015/16	
Email	1317	45%	1796	46%
Web / Self Service	408	14%	839	22%
Post	195	7%	170	4%
Phone	995	34%	1054	27%
In Person	10	0%	20	1%
Total Complaints	2925		3879	

5.72. Web usage and email increased significantly and this has been driven by the new software with its web form and the team sending this link to callers who wish to submit details on-line. Phone contact remains a significant part of the service.

5.73. The Council tries to collect equalities data to follow trends and analyse the impact of services on sectors of the community. Collection rates vary despite the option to submit data on the complaint web-form, the percentage known is not high enough to allow meaningful analysis for some strands (e.g. religion and sexual orientation).

5.74. The level of non-response presents challenges in terms of equality analysis. For example, Figure 15 sets out a breakdown of complaints by reference to ethnicity. It is thought that overall the volume of complaints does not vary significantly from the projected Borough population. However, the volume of complaints for which ethnicity is not known still has the potential to mask the true position, given that ethnicity data is only available for only 26% of complainants, this dataset is not robust enough to allow any conclusions to be drawn from it.

Figure 15

Stage 1 Complaints by Ethnicity	2014/15		Borough Projection	2015/16	
Asian	490	16.8%	41%	307	8.1%
Black	69	2.4%	7%	67	1.8%
Mixed /Dual Heritage	14	0.5%	4%	197	5.2%
Other	10	0.3%	2%	17	0.4%
White	465	15.9%	45%	409	10.8%
Sub Total	1048	35.8%		997	26.3%
Prefer Not to Say	172	5.9%		452	11.9%
Not Known	1705	58.3%		2340	61.8%
Total Stage 1 Complaints	2925			3789	

5.75. The one area in which there is complete data is in relation to gender. The data is summarised in Figure 16 and show that men are somewhat over-represented compared to the expected population position. It is noticeable that the proportion of male complainants taking matters through to the final stages of the Complaints Procedure is greater than for women. This is the case year after year. It may be difficult to identify the underlying causes for the identified disparity, but consideration can be given to this in the current year.

Figure 16

Stage 1 Complaints by Gender	2014/15		Borough Projection	2015/16	
	Count	Percentage		Count	Percentage
Female	1374	46.6%	48%	1061	27.4%
Male	1532	53.0%	52%	1188	30.6%
Sub Total	2906	99.4%		2249	58.0%
Prefer Not to Say	0	0.0%		346	8.9%
Not Known	19	0.6%		1284	33.1%
Total Stage 1 Complaints	2925			3879	

6 ADULTS SOCIAL CARE COMPLAINTS

6.1 Procedure, volumes and timeliness

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

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

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

6.4 Some matters will always be raised directly with the service and resolved without recourse to a formal complaint procedure. In order to capture important data from these interactions, we have produced a pro forma for services to hold in their records. A summary of the Locally Resolved concerns is provided below in figure 17. These figures also include concerns made to commissioned providers that require investigation or action to be taken by a Council service. It appears that the locally resolved concerns may address different issues to those raise through the statutory process.

Figure 17

Locally Resolved Concerns	2014 / 2015	2015 / 2016*	Upheld (or partially upheld)
Access to services	0	0	0
Challenge decision	7	3	2
Conduct/competence	6	4	3
Policy/procedure	0	0	0
Records/information held	0	0	0
Service delay/failure	8	12	11
Service quality	20	5	1
Other	7	3	2
Total	48	27*	19

6.5 The figures for 2015/2016 have a gap where records for the third quarter are not held, and are likely (if estimated against the other quarters) to be up to 10 records short.

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

6.7 Figure 18 below compares the year on year volumes, showing no change.

Figure 18

Volume of Adult Social Care Complaints				
	2014/15	2015/16	Variance	
Total Complaints	52	52	4	8%

Figure 19

Adults Social Care Complaints by Service	Total	Upheld & Partly upheld	
Delivery Transformation & Independence	4	0	0%
Vulnerable Adults	3	0	0%
Access to Resources	1	1	100%
Commissioning Services	7	5	71%
Hospital and Community Integrated Services	7	3	43%
Learning Disability	5	3	60%
Mental Health Older People	1	0	0%
Occupational Therapy	1	0	0%
Personalisation Resources & Review	23	16	70%
Total	52	28	54%

6.8 Figure 19 above shows the breakdown by service.

6.9 The Complaints Procedure does not specify timescales for completion, as these are agreed at the outset of each case. In order to provide monitoring information we are capturing data of complaints closed within 10 working days, 20 working days and those over this. 30 (54%) of the complaints were completed within 20 working days. This is a drop against last year’s performance.

Figure 20

Adults Social Care Stage 1 Complaints - By Performance								
Complaints Answered	Totals	Answered within 10 working days		Answered within 20 working days		Answered over 20 working days	Average Days to Complete	
2014/15	52	15	29%	33	63%	19	37%	21
2015/16	52	23	44%	31	60%	21	40%	29

6.10 Figure 20 also demonstrates that the average number of working days to complete has increased from 21 to 29.

6.11 Access and Profiles

- 6.12** The method of how people are making complaints has changed slightly, but as the numbers involved are relatively small it is difficult to draw any conclusions on this.
- 6.13 Summary of key issues in upheld cases**
- 6.14** Two concerned delay in assessment and communication regarding assessment.
- 6.15** One complaint concerned a paid for telephone line and there were difficulties when the billing schedule changed.
- 6.16** There were two complaints about liaison with agency providers and communication with their staff.
- 6.17** Two cases were upheld in relation to delay in conducting a re-assessment due to changing needs and one of these was requesting respite care.
- 6.18** A further two concerned staff communication in relation to assessment.
- 6.19** A provider complained about delay in the setup of a direct payment while a service user was moving from a previous provider's service.

7 CHILDREN'S SOCIAL CARE COMPLAINTS

7.1 Procedures

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

7.3 The Children's Complaints Procedure has three stages –

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

7.4 Complaint volumes

7.5 The number of children's social care complaints rose in 2014/2015 as shown in Figure 22, there is no clear explanation for this.

Figure 22

Volume of Children's Social Care Complaints				
Year	2014/15	2015/16	Variance	
Stage 1	49	64	15	30%
Stage 2	3	8	5	160%
Review Panel	1	2	0	
Total Complaints	53	73	20	37%

7.6 Complaint Response Times

7.7 Figure 23 sets out the response times for Stage 1 complaints. It shows that 33% of Stage 1 complaints in Children’s Social Care were answered within the 10 working day time scale, and 50% completed in the extended time scale. This is a drop compared to last year, however it should be noted that was a 30% increase in complaints answered.

Figure 23

Children’s Social Care Stage 1 Complaints - By Performance						
Complaints Answered	Totals	Answered within 10 working days		Answered within 20 working days		Average Days to Complete
2014/15	49	21	43%	37	76%	11
2015/16	64	21	33%	32	50%	34

7.8 There were eight Stage 2 complaints this period with an average response time of 112 working days.

Figure 24

Children’s Social Care Stage 2 Complaints - By Performance						
Complaints Answered	Totals	Answered within 25 working days		Answered within 65 working days		Average Days to Complete
2014/15	3	0	0%	1	33%	81
2015/16	8	1	13%	0	0%	112

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

7.10 Two statutory stage 3 panels were held within the year. One was not upheld and one was in part upheld, finding, as the stage 2 investigation has also identified, that the shared care arrangements, where the child was placed with a parent, were protracted and allowed to drift.

7.11 Children’s Social Care no longer support full care orders where the child is placed with the parent(s) and procedures have now improved the level of scrutiny with tracking and monitoring taking place as part of the review process. The service sent a further specific letter of apology acknowledging the actions where they could have done better and is considering the use of mental health training for relevant staff.

7.12 Complaints by Service

7.13 The areas on which complaints have been recorded at each stage are set out in figures 25 and 26 below.

Figure 25

	Total	Upheld	
Assessment & Early Intervention	9	5	56%
Child Protection & Reviewing	5	4	80%
Children Specialist Services	5	2	40%
Children's Social Care	43	15	35%
Early Years Children	1	1	100%
Family Intervention	1		
Family Support & Protection	4	2	50%
Youth Offending	1		
Other	2	1	50%
Grand Total	72	30	

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

Figure 26

Stage 2 Children's Social Care Complaints by Section				
	2014/15		2015/16	
Child Looked After & Leaving Care	1	33%	2	24%
Child Protection and Reviewing	1	33%	1	12%
Fieldwork Services	1	33%	5	62%
TOTAL	3		8	

7.15 Summary of key issues in upheld complaints

7.16 There were eight complaints upheld.

7.17 3 complaints for Assessment and Early intervention were partially upheld due to delay in communicating decisions

7.18 In Child Protection and Reviewing on one occasions there was a delay in providing minutes of a meeting, and in another complaint it was acknowledge that a meeting was not attended by the relevant officer, thus causing a delay.

7.19 Another complaint concluded that insufficient information had been provided regarding a leaving care issue.

7.20 In a Children with Disabilities case there was some confusion and delay in providing effective support when the family moved to another borough.

7.21 One young person looked after complained that information was shared with a parent against their wishes.

7.22 On the stage 2 complaints,

- 7.23** One upheld concern was that a report for review meeting was not provided with sufficient time for the parent to prepare for the meeting and that a meeting was cancelled at the last minute, without notification. In this instance the parent was not informed (although they had indicated that they were not attending).
- 7.24** Another complex case found that there was a gap in provision after a young person left SEN provision to return to live with family, and was only later accepted as having 'relevant child' status and support plans were put in place.
- 7.25** One of the two stage 3 panels was upheld in part

It was found, as also reflected in the stage 2 investigation, that the shared care arrangements were protracted and allowed to drift. Children's Social Care no longer support full care orders where the child is placed with the parent(s) and procedures have now improved the level of scrutiny with tracking and monitoring taking place as part of the review process.

The service sent a further specific letter of apology acknowledging where actions could have better completed and recognise the need for relevant staff to complete mental health training where this is warranted by the case.

8 LOCAL GOVERNMENT OMBUDSMAN AND HOUSING OMBUDSMAN COMPLAINTS

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

8.2 In 2015/16 the LGO received 149 complaints, and compared to London Boroughs (with 1st as high volume) Tower Hamlets ranked 20th.

8.3 Figure 27 is a breakdown of complaints received from the LGO with their categories.

Figure 27

	LGO Complaints and Enquiries Received								
	Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services	Highways and Transport	Planning and development	Other	Total
2015/16	10	19	11	22	13	19	6	1	149
2014/15	12	15	7	13	6	29	37	0	128
2013/14	6	23	10	6	6	24	30		111

8.4 Complaints Closed by the Ombudsman

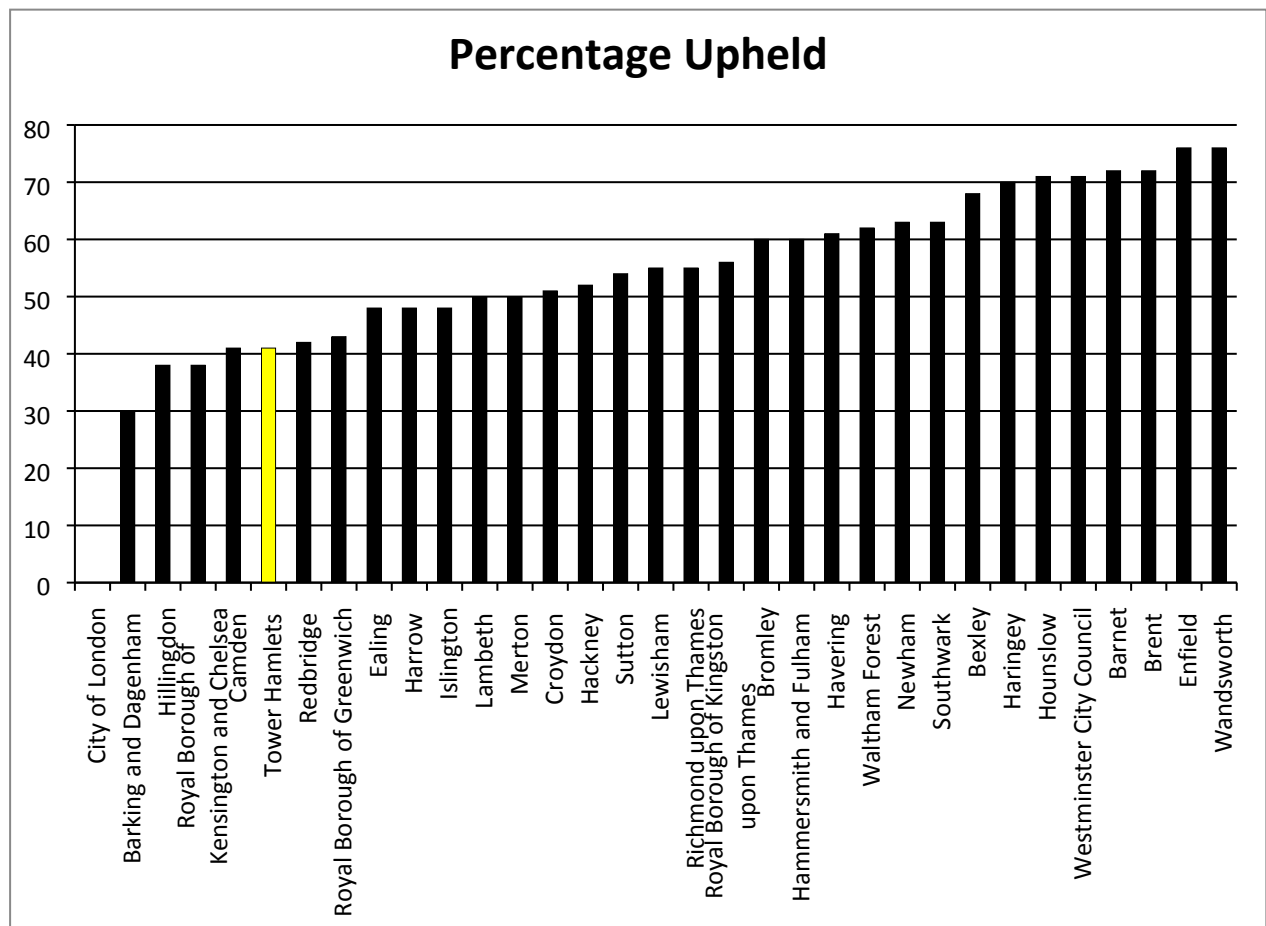
8.5 As can be seen in Figure 28, 153 complaints were determined. The LGO has changed the way complaints are recorded and focused on those where an investigation took place. These are then noted as upheld or not upheld. In nine of these 22 cases some element of the complaint was upheld and 13 were not upheld. Accounting for the majority of the other cases not investigated, and the rise in overall volume, 78 cases were referred back to the Council as premature. 35 cases were dismissed after preliminary enquiries with the Council or on the basis of the information provided by the complainant.

Figure 28

	LGO Decisions Made						
	Detailed investigation		Other				
	Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete /Invalid	Referred back for local resolution	Total
2015/16	9	13	11	35	7	78	153
2014/15	11	12	4	34	4	57	122
2013/14	10	3	11	40	3	51	118

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

Figure 29



8.7 Figure 29 shows that Tower Hamlets had 41% of those case investigated upheld, with the highest percentages for some other authorities reaching 70 and 80%. In 2014/15 Tower Hamlets ranked 13th lowest upheld and in 2015/16 Tower Hamlets was 6th lowest. Please note this will also include complaints where the Council had already recognised the issue and remedied it.

8.8 The overall volume of complaints considered varies across the boroughs. Tower Hamlets ranks 20 out of 33 for the fewest Ombudsman enquiries and complaints, as shown in figure 31 below.

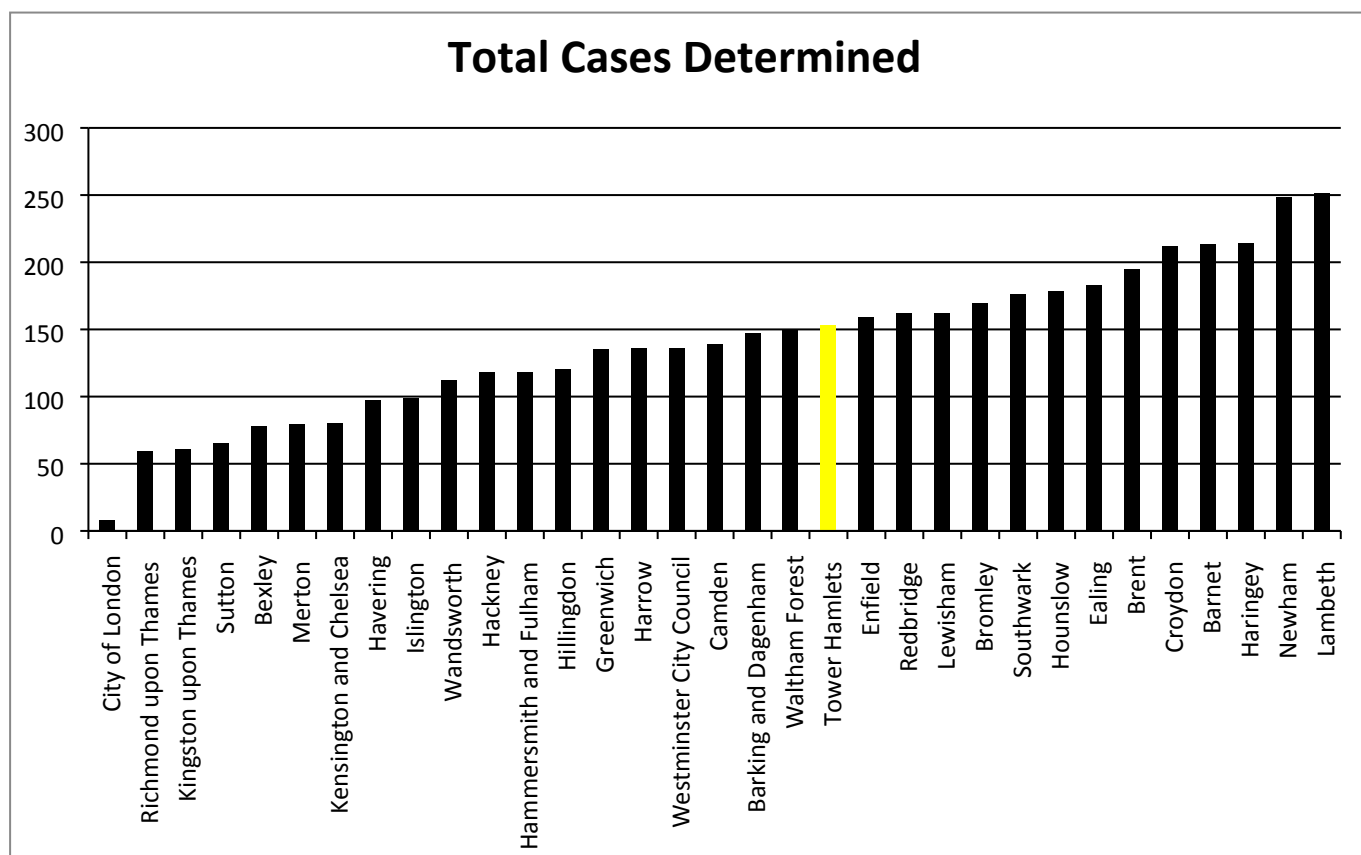


Figure 30

- 8.9 If the borough volumes are compared in relation to the number of the total complaints that were investigated (this figure is not shown), Tower Hamlets ranks 10th with only 22 progressed to investigation.
- 8.10 A report on the upheld Ombudsman complaints is appended, where details of the issues and action taken are set out.
- 8.11 The Housing Ombudsman considers most housing complaints, and in particular tenancy issues. The Housing Ombudsman’s Office do not classify complaint outcomes in the same way as the LGO, and prefer to seek local resolution in as many cases as possible.

Figure 31

Housing Ombudsman Outcomes	2014/15	2015/16	
	Volume	Volume	Variance
Advice Given	20	32	12
Locally Resolved / Suitable Redress	3	2	-1
No Maladministration	3	0	-3
Outside Jurisdiction	6	4	-2
Refereed back for local resolution	12	10	-2
Withdrawn / Ineligible /Other	3	3	-
Total	47	51	3

- 8.12 There were 3 Tower Hamlets cases determined by the Housing Ombudsman in 2015/2016 where a resolution or remedy was required. Summaries of these are also contained in Appendix C.

9 IMPROVEMENT AND DEVELOPMENT INITIATIVES

9.1 External relationships

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

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

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

9.5 Monitoring Complaints

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

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

9.8 Transformation Board

9.9 In the 2nd and 3rd quarters of 2016/17 the Transformation Board will be considering the current complaint processes and how to improve the customer experience and the Council's performance.

9.10 Publicity

9.11 The team ensures that complaints publicity is widely available to ensure effective access across the community. This includes linking with advocacy agencies and support groups to promote access. In addition the team measure knowledge within the local community of how to access the procedures to ensure the effectiveness of publicity.

9.12 The complaints procedures for Adults' and Children's Social Care place an increased emphasis on publicity in order to ensure that service users have a voice. The Complaints Team have a role in informing people of their right to complain and in empowering them to use the Complaints Procedure effectively. To this end the team is engaging with community groups to promote access and have joint publicity with NHS partners for social care, and working with the Children's Rights Officer.

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

9.14 Effective Learning Outcomes from Complaints

- 9.15** Effective complaints procedures can help the whole authority improve the delivery of services by highlighting where change is needed.
- 9.16** Where appropriate, lessons learnt from complaints are considered by the Corporate Management Team in quarterly monitoring reports.
- 9.17** The Complaints Team ensures that lessons learned from complaints are highlighted and fed back to improve service delivery. For example, complaints investigations have highlighted the need to review policy guidance, and the summaries of upheld cases are set out in this document. Lessons learned from complaint investigations are also fed back to staff in supervision to enable discussion about improvements, any additional training required and learning points.
- 9.18 Equalities**
- 9.19** Issues and concerns on equalities issues are explored on an individual case basis. Any equality issues raised as part of a complaint are also tracked to identify service issues and improvements.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

APPENDICES

Appendix A – Corporate Complaints by Directorate charts
Appendix B – Ombudsman’s Annual Letter
Appendix C – Upheld Ombudsman Complaints

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

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

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

- NONE

Officer contact details for documents:

- Ruth Dowden x4162

APPENDIX A – CORPORATE COMPLAINTS BY DIRECTORATE

Adults Services Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Building Development	1		0%
Contract Services	1	1	100%
Other Issues	4	2	50%

Children's Services Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Assessment & Early Intervention	1	1	100%
Attendance & Welfare	4	1	25%
Child Protection and Reviewing	2		0%
Children Specialist Services	2		0%
Education Psychology & SEN	5	2	40%
Family Support & Protection	1		0%
Primary Achievement & Early Years	6	1	17%
Pupil Admissions	4		0%
School Governance	1		0%
Support for Learning	1		0%
Other Issues	9	5	56%

Communities, Localities and Culture Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Arts & Events - Events and activities	35	7	20%
ASB & THEOs - ASB Investigations	27	7	26%
ASB & THEOs - Dog fouling / Stray Animals	3	1	33%
ASB & THEOs - THEOs	12	3	25%
Cleansing - Enforcement	6	2	33%
Cleansing - Fly tipping / flyposting	25	6	24%
Cleansing - General street cleansing	38	15	39%
Cleansing - Graffiti	2	0	0%
Cleansing - Other	10	3	30%
Community Safety & Domestic Violence & Hate Crime	1	0	0%
Environmental Health & Trading Standards - Housing safety and standards enforcement	12	4	33%
Environmental Health & Trading Standards - Investigations/inspections	2	0	0%
Environmental Health & Trading Standards - Licensing - Commercial	9	2	22%
Environmental Health & Trading Standards - Other	19	4	21%
Idea Store & Learning	7	5	71%
Markets	27	7	26%
Mobility - Disabled badge	11	4	36%
Mobility - Freedom Pass	6	2	33%
Mobility - Personalised Disabled Bay	11	1	9%
Noise nuisance enforcement and control	56	11	20%
Parking - Appeals	165	35	21%
Parking - Controlled parking zones	46	9	20%
Parking - Development	14	5	36%
Parking - Enforcement	89	2	2%
Parking - PCN Debt Recovery	71	12	17%
Parking - Permits	69	14	20%
Parking - Scratch cards	12	1	8%
Parking - Signs posts bays and lines	5	0	0%
Parking - Suspensions dispensations and skip licences	8	2	25%
Parks	23	6	26%
Passenger Transport	4	1	25%
Pest Control	22	12	55%
Recycling - Communal Dry	46	32	70%
Recycling - Door Step Dry	122	84	69%
Recycling - Food and Garden	49	33	67%
Sport & Physical Activities	8	2	25%
Streets & Highways - Cycle routes	3	0	0%
Streets & Highways - Enforcement	6	0	0%
Streets & Highways - Highways maintenance	37	9	24%
Streets & Highways - Other	48	6	13%
Streets & Highways - Road closures and diversions	12	2	17%
Streets & Highways - Street lighting	12	8	67%
Streets & Highways - Traffic calming and speed cameras	17	3	18%
Streets & Highways - Utilities companies	7	0	0%
Trees	15	5	33%

Waste - Bulk collection	66	49	74%
Waste - Clinical	4	3	75%
Waste - Commercial	11	7	64%
Waste - Contract	11	7	64%
Waste - Domestic Communal	61	36	59%
Waste - Domestic Door Step	167	98	59%

Development and Renewal Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Corporate Property & Capital Delivery	10	6	60%
Housing Options - All Other Housing Options Issues	117	24	21%
Housing Options - Application Not eligible	6	2	33%
Housing Options - Application Suspended	5	0	0%
Housing Options - Assessment Review	4	2	50%
Housing Options - Medical Assessment	6	2	33%
Housing Options - Offer Appeal	3	2	67%
Housing Options - Temporary Accommodation	15	7	47%
Housing Options - Time on Waiting List	12	2	17%
Planning & Building Control -	27	4	15%
Planning & Building Control - General	14	4	29%
Planning & Building Control - Planning Enforcement	18	11	61%
Resources - D&R	4	1	25%
Strategy Regeneration & Sustainability	8	3	38%
Street Naming & Numbering	4	4	100%

Law, Probity and Governance Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Complaints & Information	10	2	20%
Corporate Communications	5	2	40%
Electoral Services	7	3	43%
Legal Services	13	4	31%
Mayors Office	1	0	0%
Registrars Office	3	2	67%
Strategy & Performance	1	0	0%

Resources Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Benefits	99	37	37%
Business Rates	7	1	14%
Contact Centre	51	32	63%
Corporate Finance - General Finance Issues	2	2	100%
Council Tax - Billing	84	36	43%
Council Tax - Other Issues	28	8	29%
Council Tax - Recovery	43	5	12%
Human Resources	5	2	40%
One Stop Shops	31	25	81%
Risk Management & Audit	14	3	21%

Tower Hamlets Homes Stage 1 Complaints 2015/16 by Service and Outcome

Service	Answered	Upheld & Partly Upheld	
		Number	Percent
Leasehold Services - Re-sales / Buying Additional Property	2	2	100%
Leasehold Services - RTB application delay	26	3	12%
ASB	15	4	27%
Caretaking	27	11	41%
Decent Homes	431	182	42%
Repairs	795	304	38%
Customer Resolutions Team	15	2	13%
Estate Parking	35	12	34%
Estate Services	32	7	22%
Housing Service Centre	26	10	38%
Housing Management	149	33	22%
Chief Executive	2	1	50%
Drainage	5	3	60%
Rents	7	1	14%
Leasehold Service Charges	35	13	37%
Leasehold Major Works	13	4	31%
New Build THH	5	1	20%
Planned Maintenance	2	1	50%

21 July 2016

By email

Stephen Halsey
Acting Head of Paid Service
London Borough of Tower
Hamlets

Dear Stephen Halsey,

Annual Review Letter 2016

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

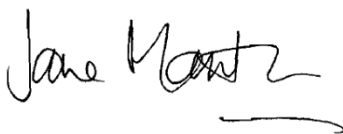
Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



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

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
10	19	11	22	13	19	48	6	1	149

Decisions made

Decisions made				Detailed Investigations			Total
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	
7	11	78	35	13	9	41%	153

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
7	1	100%

Appendix C

Reference	Complaint	Council Remedy / Action
Housing		
<p style="text-align: center;">Page 60</p>	<p>201506035</p> <p>Complaint</p> <p>This concerned the length of time it took the Council to carry out repairs required to the living room window in the property together with the handling of her formal complaint</p>	<p>Action</p> <p>The Council paid Ms Y £200 compensation for failing to adhere to the timescales for responding to complaints.</p> <p>Officers had already acknowledged the delays and errors that occurred, apologised for this, completed the repairs required and offered reasonable redress for the service failures identified.</p> <p>Service Comments:</p> <p>The delay and error in the complaint progression is being reviewed in both THH and the Corporate Complaints team to ensure that all escalation requests are adequately recorded and progressed.</p>
<p>201507286</p>	<p>Complaint</p> <p>The landlord's offer of compensation in recognition of its acknowledged service failures when responding to his reports of a loss of electrical power. It is doubtful that operatives attended the property. No calling cards were left or photographs taken.</p>	<p>Action</p> <p>THH should pay Mr E the £90 previously offered, plus £120 compensation for his distress and inconvenience and the partial loss of use of his home. And ensure that contractors and sub-contractors fulfil their procedural requirements, in particular recording 'no access' call-outs.</p> <p>Service Comments:</p> <p>THH agreed the £120 as a goodwill gesture but believe that the amount already offered was appropriate.</p>

201507769	<p>Complaint</p> <p>Previously a resident had no heating or hot water as Mr Q would not provide access to engineers to switch over to the new system. The resident intermittently continued to complain even after the heating was switched over. Officers referred back to earlier correspondence rather than proactively establishing whether there was a current problem with Mr Q's heating and hot water supply between January and July 2014 and this problem was missed.</p> <p>The Council was also criticised for responding to his concerns under the disrepair protocol and not the complaints procedure</p>	<p>Action</p> <p>Officers subsequently attempted to contact and meet with Q on numerous occasions to try to establish what the current issues were and whether he was currently without heating and hot water. However Mr Q would not engage with THH and his refusal to grant access or engage with officers at this time was unreasonable.</p> <p>Service Comments:</p> <p>No further comment</p>
201406945 Page 61	<p>Complaint</p> <p>THH, through its stock condition assessment process, identified YY House as requiring a roof refurbishment. Given lack of funds, they were carrying out patch repairs until resources became available. The decent homes funding made it possible to programme this work, subject to the competing priorities within the programme</p> <p>Ms Z lived in the property with water ingress causing internal damage. An offer of temporary accommodation was made in accordance with the policy but rejected due to décor and the floor level. Circumstances did not lead to an increase in priority for permanent accommodation. Ms Z had a claim settled under the disrepair protocol.</p>	<p>Action</p> <p>THH consider that there are lessons to be learnt. A range of issues, including record keeping, communication and the coordination of recurring problems such as the roof leak will be addressed.</p> <p>Service Comments:</p> <p>No further comment</p>
Noise Nuisance		

Complaint

Ms T consistently complained about street noise since 2010. However the Council did not installed noise monitoring equipment until November 2014. This left a level of uncertainty as it is not possible to conclude whether Ms T's amenity would have improved had the Council taken reasonably practicable steps sooner. The data from the noise monitoring equipment installed in November 2014 was analysed by an officer who decided that two of the recorded noises amounted to statutory nuisance but there is no documentary evidence to show any action was taken. On one occasion Ms T reported loudspeaker noise after 21:00. The Council did not pursue the matter because Ms T would not allow officers into her home to assess the noise. However the use of loudspeakers at this time is an offence and the Council had the powers to take action against the perpetrator. The Council tried to cease noise from a band in May 2015 and served an abatement notice. However the Council was prevented from taking enforcement action because it transpired the original notice was invalid.

Action

- Review procedures and consider staff training to reinforce the Council's powers under Section 62 of the Control of Pollution Act;
- consider introducing signage in the area to advise performers of the allowed hours for use of loudspeakers;
- meet with Ms T to discuss the current strategies in place to tackle the wider noise nuisance in the area consider installing noise recording equipment at Ms T's property to identify ongoing causes of statutory nuisance.

Service Comments:

There has been no significant change to noise policy as our investigative duties are clear under the Control of Pollution Act 1974, we have a duty to investigate noise complaints.

In respect of loudspeaker use on the street as identified on one occasion, we have informed the THEO management team and our noise support team of the need to allocate calls in a timely manner attend and deal with such instances by way of Fixed Penalty Tickets. This will have little impact given only 1 recorded incident in the past year.

We determined that it is inappropriate and not proportionate to secure agreement for signage to be posted on street furniture/buildings given the number of breaches under this legislation.

The service met with the complainant, listened to her

		<p>concerns and installed noise recording equipment to ascertain the noise levels within her residence during this period which included Easter weekend.</p> <p>An officer attended the flat one Sunday and was present for two hours; he witnessed the noise levels and advised her at that time that the noise complained of was not a statutory nuisance. The recording equipment was removed the following week and noise assessed. It was determined there was insufficient noise to agree it was statutory nuisance but that had the named busker been playing for long periods.</p> <p>We have since written to the named busker and advised him that he needs to limit the period of playing at the location to no more than 1 hour and not to return within 2-3 hours as it is likely a statutory nuisance would then exist. We have advised him that should he come to notice then action will be taken under appropriate legislation.</p> <p>Officers have on subsequent Sundays attended the location, the busker seen and he has complied with our directions to date.</p> <p>We have since issued the busker with Warning letter under Crime and Disorder and Anti-Social behaviour Act 2014.</p>
<p>Parking 14 020 553</p>	<p>Complaint</p>	<p>Action</p>

	<p>The Council wrongly revoked Mr J's disabled parking bay and then refused to relocate it despite a recommendation to do so. The Council failed to take account of the OT's primary recommendation that Mr J should have a disabled parking bay. It then misinterpreted the reasons for her decision. The OT's decision was that Mr J could manage to use a parking bay on a nearby street instead of one directly outside his home. The Council interpreted this as meaning he did not need a parking bay at all.</p>	<ul style="list-style-type: none"> • Apologise to Mr J • Immediately provide him a disabled parking bay on the nearby street • Pay Mr J £1,000 to acknowledge the impact on him of its fault. This figure takes account of: <ul style="list-style-type: none"> a) The fact that Mr J did have access to a parking bay for some of the period affected by fault b) Mr J's vulnerability c) The length of time he has wrongly been without a designated parking bay d) The impact this has had on his day-to-day life. <p>The Council was asked to also review all the other decisions it has made about individual disabled parking bays during its audit, to check that these decisions have not been affected by the faults I have identified here.</p> <p>Service Comments: This case resulted from an unfortunate misunderstanding by officers of the meaning of the independent mobility assessor's report and as soon as the decision was received by the Council officers implemented the disabled bay as required.</p> <p>No evidence has been discovered that such errors were endemic to the process of assessing eligibility criteria for Personalised Disabled Bays.</p>
13 010 585	<p>Complaint</p> <p>Mr P complained that he felt he had wrongly been</p>	<p>Action</p> <p>A review mechanism should address concerns that:</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">P 303 65</p>	<p>denied a parking permit under the Council's Permit Transfer Scheme.</p> <p>The Council was at fault in not providing an accessible right of review for residents whose Parking Transfer Scheme applications it refused. But, Mr P did not suffer injustice through this fault, as the Council reviewed his case a number of times, via Members' Enquiries and the complaints procedure. In Mr P's case the Council thoroughly reviewed matters and gave clear reasons why it did not propose to exercise its discretion to provide him with a parking permit in accordance with the Parking Transfer Scheme. The Council agreed to provide a right of appeal in the future.</p>	<ul style="list-style-type: none"> • the Council had applied the eligibility criteria wrongly; or • there were extenuating circumstances; for example, a medical or family emergency, which delayed them in renewing their parking permit. <p>The right of appeal has been established.</p> <p>Service Comments: This case was taken to the Ombudsman by a resident who did not accept that he was not eligible for a permit under the PTS. He made a number of enquiries both to councillors and through the Corporate Complaints procedure. Officers have implemented an appeals policy but as the Ombudsman stated, the matter had been adequately dealt with through the Complaints and Members' Enquiries processes.</p>
<p>Leisure and Homeless Services</p>		
<p>15 003 285</p>	<p>Complaint</p> <p>There was fault in the way the Council dealt with Mr B's homeless application. Record keeping was poor, officers failed to offer interim accommodation, delayed in reaching a decision on his case and securing accommodation, failed to assess his eligibility for the private rented scheme and relied on inaccurate evidence to deny him access to it.</p>	<p>Action</p> <p>The Council agreed to pay Mr B £1750 and consider him for the private rented scheme now</p> <p>Service Comments: This case has raised performance management issues which are now being addressed with the officer and line manager concerned. Procedures for taking applications and considering temporary accommodation from single clients have now been reviewed and implemented.</p>
<p>14 014 717</p>	<p>Complaint</p> <p>The Council offered a property in error to Ms X even</p>	<p>Action</p> <p>Apologised immediately the error was identified and offered</p>


	<p>though another tenant had already signed the tenancy agreement. The remedy already offered by the Council is appropriate in this case.</p>	<p>£250 compensation</p> <p>Service Comments: All refusals are now being formally emailed over for offers to be resulted by Lettings. Housing officers now <u>email</u> when a property is refused for Lettings to reoffer to other priority applicant(s) on the shortlist.</p>
<p>15007496</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 66</p>	<p>Complaint</p> <p>Mrs H rents a flat from the Council. She suffers from mental health problems and says that the fact that the flat is on the 7th floor makes her mental health problems worse. Mrs H wants to be re-housed to a ground floor flat and applied for re-housing on health grounds. The Council assessed Mrs H and did not give her a higher priority for re-housing. A review of the decision came to the same conclusion.</p> <p>Mrs H complained to the Ombudsman about the mental health assessment that had been carried out and the Council then offered Mrs H a re-assessment</p>	<p>Action</p> <p>The Council offered to re- assess Mrs H and this proposed action resolved any outstanding issue and no further action by the Ombudsman was needed.</p> <p>Service Comments:</p> <p>All negative review decisions are now considered by a senior manager before a decision letter is issued.</p>
<p>Adult Social Care</p>		

15 014 071	<p>Complaint</p> <p>Ms V complained the Council was wrong to remove her support with housework when it reviewed her needs in July 2015. Before making changes to her support plan, the Council should have reassessed Mrs V's needs under new eligibility criteria which are set out in the Care and Support (Eligibility Criteria) Regulations 2014 but did not do so. The July 2015 review of Mrs V's needs does not mention the outcomes identified in the Care and Support (Eligibility Criteria) Regulations 2014. Nor does it mention Mrs V's wellbeing. Therefore the review was not a Care Act compliant assessment of Mrs V's needs. The Council updated its policies in 2015 to take account of the Care Act 2014 which came into effect from 1 April 2015.</p>	<p>Action</p> <p>The Council should have reassessed Mrs V's needs under the Care Act. The Council needs to rectify its fault by reassessing Mrs V's needs under the Care Act. The Council updated its policies in 2015 to take account of the Care Act 2014.</p> <p>Service Comments:</p> <p>Subsequently, the Council has agreed and implemented a Resource Allocation policy which is being trialled for a 6 month period.</p>
15 015 715	<p>Complaint</p> <p>Miss A complained that the Council failed to respond to concerns about the domiciliary care her mother, Mrs B, received between September 2013 and February 2014. Her mother's support plan said she should receive a service between 08.00 and 09.00 each morning. However, she said for several months the carers had been arriving between 07.15 and 09.30 and sometimes after 10.00 and 11.00. It is clear from the care agency's response to Mrs B that she did not always receive a service in line with her support plan between September 2103 and February 2014. Because of her medical conditions this will have caused her some discomfort as well as distress. The Council did change the agency providing support but did not address the complaint about the poor service</p>	<p>Action</p> <ul style="list-style-type: none"> • Apologise to Mrs B for not addressing her concerns about the care she received between September 2013 and February 2014; • Pay Mrs B £250 in financial redress <p>Service Comments:</p> <p>The Council has strengthened its monitoring of the external domiciliary care providers it contracts with. In addition, the Commissioning team is leading on a retender of domiciliary care provision.</p>

	prior to transfer.	
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Education		
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Page 68	<p>14 013 011</p> <p>Complaint</p> <p>Ms M wished to move her child, P, to an independent school. Her child had a statement of special educational needs. There was no duty on the Council to name an independent school in P's statement. However, the Special Educational Needs Code of Practice says "If the LEA conclude that they cannot name the school proposed by the parents, they must tell the parents in writing of their right to appeal to the SEN Tribunal against the decision and the time-limits that apply". The Council said that as Ms M didn't make a request "via an Annual Review or following the issue of an amended statement...at that time she had no right of appeal". The Code does not say parents can only make representations at specific times. Although the Panel did not agree to a placement at School Y, it asked the current school to hold an interim Annual Review in accordance with paragraph 9:44 of the Special Educational Needs Code of Practice. This says "where a school identifies a pupil with a Statement of SEN who is at serious risk of disaffection...an interim or early review should be held...to consider the pupil's changing needs and recommend amendments to the statement".</p>	<p>Action</p> <p>The Council's error in not writing to Ms M informed her of her right to appeal did not cause Ms M injustice because the interim annual review should have given her fresh appeal rights.</p> <p>Service Comments:</p> <p>No further comment</p>
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Non-Executive Report of the: Overview and Scrutiny Committee 26 th October 2016	 TOWER HAMLETS
Report of: Christine McInnes, Service Head, Education & Partnerships Sharon Godman, Service Head, Corporate Strategy & Equality	Classification: Unrestricted
Update Report – Literacy across Early Years, Primary, Secondary and Adult Learning	

Originating Officer(s)	Gulam Hussain, Senior Strategy, Policy and Performance Officer
Wards affected	All

Summary

This report provides an update on the implementation of the recommendations arising from the scrutiny review on literacy across early years, primary, secondary and adult learning. The report and recommendations was agreed by the Overview and Scrutiny Committee in May 2015.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress on the implementation of recommendations from the scrutiny review on literacy across early years, primary, secondary and adult learning.

1. DETAILS OF THE REPORT

- 1.1 This report provides an update on the implementation of recommendations from the scrutiny review on literacy provision across early years, primary, secondary and adult learning. The report and recommendations were considered and agreed by the Overview and Scrutiny Committee in May 2015. An action plan was developed to address the recommendations.
- 1.2 The review was undertaken between February and March 2015 involving local school leaders, experts from the Institute of Education and Research and Practice in Adult Learning (RaPAL) and representatives from the London Borough of Newham. It sought to explore the concerns of the panel that despite the strong progress made over the last decade to improve attainment levels and exceed national averages, little was known of how those who left the education system with less than average or functional levels of literacy were being supported and whether the support and interventions on offer were effective.
- 1.3 The review focused on three core questions;
 - a) What are the key causes of underachievement and how can attainment be sustained?
 - b) What are the interventions available to all teachers to identify and tackle poor literacy in children?
 - c) How effective are the adult learning provisions in identifying and reaching out to learners with poor literacy?
- 1.4 The report (Appendix 1) made thirteen recommendations. Progress against each recommendation is recorded in the accompanying action plan (Appendix 2).
- 1.5 The action plan responding to the thirteen recommendations contained twenty one actions. Six of these are ongoing actions which continue to be progressed. Of the remaining fifteen time-limited actions seven have been delivered. The delays to the remaining actions are detailed in Appendix 2.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 2.1 Actions progressed to date have been funded from existing budgets. External funding needed to deliver any remaining actions can only be delivered when such funding is identified or alternative delivery options will have to be considered within existing resources to meet the recommendations.

3. LEGAL COMMENTS

- 3.1 The Council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements 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. It is consistent these powers that the Committee receives this update report on progress on the implementation of recommendations from scrutiny reviews.
- 3.2 This report provides details of an Overview and Scrutiny challenge session and subsequent report titled "Literacy across Early Years, Primary, Secondary and Adult Learning" which made 13 recommendations. This Report is at Appendix 1.
- 3.3 In response to the recommendations, an action plan was been prepared and which is at Appendix 2. There were 23 actions; all appear to be capable of being carried out within the Council's powers. In relation to those actions, 8 are still ongoing whilst the remained have been completed.
- 3.4 The Council's functions in relation to children include a duty under section 11 of the Children Act 2004 and section 175 of the Education Act 2002 to make arrangements to ensure that its functions are discharged having regard to the need to promote the welfare of children. Section 17 of the Children Act 1989 introduced a general duty for local authorities to promote the welfare of children within their area who are in need, including children with disabilities. The Council's general duty to promote high standards of education in respect of primary and secondary school students is set out under section 13A of the Education Act 1996.
- 3.5 The Childcare Act 2006 ("**the 2006 Act**") also imposes a number of duties on local authorities. The general duty contained in section 1 of the 2006 Act is to:
- (a) improve the well-being of young children in their area; and
 - (b) reduce inequalities between young children in their area in respect of various matters, including physical and mental health and emotional well-being, protection from harm and neglect, education, training and recreation, the contribution made by them to society and social and economic well-being.
- 3.6 Pursuant to section 3 of the 2006 Act, a local authority must make arrangements to secure that early childhood services in its area are

provided in an integrated manner, which is calculated to facilitate access to those services, and to maximize the benefit of those services to parents, prospective parents and young children. “Early childhood services” are defined by section 2 of the 2006 Act, and include “early years provision” for young children – i.e. the provision of childcare for a young child. In deciding what “arrangements” to make under this section, a local authority must have regard to:

- (a) the quantity and quality of early childhood services that are provided, or expected to be provided, in the area; and
- (b) where in that area those services are provided or are expected to be provided.

- 3.7 Pursuant to the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2012, the Council must secure free early years provision for 15 hours per week, 38 weeks per year, for all 3-4 year olds and eligible 2 year olds.
- 3.8 Section 193 of the Health and Social Care Act 2012 inserts a new section 116A into the Local Government and Public Involvement in Health Act 2007 (**‘the 2007 Act’**), which places a duty on the Health and Wellbeing Board to prepare a joint strategic health and wellbeing strategy in respect of the needs identified in the Joint Strategic Needs Assessment. The duty to prepare this plan falls on local authorities and the Clinical Commissioning Group, but must be discharged by the Health and Wellbeing Board. The Board must have regard to the Statutory Guidance on the published Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies, and can only depart from this with good reason.
- 3.9 The Health and Social Care Act 2012 also amended section 221 of the 2007 Act to introduce a Local Healthwatch. The functions of the Local Healthwatch include making reports and recommendations about how local care services could or ought to be improved. Section 226 of the 2007 Act sets out that the Local Healthwatch have an additional reporting power enabling them to refer matters relating to social care services to the Council’s Overview and Scrutiny Committee, which must then have regard this information.
- 3.10 In the exercise of its functions, the Council must with the public sector equality duty to eliminate unlawful conduct under the Equality Act 2010, the need to have regards to equality of opportunity and the need to foster good relations between persons who share a protected characteristic, including ethnicity, and those who do not.

4. ONE TOWER HAMLETS CONSIDERATIONS

- 4.1 The recommendations contained within this report aim to advance equality of opportunity for residents of the borough to secure access to high quality learning facilities.
- 4.2 Implementing the recommendations in this report will support the Council to deliver on its Community Plan priorities which include a vision of delivering a 'Prosperous Community' and a 'Healthy and Supportive Community'. The recommendations also seek to aid the Council in widening access to early years learning for some of the most disadvantaged 2 year olds, as determined by the eligibility criteria, within the borough.

5. BEST VALUE (BV) IMPLICATIONS

- 5.1 The Scrutiny Review supports the Best Value duty by setting out a number of recommendations which aim to support improvement, informed by consideration of economy, efficiency and effectiveness. The report recommends that work be undertaken to assess the effectiveness of existing arrangements to support effective contract management and review periodically review the council's approach to securing community benefits to ensure the continued availability of high quality front line services delivering value for money.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 There are no direct risk management implications arising from the report or recommendations.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

9. SAFEGUARDING IMPLICATIONS

- 9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

Appendix 1 – Action Plan

Appendix 2 – Literacy Review Update

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

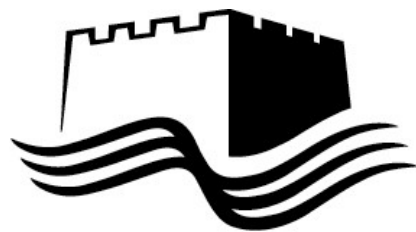
Officer contact details for documents:

N/A

APPENDIX ONE

Literacy across Early Years, Primary, Secondary and Adult Learning

Scrutiny Review Report



TOWER HAMLETS

**London Borough of Tower Hamlets
May 2015**

Chair's Foreword

Councillor Denise Jones

This Scrutiny Review set out to assess the success and quality of the Borough's existing approach to improving literacy at all levels of learning experience. The panel was concerned that despite excellent teaching from early years through to adults there are children leaving primary schools and students at GCSE level who are not reading at the expected level for their age.

Access to 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.

Over the course of the last decade, Tower Hamlets Council has invested to develop its provisions to secure improved outcomes across primary and secondary learning. Despite the progress made, up to 13% of pupils continue to secure less than a Level 4 in Reading and Writing at the end of Key Stage 2, and up to 40% of pupils struggle to achieve 5 GCSE's at A*-C including English and Maths by the end of Key Stage 4. In the area of adult learning the borough reports the second highest rate of functional illiteracy with 21.5% of adults reporting literacy levels below level 1.

Responding to the scale of the challenge, pressures of continued reductions in resources and the impact of welfare reform, often affecting the most vulnerable in society, requires continued investment in effective and high quality provisions and is at the heart of developing a more resilient and empowered community. With this in mind the panel have undertaken this review to explore how the Local Authority can continue to improve outcomes.

Throughout the course of this review the panel broadly explored wider issues, including the availability of sufficient educational psychology services to schools and its impact on unlocking funding for learners with special educational needs. Recognising the importance of this issue the panel hopes that these will be incorporated in future work programmes adopted by the Overview and Scrutiny Committee.

Summary of Recommendations

Recommendation 1:

Continue to fund the operation of Local Authority nurseries.

Recommendation 2:

Improve the quality of online information available on the council's website including making available information and videos on the impact of early years learning.

Recommendation 3:

Support the development of early years hubs to promote good practice through clusters of providers.

Recommendation 4:

Support the identification of grant streams and corporate sponsors to ensure the continued availability of the Reading Recovery programme in Tower Hamlets.

Recommendation 5:

Explore opportunities in conjunction with the Idea Store Learning Service to support the development of higher literacy skills amongst Support Staff in Early Years, Primary and Secondary settings in the borough.

Recommendation 6:

Develop and implement a pilot Academic English programme at Key Stage 3 and assess the impact on learning outcomes.

Recommendation 7:

Make available to the Overview and Scrutiny Committee findings of the commissioned research and relevant action plans to address underachievement amongst White British students.

Recommendation 8:

Undertake a small research project to understand the range and effectiveness of academic interventions for learners of all backgrounds currently attending Pupil Referral Units.

Recommendation 9:

Undertake a review of the successes of the Triage tool at the end of Year 1 and report findings to the Overview and Scrutiny Committee.

Recommendation 10:

Undertake a review of health literature developed to support those with poor literacy and assess the impact on the patient experience and the success in affecting the management of health conditions. The findings of this review are to be reported to the Council's Overview and Scrutiny Committee.

Recommendation 11:

That Healthwatch Tower Hamlets undertake a research project to scope existing work on health literacy in the borough and its impact on the health of local residents and identify areas for improvements. The findings of this research are to be reported to the Council's Health Scrutiny Panel and the Overview and Scrutiny Committee.

Recommendation 12:

Include improving Health Literacy as a strategic issue in the development of the new of the Health and Wellbeing Strategy in 2016/17.

Recommendation 13:

Explore the use of the triage tool developed by the Idea Store service within health settings across the borough.

1. Introduction

- 1.1 Recognising the importance of literacy to effect change, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) upholds literacy as a human right and as 'a tool of personal empowerment and a means for social and human development'.
- 1.2 In 2008, the National Literacy Trust published a report entitled 'Literacy Changes Lives'. The report provided a comprehensive analysis on the impact of literacy on health and wellbeing, economic prosperity, family life and aspirations and civic and cultural engagement. The report concluded that although the relationship between literacy and other variables may not always reflect a direct casual connection, poor literacy was prominent in the profile of a disadvantaged adult.
- 1.3 Aside from the ability of literacy to significantly impair or enhance the quality of life, the impact of literacy also affects society as a whole. The KPMG foundation published in 2006 a report entitled 'The long term costs of literacy difficulties' which highlighted that the cost to the taxpayer of addressing poor literacy up to the age of 37 was between £44,797 and £53,098, or £1.73bn to £2.05bn per annum.
- 1.4 The London Borough of Tower Hamlets, is one of the most deprived authorities in England and London. With a rich migrant history, the borough suffers from high levels of child poverty, unemployment and poor health amongst its local population.
- 1.5 Although the borough has made significant strides in improving learning outcomes at Key Stages 1 through to 5, there continues to be room for improvement. The 2011 Skills for Life Survey suggests 21.5% of the borough's adult population remains functionally illiterate.
- 1.6 The aim of the review was to explore the support and interventions in place to assist learners throughout their educational journey to develop functional levels of literacy to operate independent and fulfilling lives.
- 1.7 The review was underpinned by three core questions:
 - a) What are the key causes of underachievement and how can attainment be sustained?
 - b) What are the interventions available to all teachers to identify and tackle poor literacy in children?
 - c) How effective are the adult learning provisions in identifying and reaching out to learners with poor literacy?
- 1.8 The review was chaired by Cllr Denise Jones, Scrutiny Lead for Children's Services over the course of 4 sessions in February and March 2015. The sessions held at the Town Hall, Mulberry Place and were supplemented by a visit to the Osmani Primary School.

1.9 Other members of the panel included;

Cllr Danny Hassell	Councillor, Bromley South
Nozul Mustafa	Co-opted members of the Overview & Scrutiny Committee
Victoria Ekubia	
Rev. James Olanipekun	

1.10 The review was supported by;

Gulam Hussain	Strategy, Policy and Performance Officer
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1.11 The panel received evidence from a range of officers and experts including;

Brenda Taggart	Principal Investigator, UCL Institute of Education
Tara Furlong	Advocate, Research & Practice in Adult Literacy (RaPAL)
Remi Atoyebi	Head, Osmani Primary School
Georgie Hughes	Reading Recovery Teacher, Osmani School
Brenda Landers	Head. Swanlea School
Anne Canning	Service Head, Learning & Achievement
Sue Crane	Ethnic Minority Achievement Officer
Di Warne	Head of Secondary Learning & Achievement
Monica Forty	Head of Learning & Achievement – Birth to Eleven
Juanita Haynes	Senior Research Officer
Jo Green	Childcare Sufficiency Manager
Sharon Gentry	Childcare Quality Manager
Pauline Hoare	Early Years Lead Officer
Gillian Harris	Head of Schools Library Service
Nicola Blatchly-Lewis	Strategic Manager, Early Years & Childcare, London Borough of Newham
Judith St John	Head of Idea Store
Simon Leveaux	Deputy Head, Idea Store Learning
Niki Chatha	Assistant Programme Manager - Skills for Life
Leanne Chandler	Assistant Programme Manager - ESOL
Somen Bannerjee	Director of Public Health

2. The Learning and Achievement Service

- 2.1 The Learning and Achievement Service in Tower Hamlets supports the delivery of learning across early years, primary, secondary and further education for residents of the borough. In 2013, a report commissioned by Tower Hamlets Council with support from experts from the UCL Institute of Education argued that that the borough hosted 'some of the best urban schools in the world'.¹
- 2.2 The work of the service is focused on supporting improvement across 85 nursery, primary and secondary schools in addition to the growing number of sixth form provisions as well as working closely with the growing body of academies and free schools in the borough.

A detailed structure chart is included in **Appendix 1**.

The Early Years Service

- 2.3 Early Years learning in Tower Hamlets is facilitated through a range of providers. The borough's needs are met through 61 primary schools with attached early years units, 5 Local Authority nurseries and 6 maintained nursery schools. These are further complemented by 75 private nurseries and playgroups located around the borough and 118 Ofsted registered childminders who are subject to grading and inspection.
- 2.4 The Early Years Service manages the delivery of early learning through the Local Authority nurseries and supports private and maintained providers to deliver high quality learning. The service is responsible for securing sufficient early years provision which offers support and guidance, in line with the statutory duties placed on the Local Authority.
- 2.5 The work of the Early Years team is further supported by the Family Information Service which makes available a list of Ofsted registered childcare and nursery providers for families as well as offering advice and guidance to parents.

Primary Learning and Achievement

- 2.6 The Primary Learning and Achievement service works with the 70 Local Authority maintained schools in the borough. Funded through the traded services model, the service offers professional development opportunities for teachers and senior leaders within primary schools, training around literacy, numeracy and subject specialisms and support for schools during Ofsted inspections.

Secondary Learning and Achievement

- 2.7 The Secondary Learning and Achievement team supports learning across secondary schools and ensures the availability of high quality post-16 provision across the borough. In addition to supporting learning within the school environment, the service employs Home Educational consultants to support families educating children at home. The service relies on funding retained by the Local Authority from the Dedicated Schools Grant and generates income through traded services to support a libraries service and the Gorsfield Rural Studies Centre in Essex

¹ *'Transforming Education for All: the Tower Hamlets Story'* London Borough of Tower Hamlets, 2013

3. Early Years Learning

Early Years Foundation Stage Framework

- 3.1 Introduced as part of the Childcare Act 2006 (effective as of 2008) the Early Years Foundation Stage (EYFS) sets standards for the learning, development and care of children from birth to 5 years old for pupils in England. The framework measures the development of pre-school children across 7 areas of learning including communication and language, personal, social and emotional development and literacy amongst others. All schools and Ofsted-registered early years' providers must follow the EYFS framework, including child-minders, preschools, nurseries and school reception classes.
- 3.2 The Childcare Act 2006 places on Local Authorities the duty to secure sufficient childcare for working parents, assist private providers in the delivery of 570 hours of state funded childcare annually per child and make available information and advice for prospective parents. In addition, Local Authorities are required to support providers in meeting the requirements of the Early Years Foundation Stage, offer advice and training in meeting the needs of children deemed vulnerable, with special educational needs or disabilities and ensure the presence of effective safeguarding and child protection arrangements. Despite the broad range of responsibilities held by Local Authorities, they have no powers to undertake an assessment of the provider and are required to rely on Ofsted as the benchmark for quality.
- 3.3 In 2010 the Government made available 15 hours a week of state funded early education for all 3 and 4 year olds for 38 weeks of the year. In 2013 this was extended to 2 year olds who were looked after or from families meeting the eligibility criteria for free school meals and subsequently extended in 2014 to accommodate 40% of all 2 year olds from the most disadvantaged backgrounds. This change was also accompanied by a revised framework for the Early Years Foundation Stage.

4. The Impact of Early Years Learning

Effective Pre-School, Primary & Secondary Education Project (EPPSE)

- 4.1 To explore the impact of effective early years learning on long term educational gains, the review panel heard evidence from Brenda Taggart, Visiting Research Associate at the UCL Institute of Education.
- 4.2 The panel were introduced to the Effective Pre-School, Primary and Secondary Education Project (EPPSE), a longitudinal study funded by the Department for Education. Commissioned in the 1990's the objective of the research programme was to address the lack of research evidence setting out the long term impact of learning between the ages of 3-4.
- 4.3 The findings of the EPPSE project on the impact of pre-schooling at ages 7, 11, 14 and 16 suggested that not only did effective pre-schooling continue to impact learning outcomes at each stage, but in many instances its measured effect was equivalent to or greater than the impact of the socio-economic background of a learner. Access to effective pre-schooling had the potential to minimise the impact of socio-economic disadvantages, with learners with pre-schooling exceeding the age-related reading expectations even when coming from disadvantaged backgrounds.
- 4.4 Emphasising the importance of high quality early years settings, the review panel were directed to findings from the EPPSE project which highlighted that maintained provisions delivered the best quality, consistency and learning outcomes, whilst the private and independent sector could deliver high quality learning this was often less consistent. The panel was therefore keen to ensure that such settings were available to Tower Hamlets children.
- 4.5 The Early Childhood Environment Rating Scale (ECERS), developed at the University of North Carolina and expanded upon at the UCL Institute of Education, was as introduced as a supporting tool for measuring quality. Indicators of high quality learning settings as determined by the tool were set out as having a balance between activities initiated by adults and children and the use of shared sustained thinking.²

RECOMMENDATION 1:

Continue to fund the operation of Local Authority nurseries.

Supporting Early Years Learning in Tower Hamlets

- 4.6 Explaining the work of the Local Authority in supporting the development of the early years provisions, the Early Years Lead Officer emphasised that many of the initiatives highlighted above, and in other boroughs, were already in place.
- 4.7 The Local Authority supported a range of programmes such as Every Tower Hamlets Child a Talker (ETHCAT) and Every Tower Hamlets Child a Reader (ETHCAR) aimed at supporting effective language development and Helicopter

² Working together with students in an intellectual way to solve a problem, clarify a concept, evaluate activities or extend a narrative. Both parties must do the thinking and it must develop and extend.

Stories to encourage early writing. The Authority also used the Early Childhood Environment Rating Scale (ECERS) and the Infant Toddler Environment Rating Scale (ITERS) as quality benchmarks.

- 4.8 In addition to delivering a comprehensive range of training to providers the service was at present exploring proposals to develop a Forest School within the Borough. Based on the Scandinavian model aimed at promoting awareness of nature and environmental responsibility, a programme based on the Forest Schools principles was being used to stimulate creative thinking to support the development of early writing. The Local Authority had already delivered part funded Level 3 training for 84 early years practitioners and teachers with continued strong demand and had also provided a subsidised trip to Scandinavia with possibilities for further expansion of this offering.
- 4.9 Although statistical near neighbours³ such as Newham outperformed Tower Hamlets by the end of the Early Years Foundation Stage, comparing the two boroughs showed that planned spend in Tower Hamlets per child per hour was 25% less. Only 36% of early years practitioners in private settings possessed Qualified Teacher Status (QTS) or Early Years Professional Status (EYSP) in Tower Hamlets, as opposed to 41% in Newham. In addition 36% of our early years learners were eligible for free school meals, as opposed to 25% in Newham. Coupled with the larger proportion of children entering the early years phase with little or no English, learners in Tower Hamlets were on average at a greater disadvantage.

Accommodating 2 year olds in Early Years Settings

- 4.10 Exploring the widening of early years learning to a greater proportion of 2 year olds, the Childcare Sufficiency Manager set out the current position of the Local Authority in meeting the requirements of this expansion. Whilst there had been a steady uptake of this offer the Authority had failed to meet the target set out by the Department for Education, with the lowest rates in the country.
- 4.11 To understand the reasons why some parents were not taking advantage of the early years offer for 2 year olds, the service commissioned research to identify the common barriers for families. The report identified that parents felt that formal education at age 2 would either conflict with the parental role for providing early care and education or was too early an age for children to be in a formal setting.
- 4.12 The lack of integrated settings allowing the enrolment of 2 year olds at the primary schools of choice also acted a barrier for many families. Restrictions of space and the cost implications meant availability was limited, although Nursery Schools were slowly responding. Whilst the Department for Education (DfE) made available approximately £3,000 per child the actual cost of delivering a high quality provision was approximately £8,000 requiring schools to subsidise the shortfall.
- 4.13 Acknowledging the findings of the research the Early Years Service has adopted a comprehensive marketing and communications strategy. Initiatives identified included writing to eligible parents, operating a 'Golden Ticket' system and introducing changes to the admissions system to encourage enrolment, as well

³ Areas with similar characteristics e.g. demographics, deprivation

as the development of an information DVD. Widespread marketing using the East End Life, the local authority free-sheet and publicity across bus stops and children's centres were also in place. The service also expected to engage ethnic media partners and to commission roadshows to engage the community. However, there are additional measures that could be undertaken to improve take-up of childcare and education for 2 year-olds.

RECOMMENDATION 2:

Improve the quality of online information available on the council's website including making available information and videos on the impact of early years learning.

Ensuring Quality in Early Years Settings

- 4.14 Recognising the growth in early years places in the borough was being driven by the private and voluntary sector, and noting the findings of the EPPSE project, the review panel sought assurance on the quality of provision currently in the borough.
- 4.15 Responding to the panel's concerns, the Childcare Quality Manager highlighted that quality was an issue amongst some providers but the use of the Early Childhood Environment Rating Scale (ECERS) framework had helped in addressing some of these issues. There were at present a limited number of settings which had been rated poorly by Ofsted but were on the way to improving. Under rules set out by the Department for Education (DfE), Local Authorities were permitted to work with providers graded 'Satisfactory' where sufficient spaces could not be secured through 'Good' and 'Outstanding' providers alone.
- 4.16 Although Local Authorities could not use independent quality assessments to determine funding of early years spaces, such assessments had enabled support to be targeted more effectively based on the needs of providers. Providers benefitted from support for the development of policies and procedures, advice and support in preparation for Ofsted inspections and dedicated project workers and linked advisory and inclusion teachers. The service was also working with the council's planning service to introduce requirements for appropriate play spaces to be included for all future planning applications.
- 4.17 Referring to the EPPSE project, Brenda Taggart from the UCL Institute of Education reinforced the importance of quality in early years settings. Poor quality provision was highlighted as being counterproductive and long term exposure to poor settings was more likely to contribute to hyperactivity.

RECOMMENDATION 3:

Support the development of early years hubs to promote good practice through clusters of providers.

5. Primary, Secondary and Post 16 Learning

- 5.1 The education system in England is defined by the National Curriculum which sets standards of learning and assessment. The National Curriculum organises the learning journey into Key Stages. In line with plans laid out by the Department of Education (DfE) in 2007, the school leaving age is set rise to 18 as of September 2015.

Figure 1.1: National Curriculum Key Stages

KEY STAGE	AGE	EDUCATION PHASE
Early Years	2-5 years	Early Years/Reception
Key Stage 1	5-7 years	Primary Education
Key Stage 2	7-11 years	
Key Stage 3	11-14 years	Secondary Education
Key Stage 4	14-16 years	
Key Stage 5	16-19	Further Education

The Education Landscape in England

- 5.2 The Academies Act 2010 facilitated the exponential growth of the academies programme in England. Inspired by the free school system in Sweden, the Act built upon the City Academies programme initiated by the Labour government in 2000 allowing the conversion of existing schools to academy status whilst removing the ability of the Local Authority to create new maintained schools. Between 2010 and March 2015, 4580 primary and secondary schools had converted with a further 871 applications approved or under consideration.⁴
- 5.3 Benefits to schools of conversion to academy status include the direct receipt of funding from the DfE without Local Authority deductions, flexibilities over pay and conditions for staff, the ability to determine the length of school terms and the school day and the ability to opt out of delivering the national curriculum. In March 2015, the Prime Minister, David Cameron committed a future Conservative government to the creation of an additional 500 free schools in England (**Appendix 2**).
- 5.4 The acceleration of the academies programme has resulted in the significant erosion of powers held by Local Authorities in the area of education. Whilst Local Authorities continue to be responsible for securing sufficient diversity and provision for education within their localities their ability to intervene in school affairs has been curtailed significantly.

⁴ DfE Transparency Data: *Open academies and academy projects in development*

Curriculum Reform

- 5.5 Following the election of the coalition government in 2010, the Government published the 'The Importance Teaching' white paper setting out its vision for the 'whole-system' reform of education in England.
- 5.6 Focusing on the development of basic skills across literacy and numeracy, the reforms have resulted in the introduction of a range of changes to testing at Key Stage 2, GCSE and A-Levels. Breaking apart the composite English test at Key Stage 2 to separately assess reading and writing, students are now also tested on Spelling, Punctuation and Grammar (SPaG). Continuing this theme at GCSE and A-Level, as of 2011 students are awarded a maximum of 5% for the correct application of spelling, punctuation and grammar across English Literature, Geography, History and Religious Studies qualifications.
- 5.7 Driving the reform of the National Curriculum and qualifications at Key Stages 4 and 5, students are now required to learn more Shakespeare, develop stronger competencies in spelling and grammar whilst also developing presentation and debating skills. Moving away from creative writing, the revised programmes emphasise formal types of writing with students expected to provide developed answers and employ more frequently extended writing in responses to questions.

6. Primary, Secondary and Post 16 Learning in Tower Hamlets

- 6.1 Introducing the panel to the service, the Service Head for Learning and Achievement highlighted the developments in the education landscape redefining the relationship between schools and local authorities. The function of the Learning and Achievement Service was set out as one of identifying broad themes across schools which can be addressed to lift attainment.
- 6.2 The work of the Learning and Achievement Service in recent years had increasingly shifted towards more academic work around developing the independent learning and research skills of students. Improving attainment in literacy was at the heart of the service and had been for many years.
- 6.3 Setting out the impact of education reform and savings exercises undertaken by the Local Authority, the Head of Learning and Achievement – Birth to Eleven highlighted the challenges faced by the Learning and Achievement Service. Following the removal of the statutory duty on Local Authorities to have in place a School Improvement Partner for each maintained school, the Primary Learning and Achievement Service had seen a reduction in the core workforce from 20 to just 5 members of staff. Changes to the funding of the service, requiring it to generate its own income through traded services to schools, placed additional pressures and restrictions on the range of work the service could undertake.
- 6.4 Although the Secondary Learning and Achievement Service continued to benefit from core funding through the Dedicated Schools Grant, the service was still subject to pressures from changes to education funding, the growth in non-maintained provisions which receive direct funding from the Department for Education (DfE) and the widening of its remit in line with the increase to the school leaving age.

Reading Recovery at Key Stage 1 and 2

- 6.5 Exploring the range of literacy interventions in place at Key Stage 1 and 2, the panel observed and received evidence on the benefits of the Reading Recovery programme from the Headteacher and Reading Recovery teacher at Osmani Primary School.
- 6.6 The programme, originally developed in New Zealand, supported the lowest achieving children at Key Stage 1 to reach expected levels of reading by the end of the programme. Delivered over a 20 week period, students were supported through daily one to one teaching for up to 30 minutes led by a specialist Reading Recovery teacher. Schools delivering the intervention also benefitted from the Reading Recovery teacher contributing to the whole school by sharing good practice with teaching and support staff as well as their specialist expertise in literacy development effective pedagogy.
- 6.7 In 2006 a report published by the KPMG Foundation highlighted the long term cost to the tax payer of addressing poor literacy⁵ as ranging between £44,797 and £53,098 per person, or £1.73bn to £2.05bn per annum. A cost benefit analysis of the Reading Recovery programme by Investing in Children suggested that an investment of £2,668 per child for the delivery of the Reading Recovery

⁵ The report entitled '*The long term costs of literacy difficulties*' monitored the cost of intervention up to the age of 37.

programme generated a total return of £11,004 of which £3,620 was for the taxpayer.

- 6.8 Within Tower Hamlets the programme had demonstrated an average 21 month gain in reading age after 40 hours of individual teaching. Children starting the programme with a reading age of 4 years and 10 months and left with a reading age of 6 years and 7 months on average. In 2013-14, 88% of children going through the programme returned to age-related expectations with the remaining 12% making significant progress.
- 6.9 Although originally funded by the Local Authority, resource constraints had forced it to divest itself from the programme and transfer responsibility to willing partners. In September 2013 the Osmani Primary School assumed responsibility for the programme. In addition to meeting the costs of providing adequate facilities, the school also employs the Reading Recovery teacher responsible for delivering the programme.
- 6.10 Although schools in the Local Authority recognised the long term benefits of the programme, costs associated with recruiting a sufficiently experienced Reading Recovery teacher and the ongoing impact on time, resources and space meant that the number of schools within the borough delivering the programme had declined in recent years. This had forced the school to seek partners outside of the borough to sustain the programme.

RECOMMENDATION 4:

Support the identification of grant streams and corporate sponsors to ensure the continued availability of the Reading Recovery programme in Tower Hamlets.

Embedding Literacy across the Key Stage 3 and 4 Curriculum

- 6.11 Changes to the national curriculum at Key Stages 3 and 4 and the introduction of revised course content for GCSE qualifications had increased the demands on learners to demonstrate an effective grasp of language and literacy across a range of subjects. Assessments increasingly focused on the use of extended writing and there was now greater recognition of using grammar correctly.
- 6.12 The range of subjects on offer as part of the secondary curriculum meant that the teaching of English typically only accounted for 15% of the school timetable. Combined with the lack of ownership for the development of basic skills such as literacy across all subjects, and in many cases the absence of appropriate skills or required confidence amongst subject leaders, this presented a key challenge for schools.
- 6.13 The Headteacher of Swanlea School, Business and Enterprise College set out the need to upskill teachers to support the development of reading, writing and oracy skills across all subjects as a core priority for schools. As part of its staff development initiative, the school has invested to reduce the teaching commitment of staff to facilitate time for professional development and had invested in developing the literacy skills of teaching assistants through formal learning.

RECOMMENDATION 5:

Explore opportunities in conjunction with the Idea Store Learning Service to support the development of higher literacy skills amongst Support Staff in Early Years, Primary and Secondary settings in the borough.

Transitioning from Primary to Secondary Schools

- 6.14 The review panel sought to explore the potential role of transition from primary to secondary schools in affecting the sustainability of progress in literacy, particularly for more delicate learners.
- 6.15 Whilst there had been a huge body of work undertaken by governments to address the issues around transition from primary to secondary schools, there was no single approach to the issue. Within Tower Hamlets however there had been positive work in setting up close partnerships between secondary schools and feeder primaries to enable closer working and support the transition process more effectively for parents and learners.
- 6.16 Responding to the increased national focus on learning outcomes for those aged 16-19 and the impact in facilitating access to higher opportunities, the Local Authority with funding from the Mayor of London had developed a programme to support the development of Academic English amongst learners. The programme, aimed at encouraging learners to speak formally and improve the quality of written communication, had been successful in supporting the transition from Key Stage 4 to 5 and improving outcomes. A similar programme of work was identified as being potentially beneficial to bridging the gap between Key Stage 2 and 3.

RECOMMENDATION 6:

Develop and implement a pilot Academic English programme at Key Stage 3 and assess the impact on learning outcomes.

White British Attainment

- 6.17 Whilst exploring the attainment figures for pupils at the end of Key Stage 4, the panel 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%.
- 6.18 Attainment in reading and writing at Key Stages 1 and 2 was notably lower amongst this group and by the end of Key Stage 4 the number of pupils leaving with 5 GCSE's including English and Maths was considerably lower. White British students were over-represented on Special Educational Needs (SEN) registers and in Pupil Referral Units across the borough. This over

representation was often more likely to be as a result of behavioural challenges as opposed to learning needs.

- 6.19 The ability to effectively target underachievement amongst White British pupils was restricted due to the lack of funding available, however this had since changed. Effective communication skills was also an issue which typically affected this group of learners and interventions which had been successfully applied amongst other low attaining groups had failed to reverse the trend. Effective use of the pupil premium would prove to be an important resource in addressing the attainment disparity and wider issues which affected learner engagement.
- 6.20 The Head of Primary Learning and Achievement underlined the cyclical nature of underachievement amongst White British pupils with poor aspirations often being passed through generations. Underachievement amongst this group was a long term issue.
- 6.21 In setting out the current initiatives of the Local Authority to address the attainment disparity, the Senior Research Officer explained plans adopted by the Learning and Achievement Service with the support of the council's Corporate Research Unit to undertake a piece of research to better understand themes and trends relating to underachievement amongst White British Students.
- 6.22 Recognising the significant body of work undertaken by the London Borough of Lambeth, the research programme would engage learners in Year 6 and above alongside parents and schools, in addition to analysing attainment data. It is hoped the outcomes of this research will enable the Local Authority to develop approaches to address the attainment gap.

RECOMMENDATION 7:

Make available to the Overview and Scrutiny Committee findings of the commissioned research and relevant action plans to address underachievement amongst White British students.

- 6.23 The panel accepting there was potentially an issue of White British Pupils being over-represented across Pupil Referral Units also recognised the need for a broader evaluation of interventions to assess the range and effectiveness of the support provided to learners currently outside of mainstream learning settings. This should include but not be limited by the experience of White British students.

RECOMMENDATION 8:

Undertake a small research project to understand the range and effectiveness of academic interventions for learners of all backgrounds currently attending Pupil Referral Units.

7. Adult Learning, Policy and Context

Adult Learning in England

- 7.1 The European Commission defines adult learning as, 'all forms of learning undertaken by adults after having left initial education and training, however far this process may have gone'⁶.
- 7.2 Adult learning in the UK typically refers to the acquisition of skills at or below a Level 3 for learners aged 19 and over. Levels of learning in England, Wales and Northern Ireland are measured according to the Qualifications and Credit Framework.

Figure 1.2: QCF Framework

QUALIFICATION LEVELS	ACADEMIC EQUIVALENTS
Pre Entry	N/A
Entry Level 1	5-7 years
Entry Level 2	7-9 years
Entry Level 3	9-11 years
Level 1	GCSE grades D-G
Level 2	GCSE grades A*-C
Level 3	A-Levels
Level 4	HNC/NVQ Level 4

- 7.3 The responsibility for the funding of adult learning in England is managed by the Skills Funding Agency (SFA), an executive agency of the Department for Business, Innovation and Skills (BIS).

Skills for Sustainable Growth

- 7.4 In 2010 the newly formed coalition government announced the launch of a revised strategy setting out the government's skills policy for England. Introduced as the 'Skills for Sustainable Growth', the new strategy reflected the broad objectives of the new government 'to return the economy to sustainable growth, extend social inclusion and social mobility and build the Big Society'⁷, all of which were underpinned by the need to improve skills.
- 7.5 In addition to providing a stronger economic case underpinning the government's skills policy, the revised strategy introduced phased changes to the funding of adult learning programmes.

⁶ *Study on European Terminology in Adult Learning: for a common language and common understanding and monitoring of the sector*, UCL Institute of Education, 2010

⁷ *Skills for Sustainable Growth*, Department for Business, Innovation and Skills, 2010

Figure 1.3: Adult Learning Funding (Post 2010)

LEARNING LEVEL	AGE 19-24	AGE 24+	UNEMPLOYED AND ON BENEFITS
Basic Skills	Fully funded	Fully Funded	Fully Funded
Level 2 (First)*	Fully funded	Co-funded	Fully funded provision for learners with skills barriers to employment aged 23 and under and below Level 3. Loans for those aged 24+ on courses at Level 3 and above.
Level 2 (Retraining)*	Co-funded	Co-funded	
Level 3 (First)*	Fully Funded	Loans	
Level 3 (Retraining)*	Co-funded	Loans	
Level 4*	Co-funded	Loans	

*Excludes literacy, numeracy and ESOL programmes

- 7.6 Under current funding arrangements learners are entitled to a range of concessions including full or partial funding whilst pursuing their first qualification. Continuing policy established under the ‘Skills for Life’ Strategy in 2001, provision for free literacy and numeracy qualifications up to and including Level 2 and entry level ICT programmes continues to be available to those with skills below the set thresholds regardless of age or income status.
- 7.7 The Skills for Sustainable Growth strategy also introduced further reform to funding of ESOL programmes. Building on the 2006 reform of ESOL funding which introduced eligibility criteria for fee remissions the new policy adopted a number of changes to ESOL funding. These included;
- Further limiting full fee remission to people claiming Job Seekers’ Allowance (JSA) or Employment Support Allowance (ESA)
 - Removing full fee remission from people on a range of other benefits, including Working Tax Credits, Housing Benefit, Income Support, Council Tax and Pension Credits
 - Reducing the programme weighting factor affecting funding
 - Ending funding for ESOL in the workplace.
- 7.8 As of the 2013/14 academic year, funding rules set out by the Skills Funding Agency (SFA) moved to a single rate funding model as opposed to payment by the number of learning hours delivered. This shift from enabling institutions to claim for up to 450 learning hours to attracting a single rate regardless of the duration of the programme has impacted on the delivery models adopted by course providers.

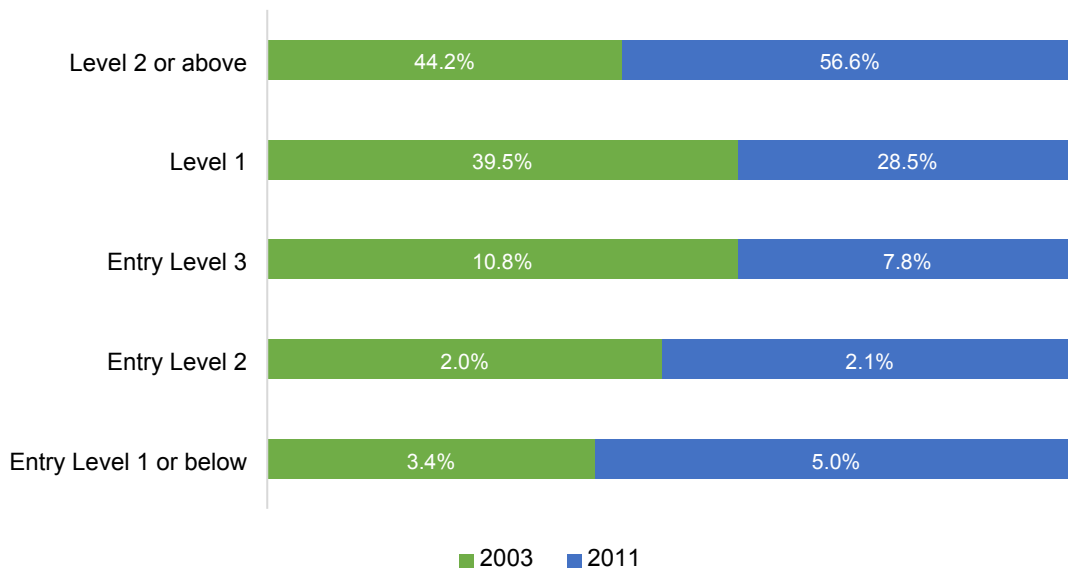
Adult Literacy in England

- 7.9 The National Literacy Trust suggests that those with a reading age at or below that of an 11 year old would be deemed functionally illiterate.
- 7.10 In 1998, responding to growing concerns over the decline of functional skills amongst adults in England, the government commissioned Baron Moser to

report on the scale of the issue. The resulting report entitled ‘A Fresh Start – improving literacy and numeracy’⁸ identified that approximately 20% of the adult population in England lacked basic functional skills.

- 7.11 Responding to the findings and recommendations of the Moser report, the Government in 2001 launched the Skills for Life Strategy aimed at addressing the skills deficit. The strategy aimed to improve the literacy and numeracy skills of 2.25 million adults by 2010 and reach a milestone of 1.5 million learners by 2007.
- 7.12 The 2011 Skills for Life Survey highlighted that the number of individuals possessing a Level 2 qualification in literacy had increased since the 2003 survey. Despite the notable increase in the number of adults possessing a Level 2 qualification in literacy, the growth in high performers largely reflected improvements to progression for learners at Level 1.

Figure 1.4: Adult Literacy Levels in England, 2003 and 2011



- 7.13 The number of people reporting their first language as being other than English however had increased from 7% to 11% contributing to the increase in the number of people identified as being at or below Entry Level 1. Overall, 15% of the adult population in England continue to be functionally illiterate.

Delivering Adult Learning in Tower Hamlets

- 7.14 In 1999, Tower Hamlets Council introduced the concept of the Idea Stores, setting out a vision to invest in library services during a time of declining investment in the sector.
- 7.15 Since the launch of the concept and the first Idea Store in Bow in 2002, 4 other stores have opened across the borough with the most recent addition to the portfolio in May 2013. The spaces which offer users access to library, learning

⁸ *Improving Literacy and Numeracy, A Fresh Start* : www.lifelonglearning.co.uk/mosergroup/index.htm

and information had attracted 2.3 million visits over the course of the last financial year with the flagship Whitechapel Idea Store currently ranked as one of the busiest libraries in Central London.

- 7.16 In 2010 the council merged its lifelong learning provision with the Idea Stores service as part of realising the vision of delivering an integrated offer. The 2015 refresh of the strategy which governs the priorities of the service will include a focus on work around digital inclusion, health and wellbeing, employability and universal services.
- 7.17 Annually the Idea Store Learning Services delivers in excess of 1000 courses and attracts £2.8 million in funding from the Skills Funding Agency each year. In 2013 the quality of teaching and learning delivered by the service was graded as 'Good' by Ofsted.

Adult Literacy in Tower Hamlets

- 7.18 The 2011 Census showed that Tower Hamlets had one of the fastest growing populations in the country. Reporting a total population of 254,096, 69% identified themselves as belonging to a Black or Minority Ethnic group (BME).
- 7.19 In responding to questions on language, 34% responded as using another language other than English as their main language and 8% reported poor or no fluency in spoken English, the second highest rate nationally.
- 7.20 The 2011 Skills for Life Survey highlighted that 21.5% of the population in the borough reported literacy skills below a Level 1. This figure, the second highest in the country places one in every five people in the borough in the category of functionally illiterate. **(Appendix 3)**
- 7.21 Comparing the 2011 Skills for Life Survey and the Census data indicates that whilst approximately 8% of the borough's population reported limited or no grasp of the English Language, a higher proportion reported literacy levels below Level 1 highlighting a wider prevalence of poor literacy levels amongst residents with a degree of fluency in the English Language. The absence of disaggregated statistics from the Skills for Life Survey makes the assessment of functional illiteracy amongst those with a previous learning experience in the UK difficult.

8. Adult Learning in Tower Hamlets

Delivering Universal Services

- 8.1 The Head of Idea Store highlighted that the service had taken a number of steps to support the delivery of universal services including hosting health outreach workers at the Idea Stores and developing strong cross council links to facilitate a smoother transition for users seeking access to other services. Staff also had access to joint training held with other areas within the council.
- 8.2 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 would undergo a pilot testing period at two of the major Idea Stores in Whitechapel and Chrisp Street Market.

RECOMMENDATION 9:

Undertake a review of the successes of the Triage tool at the end of Year 1 and report findings to the Overview and Scrutiny Committee.

English for Speakers of Other Languages (ESOL)

- 8.3 The Deputy Head of Idea Store Learning reiterated that approximately 21.5% of the borough's adult population had a literacy level below Level 1 and this was not restricted to those who were unemployed. For those in work the lack of adequate levels of literacy presented a barrier to progression. The delivery of ESOL programmes had been a dominant feature of the service's offering in recent years due to the scale of need. However there was also a recognition that there was a need for a broader approach to literacy in the borough.
- 8.4 The demand for ESOL learning continues to be significant with approximately 700 learners supported through ESOL programmes each year approximately. This represents 41% of the total budget and 37% of teaching time for the Idea Store Learning Service. The service did not have the necessary resources to facilitate greater access due to the scale of the demand. The time and resource implications of delivering ESOL programmes were further magnified due to lower levels of - and in some instances no previous - education amongst many learners.
- 8.5 The service had enhanced the ESOL curriculum through a stronger focus on reading and writing in addition to speaking and listening to facilitate learner progression on to higher level programmes. The curriculum was also designed to ensure learners were able to develop health and digital literacy. This work was supplemented through competitions to encourage writing and reading for pleasure.
- 8.6 In addition to delivering learning through the Idea Stores themselves, the service had developed partnerships with Children's Centres and schools in the borough to target hard-to-reach groups.

The Chair queried how funding changes affected the delivery of programmes, in particular contributing to the facilitation of accredited learning outcomes without developing functioning operational skills.

- 8.7 In accepting the need for learners to demonstrate outcomes, the Deputy Head of Idea Store Learning emphasised the role of ensuring an appropriate range of accredited and unaccredited learning to meet learning needs. Of the £2.8 million received each year from the Skills Funding Agency (SFA), £450,000 was used to support accredited learning. There was however a need for further investment in literacy and numeracy programmes to support demand.

Addressing Stigma

- 8.8 Officers recognised the stigma learners are likely to face in acknowledging deficiencies in their levels of literacy. Highlighting the initiatives of the service, the Assistant Programme Manager for Skills for Life introduced the family literacy programme which was specifically designed to target learners not prepared to access programmes through the Idea Stores. Offering accredited and non-accredited learning, the programme helped to develop skills around practical scenarios such as visiting the GP. In addition to this programme the service had renamed a number of their courses to make them more inviting and had in place an assessment system which captured 90% of all users which allows for literacy and numeracy needs to be assessed without a declaration from the learner.
- 8.9 However, many residents still did not recognise the value added by improved literacy and numeracy skills, and instead found ways of coping without them, which made engagement far more challenging. Despite having access to a wide range of data, the full range of literacy needs in the borough remained an unmapped area.
- 8.10 The review panel recognised ongoing work to refresh the Local Authority's Community Plan setting out the priorities for the next 5 years. Developing literacy skills would be a key tool to support the council achieve its vision to create a resilient community in the face of declining resources.

Health and Literacy

- 8.11 Recognising the broader implications presented by poor literacy levels, the review panel sought to explore the role played by other services within the council in promoting literacy amongst Adults.
- 8.12 The Director for Public Health explained that Health Literacy was a recognised challenge. For example, a 2014 report by the Royal College of General Practitioners had highlighted that 43% of UK adults failed to fully understand information which contained text, including signs in hospitals, leaflets and health guides.⁹ Within Tower Hamlets the late detection of cancer and poor outcomes had highlighted the potential barriers presented by inadequate literacy in supporting effective primary care.

⁹ 'Half of all patients find health advice too complicated', Royal College of General Practitioners, 18th June 2014

- 8.13 In September 2014, Public Health England alongside UCL's Institute of Health Equity produced a report setting out the health benefits of adult literacy. Drawing together existing research the report concluded that 'adult learning can have indirect benefits by improving social capital and connectedness, health behaviour, skills, and employment outcomes, each of which affect health. There is also some evidence that adult learning has direct positive effects for mental health.'¹⁰
- 8.14 In Tower Hamlets, the Public Health service had taken initiatives to develop health literature on common long term health conditions such as diabetes, cancer and mental health to enable greater accessibility for learners with poor literacy. These materials had been distributed through the Idea Stores and embedded in ESOL curriculums and also through registered social landlords.
- 8.15 There was an acknowledgement that despite this investment, little work had been undertaken to assess the impact of the developed literature in improving the patient experience and their experience of health services, and that this was now necessary to help understand the current extent of health literacy.

RECOMMENDATION 10:

Undertake a review of health literature developed to support those with poor literacy and assess the impact on the patient experience and the success in affecting the management of health conditions. The findings of this review are to be reported to the Council's Overview and Scrutiny Committee.

RECOMMENDATION 11:

That Healthwatch Tower Hamlets undertake a research project to scope existing work on health literacy in the borough and its impact on the health of local residents and identify areas for improvements. The findings of this report are to be reported to the Council's Health Scrutiny Panel and the Overview and Scrutiny Committee.

- 8.16 As part of improving patient engagement to fully reflect patient needs, work had been undertaken to engage the local Clinical Commissioning Group as well as developing care packages to offer structured needs based support to service users. More work however was needed in explicitly recognising health literacy as a strategic issue across the council and in key plans such as the council's Health and Wellbeing strategy.

RECOMMENDATION 12:

Include improving Health Literacy as a strategic issue in the development of the new of the Health and Wellbeing Strategy in 2016/17.

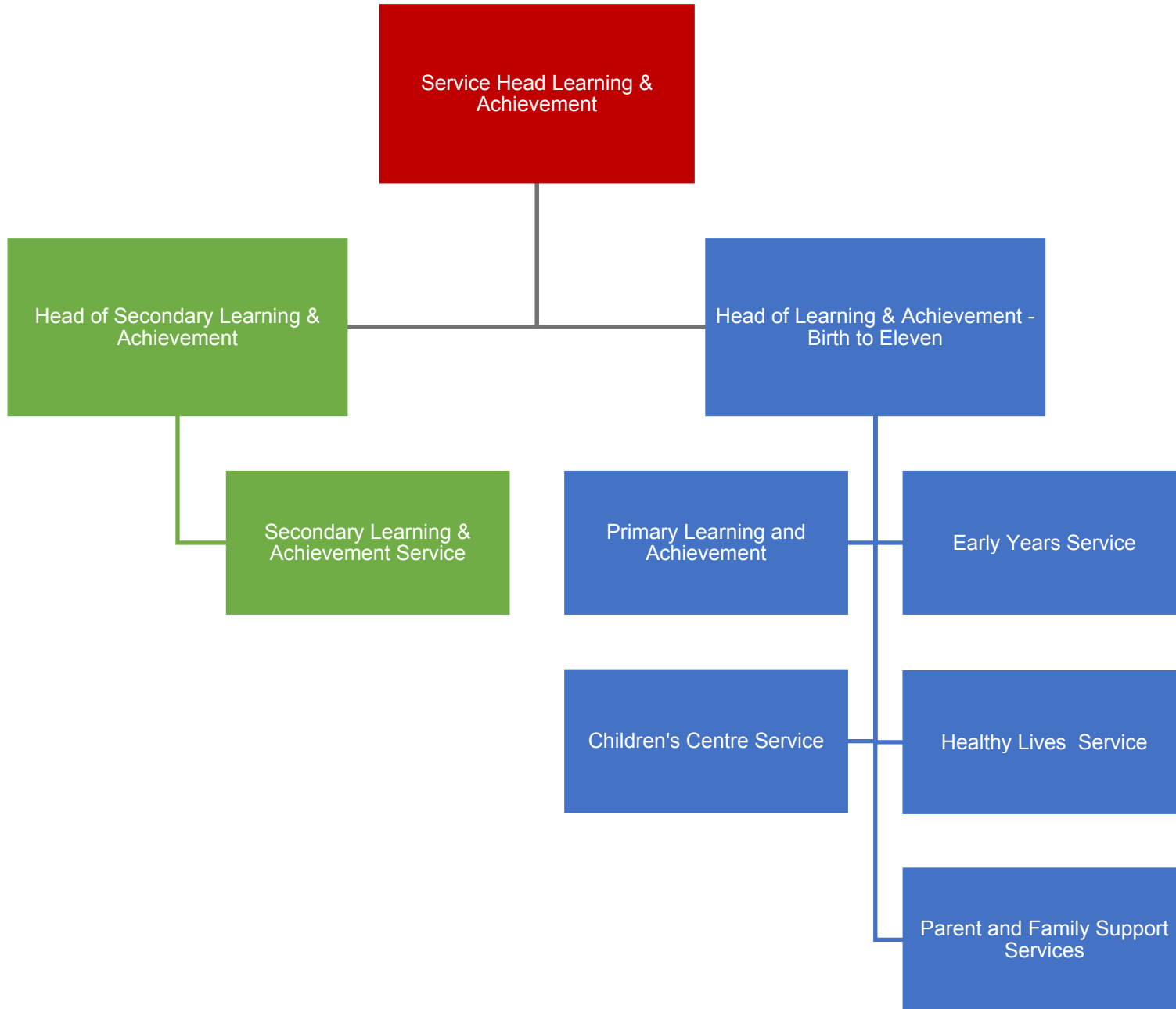
- 8.17 The review panel also discussed the possible role of health settings in identifying and supporting learners with literacy needs. The Interim Director for Public Health was asked to consider whether the triage tool developed by the Idea Stores Service could be embedded within health settings in the borough.

¹⁰ *Local action on health inequalities*: Public Health England , September 2014

RECOMMENDATION 13:

Explore the use of the triage tool developed by the Idea Store service within health settings across the borough.

Appendix 1: Structure Chart – Learning & Achievement



Appendix 2: Types of Schools in England

SCHOOL	POWERS
Local Authority Maintained	Under Local Authority Control
Academy	Receives direct funding from DfE. Free of Local Authority control with flexibilities over term dates, school day, staffing and implementation of the National Curriculum.
Free School	Established by parents, teachers or business. Has identical powers as Academies.
Voluntary Aided	Schools supported by the Church of England or Roman Catholic Church. Operates with a faith ethos and is operated under the influence of respective Churches.
Foundation Trusts	Operated by Trusts formed in partnership with outside bodies. Has more flexibilities compared to maintained schools.
University Technical Colleges (14-19)	Led by sponsor universities. Offers a technical education for students aged 14-19. Free of Local Authority control.

Appendix 3: 2011 Skills for Life Survey

WARD	BELOW LEVEL 1 LITERACY	LEVEL 1 AND ABOVE LITERACY
Bethnal Green North	22.4%	77.6%
Bethnal Green South	22.9%	77.1%
Blackwall and Cubitt Town	17.5%	82.5%
Bow East	21.2%	78.8%
Bow West	17.0%	83.0%
Bromley-by-Bow	26.6%	73.4%
East India and Lansbury	26.3%	73.7%
Limehouse	21.4%	78.6%
Mile End and Globe Town	21.9%	78.1%
Mile End East	24.3%	75.7%
Millwall	15.5%	84.5%
St Dunstan's and Stepney Green	24.4%	75.6%
St Katharine's and Wapping	15.2%	84.8%
Shadwell	22.9%	77.1%
Spitalfields and Banglatown	21.8%	78.2%
Weavers	23.3%	76.7%
Whitechapel	20.9%	79.1%
AVERAGE	21.5%	78.5%

Agreed Actions and Next Step	Responsibility	Date of Completion	Progress Update
Recommendation 1: Continue to fund the operation of Local Authority nurseries.			
The funding for the three day nurseries is ongoing at present.	Pauline Hoare Early Years Lead Officer	Ongoing	The services continues in its new form: highly qualified staff are in post, an overall manager is in post, two room based senior workers are also now in post, one SEN senior worker is in post. Recruitment continues.
The day nurseries do not provide value for money in terms of occupancy or staff qualifications. We are working with our HR partners to try and improve this. Quality improvement involves a re-structure and will then depend upon individuals successfully completing the required qualifications for the posts they currently hold. Because this will entail employees undertaking additional study, the time frame is a long one. Once this process is complete, day nurseries will be able to contribute to the EY hubs.	Gill Bowmaker Early Years Advisory Teacher	Sep-15	The LA Day Nursery restructure is now complete and has achieved these aims.

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 2: Improve the quality of online information available on the council's website including making available information and videos on the impact of early years learning.			
We are in the process of integrating services to the under-5s which will result in a more joined-up approach in terms of parental accessibility	Mohammed Jolil Senior Locality Lead Pauline Hoare Early Years Lead Officer	Ongoing	Public consultation on integration of services concluded in August 2016. A decision is expected from MAB on the public consultation report paving the way for a further consultation with staff on proposed change. Implementation of changes are expected to be completed by March 31st 2017.
We have already migrated the two year old information online. We are now discussing how we can further improve the quality of online information with IT colleagues.	Jo Green Business Development Manager	Complete. The information is available here: http://www.towerhamlets.gov.uk/ignl/education_and_learning/childcare_and_early_years_educ/Early_learning_and_childcare_funding.aspx	
We hope to find the funding to support video material for Every Tower Hamlets Child a Mover (ETHCaM) and if possible also for two year olds (see below, both these pieces of work link with the EY hubs).	Gill Bowmaker Early Years Advisory Teacher	Sep-16	Additional funding to support video material for Every Tower Hamlets Child a Mover (ETHCaM) is not available. The Early Year Service will be using Youtube clips which will be approved and included in the main council website by Comms. This process has been delayed due to changes in staffing within the Comms team.

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 3: Support the development of early years hubs to promote good practice through clusters of providers.			
<p>We know that hubs are an effective way forward for developing quality, improving outcomes and gap narrowing. We have been developing these since 2013-14. We develop hubs based on cross-cutting criteria. We use geographical, EY sector and special interest criteria. This ensures that the staff and settings gain maximum benefit as they can tailor their take-up of our offer to meet their needs. We are in the process of developing the following hubs: the four LA localities (all sectors); EY sector hubs (e.g. child minder networks, EYFS Coordinator meetings, PV manager meetings); special interest hubs (e.g. language development in the most disadvantaged wards through ETHCaT (Every Tower Hamlets Child A Talker) training; physical development via ETHCaM (Every Tower Hamlets Child a Mover); "Helicopter techniques" – this is EY guided writing.) We identify "special interest" hubs through analysing Early Years Foundation Stage Profile results. Our work on language and physical development has led to closer liaison with Health Visitors, the hospitals, Speech and Language Therapists and Ideas Stores colleagues.</p> <p>Hubs will be used to promote integrated working between health, children services and parents in order to ensure early identification and intervention for children at 2 years of age in line with the Government recommendations for the Integrated Review.</p>	<p>Gill Bowmaker Early Years Advisory Teacher</p>	<p>Ongoing</p>	<p>This work is ongoing. The work with health now forms the central part of the Integrated Early Years Service restructure. As detailed in the restructure, ensuring that Children's Centres become hubs for work with families and settings will meet this target over time. The LA Day Nursery restructure required the full time attention of the Senior Advisory Teacher 2015-16 and she was therefore not able to complete the additional tasks originally planned for developing hubs with schools and settings. At the same time, there was a very long-standing unfilled vacancy for the other EY Advisory Teacher post. This has now been filled. Once the restructure is completed, the IEYS will be able to take forward this work.</p>
<p>We work with school hubs (e.g. Teaching Alliances, Nursery Schools) within this and neighbouring boroughs. We worked 2014-15 with the Bonner Alliance to improve practice in Mary Sambrook Day Nursery. We are planning work with Newham Nursery Schools Alliance (which includes Alice Model Nursery School, although this is of course a Tower Hamlets nursery school).</p>	<p>Mohammed Jolil Senior Locality Lead</p> <p>Pauline Hoare Early Years Lead Officer</p>		<p>We continue to work with school hubs on ETHCaT, ETHCaM, Helicopter and other key programmes. (We identify programmes on the basis of annual data analysis). At the request of the Teaching Schools Alliance, we drafted a maths plan for them to implement with schools. We understand that this has gone forward, although not targeting the schools we had suggested. We have requested an urgent update from them, but have had no response. Note that like other hubs and alliances, we can request but not require information and co-operation. Groups of this type are not under the direct control of the council.</p>

Current Status and Next Steps	Responsibility	Date	Progress Update - August 2016
Recommendation 4: Support the identification of grant streams and corporate sponsors to ensure the continued availability of the Reading Recovery programme in Tower Hamlets.			
Broker relationships with other services within the council who have working relationships with organisations such as the Tower Hamlets Education Business Partnership (EBP)	Primary Learning & Achievement	Ongoing	<p>2015-16 - x1 group of Reading Recovery teachers went through initial training (provided by Osmani Primary School). 2016-17 x12 teachers will continue having professional development provided by the school to support the training. Conversations with local businesses have taken place to support the funding of delivery, however the cost of a Reading Recovery teacher is significant. Schools are indicating that they are now considering placing RR teachers back in class due to financial constraints (or indeed have already). EBP is funded by Secondary L and A for 2 projects 'Work Experience Placement' and 'Aim2Attain' - 2393 young people were placed in to a work experience placement.</p> <p>- 1535 of these were pre-16 students from ten of the borough's Secondary Schools, and the remaining 858 were post-16 students from eight Sixth forms and Tower Hamlets College.</p> <p>- 94% of students successfully completed their placements and had a positive experience.</p> <p>43 of these were Canary Wharf & City companies that signed up to our 750 Club, and to date have pledged 677 placements. Aim2Attain project in Year 8/9 and Year 12 cohorts in the majority of Secondary Schools in Tower Hamlets- 92% of students found it enjoyable and interesting</p> <p>84% of students felt they knew more about the factors affecting choices, with 70% of students felt more prepared for making choices</p> <p>91% of students understood the importance of experience as skills as well as good qualifications.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 5: Explore opportunities in conjunction with the Idea Store Learning Service to support the development of higher literacy skills amongst Support Staff in Early Years, Primary and Secondary settings in the borough.			
<p>Schools Library Service meets with Ideas Store to advise on work with schools when required</p> <p>Next steps – set up working group comprising two deputy heads, one primary and one secondary school improvement officers, Head of Schools Library Service and Head of Ideas Store to develop a proposal for local training of support staff. Charge for training would have to be paid by schools. Idea Stores provide venue and trainers.</p>	<p>Primary and Secondary Learning & Achievement, Schools Library Service</p>	<p>Report October 2015 to Director Report to heads at Directors' meeting December 2015</p>	<p>It has not been feasible to form a working party that includes teachers. The Ideas Stores and the Schools Library Service continue to work together on various initiatives, most recently on initiating "Chatterbooks" reading clubs in eighteen schools in Tower Hamlets. Working on a project funded through the Reading Agency by the DfE, the Schools Library Service has provided training for support staff in school in running these reading clubs and supported these staff over the 10-week programme. As a result, support staff's own literacy skills have been raised. The Reading Agency are currently bidding for funds for this to continue, and if successful, Tower Hamlets will again be part of the project. The "Chatterbooks" model also includes taking year 3 children to the Idea stores so that they can become members.</p>
<p>Focussed awareness -raising to encourage schools' support staff to enrol on English and Maths provision. September 2015 ensure programme details sent out to all Headteachers (via the bulletin)</p>	<p>Simon Leveaux Deputy Head, Idea Store Learning</p>	<p>2015/16 Academic Year</p>	<p>A range of programmes targeting schools' support staff and other staff with lower literacy skills have been arranged and delivered in conjunction with LBTH Workforce development. These will need to be recommissioned for the 2016/17 academic year and sent out via the Headteachers' Bulletin.</p>
<p>Early Years – We began to develop a programme in this area with the Schools Library Service in 2013-14 as part of Every Tower Hamlets Child a Talker (ETHCaT). It is now being embedded with the support of the Childcare Development Team in all our private and voluntary settings. The Early Years' Service pays for the entire programme as part of our quality improvement responsibilities. We also work closely with the Ideas Stores in the context of our ETHCaT hubs (see above).</p>	<p>Gill Bowmaker Early Years Advisory Teacher</p>	<p>Ongoing</p>	<p>The programmes that have resulted in a 15% increase in EYFSP GLD results over the last three years all continue. ETHCaT continues to be implemented across the borough in all EY settings, Idea Stores, Family Support, etc.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 6: Develop and implement a pilot Academic English programme at Key Stage 3 and assess the impact on learning outcomes.			
<p>Mulberry School KS 3 'Fetch me a Pen' LSEF project to be extended from three secondary schools to all - Cost approx. £165,000</p> <p>Secondary Learning & Achievement to support Y 6-7 English transition projects in 3 schools</p>	<p>Secondary Learning & Achievement and Mulberry School</p>	<p>Launch September 2015 evaluation July 2016</p>	<p>LSEF project completed in 10 secondary schools. Coaching model embedded in all schools. Fetch-me-a Pen conference - Interactive workshops facilitated by secondary school professionals from four schools in Tower Hamlets - Bow School, Mulberry School for Girls, Swanlea School and St. Paul's Way Trust School. Teaching academic writing shared, participants provided strategies that can be implemented immediately in the classroom. 'Writing it right' resource published and distributed to all secondary schools, providing activities and strategies to support the development of academic writing. Academic writing schemes of work developing in 3 secondary schools at KS3 across a range of curriculum subjects.</p>
<p>Ethnic Minority Achievement Officer has worked with Swanlea, Stepney Green and George Greens 2014-15 to support Year 6/Year 7 moderation of writing with a focus on Level 6.</p> <p>EMA Officer to continue to support Y 6-7 English transition projects in 3 secondary schools 2015-2016, with schools selected in September after analysis of 2015 results.</p> <p>London Schools Excellence Fund (LSEF) Academic English coaching project 2013-15 run in 8 secondary schools for 70 teachers at a cost of £168,000 from Mayor of London/DfE alongside Mulberry School LSEF project KS 3 'Fetch me a Pen' 2013-15. Knowledge mobilisation from these two projects could be rolled out to all secondary schools if £168,000 could be found.</p>	<p>Secondary Learning & Achievement and Mulberry School</p>	<p>By July 2016</p> <p>Once funding is secured, this would be a two year project 2015-2017</p>	<p>The term Level 6 writing no longer used as a result of assessment changes brought in by Gov in Sept. 2016 - 'working at greater depth' is the new terminology. Secondary, Primary transition meetings on going, these include the moderation of writing across the curriculum between Yr 6 and 7 teachers, observing lessons in the different settings, schemes of work developed to ensure the relevant skills required to be a successfully pupil in a secondary setting are embedded in the provision. Professional development sessions delivered. Year 6 conference took place, approx. 65 primary schools attended. Presentations on writing expectations, pedagogy from Yr7 secondary teachers delivered at the conference. No further LSEF funding - Secondary schools self funding tutors to deliver Academic English coaching.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 7: Make available to the Overview and Scrutiny Committee findings of the commissioned research and relevant action plans to address underachievement amongst White British students.			
<p>Initial findings July 2015</p> <p>Steering group submit proposals for action</p> <p>Report to OSC</p> <p>Findings shared with schools 15.09.2015</p>	<p>Juanita Haynes Senior Research Officer (LPG)</p>	<p>Sep-15</p>	<p>Drawing on the recommendations from the research carried out by the Institute of Education the Action Plan schools agreed at a conference held in September 2015 to focus on the following priority areas:</p> <ul style="list-style-type: none"> • Parental engagement/families and home – PET to support schools • Attitudes and aspirations – Careers Service to support schools • Social capital – school provision. <p>A follow-up conference with schools that took part in the Study has been scheduled for September 2016 at George Green School. Children's Services are continuing to monitor the attainment of White British pupils and will be presenting an update to the internal</p>
Current Status and Next Steps	Responsibility	Date	Progress Update - September 2016
Recommendation 8: Undertake a small research project to understand the range and effectiveness of academic interventions for learners of all backgrounds currently attending Pupil Referral Units.			
<p>We have been advising the deputy headteacher at the PRU on an intervention called Catch Up Reading with training in the LA in September for which she has signed up staff. This may form the basis of a research project. She wants to ensure they have suitable tools for measuring progress in both the long and short term and we been advising in this regard.</p> <p>The Support for Learning Service is scheduled to carry out two twilight inputs in the Autumn – one on ensuring access to readable texts in class and one on teaching key vocabulary.</p>	<p>Roland Ramanan Joint Head of Support for Learning</p>	<p>Ongoing</p>	<p>The Support for Learning Service has carried out the two twilight sessions on readability as planned and we have liaised with the EPS regarding the research project. We have advised the PRU regarding intervention programmes and now feel they have a good grasp of the options available. We have also carried out detailed assessments on a small number of individual pupils and provide advice on strategies. The Educational Psychology service has carried out a research project which involved the following:</p> <p>Task 1. A brief literature search to find out about effective interventions that might apply to this cohort of young people, including exploring the views of students and staff within Pupil Referral Units</p>
<p>The Education Psychology Service will be carrying out a research project to understand the range and effectiveness of academic interventions for learners of all backgrounds currently attending Pupil Referral Units.</p>	<p>David Carroll Principal Educational Psychologist</p>		<p>Task 2. Gathered the views of young people within the Pupil Referral Unit, on what effectively engages and supports them in their literacy learning</p> <p>Task 3. Gathered the views of teaching and support staff within the Pupil Referral Unit on what effectively engages and supports young people in their literacy learning.</p>
<p>We will extend the work on white British underachievement to investigate why white boys of British heritage are overrepresented in the PRU, and ensure that any future action plan for school level intervention takes note of this.</p>	<p>Juanita Haynes Senior Research Officer (LPG)</p>		<p>Task 4. Identified and shared successful strategies and discuss with the PRU how the findings of the project might be able to be implemented</p>


Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 9: Undertake a review of the successes of the Triage tool at the end of Year 1 and report findings to the Overview and Scrutiny Committee.			
The implementation of the triage tool has been discontinued. Idea Store Learning will work in partnership with Children's Centres targeting parents and carers with low level English and Maths Skills	<p align="center">Simon Leveau Deputy Head, Idea Store Learning</p>	Dec-15	The implementation of the triage tool has been discontinued. Idea Stores are being consulted as part of the Early Years Service Review and this has been identified as a key area to be addressed in the Early Years model.
On-going evaluation and assessment of programmes and continuation of existing outreach activity			The Idea Store Service is currently undergoing a reorganisation which includes its community engagement function. The reorganisation is due to be completed in September 2016 when it will provide a central community engagement function across the service. The new courses being offered from September 2016 onwards have been focussed on providing basic skills. The Maths and English Tutors have been recruited and appointed to deliver the courses in the new academic year.
Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 10: Undertake a review of health literature developed to support those with poor literacy and assess the impact on the patient experience and the success in affecting the management of health conditions. The findings of this review are to be reported to the Council's Overview and Scrutiny Committee.			
<p>This is incorporated into an evaluation on the impact of health literacy in ESOL programme. Public Health commission a health literacy programme to: 1) develop teaching packs for use in ESOL classes delivered by external organisations 2) deliver ESOL classes focusing on health literacy through the programme provider (Bromley by Bow centre). The evaluation will determine how well the programme is performing and what impact it is having on health literacy and on the health and wellbeing of learners, their families and communities.</p> <p>The evaluation will be complete in September and will draw on interviews, a focus group, questionnaires and other evidence to assess the programme's impact.</p>	<p align="center">Abigail Knight Acting Associate Director in Public Health</p>	Sep-16	The evaluation has been completed (Sept 15). This highlighted that the programme benefitted those who received it in terms of short term goals such as health awareness, knowledge of how to access the health service and language goals. At the same time, the evaluation highlighted a need to improve the dissemination of material as the number of beneficiaries was limited. In the context of reduced funding, it has been decided to commission ESOL modules on an as required basis and review how they are disseminated including making better use of Ideas stores. The materials produced continues to be used in ESOL classes

Agreed Actions and Next Step	Responsibility	Date	Progress Update
<p>Recommendation 11: That Healthwatch Tower Hamlets undertake a research project to scope existing work on health literacy in the borough and its impact on the health of local residents and identify areas for improvements. The findings of this research are to be reported to the Council's Health Scrutiny Panel and the Overview and Scrutiny Committee.</p>			
<p>Healthwatch are working with Public Health, TH CCG, Bart's, Bromley by Bow Centre, and Social Action for Health to scope existing as well as past literacy programmes in the borough to evaluate their impact on the health of local residents. Health Literacy means more than being able to read pamphlets and successfully make appointments. We are looking at improving people's access to health information and their capacity to use it effectively to manage and maximise their health.</p> <p>The work will link into the work around development of a health and social care directory of services for Tower Hamlets being overseen by the Health and Wellbeing Board Communication and Engagement Sub Group and the Councils Digital Inclusion Strategy</p> <p>Healthwatch will make recommendations on improving health literacy as an outcome of the joint work with Bromley by Bow Centre and Social Action for Health.</p>	<p>Service Head, Corporate Strategy & Equality</p> <p>Healthwatch TH</p>	<p>Dec-15</p>	<p>The Healthwatch Community Intelligence Report made a number of recommendations regarding access to information:</p> <ul style="list-style-type: none"> • Patients and families knowing what is available, who does what across the system and how to access. • Understanding what was likely/might happen in the future and feeling prepared and confident that they could deal with it when it happens. • Information for the right people, at the right time in the right medium, including patients, carers, children, wider family, and informal support networks (friends/neighbours). • Better understanding of where communities currently access information. • an up to-date common directory of services and information available to both professionals and service users would be useful. • Strong support for models of social prescribing being adopted across the borough's GP practices, and for GP practices to have a stronger role in education, signposting, and referrals to non-medical related services. <p>A joint Directory of Services and a single point of access is now being developed by Tower Hamlets Together and the local authority. It aims to be easy to access and responsive with a choice of methods including telephone and internet; provide supporting information; support self-management & assessment; and support different languages. Healthwatch will involve local people in the design, assess whether it is community friendly, provide ongoing monitoring feedback and actively engage people in its access. The work has not progressed as quickly as intended as we waited for the benefits of the Tower Hamlets Together partnership to bring about real opportunities to align information and engagement programmes.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 12: Include improving Health Literacy as a strategic issue in the development of the new of the Health and Wellbeing Strategy in 2016/17.			
The process of the Health and Wellbeing Strategy development has started and health literacy will be one of the issues considered in the process of strategy development, consultation and engagement	Service Head, Corporate Strategy & Equality Somen Banerjee Director, Public Health	Mar-16	The Health and Wellbeing Strategy is still being developed. Health literacy may feature in one of the proposed priorities for the strategy 'community empowerment'. The Health Well & Being Board is looking to finalise the strategy in February 2017.

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 13: Explore the use of the triage tool developed by the Idea Store service within health settings across the borough.			
<p>The implementation of the triage tool has been discontinued.</p>	<p>Judith St-John Head of Idea Stores</p> <p>Tim Madelin Senior Public Health Strategist</p>	<p>Jun-16</p>	<p>The CCG is currently looking implementing at the national 'Patient Activation Measure' (PAM) into services. This is a central element of the NHS Five Year forward view on promoting self care. https://www.england.nhs.uk/wp-content/uploads/2016/04/patient-activation-narrative.pdf. This links closely with identification of health literacy as a barrier to making the best use of health services. Patient activation' describes the knowledge, skills and confidence a person has in managing their own health and care. Evidence shows that when people are supported to become more activated, they benefit from better health outcomes, improved experiences of care and fewer unplanned care admissions. Measurement of Patient Activation can enable equality and health inequalities to be tackled more effectively by targeting interventions at disadvantaged groups to increase their health literacy and patient activation.</p>

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Non-Executive Report of the: Overview and Scrutiny Committee 26 th October 2016	 TOWER HAMLETS
Report of: Melanie Clay, Director of Law, Probity and Governance Will Tuckley, Chief Executive	Classification: Unrestricted
Challenge Session Progress Update – Improving Cycling Safety	

Originating Officer(s)	Roy Ormsby, Service Head – Public Realm Sharon Godman, Service Head – Corporate Strategy and Equality Shamima Khatun; Strategy, Policy and Performance Officer
Wards affected	All

Summary

This report follows up from the scrutiny challenge session on improving cycling safety. The report and recommendations were agreed by the Overview and Scrutiny Committee in April 2015. An action plan was developed to address the recommendations, and the report and accompanying action plan were endorsed by Cabinet in November 2015. This report reviews the progress against the original recommendations.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress of the recommendations from the scrutiny challenge session.

1. DETAILS OF THE REPORT

1.1 The aim of the challenge session, led by Councillor John Pierce, was to help identify cost effective measures that can be implemented to improve cycling safety.

1.2 The report (Appendix One) made ten recommendations. These are set out in the tables below, along with service comments on them at the time, and actions in response. Below these are updates from the relevant services on progress against the recommendations.

1.3

Recommendation 1	Service comment at action planning stage	Action
The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.	Agreed	Revised Cycle Strategy to be produced for public consultation and approval by the end of the year.

1.4 Update from service: A new Cycle Strategy was developed and approved by Cabinet on 5th January 2016. Progress is now being made on implementing those actions and a first year report on delivery is planned.

1.5

Recommendation 2	Service comment at action planning stage	Action
The council explores the costs and feasibility of the provision of secure cycle parking across the borough.	<p>Ongoing. The council responds to all requests for cycle parking received and proactively installs new facilities in streetscene improvement schemes, as well as requiring similar in new developments. In 2014-15 we installed a total of 136 cycle parking spaces (60 on street spaces and 76 secure residential cycle parking).</p> <p>It is worth noting that we have had more requests for cycle parking this year than any other year – submitted directly from www.towerhamlets.gov.uk/cycling and an increasing number of requests for on street Bike Hangars making use of existing parking bays.</p>	<p>We are anticipating installing 202 cycle parking spaces in 2015-16 (60 on street spaces and 142 residential cycle parking spaces).</p> <p>We are also exploring with colleagues in the Parking team more innovative parking facilities such as “car bike port” (car shaped 10 space bicycle stands) at 2 locations in the Shoreditch area – Calvert Avenue and Club Row.</p>

	Note also that competitive rates for parking facilities are sought through seeking quotes from suppliers and monitoring catalogue prices.	
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- 1.6 Update from service: The installation of cycling parking continues across the borough using competitive quotes from suppliers: Standard Sheffield stands are provided in response to specific requests and in 2016/17 we expect to deliver 85 new on-street spaces in total, 50 per cent already having been delivered. In addition we expect to deliver 124 residential cycle parking spaces on housing estates: this total includes three sites for residents secure parking lockers in parking bays which are being progressed for imminent installation (Driffield, Louisa Street and Chisenhale Road) as well as one already introduced on Vyner Street. Three sites for car-shaped cycle ports have been identified to demonstrate how many more cyclists' trips than car trips can be accommodated within one car park bay. The first site to be introduced will be at Old Nicholl Street.

1.7

Recommendation 3	Service comment at action planning stage	Action
The council works with local schools and Sustrans to incorporate route plans proposed by young people into the enhanced plan for cycling in Tower Hamlets as part of the consultation process.	Agreed	This has already been commenced in the Stepney area and will be integrated into the strategy (Rec 1) – but the roll-out to other school areas will be dependent on funding availability.

- 1.8 Update from service: Funding has been secured to implement the Sustrans Cycle to School Partnership proposals in the Stepney area later in the current financial year and design work is progressing.

1.9

Recommendation 4	Service comment at action planning stage	Action
Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.	Not agreed. A relevant clause is already included in corporate contracts. However, in the present LCC form of wording, any tenderer who is not already FORS registered would need to be discounted from competition: this limits the council's ability to secure value for money	N/A This is probably now time-expired since Safer Lorries Legislation came into force in September 2015.

	<p>through competition.</p> <p>The council has offered to sign the Pledge with a minor change to the wording to ensure that it can be delivered legally without compromising procurement processes. If the wording is changed to ensure that contractors are required to take up FORS registration, then the competitive process would be improved and continuous improvement on cycle safety could be delivered through contract management and KPIs.</p>	
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1.10

Recommendation 5	Service comment at action planning stage	Action
The council imposes a 20mph speed limit on all residential and borough roads and the council should work with the police to ensure that 20mph is enforced.	<p>The speed limit is being tested for 18 months from 13 April 2015, all signage has been implemented and an on-going publicity and awareness campaign commenced in July 2015.</p> <p>Regular liaison meetings with the Police review priority sites for enforcement action.</p>	Review effectiveness for consideration of making the experimental order permanent.

1.11

Update from service: In September 2016, Cabinet agreed to make the borough wide 20mph limit permanent which has been implemented as of the end of the month. Work is now proceeding to review all traffic calming measures and redesign key streets with the objective of designing streets such that 20mph is the natural speed at which to drive. An area-wide review of traffic management in Stepney is the first area to go forward to public consultation; this started on 29th September.

Joint work with the Police has increased the level of speed enforcement, particularly focused on ASB driving, and the Police have helped to coordinate some Community Speedwatch events.

1.12

Recommendation 6	Service comment at action planning stage	Action
The council publicises annual spend on its cycling agenda.	Agreed	This is included in the annual Capital Programme report and can be set out further in the Strategy. However,

		the Strategy will review this area as a one-off.
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1.13 Update from service: A first year report on delivery of the Cycle Strategy is in the forward programme for the end of the financial year in addition to projects being included in the Capital Programme reports. The total funding available for Highways works in the borough is as follows:

- TfL Local Implementation Plan - £2.827million p.a. which must be allocated to schemes that comply with the criteria set out by the Mayor for London.
- Section 106 / Community Infrastructure Levy (CIL) development schemes: £2.379m in total approved by Planning and Contributions Overview Panel (PCOP) previously and ring-fenced to specific schemes identified within relevant planning applications. £2.503m in total ring-fenced to specific schemes identified within relevant planning applications and awaiting approval by the Infrastructure Board.

In addition, a modest revenue budget of £198,600 is available for reactive traffic management schemes.

It is difficult to disaggregate these works into cycling schemes and other works as the design of the majority of traffic improvements takes cycling into consideration. Therefore, although spend may not be specifically on a “cycle route” for instance, the introduction of area-wide traffic calming in an area, or a junction redesign, may include provision for advisory cycle lanes or cycle permeability, as well as benefits for cyclists from slower average speeds.

1.14

Recommendation 7	Service comment at action planning stage	Action
The council consults residents and ward members on the London Cycling Campaign’s proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park’s statutory opening hours.	Before any consultation can take place, the Head of Parks needs to be satisfied that the proposal is feasible in terms of costs and risks.	Carry out a more detailed feasibility study into the costs and benefits of providing a secure after dark cycle route within the southern perimeter of Victoria Park to enable a more informed judgement to be made on whether to pursue this proposal or not.

1.15 Update from service: Old Ford Road as a well-lit maintained public highway, has a 20 MPH speed limit. The park has no lighting therefore raises a number of Health & Safety concerns along with security implications should the park remain open in darkness for cycle commuting. The council’s Street Lighting Engineer has carried out a detailed cost analysis. Using the Measured Term Contract¹ to carry out the trenching and install the

¹ Refers to the existing street lighting contract which includes a regular programme of minor and maintenance works undertaken by the contractor

necessary light columns and supply pillars along the proposed cycle commuter route within the park will cost in the region **£221,635.18**.

There are a number of other health and safety issues that make the proposal for longer opening hours high risk. Therefore members will be recommended to reject the use of the park as an extended cycle commuter route during the hours of darkness as there is a maintained highway currently in use that can accommodate all forms of transport.

1.16

Recommendation 8	Service comment at action planning stage	Action
The development of a cycle friendly borough is treated as a priority by the council.	Agreed	This will be supported by the adoption of the revised Cycle Strategy. Cllr David Chesterton has been nominated as the Members' Cycling Champion to further reflect this prioritisation.

1.17 Update from service: Cllr Chesterton has been extremely proactive in fulfilling this role, acting as a figure head for championing cyclists' points of view and chairing regular meetings with The Wheelers to develop relationships with stakeholders. Cllr Chesterton takes an active role in reviewing designs and formally presented the Cycle Strategy to Cabinet.

1.18

Recommendation 9	Service comment at action planning stage	Action
The council better influences developers to provide greater cycle parking facilities for their developments.	Already in hand	The council applies recommended cycle parking standards and is reviewing these standards as part of the Local Plan review. The target date for public consultation on this review is January 2016.

1.19 Update from service: This is already in hand as the Highways Development Team review every planning application to ensure it contains the level of long stay and short stay cycle parking specified in the London Plan and that the quality of the cycle parking meets the Council's Local Plan requirements for it to be safe, secure, accessible and convenient and in line with guidance

contained in the London Cycling Design Standards. (Specifically DM22 of the Managing Development Document 2013). The next Local Plan family of documents may develop these policies further but this work is at early stage of development at present.

1.20

Recommendation 10	Service comment at action planning stage	Action
The council works with TfL to roll out more cycle specific signals across the borough.	Already in hand subject to funding availability	The need for more cycle friendly signals would be considered where appropriate as route reviews are implemented or new routes developed.

1.21 Update from service: The design of cycle improvements incorporates signal designs where relevant. No isolated cycle signal schemes have been identified for delivery as yet.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

2.1 The report details in section 1 the ten recommendations and action plan agreed by Cabinet in 2015. It is likely that some of those recommendations can be delivered through existing funding resources allocated by Transport for London (TfL). There will be significant competing demands for funding and therefore the strategy will form an important justification to support funding requests for cycling projects along with development of a Cycling Delivery Plan.

2.2 Where additional funding is required, these costs will need to be quantified and considered as part of the Council's Medium Term Financial Strategy before the recommendations can be implemented.

3. LEGAL COMMENTS

3.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework that the Scrutiny Challenge Session Report is reviewed by Overview and Scrutiny to check progress with the actions..

3.2 The recommendations in the plan were all capable of being carried out within the Council's powers although recommendations 4 and 7 were not agreed by officers for the reasons as set out in the Action Plan. With regards to the

recommendations and proposed actions, the following matters should be noted.

- 3.3 **R4. Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.**
- 3.4 In 2014 Transport for London (TfL), together with London Councils, decided to progress the proposal for a safer lorry scheme. Statutory consultation on a Traffic Regulation Order (TRO) to implement a scheme took place in November 2014 and on 29th January 2015 TfL made the "GLA 2015 no. 11 – the GLA Roads and GLA Side Roads (London Safer Lorry Scheme) (Restriction of Goods Vehicles) Traffic Order 2015. This TRO came into force on 1st September 2015.
- 3.5 The TRO ensures that only lorries with basic safety equipment fitted will be allowed on London's roads. Under London's scheme, most vehicles that would be currently exempt from national legislation for basic safety equipment will have to be retrofitted. This includes construction vehicles.
- 3.6 The proposed FORS Scheme is voluntary. It is more extensive than the TRO but care must be taken with any commitment to the Safer Lorries Safer Cycling scheme, to ensure that the Council continues to comply with its legal obligations in relation to public procurement. Any selection criteria for haulage contracts must be objective, related to the subject matter of the procurement and non-discriminatory. The Council must also act proportionately. A commitment to only contract with haulage companies who have signed up to the FORS scheme would not meet these requirements. However a requirement that any non-FORS registered Companies to take up FORS registration if awarded the contract would meet the Council's legal obligations in respect of procurement.
- 3.7 **R7. The council consults residents and ward members on the London Cycling Campaign's proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park's statutory opening hours.**
- 3.8 On 24th October 2013 the London Borough of Tower Hamlets Byelaws for Pleasure Grounds, Public Walks and Open Spaces came into operation and pursuant to those Byelaws, the opening hours for Victoria Park are from dawn till dusk. If the opening hours of the park are extended to allow cycling then these Byelaws would require amendment.
- 3.9 **R9. The council better influences developers to provide greater cycle parking facilities for their developments.**
- 3.10 Whilst it appears that the target date for public consultation being January 2016 was not met, the review of the Local Plan is not undertaken by the Highways Development Team but by the Plan Making Team in Strategic Planning and which is part of the Planning and Building Control Section. The first stage of public consultation for a new Local Plan on the Council's proposed approach as set out in "**Our Borough, Our Plan: A new Local Plan first steps**" commenced in December 2015 and has now closed. Therefore, public consultation did take place by the target date.
- 3.11 In its consideration of this report, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to

advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). There is some information in the report relevant to these considerations in paragraph 4 below.

4. ONE TOWER HAMLETS CONSIDERATIONS

- 4.1 Fear of traffic is a key barrier to cycling for many people. Providing attractive, safe and convenient cycling infrastructure will remove key obstacles to cycling for all sections of the community, in particular women, children, older people and those with disabilities. All of these groups are currently under-represented among cyclists in the borough.
- 4.2 As real and perceived danger from traffic is reduced, cycling will become a realistic mode of travel for all, increasing opportunities to access jobs, training, services and leisure opportunities. Many of our residents face financial constraints. Cycling is much more widely accessible than private car ownership in that it is relatively inexpensive to access, yet provides similar benefits of flexible point to point travel.
- 4.3 Making cycling genuinely safe and welcoming for all sections of the community will increase opportunities for regular physical activity, social interaction and leisure, with known positive impacts on physical and mental health and wellbeing.

5. BEST VALUE (BV) IMPLICATIONS

- 5.1 The recommendations in the original report were made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty. Reviewing progress on these is a key element in achieving them.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 6.1 Cycle infrastructure schemes and the introduction of traffic management measures can be difficult to integrate into the surrounding environment. Any scheme should ensure that it is designed so as to fit into the character and surroundings of the area affected both as a whole and in the individual elements of the scheme.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 There are no direct risk management implications arising from the report or recommendations.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

9. SAFEGUARDING IMPLICATIONS

- 9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- **Appendix 1** – Scrutiny Challenge Session Report: Improving Cycling Safety

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

N/A

APPENDIX ONE

**Improving Cycling Safety
Scrutiny Challenge Session Report**



**London Borough of Tower Hamlets
March 2015**

Chair's Foreword

The council is committed to ensuring that the borough is safe for the cyclists that use them and the people that are considering this mode of travel. This scrutiny review looks at the progress the council has made to date in this area.

The review invited experts from across London to share their knowledge and learning on how we can make the London Borough of Tower Hamlets one of the safest boroughs in London for cycling.

Over the last few years we have sadly seen a number of fatalities on our roads. This makes our aspiration more urgent day by day. With more and more of our borough's residents looking to cycling to and from work and to cycle for leisure and recreation, it is right we do all we can to make our community safer.

As a ward councillor, I see the rise of childhood obesity and the spiralling costs for travel across our community. We must make it easier and safer for residents to cycle and to keep their bikes in our neighbourhoods.

I would like to thank everyone who participated in this review. The experts who inspired us for what could be achieved. The cycling campaigns that have ensured that cycle safety is a growing priority for this council and the officers who worked to make this happen.

I hope that councillors from across the political parties can work together to turn the recommendations in this report into a reality and make sure we stop the fatalities on our roads.

Cllr John Pierce

Recommendations

RECOMMENDATION 1:

The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.

RECOMMENDATION 2:

The council explores the costs and feasibility of the provision of secure cycle parking across the borough.

RECOMMENDATION 3:

The council works with local schools and Sustrans to incorporate route plans proposed by young people into the enhanced plan for cycling in Tower Hamlets as part of the consultation process.

RECOMMENDATION 4:

Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.

RECOMMENDATION 5:

The council imposes a 20mph speed limit on all residential and borough roads and the council should work with the police to ensure that 20mph is enforced.

RECOMMENDATION 6:

The council publicises annual spend on its cycling agenda.

RECOMMENDATION 7:

The council consults residents and ward members on the London Cycling Campaign's proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park's statutory opening hours.

RECOMMENDATION 8:

The development of a cycle friendly borough is treated as a priority by the council.

RECOMMENDATION 9:

The council better influences developers to provide greater cycle parking facilities for their developments.

RECOMMENDATION 10:

The council works with TfL to roll out more cycle specific signals across the borough.

1. INTRODUCTION

- 1.1 In recent years, cycling has grown in popularity for both work and pleasure. The Government aims to make cycling a more convenient, attractive and realistic choice for short journeys, especially those made to work and school. It cites the need to reduce congestion, improve health outcomes and create more pleasant places to live as key issues that cycling can help address. The increased popularity of cycling has also been helped by the recent success of British cyclists in the London Olympics, during which Tower Hamlets was a host borough, and the Tour de France.
- 1.2 However, as cycle usage has grown, the potential for conflict with other road users including motorists and pedestrians, together with the overall safety of cyclists, has become an area of increasing concern.
- 1.3 High profile pan-London movements such as the London Cycling Campaign's 'Space for Cycling' look to change the emphasis and ensure better conditions for cyclists in London. In 2013, the Mayor of London published his 'Vision for Cycling in London' – a strategy that intends to "normalise" cycling and make it an integral part of the capital's transport system.¹ This includes the implementation of dedicated cycle lanes and the central London cycle hire scheme which demonstrate the emphasis on cycling as a credible and feasible alternative to other forms of road transport.
- 1.4 In February 2012, the Government announced £8 million of funding to Sustrans – a British charity promoting sustainable transport - for projects to enhance cycle routes across England; and a further £7 million allocated to the Cycle Rail Working Group for investment in infrastructure improvements to support integration between cycle and rail stations.
- 1.5 Recognising the mounting concern over road safety for cyclists in the borough, particularly given the rise in fatalities on busy arterial roads and the importance of cycling as a viable means of physical activity, the scrutiny challenge session focused on considering the issue of cycle safety.
- 1.6 The aim of the challenge session was to assess all transport interventions and policy in relation to cycle safety and draw on good practice from partners and other local authorities in London. The session also sought to identify causes of cyclists' safety concerns and barriers preventing people from cycling or from cycling more frequently. In the process it was hoped that cost effective measures could be identified, that can be implemented to improve cycling safety.
- 1.7 The session was chaired by Councillor John Pierce. It took place on Thursday 29th January 2015.
- 1.8 The session was attended by:

Cllr John Pierce	Vice chair of Overview & Scrutiny Committee and Challenge Session Chair
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¹ GLA. (2013). *THE MAYOR'S VISION FOR CYCLING IN LONDON: An Olympic Legacy for all Londoners.*

Cllr Rachael Saunders	Ward Councillor for Mile End
Cllr Alibor Choudhury	Cabinet Member for Resources
Jamie Blake	Service Head, Public Realm; LBTH
Margaret Cooper	Head of Transport & Highways, LBTH
Tom Rawlings	Road Safety Engineer, LBTH
Robert Morton	Transportation Engineer, LBTH
Ahmed Hassan	Engineering Graduate, LBTH
Simon Castle	Roads and Transport Command, Cycle Safety Team - Metropolitan Police
Simon Wickenden	Traffic Management Officer, Metropolitan Police
James Scott	Senior Project Officer (Bike It), Sustrans
Amy Berkhout	Bike It Officer for Tower Hamlets, Sustrans
Paul Lavelle	Principal Technical Planner (Cycling), Transport for London
Ben Kennedy	Principal Transport Planner, Hackney Council
Tyler Linton	Senior Sustainable Transport Planner, Hackney Council
Owen Pearson	Co-ordinator, Tower Hamlets Wheelers
Terry Patterson	Campaigns Officer, Tower Hamlets Wheelers
Gerry Matthews	Member of Tower Hamlets Wheelers
Tom Bogdanowicz	Senior Policy and Development Officer, London Cycling Campaign
Mark Cairns	Senior Strategy, Policy and Performance Officer; LBTH
Shamima Khatun	Strategy, Policy and Performance Officer; LBTH

- 1.9 The agenda for the session included an introduction to the key issues under review by Cllr John Pierce followed by presentations and discussion on a range of issues. This included whether the current strategies and policies in place address the need for strategically coordinated cycle provision and safety, and what barriers impede the successful development of the council's cycling strategy.
- 1.10 The session was underpinned by three core questions:
- a) What has been the general response to date from cyclists in the borough to the measures introduced both in terms of training and infrastructure improvements?
 - b) What further cost-effective measures can the council implement to improve cycle safety?
 - c) As a cyclist, what issues/areas of concern do you want the council to address specifically that has not already been acknowledged in the London Cycling Campaign ward asks for Tower Hamlets?

2. BACKGROUND

National and regional context and policy

- 2.1 While bicycle use as the main form of transport for getting to work increased in recent years, urban areas have witnessed higher increases in cycle usage. In London, cycle use on main roads during the 2012/13 financial year was 176% higher than in 2000. Cycle commuting has shown a substantial increase across the capital, but growth is concentrated in inner and central London. Hackney has not only witnessed the largest rise in cycle use in the last ten years, at present it is the local highway authority with the highest level of cycle commuting in the country (Tower Hamlets statistics are covered in the section – local context and policy).
- 2.2 According to the 2011 Census, there were 3.6 million people living in London who were in employment in March 2011, and of this figure, 4 per cent used a bicycle to travel to work. The numbers of Londoners cycling to work doubled between 2001 to 2011 from 77,300 to 155,300. This was a much faster rate of growth than the overall rise in workers, which was 36 per cent. Neighbouring borough Hackney had by far the largest proportion of residents cycling to work with 15 per cent of the total.
- 2.3 There is a mixed picture regarding trends for cycling safety in recent years. Cycling was 61% per cent safer in 2012 than it was in 2002 (measured nationally, per mile travelled).² However, the perception is that it remains significantly riskier than some other travelling modes such as driving, walking and public transport. The attitudes of road users, layout and speed limits on roads can conspire to make cycling feel more dangerous.
- 2.4 Furthermore, the Department for Transport (DfT) reports that the number of cyclists seriously injured in the UK has increased in recent years, faster than the rise in cyclists on the roads. For example:
- The number of cyclists killed increased by 10% from 107 in 2011 to 118 in 2012; and
 - The number of cyclists reported to have been seriously injured increased by 4% from 3,085 in 2011 to 3,222 in 2012³.
- 2.5 The London Mayor's Vision for Cycling document articulates how it intends to create a 'Central London Grid' of bike routes, focussing on four key outcomes:
1. A Tube network for the bike
 2. Safer streets for the bike
 3. More people travelling by bike
 4. Better places for everyone.

Over the next ten years spending on progressing the cycling agenda in London will total £913 million, almost triple the previously planned levels. A lot of this investment will focus on infrastructure improvements to routes and junctions, tying into the second element of this delivery plan: Safer streets.

² The National Cycling Charity. (2015). *Cycling Statistics*. [On-line]. <http://www.ctc.org.uk/resources/ctc-cycling-statistics>

³ Department for Transport. (2015). *Cycling*. [On-line]. <http://think.direct.gov.uk/cycling.html>

- 2.6 The Mayor of London's Cycle Safety Action Plan looks to address the following identified danger points:
- Better junctions – spending on the Better Junctions programme will be significantly increased and improvements to the worst junctions will be prioritised to improve the safety of cyclists around large vehicles.
 - Safer lorries and vans – the Greater London Authority and Transport for London will assist boroughs and businesses across London, including developers and utility companies, to ensure that they work together to lever their buying powers with contractors to ensure their vehicles are adequately equipped to protect cyclists.
 - 20mph limits, training, awareness and enforcement – expanding the Metropolitan Police's Cycle Task Force by more than a quarter (from 39 to 50 officers) to improve enforcement against antisocial road user behaviour, provide safety education, and offer training and information.

2.7 The London Plan is the strategic plan setting out an integrated social, economic and environmental framework for the future development of London, looking forward 15-20 years. The Plan sets out the policy framework for the Mayor of London's involvement in major planning decisions and the London-wide context within which individual boroughs must set their local planning policies. Within this, policy 3C.21 (Improving conditions for cycling) states that borough development policies should:

- Identify and implement high quality, direct, cycling routes, where possible segregated from motorised traffic, giving access to public transport nodes, town centres and key land uses
- Ensure that routes are segregated from pedestrians as far as practical, but are not isolated
- Identify, complete and promote the relevant sections of the London Cycle Network Plus, and other cycling routes
- Take account of measures identified in the TfL Cycling Action Plan
- Encourage provision of sufficient, secure cycle parking facilities within developments.

Local context and policy

Local Take-up

- 2.8 Tower Hamlets experienced the biggest percentage increase in London for residents cycling to work between 2001 at 2,213 to 2011 to 7,785 representing a 251.8% increase. Simultaneously, the population increased from 196,121 to 254,100, a 29.6% increase.
- 2.9 7 per cent of Tower Hamlets residents now travel to work by bicycle – the 6th highest figure for London boroughs - and grew from 3% in 2001 when the borough had the 8th highest levels.
- 2.10 The council lobbied TfL to extend its Central London Cycle Hire scheme across the borough and contributed to the funding and delivery of the initiative which was completed up to the A12 by March 2012. Further

extension of the scheme to cover the Olympic Park is currently being developed and will include additional stations in the east of the borough.

The council maintains 5 cycle counters to monitor the level of cycling through the borough. Data from these indicate a steady increase in numbers cycling in the borough.

Tower Hamlets Cycling Plan

- 2.11 'Cycling Connections'⁴ sets out the cycling strategy for Tower Hamlets until 2020, and aims to boost the number of people choosing to cycle in order to improve fitness, reduce road congestion and help the environment.
- 2.12 As part of this plan, the council has outlined the key cycling objectives for the borough to:
- Maximise the role of cycling as a priority form of travel to reduce traffic congestion and improve air quality
 - Provide safe, convenient, efficient and attractive cycling conditions across Tower Hamlets
 - Improve awareness and understanding of the benefits of cycling amongst all road users, employers, service providers and local citizens
 - Improve health by increasing levels of physical activity through cycling projects in the borough.
- 2.13 The council's plan identifies both insufficient cycle parking and a lack of adequate cycle routes as areas for action. In relation to the latter of these, the council seeks to ensure that cycle routes are implemented and evaluated to the highest standards, using TfL's London Cycle Design Standards (LCDS), and the Cycle Route Implementation and Stakeholder Plan (CRISP) process to evaluate and monitor the quality of the existing routes in the borough, which include:
- The London Cycle Network+ (LCN+), a network of radial and orbital routes for cyclists covering the whole of London. This forms part of the larger London Cycle Network and is an attempt at refining this network in terms of its priority strategic routes. In Tower Hamlets, there are six LCN+ routes.
 - TfL Cycle Superhighways (CS), a set of high profile radial routes into central London including CS2, which runs from Barking to Tower Hill via the A13 and Cable Street. Recently, the Mayor of London announced plans to upgrade CS2 and launched a public consultation on introducing kerb and wand separated cycle tracks along the whole route and new junctions to separate cyclists from other traffic. The council has formally responded to this consultation, urging TfL to review its proposals regarding the upgrade from Aldgate to Bow; and expressing its concerns about the safety implications of these planned changes for all road users (including cyclists) and how these will operate in practice. It has also commented on the area wide impacts, particularly in the Whitechapel market vicinity.

⁴ LBTH. (2009). *Cycling Connections: The Cycling Plan for Tower Hamlets*.

- The Sustrans Connect 2 network of priority routes for walkers and cyclists.
 - Greenways, a network of routes running through parks, forests, waterways and quiet residential streets.
 - Other walking and cycling routes such as those at Victoria Park and Stepney.
- 2.14 The council engages closely with local cycling organisations such as the Tower Hamlets Wheelers, a London Cycling Campaign affiliate in the borough, to promote cycling.
- It also works closely with the public to identify cycle theft hotspots, and raises cyclists' awareness of bike security through a number of initiatives such as encouraging bike users to register their bicycle model details at 'Immobilise' and providing information on good quality locks and cycle insurance.
- 2.15 Various cycle training programmes are run in the borough as part of the council's educational endeavours. It promotes 'Inclusive Cycling for All' and offers safe cycle training to people who have specific training requirements. Moreover, the council has provided a range of cycle training schemes for a number of years, including giving free cycle training to all children from year groups 6 to 13. One-to-one cycling training is also offered to adults, up to Level 3 of the National Standard, to equip the borough's residents with the skills and training to cycle competently on its streets.
- 2.16 The 'Bike It' project is led by Sustrans and was launched in September 2008. Each academic year, it focused on ten schools in the borough. The main aim of the project was to tackle childhood obesity through increasing physical activity via cycling to school.
- 2.17 The primary funding source for the Tower Hamlets Cycle Plan is TfL. The annual TfL funding bids form the main funding stream to implement non-LCN+ local schemes including local cycle routes, cycle parking and training, promotional events and awareness raising schemes. Alternative sources include developer contributions from Section 106 agreements. According to the London Plan, "major new developments should provide new, high quality, segregated pedestrian and cycle routes, which are direct and provide good connections to the existing pattern of streets, and to bus stops and stations" (Mayor of London, 2004).

Other local cycling measures

- 2.18 Around 85 per cent of the borough is located within local 20pmh zones. The majority of these areas have experienced a reduction in the total number of casualties through road accidents.
- 2.20 The London Cycling Campaign's (LCC) 2014 'Space for Cycling' campaign aimed to persuade local councils in Greater London to adopt ward-specific cycling improvements, suggested by their borough groups (in collaboration with local people). Prior to the elections in May 2014, the Mayor of Tower Hamlets signed up to deliver these 'ward asks', and regular liaison meetings

involving local cycling representatives have now been established to enable progress on the action plan and other cycle initiatives to be coordinated.

- 2.21 In 2013, Tower Hamlets Council committed additional funding to a series of Accelerated Delivery Initiatives which included cycling improvements and pothole repairs (with a view to improving riding conditions for cyclists). The cycling improvements delivered in 2013-14 included public bike pumps, a schools outreach cycling programme, on-street and workplace cycle parking spaces, cycle permeability schemes, and pothole repairs.

2.22 Awards for local success

The council's work in relation to supporting cycling in the borough has been recognised with a range of awards in recent years. These include:

- 2015 London Transport Awards
Shortlisted for Contribution to Sustainable Transport – for Derbyshire Street scheme
- 2014 London Cycling Campaign Award
Youth Sector Cycling Champion – Tower Hamlets BMX Club
- 2013 London Cycling Campaign Awards
Best Schools Cycling Project – Virginia Primary
Best Cycling Initiative – Sustrans Connect 2 highly commended
- 2011 London Transport Award
Achievements in Cycling – Oceans 11 Women's Cycle Project
- London Cycling Campaign Award
Best Cycle Facility – BWB Suspended cycle and foot path Bow Flyover
- 2010 London Transport Award
Cycle Improvements – Healthy Borough projects with NHS & Bike It
- London Cycling Campaign Awards
Best Community Cycling Initiative – Tower Hamlets Cycle Club
Best Cycling Initiative for Children – Streets of Growth
Best Workplace Cycling Initiative – Tower Hamlets Council
Cycle User Group

3. KEY FINDINGS AND RECOMMENDATIONS

Cyclists' response to training and infrastructure improvements

- 3.1 In the challenge session, officers highlighted the infrastructure that has been developed by the council, which includes a long-established and relatively extensive network of cycle routes (detailed in the background section). Work to improve and augment these routes is in progress, along with improvements to make the borough more cycle-friendly within the funding available.
- 3.2 During the past year, the council's cycle infrastructure improvement work has concentrated on working with TfL on a detailed design for the Cycle Superhighway 2 review, Bow roundabout interim improvements, Quietway routes, an East-West Cycle Route and safer junctions for Cycle Superhighway 3. Further work includes implementation of a number of cycle permeability improvements to filter cyclists through the local road network where many roads are dead-ends; complementary measures helping to improve cyclists' safety, such as proactive road maintenance and slower speed initiatives; and developing actions resulting from the LCC 'Space for Cycling' ward asks,⁵ in discussion with the Tower Hamlets Wheelers.
- 3.3 While there is a lot of work still to do, the council has made progress, and has been recognised with a range of awards in the past few years, from both the London Cycling Campaign and the London Transport Awards. Indeed, at the session the Tower Hamlets Wheelers welcomed the new relationship that had been forged with the council, strengthened from consultations undertaken on the ward asks.
- 3.4 One of the issues Tower Hamlets faces is that approximately 80% of residents live in flats, with attendant difficulties in owning and storing bicycles. The council has worked with TfL to mitigate this by lobbying for an expansion of the cycle hire scheme in the borough, so that in total there are 200 docking stations throughout Tower Hamlets. In addition, the council has installed cycle parking lockers within estates, over 300 secure lockers on roads, 700 on-street cycle stands and introduced cycle bollards in Victoria Park.

RECOMMENDATION 1:

The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.

- 3.5 At the session, the Chair stated that other inner London boroughs such as Hackney and Southwark have already started supporting RSLs and housing associations in their locality to supply estate cycle parking, and in some instances financially contribute towards implementation. Following the session, Overview & Scrutiny Committee members suggested that cycle storage provision for all residents be explored with partners.

⁵ Please refer to Appendix 2 for full details on the 'ward asks'.

- 3.6 The council will need to review its current primary source(s) of funding for cycling projects such as LIP allocations from TfL and Section 106 contributions, and consider pursuing match funding opportunities like cycling grants. The latter, by nature, are difficult to predict since it is often dependent on a competitive bidding process – it is therefore more feasible for the council to look into options for subsidising the provision of secure cycle storage in partnership.

**RECOMMENDATION 2:
The council explores the costs and feasibility of the provision of secure cycle parking across the borough.**

- 3.7 There is a wide range of cycle training provision for adults and children available in the borough (highlighted in the background section of this report). In 2013-14 alone, 2661 children and 145 adults were trained, and family cycle training has also been recently introduced in Tower Hamlets.
- 3.8 Representatives from Sustrans presented on the training initiatives which their organisation offers, centred on encouraging modal shift⁶ and creating communities, such as the 'Bike It' scheme outlined in the background section. They emphasised the importance of parental engagement in cycle training in schools, in order to tackle fears around cycling. Their strategies involve supporting school teachers to take on the role of 'champion trainer', to create a sustainable programme of development.
- 3.9 Citing William Davis Primary School as a case study, Sustrans emphasised the positive impact of effective activities on a young person's personal development. For example, classroom sessions and ride to school events can increase take-up of cycling and foster confidence so that participants can become peer role models within schools. Sustrans also encourages young people to get involved in route planning. The success of Sustrans's approach to achieving a step change in modal use through intergenerational and community work was commended by the Review Group, which expressed a desire for the council to continue its commitment to offer cycle training to people of all ages and abilities in the borough.

**RECOMMENDATION 3:
The council works with local schools and Sustrans to incorporate route plans proposed by young people into the enhanced plan for cycling in Tower Hamlets as part of the consultation process.**

Measures to improve cycle safety

- 3.10 The Head of Transport & Highways reiterated that Tower Hamlets had the biggest inner London reduction in the percentage of cyclists killed and

⁶ Persuading people to become less car-dependent and to use more sustainable modes of transport

seriously injured, and that cycle casualties was a cross cutting issue which the council needs to work closely with TfL to address.

- 3.11 Cyclists present questioned progress by the council on a pledge to support the regional 'Safer Lorries Safer Cycling' scheme. In 2013, HGVs were involved in 9 out of 14 incidents in London leading to cyclist fatalities, and the Mayor of London has requested TfL to look at ways in which lorries can be made safer for cyclists and pedestrians. TfL and London Councils have proposed to prohibit HGVs over 3.5 tonnes that are not fitted with safety equipment, including side guards and extended view mirrors, from driving in the London Low Emission Zone, even if those vehicles are exempt from the national regulations which require this equipment. They estimate that if the ban was introduced, cyclist and pedestrian fatalities and casualties would be prevented.
- 3.12 The council supports the scheme's principle, and already meets most of the requirements including offering cyclist awareness training and provision of safety. However, the Mayor's position is that he cannot commit to sign the pledge until the wording is modified very slightly, to prevent the council being obliged to disqualify non-compliant bids prior to evaluation from potential contractors who would be affected by the scheme. As it stands, this could risk deterring such contractors from tendering for council contracts.
- 3.13 In light of this, officers should investigate how other councils are able to meet the obligations of all of the pledges. It may be necessary to disqualify non-compliant bids prior to evaluation from potential contractors to ensure our streets are safe for cyclists.

RECOMMENDATION 4:
Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.

- 3.14 The Metropolitan Police provided an overview of the Cycle Task Force Safety Team, funding for which is provided by TfL. The Metropolitan Police holds approximately 20 cycle marking events each year in the borough, with over 700 bicycles marked, and in partnership with the council hosts 8 Exchanging Places HGV cycle safety events annually, attracting over 200 cyclists. Furthermore, the council contributed to the Metropolitan Police initiative 'Operation Safeway' in 2013, to support raising awareness of safe cycling and driving for all road users.
- 3.15 The council also commissions, through TfL, courses for drivers from its major transport-based contractors, and plans to extend this to its Passenger Service drivers, subject to availability. Furthermore, all new council procurements require contractors to be accredited under the Freight Operator Recognition Scheme - waste management and highways contractors are already accredited, and the council is planning this for its Passenger Service fleet. The council continues to work with its contractors through the contract management and monitoring process to improve standards.

- 3.16 Another important tool in improving cyclist safety is the speed limit. The council is looking at proposals to reduce this to 20mph across the borough, on all roads except for the A12 and Limehouse Link/Aspen Way. This could make limits more consistent and easy to follow for road users, and has the potential to make Tower Hamlets' roads safer and encourage more walking and cycling.
- 3.17 The Red Route Network (TLRN) managed by TfL is also being considered for speed reductions through negotiation with TfL, including the A11, Burdett Road and the A13. There is approximately 29km of TLRN within Tower Hamlets compared with 280km of roads managed by the council, yet in 2013, two thirds of the incidents resulting in cyclists being killed or seriously injured took place on the TLRN.
- 3.18 Representatives from Hackney pointed to the limit of 20mph on all residential roads in their borough which is part of their overall package of measures to support cycling.

RECOMMENDATION 5:
The council imposes a 20mph speed limit on all residential and borough roads and the council should work with the police to ensure that 20mph is enforced.

Other issues for cyclists

- 3.19 The Chair sought clarification on the Local Implementation Plan process and the opportunities for funding cycling that this presented the council. The Head of Transport & Highways explained that an element of LIP funding is allocated for cycle infrastructure and currently stands at £2.5 million, with £300,000 specifically set aside for cycling hotspots and additional schemes which benefit other road users as well.
- 3.20 Tower Hamlets Wheelers suggested that clarity and greater transparency regarding year on year funding and expenditure was important, and that this information should be in the public domain. The Service Head for Public Realm reminded the Review Group that funding is variable due to Section 106 agreements which affect proportionate and absolute spending figures. However, the Chair agreed that this would be helpful overall to assess the priority being given to cycling by the council.

RECOMMENDATION 6:
The council publicises annual spend on its cycling agenda.

- 3.21 Noting the success of the cycle lane running through Victoria Park, both the LCC and Tower Hamlets Wheelers suggested extending the opening hours of the park to keep the road south of it open for longer. However, there is an Act of Parliament which requires the council to open and close Victoria Park from sunrise to sunset, which no by-law would be able to supersede. This Act of Parliament has been in place since the nineteenth century and is in

relation to the land being owned by the Queen. Consulting the community on change of hours would leave the council at risk of falsely building resident expectations on a subject which cannot be changed. Furthermore, this presents problems for the community and council such as putting residents at risk of accidents as the park has no lighting at night and is unmanaged during these hours. If an accident was to occur to a cyclist, it would also prove difficult for emergency vehicles to reach them. Leaving the park which has undergone a multi-million pound investment programme in recent years, open till late also exposes it to the risk of vandalism and possible anti-social behaviour in that area. There is also no budget to manage the park out of daylight hours or to install lighting.

- 3.22 However, given Victoria Park's popularity with cyclists and the added benefit which extending hours potentially provides to their safety, the council should explore ways to influence the park's statutory opening hours.

RECOMMENDATION 7:
The council consults residents and ward members on the London Cycling Campaign's proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park's statutory opening hours.

- 3.23 As a neighbouring borough, Hackney shares many of the characteristics of Tower Hamlets including its population density, diversity and a high level of deprivation. The session heard from the Principal Transport Planner at Hackney Council on its approach to cycling to support transport affordability, reduce congestion, and tackle inequality and high levels of obesity.
- 3.24 Long term political support in that authority, along with a proactive and informed cycling group, has resulted in a more cycling-friendly culture within the organisation as a whole, as well as across the borough. This has led to a holistic approach which includes filtered permeability (modal filtering),⁷ sustained investment in the public realm and targeted events and behaviour change campaigns such as cycle loans. Traffic calming measures such as 20mph zones on all residential roads has complemented this methodology, in addition to significant amounts of investment in cycle parking.
- 3.25 Tower Hamlets has delivered solutions to improve cycle safety such as minor permeability schemes and cycle parking lockers. The Mayor of Tower Hamlets has pledged to make 'Tower Hamlets the most cycle friendly borough in London'. The council has also carried out targeted work with the borough's communities through the 'Bike It' behavioural change programme, and is looking to impose traffic calming measures, such as the 20mph speed limit on residential roads, as well as continued investment in cycle training.
- 3.26 Hackney Council officers promoted their Council's policy to provide sustainable travel options for employees and customers. It also has a fleet of bikes for its staff to use to travel across its borough. This resource has enabled officers to understand the needs of those residents who cycle. Similarly, Tower Hamlets Council also has its own fleet of bicycles for staff

⁷ Points that cyclists and pedestrians can pass, but not people in cars

to use and regularly explores ways to encourage and support sustainable travel amongst its employees.

- 3.27 The Mayor has also pledged to provide an extra 1,000 car parking spaces across the borough. This policy will make it more difficult for the council to achieve its aspiration of making the borough cycle friendly, although the additional capacity provided may potentially relieve pressure on existing demand and therefore help reduce CO2 emissions produced by vehicles searching for parking spaces. This may also reduce the risk of vehicles colliding with cyclists or competing for the same road space. Therefore, the council should investigate the impact that providing an extra 1,000 car spaces will have on making Tower Hamlets the most cycle friendly borough in London.

RECOMMENDATION 8:

The development of a cycle friendly borough is treated as a priority by the council.

- 3.28 Work carried out with new housing and commercial developments is also key. Hackney's approach is similar to that of Waltham Forest Council, which requires all new developments to have "future proof" levels of cycle parking and access to realise their 'mini-Holland' ambition. The LCC believed that developers should contribute towards paying for cycle parking facilities.

RECOMMENDATION 9:

The council better influences developers to provide greater cycle parking facilities for their developments.

- 3.29 The representative from Transport for London talked about the impact that greening our streets and designing a 'streets for all' approach to developing our highways. It was also discussed how councils can design out conflict on roads and use cycle specific signals, like the UK's first low level signals for cyclists installed at Bow Roundabout by the Mayor of London. These lights have a cyclist phase to guard against conflict with moving and turning motor traffic.


RECOMMENDATION 10:

The council works with TFL to roll out more cycle specific signals across the borough.

4. CONCLUSION

- 4.1 Improving cycling safety is essential in encouraging the current level of cycling in the borough and realising the Mayor of London's vision of a 'cyclised' city. The ten recommendations contained in this report aims to meet the aspiration of making Tower Hamlets a cycle friendly borough, and are based on good practice and an emerging consensus in London about the aspects of that practice across a range of measures including engineering, enforcement and education that should be considered for adoption by the council. These are important not just for cyclists but for all users as investment in cycling has the potential to improve the quality of place.

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Non-Executive Report of the: Overview and Scrutiny Committee 26 th October 2016	
Report of: Neville Murton, Service Head, Procurement & Finance Sharon Godman, Service Head, Corporate Strategy & Equality	Classification: Unrestricted
Challenge session progress update – Contract Specification and Management in Tower Hamlets – Ensuring maximum value for money and securing community benefits (using Veolia as a case study)	

Originating Officer(s)	Gulam Hussain, Senior Strategy, Policy and Performance Officer
Wards affected	All

Summary

This report follows up from the scrutiny challenge session on contract specification and management in the council (using as a case study the contract with Veolia for environmental services). The report and recommendations was agreed by the Overview and Scrutiny Committee in March 2015. An action plan was developed to address the recommendations. The report and accompanying action plan was endorsed by Cabinet in October 2015. This report reviews the progress against the original recommendations.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress of the recommendations from the scrutiny challenge session.

1. DETAILS OF THE REPORT

- 1.1 This report provides an update on the progress of implementation of recommendations from the scrutiny challenge session on contract specification and management in the Council. The session held in January 2015 used as a case study the contract with Veolia for environmental services. The report went to Overview and Scrutiny Committee in March 2015. An action plan was developed to address the recommendations. The report and accompanying action plan was agreed by Cabinet in October 2015.
- 1.2 The session took place in the context of the Council needing to find further financial savings, maintain effective services and secure community benefits through procurement exercises. Using the contract for environmental services as a case study, the challenge session explored the approach used in developing contract specifications which reflect the need to deliver high quality services, provide community benefits and represent value for money and how our approach to developing specifications and managing contracts can be further strengthened.
- 1.3 The report (Appendix 1) made six recommendations. Progress against each recommendation is recorded in the accompanying action plan (Appendix 2).
- 1.4 Of the six actions developed in the scrutiny action plan four have been completed and will be continued on an ongoing basis as directed by the recommendations. Of the remaining two actions, progress has been delayed due to the focus on delivering against the Best Value Action Plan and the need to align emerging work streams as part of the proposed Digital Strategy for the Council. Both outstanding actions are anticipated to be complete by early 2017.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 2.1 This is an update report on progress to date in delivering the six recommendations agreed by O&S in March 2015 and endorsed by cabinet in October 2015. As such there are no direct financial implications arising from the recommendations within this report.
- 2.2 However appendix 2 details the activities undertaken to meet the six recommendations agreed and below is a summary of the associated costs;
 - Recommendations 1-3 have been implemented through existing resources within the Procurement and Communications services.
 - Recommendation 4 has been met through a new supply contract that will provide tendering support to local businesses and a new e-sourcing solution. The former will cost the Council £1.03m over 2.5 years and will be funded through New Homes Bonus funding set

aside and the latter will be funded through earmarked reserves. The additional activity in relation to the new corporate procurement training programme and contract management guide & toolkit have been met through existing resources within the Procurement Service

- Recommendation 5 is being progressed and will also be delivered through existing budgets.
- The digital strategy that will contribute towards recommendation 6 will require additional investment and funding for this will need to be agreed through the Councils financial approval process in the context of the Councils Medium Term Financial Strategy.

3. LEGAL COMMENTS

- 3.1 The Council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements 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. It is consistent these powers that the Committee receives this update report on progress on the implementation of recommendations from scrutiny reviews.
- 3.2 This report provides details of an Overview and Scrutiny challenge session and subsequent report titled "Contract Specification and Management: Ensuring maximum value for money and securing community benefits" which made 6 recommendations. This Report is at Appendix 1.
- 3.3 In response to the recommendations, an action plan was been prepared and which is at Appendix 2. There were 6 actions; all appear to be capable of being carried out within the Council's powers. In relation to those actions, 4 have been completed and 2 are still ongoing.
- 3.4 Section 3 of the Local Government Act 1999 requires that the Council as a best value authority "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Reviewing and where required updating the Council's procurement approach is an important way in which that obligation can be fulfilled.
- 3.5 In its consideration of the Scrutiny Challenge Scrutiny Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who

do not (the Public Sector Equality Duty). A proportionate level of equality analysis will be required by the Council in developing contract specifications and when considering the nature of local community benefits being sought from individual contracts.

4. ONE TOWER HAMLETS CONSIDERATIONS

- 4.1 The recommendations contained within this report support the Council's strategic objective 'a transformed council, making best use of resources and with an outward looking culture'.

5. BEST VALUE (BV) IMPLICATIONS

- 5.1 The Scrutiny Review supports the Best Value duty by setting out a number of recommendations which aim to support improvement, informed by consideration of economy, efficiency and effectiveness. The report recommends that work be undertaken to assess the effectiveness of existing arrangements to support effective contract management and periodically review the council's approach to securing community benefits to ensure the continued availability of high quality front line services delivering value for money.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 There are no direct risk management implications arising from the report or recommendations.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

9. SAFEGUARDING IMPLICATIONS

- 9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

Appendix 1 – Action Plan

Appendix 2 – Contract Management Update

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

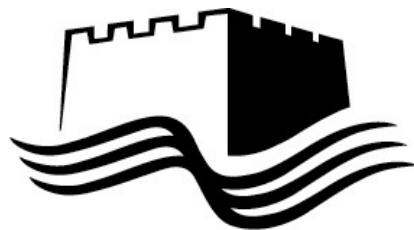
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APPENDIX ONE

Contract Specification and Management: Ensuring maximum value for money and securing community benefits

Scrutiny Challenge Session Report



TOWER HAMLETS

**London Borough of Tower Hamlets
March 2015**

Chair's Foreword

Councillor Abjol Miah

Local authorities play a critical role in running most of the day-to-day services that keep local communities ticking. It is estimated that £45 billion is spent nationally each year by councils in securing goods and services from contractors. Following the 2010 Spending Review, local government bodies across the country have been faced with significant reductions in funding, encouraging local authorities to rethink existing approaches to service delivery.

Effective contract specification and management plays an important role in supporting the Council to deliver public services that provide value for money. Supported by the provisions of the Social Value Act 2012, local authorities are also empowered to secure wider benefits for the local community through procurement.

In February 2014, the Communities and Local Government Select Committee concluded that local authorities could achieve a national saving of approximately £1.8 billion each year and recognised the need to invest in developing commissioning, procurement and contract management skills. In 2013/14 Tower Hamlets Council spent £355.5 million, approximately 32% of its total budget, through procurement activity.

Given the need to find financial savings, maintain effective services and seek significant community benefits from procurement, I felt now was a good time to consider further the Council's approach and future plans.

RECOMMENDATIONS

RECOMMENDATION 1:

Publish the quarterly Contracts Forward Plan on the Council's website and use the Members Bulletin to alert Councillors when it is updated.

RECOMMENDATION 2:

Officers periodically review the Council's approach to securing Community Benefits to ensure that:

- Community benefits are maximised whilst securing value for money
- Community benefits good practice is shared across Council services and category management areas

RECOMMENDATION 3:

Communicate to residents the community benefits that are being achieved by the Council through major procurement activity and current contracts.

RECOMMENDATION 4:

Consider accredited learning for those involved in supporting high risk or high spend procurement and contract management activities.

RECOMMENDATION 5:

Publicise further Find it, Fix it, Love it (FIFILI) to increase its use including a focus on utilising the support of 37% of staff members who live in Tower Hamlets.

RECOMMENDATION 6:

Explore wider use of mobile app technology in Council services informed by the experience of FiFiLi.

1. Introduction

- 1.1 The 2010 Spending Review heralded in significant cuts to public spending. Within the new financial climate, procurement in the public sector is often seen as a significant area of public spending capable of delivering substantial savings as well as acting as a lever for stimulating growth and other community benefits.
- 1.2 Each year the public sector, as a whole, spends in the region of £230 billion on the procurement of goods and services – amounting to almost 40% of GDP. In 2013/14, local government contributed to almost 20% of the total public sector procurement bill, a total of £45 billion a year.
- 1.3 As public sector bodies, councils are bound by EU treaty principles and directives as well as UK legislation requiring them to ensure free and fair access to all prospective service providers. Councils are also obliged to ensure contracts represent value for money under Best Value obligations and have regard for the improvement to the economic, environmental and social well-being of the local area under the Public Services (Social Value) Act 2012.
- 1.4 In 2013/14 the Council spent £355.5 million on procuring goods and services. Tower Hamlets Council, like other local authorities, has been presented with significant reductions in its spending powers. By 2016/17 the Council expects to have delivered a cumulative saving of £146.113 million since the spending review of 2010.
- 1.5 In addition to the pressure to deliver effective services within a constrained financial environment, there is also an expectation to achieve community benefits from procurement.
- 1.6 As part of its Best Value Inspection of the Council, PricewaterhouseCoopers (PwC) considered procurement in Tower Hamlets. The final report did not judge the Council to have failed to achieve its Best Value obligations in this respect. Nevertheless, the report highlights areas some areas for improvement.
- 1.7 The aim of the Challenge Session was not to review the PwC report nor duplicate its focus. Rather, the meeting sought to consider other aspects of the Council's procurement approach.
- 1.8 A London Councils report in 2013 noted waste management as being a large area of procurement spend – typically the third largest area for local authorities in London after education and social care. Given this and the Council's current work on the re-procurement of waste management, this area was chosen as a case study for the purposes of this enquiry.
- 1.9 The session was chaired by Councillor Abjol Miah. It took place on Thursday 22nd January 2015.

1.10 The session was attended by:

Cllr Abjol Miah	Chair, Scrutiny Lead for Resources
Jamie Blake	Service Head, Public Realm
Simon Baxter	Head of Clean & Green
Barry Scarr	Interim Service Head, Finance and Procurement
Zamil Ahmed	Head of Procurement
Kevin Kewin	Service Manager, Strategy and Performance
Gulam Hussain	Strategy, Policy and Performance Officer

1.11 The Scrutiny Challenge Session took the format of an evening meeting which was held at the Town Hall in Mulberry Place.

1.12 The agenda for the session included an introduction to the key issues under review by Councillor Abjol Miah followed by presentations and discussions on a range of issues. These included the Council's procurement policy and its implementation, management of the Council's waste contract and the approach to developing contract specifications within the Council.

1.13 The session was underpinned by three core questions;

- a) How do value for money and quality of service provision inform contract specification and management?
- b) What options are available for improving value for money and quality of service provision from contracts?
- c) What are the challenges faced by the Council in securing its requirements (including financial and community benefits) within the existing framework?

2. Statutory and Policy Context

EU Procurement Framework

- 2.1 Government bodies across the European Union are bound by a set of treaty obligations and directives governing the procurements process. These obligations aim to open up the public procurement market, ensure free movement of goods of services within the EU and ensure procurement is based on achieving 'value for money' through a competitive process. A full list of EU treaties and directives governing procurement activity is available in Appendix 1.
- 2.2 Under the terms of the EU framework, contracting authorities are bound by procurement rules subject to the type of goods or services being sourced and the value meeting or exceeding the specified thresholds. The most recent rules effective as of 1st January 2014 under the Public Contracts Regulations 2006 are set as follows;

	SUPPLIES	SERVICES	WORKS
Other public sector contracting authorities	£172,514	£172,514	£4,322,012

- 2.3 The EU framework allows contracting authorities to choose from a range of approaches in progressing the procurement process. Each procedure sets its own limitations on the contracting authority which must be considered when choosing the tendering approach. Details of each process can be seen in Appendix 2.
- 2.4 All contracting authorities are required to publish details of contracts in the Official Journal of the European Union (OJEU). Thereafter details of contracts may be advertised in other sources, however the details may not include any additional information not included in the OJEU.

UK Legislation and Policy

- 2.5 Since April 2000, all English Local Authorities in the UK have been governed by the Best Value Statutory Guidance issued by the Department for Communities and Local Government (DCLG) and introduced as part of the Local Government Act 1999.
- 2.6 Best Value authorities are under a general duty to "make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness."¹
- 2.7 Under the duty of delivering 'Best Value' local authorities are required to consider the overall value including economic, environmental and social value, when reviewing service provision. The revised Best Value guidance issued by the DCLG in September 2011 defines social value as;

¹ Section 3 of the Local Government Act 1999 (as amended by s137 of the Local Government & Public Involvement in Health Act 2007)

*'... seeking to maximise the additional benefit that can be created by procuring or commissioning goods and services, above and beyond the benefit of merely the goods and services themselves.'*²

- 2.8 The obligation of local authorities to pay regard to the wider impact of procuring goods and services is further defined by the Public Services (Social Value) Act 2012. This requires local authorities and other commissioners of public services to consider how their services can benefit people living in the local community.

Waste Management

- 2.9 Since the abolition of the Greater London Council in 1986, waste collection and disposal responsibilities amongst the London Boroughs have split between joint statutory partnerships and independent waste authorities.
- 2.10 At present, there are four statutory partnerships encompassing 21 London Boroughs. The boroughs of Croydon, Kingston, Merton and Sutton form a fifth voluntary partnership known as the South London Waste Partnership.

Figure 1.1: Waste Collection Authorities in London

WASTE AUTHORITY	PARTICIPATING BOROUGHES
East London	Newham, Barking and Dagenham, Redbridge, Havering
North London	Barnet, Camden, Enfield, Islington, Hackney, Haringey, Waltham Forest
West London	Brent, Ealing, Harrow, Hillingdon, Hounslow, Richmond
Western Riverside	Hammersmith and Fulham, Kensington and Chelsea, Lambeth, Wandsworth
South London Waste Partnership*	Croydon, Kingston, Merton, Sutton
Independent Authorities	City of Westminster, City of London, Bexley, Bromley, Greenwich, Lewisham, Southwark, Tower Hamlets

*Voluntary partnership

- 2.11 The London Borough of Tower Hamlets is one of 8 authorities which continues to independently manage their waste collection and disposal obligations. At present, its waste management obligations are delivered through Veolia UK covering cleansing, waste and recycling collection, waste disposal and treatment of refuse and recycling.
- 2.12 The local authority is currently preparing to undertake a renewed procurement exercise to secure waste management services beyond the expiry of its existing contracts in 2017.

² Best Value Statutory Guidance, DCLG, September 2011

Local Context

Tower Hamlets Procurement Policy Imperatives

- 2.13 The role of public sector procurement is increasingly prominent, in part driven by the squeeze on resources faced by public bodies. In its sixth session, the Communities and Local Government Select Committee undertook an enquiry into the impact of policies on improving procurement practices across local government.
- 2.14 The committee's report entitled 'Local government procurement' was published in March 2014 and recognised the scale of the challenge faced by local authorities. The report concluded that, despite positive developments, opportunities for collaborative working and more effective contract management were being missed. The report states that savings in the region of £1.8 billion could be achieved each year by conservative estimates.
- 2.15 Parallel to the report of the Communities and Local Government Select Committee, the Local Government Association (LGA) published its 'National Procurement Strategy for Local Government in England' setting out a vision for local government procurement. The strategy emphasises four key delivery outcomes in the areas of delivering savings, supporting local economies, demonstrating leadership and modernising procurement practices.
- 2.16 The London Borough of Tower Hamlets, like all local authorities, relies on the ability to procure goods and commission services in order to meet the needs of the local population. In 2013/14 the authority spent £355.5 million and used 6,000 suppliers on procuring these goods and services.
- 2.17 The Council's Procurement Policy Imperatives (PPI) 2012-15 governs the procurement process used by the authority. It brings together statutory obligations, the Council's medium term financial plan objectives and the vision of the executive.
- 2.18 The PPI identifies targets to be achieved through the procurement process. These include the delivery of 300 new jobs for residents of the borough by 2015, increased local spend from 22% to 40% by the financial year 2014-15 and the promotion of the London Living Wage and environmental sustainability in all procurement activities.
- 2.19 Since April 2013, a 'Community Benefits Schedule' has been incorporated into the Council's procurement policy with 5% of contract award criteria relating to securing community benefits. The policy recognises the need to support the development of a strong local enterprise sector capable of engaging with the Council and commits the authority to supporting this through training and development delivered by itself and its contractors as part of their community benefit obligations.
- 2.20 The Corporate Procurement Service provides the corporate leadership, policy and support to the Council in its commissioning and procurement activities, including oversight of the Council's engagement with its external supply base.

3. Key Findings and Recommendations

Procurement and Governance

- 3.1 The session began with an overview of the Council's procurement service and the governance frameworks affecting its work. Setting out the approach of the service as 'centre led but not centralised' and defined by a category management approach³, the presentation highlighted new developments in the sector such as the launch of the 'National Procurement Strategy' by the Local Government Association, new directives from the European Union and the launch of the Local Government Transparency Code 2014.
- 3.2 The presentation outlined the internal governance structures aimed at ensuring procurement activity was aligned to the objectives of the Council. Through the Competition Board and Competition Planning Forum, the Council has arrangements in place for the review of top spend categories and key strategic contracts, the development of policies governing procurement and to help ensure that the Council's strategic objectives are delivered through the procurement process.
- 3.3 Within the Council's procurement arrangements, the introduction of a new stage – Tollgate 3 review – now allows for greater post award scrutiny. This stage aims to ensure the presence of effective contract management arrangements and the realisation of community, financial and efficiency benefits. The session was also advised that changes had also been initiated within the Council in January 2014 to reduce the threshold at which contracting was supported by the Procurement Service. Previously set at EU levels (paragraph 2.2) the reduction of the corporate threshold to £25,000 has allowed for the service to play a role across a wider range of procurement activity. At present 80% of contracts have the London Living Wage embedded as a requirement.
- 3.4 As part of its Best Value Inspection of the Council, PricewaterhouseCoopers (PwC) considered procurement in Tower Hamlets. The final report did not judge the council to have failed to achieve its Best Value obligations in this respect. Nevertheless, the report highlights areas for improvement, which are being developed and managed through a Best Value Improvement Plan. The Procurement Service also highlighted the need to revise its existing strategy and adopt a revised ethical governance framework.
- 3.5 Officers were asked to set out the approach used by the Council to develop specifications and contract measures. Cllr Miah was advised that whilst specification development was ultimately the responsibility of the service seeking to award a contract, the Council's governance process – including Tollgate 1 stage – ensured that contract provisions reflect the wider council context, such as community benefits and arrangements to identify and manage risks.
- 3.6 Given the significant contribution of procurement activity in relation to Council spend and performance, there is legitimate role for all elected Members to ask questions and scrutinise forthcoming contracting decisions. It was noted

³ Category Management as defined by the Chartered Institute of Procurement and Supply is 'a strategic approach which organises procurement resources to focus on specific areas of spends. This enables category managers to focus their time and conduct in depth market analysis to fully leverage their procurement decisions on behalf of the whole organisation. The results can be significantly greater than traditional transactional based purchasing methods.'

that the Contracts Forward Plan is considered by Cabinet on a quarterly basis. Information provided on the Forward Plan includes a description of what will be procured, the estimated value, funding source and timetable.

- 3.7 In order to improve transparency, it is recommended that the Contracts Forward Plan is published in a clear way on the Council's website (i.e. not just within the papers for the relevant Cabinet meeting) with all councillors being advised of its update through the Members Bulletin. This will provide all Members – and members of the public – with basic information about significant service(s) being procured and the opportunity to ask for further information.

RECOMMENDATION 1:

Publish the quarterly Contracts Forward Plan on the Council's website and use the Members Bulletin to alert Councillors when it is updated.

Value for Money and Community Benefits

- 3.8 It was explained that the relative weighting given to different elements when procuring – such as cost and service quality – were not consistent across all services. This is a deliberate policy in order to ensure that the approach best fits the service being procured. However, it was stated that the Council typically now allocates a 5% weighting to community benefits, whilst also seeking to ensure that the contractor pay the London Living Wage. These requirements are not universal across other London local authorities.
- 3.9 There was a discussion as to whether the Council's requirements in terms of community benefits were likely to increase the costs of contracts. It was stated that there is currently no evidence of a detrimental impact. Nevertheless, it was acknowledged that community benefits are of a growing importance. As such, it was felt important that the Council should periodically review its approach to community benefits – both to ensure that these benefits are maximised whilst securing value for money but also to ensure that good practice in this areas is shared across the Council.

RECOMMENDATION 2:

Officers periodically review the Council's approach to securing Community Benefits to ensure that:

- Community benefits are maximised whilst securing value for money
- Community benefits good practice is shared across Council services and category management areas

- 3.10 Community benefits from existing large contracts were considered. For example, benefits of the current Veolia waste contract includes:
- independently led waste campaigns in schools and the local community;
 - sponsorship for community events;
 - a successful apprenticeship scheme; and
 - a Tower Hamlets workforce where 58% of staff are also residents of the borough

It was felt that such benefits from contractual arrangements are often not communicated to local residents – as such there is a limited understanding of the community benefits that are being achieved by the Council through major procurement activity.

RECOMMENDATION 3:

Communicate to residents the community benefits that are being achieved by the Council through major procurement activity and current contracts.

Commercial Skills and Training

- 3.11 The session considered the findings of a Communities and Local Government Select Committee report in 2014 which suggested that the lack of commercial acumen amongst contract managers in the public sector contributed to poor value for money. Cllr Miah was advised of the internal training and development opportunities for contract managers and the possibility of industry standard accredited learning was being investigated.
- 3.12 The Head of Procurement Service highlighted that there was a national debate across the public sector about the appropriate skills and experience needed to support effective procurement and contract management. He stated that the Procurement Service had, since 2013, delivered a number of workshops to develop procurement knowledge and skills across the organisation. The Best Value Procurement Improvement Action Plan had also embedded organisational development in procurement and commercial skills training as a key theme.

RECOMMENDATION 4:

Consider accredited learning for those involved in supporting high risk or high spend procurement and contract management activities.

Waste Management in Tower Hamlets – Case Study

- 3.13 The session was presented with an overview of the Council's waste management arrangements by the Head of Clean and Green services. This includes refuse and recycling collection, processing and street cleansing. It was explained that the contracts were awarded in 2005 to Cleanaway UK and subsequently transferred to Veolia UK after its acquisition of the former in 2006. The contracts are currently due to expire in 2017.
- 3.14 The presentation provided details on the performance of the contract. In 2013/14 the contract delivered:
- a 99.88% waste collection rate
 - a reduction of waste sent to landfill from over 80% to less than 9% (thus complying with the European Landfill Directive)
 - 98.10% of streets meeting the national street cleanliness performance target
- 3.14 The presentation also stated that whilst the recycling rate in the borough of 27.99% appeared to be comparatively low for London, when compared to

other authorities sharing similar attributes – e.g. high population density with significant numbers of flats – the Council’s performance compared more favourably. Of the 13 inner London Boroughs Tower Hamlets has the second best dry recycling rate, the first being the City of London

- 3.15 The session considered details of the relationship between the Council and Veolia in terms of contract management, including the balance between weekly operational and bi-monthly strategic meetings.
- 3.16 The Head of Clean and Green estimated that the Council saved in the region of £250,000 per annum through using community volunteers and effort to support waste management and street cleanliness. This includes both the use of Tower Hamlets Community Champions, Community Payback and private sector volunteer programmes supported by Veolia.
- 3.17 The importance of using technology to further harness residents’ knowledge and energy was discussed further. For example, the use of QR codes supported the Council to recognise the need to increase collection frequencies for bins near docking stations following the introduction of the Cycle Hire Scheme in the borough. Similarly, the Council’s mobile app, Find it, Fix it, Love it (FIFILI) has reduced the administrative process for raising public realm issues by allowing residents to report issues straight to the contractor with supporting photographs. This both saves money and reduces response times.
- 3.18 Responding to a query on how well the application was advertised and used, the Head of Clean and Green set out that with an initial development cost of £3,000 the application now had a base of 1,200-1,500 regular users. It was estimated that the app had resulted in a saving in the region of £120,000 since 2013. The application has seen limited advertisement to date – in part to allow the Council to learn and refine the app. Cllr Miah felt that now was a good time for publicising the service more widely, including to the 37% or almost 2,000 Council employees who are residents of the borough.
- 3.19 The wider applications of mobile technology, to harness residents’ knowledge and energy, were considered. For example, it was noted that potential planning infringements had been highlighted to the Council using FiFiLi – despite the fact that this was not an initially intended use.

RECOMMENDATION 5:
Publicise further Find it, Fix it, Love it (FIFILI) to increase its use including a focus on utilising the support of 37% of staff members who live in Tower Hamlets.

RECOMMENDATION 6:
Explore wider use of mobile app technology in Council services informed by the experience of FiFiLi.

Waste Management Service Requests and Complaints

- 3.20 Councillor Miah highlighted the levels of concern in relation to waste management amongst residents in estates managed by Registered Social Landlords (RSLs). The Head of Clean and Green noted that this was a recognised issue but that RSLs were responsible for waste arrangements within their estates. In the case of bulk waste, the Head of Clean and Green stated that the transfer of waste by the RSL to Tower Hamlets Council as the recognised Waste Disposal Authority could not take place legally under the Environmental Protection Act 1990 without the Council charging for this service. Although the Council has worked with RSLs to promote its own bulk collection service, in many instances RSLs have preferred to retain independent operations.
- 3.21 More generally, the issues of residents raising service requests and complaints were considered. In response, the Service Head for Public Realm clarified that an initial call from a resident highlighting a missed collection was seen as a service request – and not a corporate complaint. It is understood that this practice is in line with that used by other local authorities, and the historic calculation of what was until recently known as BVPI 88.
- 3.22 The Head of Clean and Green further clarified that service requests had an independent escalation process which ultimately resulted in the contractor being fined for every failed collection that they were responsible for. The session was advised that that some missed collections were outside of the contracted provider's control. For example, as a small densely populated borough, with narrow streets in many areas, road works and scaffolding can often impede access.
- 3.23 Where a resident specifically requests to report an issue, such as a missed collection, as a complaint this is handled through the corporate complaints procedure. In 2013/14 885 complaints were recorded representing a 19% decrease over the previous year. This figure should be seen in the context of 235,348 collections. It was noted that the Council's website does provide a monthly update on missed collections on its website.⁴

Renewing Waste Management Services

- 3.24 In 2011 Tower Hamlets Council participated in a roundtable event organised by London Councils exploring the future of waste management services. The subsequent report entitled 'Cutting Waste, Not Services' recognised the strain on Council finances and the need to find innovative solutions to continue delivering waste management services. The report concluded that authorities needed to manage expectations, share cost and review existing contracts. Councillor Miah asked officers how this report had influenced the approach adopted by the Council in deciding to pursue the renewal of its waste management services in 2017.
- 3.25 Officers highlighted that although the Council had considered a joint procurement exercise, entering in to such an arrangement with boroughs currently part of the East London Waste Authority (Figure 1.1) required changes in legislation. In addition, the example of North London showed joint arrangements can be problematic. The Council has also explored a potential joint exercise with Westminster and the City of London but this is not being actively pursued. However, Tower Hamlets does at present have a joint

⁴ http://www.towerhamlets.gov.uk/lgn/environment_and_planning/recycling_and_waste.aspx

hazardous waste contract in place and is exploring a joint clinical waste agreement. It was stated that the current arrangements, where Tower Hamlets is not part of a general larger sub-regional alliance, has worked to the advantage of the Council, including by providing the authority with flexibility in its approach.

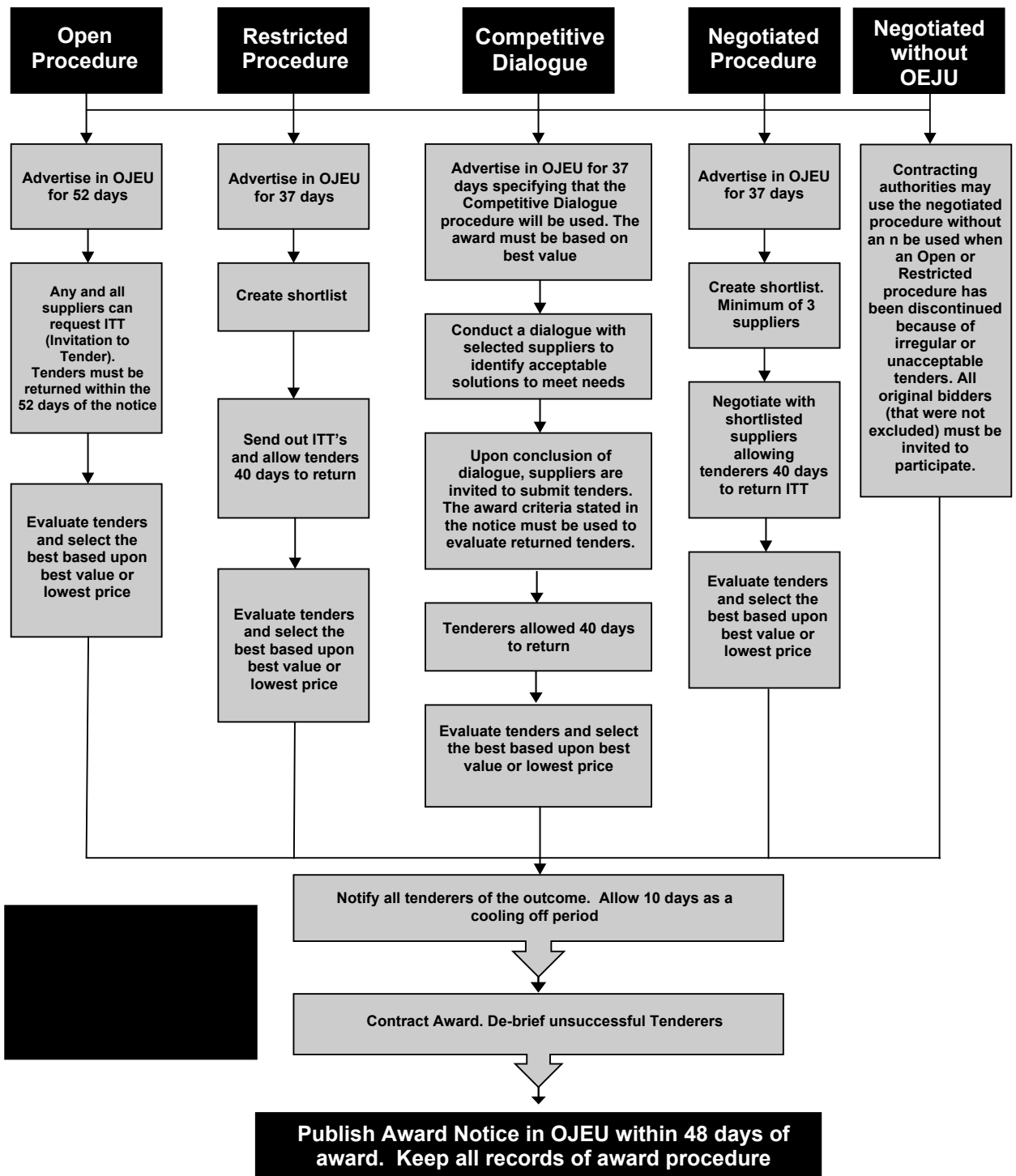
- 3.26 Given the ongoing work to renew Council's waste management contracts in 2017, information was sought on the approach taken to date, including market testing. It was confirmed that a soft market testing exercise had been undertaken in 2014 and that the Council expected to use a competitive dialogue process. This would allow the market to set out what could be provided rather than the Council overly prescribe the service in advance. The importance of recent technological developments within the waste management market was highlighted.
- 3.27 The session considered the current status of the Council's approach, including whether an in-borough asset (e.g. Council depot) would be part of the planned arrangements. It was confirmed that this issue was being explored with potential advantages to an in-borough site – including in terms of cost and potentially local employment – whilst also recognising the competing priorities on scarce public land (such as housing and other social infrastructure). It was noted that a more detailed report would be forthcoming prior to the formal commencement of the waste management procurement process.

Appendix 1: Legislation and Statutory Frameworks governing procurement

EU DIRECTIVE	UK LEGISLATION/STATUTORY GUIDANCE	OFFICE OF GOVERNMENT COMMERCE (OGC) GUIDANCE
The Public Contracts Directive 2004	The Public Contracts Regulations 2006	Framework agreements
The Remedies Amending Directive 2007	The Public Contracts (Amendment) Regulations 2009	Competitive dialogue procedure
Standard Forms Regulation	Best Value Statutory Guidance 2000	Environmental Issues and procurement
Threshold amendments Regulation	The Public Procurement (Miscellaneous Amendments) Regulations 2011	Social Issues and procurement
Public Contracts Directive 2014	Public Services (Social Value) Act 2012	Introduction to EC rules
	Local government transparency code 2014	Mandatory exclusion of economic operators
	Public Contracts Regulations 2015 (draft)	Mandatory standstill period
		Time limits for challenges under the public procurement regulations
		Use of the Accelerated Restricted Procedure in 2011

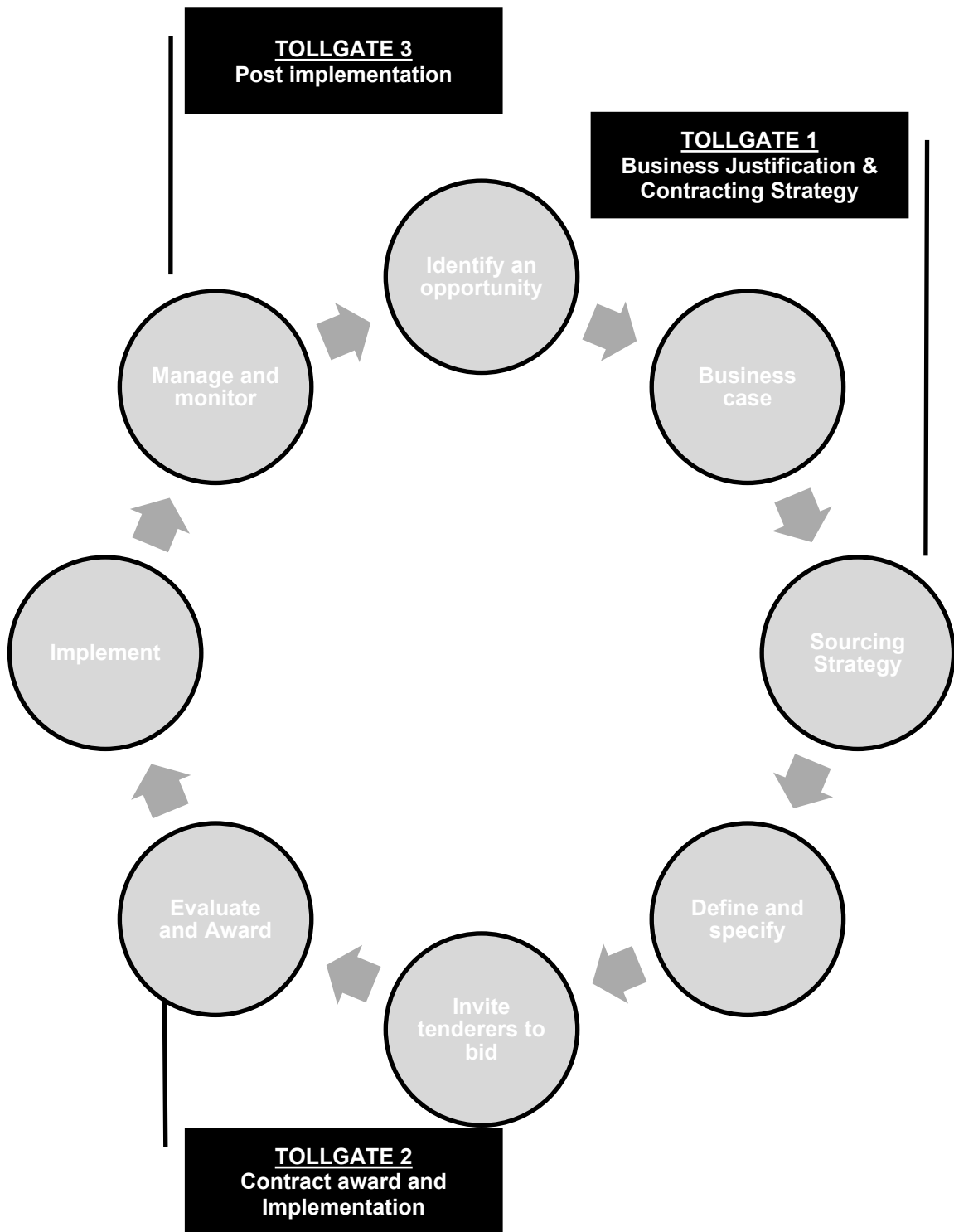
Appendix 2: EU Procurements Process

The following chart provides a simplified overview and quotes the maximum time frame for each process. Contracting authorities may operate at a reduced time frame through electronic publication in the OJEU or the publication of a Prior Information Notice (PIN) notifying tenderers of an intention to purchase.



Adapted from Cherwell District Council

Appendix 3: Tower Hamlets Procurements Cycle



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Agreed Actions and Next Step	Responsibility	Date of Completion	Progress Update
Recommendation 1: Publish the quarterly Contracts Forward Plan on the Council's website and use the Members Bulletin to alert Councillors when it is updated			
<p>Quarterly Contracts Forward Plan is currently published on the Council's intranet as part of the quarterly reporting to Cabinet.</p> <ul style="list-style-type: none"> • The Contracts Forward Plan will now also be published on the main Council website • Notification will be published in the Members Bulletin every quarter 	Procurement/ Communications	Sep-15	<p><u>Action Completed</u></p> <p>The contracts forward plan is published on the main council website and open to the wider public. Information is also published every quarter in the members bulletin.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
<p>Recommendation 2: Officers periodically review the Council's approach to securing Community Benefits to ensure that:</p> <ul style="list-style-type: none"> • Community benefits are maximised whilst securing value for money • Community benefits good practice is shared across Council services and category management areas 			
<ul style="list-style-type: none"> • Central Contracts Register has been updated to record Community Benefits secured against each contract. • Work has commenced with Economics Development team to review guidance and support for bidders. A Project Manager has been appointed to support contract officers on economics and community benefits requirements as part of contracts specification development. • Communication of community benefits good practices will be incorporated as part of the wider Best Value Procurement Improvement Programme which is underway. • A review of all Community Benefits secured since implementation of the Community Benefits requirement into contracts has been initiated. 	<p>Procurement</p>	<p>Sep-15</p>	<p>Action Completed</p> <p>Progress is reported as part of the Annual Procurement Report, which is reported to Cabinet. The Annual Procurement Report detailing the Authority's performance against key objectives set out within the Council's Procurement Policy Imperatives was presented to O&S Committee on 2nd November and Cabinet 3rd November 2015.</p> <p>The Annual Procurement Report includes case studies of Employment and Community Benefits secured through our procurement activities. The Annual Procurement Plan 2016 is expected to be reported to Cabinet in December.</p> <p>Employment and Community Benefits is considered on a case by case basis within the legal constraints. It is not possible to set a standard requirements across our contracts and in line with LBTH legal advice a maximum of 5% of the contract award weighting is allocated to securing community benefits for our local residents. The requirement for community benefits is assessed by Council's Competition Board through the Procurement Tollgate process.</p> <p>A new Procurement Strategy 2016-19 was approved by Cabinet on 26 July 2016 and as part of this we will be undertaking a detailed review of Commissioning and Procurement activities in order to have an overarching Commissioning and Procurement Strategy in place for financial year 17/18.</p>

Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 3: Communicate to residents the community benefits that are being achieved by the Council through major procurement activity and current contracts.			
Work has commenced into investigating wider publication of the employment and community benefits which have been secured for Tower Hamlets residents.	Procurement/ Communications	Sep-15	Progress will be reported as part of the Annual Procurement Report, which will be reported to Cabinet. Work is currently underway jointly with the Communications team to explore publicity options. Expected to be in place by December 2016.
Agreed Actions and Next Step	Responsibility	Date	Progress Update - August 2016
Recommendation 4: Consider accredited learning for those involved in supporting high risk or high spend procurement and contract management activities.			
Targeted Procurement training is underway to improve procurement knowledge and skills across the organisation.	Procurement	Dec-15	<p>Action Completed</p> <p>A new Corporate Procurement Training Programme implemented as of July 2015 and a new Supply Tower Hamlets contract has been awarded which will support approximately 1200 Tower Hamlets businesses to develop their knowledge, expertise and confidence in making bids for new public and private sector contracts.</p> <p>As part of the BV Procurement Action Plan a new Contract Management guide and toolkit was launched in May 2016 and been developed to assist officers with contract management and monitoring responsibilities to help strengthen and ensure effective management of council contracts. The main purpose of the toolkit is to provide guidance on best practice in contract management and is not intended to replace existing directorate reporting arrangements or systems in place. As part of the implementation of the new e-sourcing solution, a new e-contract management module will also be introduced later in the year. The guidance and toolkit will serve as a key step to reinforce and, where necessary, improve contract management practices in preparation for the implementation of the e-contract management tool.</p>

Current Status and Next Steps	Responsibility	Date	Progress Update
Recommendation 5: Publicise further Find it, Fix it, Love it (FiFILI) to increase its use including a focus on utilising the support of 37% of staff members who live in Tower Hamlets.			
<p>Once the redesigned app is ready to go live, this will be publicised widely, both internally and externally. Internally, this will include an article on the council Intranet; in both Members' and Managers' briefing emails; in the TH Now internal magazine and the CLC directorate newsletter.</p> <p>Externally, this will be publicised with an article in East End Life – based on a press release that will be circulated to the local media, Black and Minority Ethnic (BME) media and regional news outlets. This will then be publicised widely on social media, most notably through Twitter.</p>	Public Realm/ Communications	Jul-15	<p>Action Completed</p> <p>A press release was published on the intranet and the LBTH website and circulated to 118 local, regional, BME and local authority trade media outlets in June 2015. This was supplemented by articles in East End Life.</p> <p>Information has also been shared via the Managers' briefing and an article was also published in the August 2015 edition of the TH Now magazine.</p> <p>The press release was actively publicised between June 1 and August 1, 2015 and regular posts continue to be published on Twitter and Facebook.</p> <p>Publicity through management meetings is ongoing, and staff within the teams are being encouraged to use the app. The app is being used, but it is evident that a majority of calls are still through the contact centre or Member requests, and further publicity will be required to reiterate the message.</p>
Agreed Actions and Next Step	Responsibility	Date	Progress Update
Recommendation 6: Explore wider use of mobile app technology in Council services informed by the experience of FiFILI			
<p>Mobile technology (including mobile app technology) will be considered at the Council's ICT Partnership governance forums, known as Strategic Operations Boards and the Strategic Partnership Board. Digital developments for both residents and staff will form part of the overall Digital Strategy being developed. The FiFILI experience to date will provide valuable information as to our future direction.</p>	ICT	Ongoing	<p>The Digital Strategy is in development. The Council is looking at opportunities for additional use of mobile apps for example to make available to apps that support independent living for frail elderly and this with learning disabilities.</p> <p>Anticipated adoption by Cabinet - Late 2016/Early 2017</p>