

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 6.30 P.M. ON MONDAY, 25 FEBRUARY 2019**

**HARFORD COMMUNITY CENTRE, 115 HARFORD STREET, LONDON, E1 4FG**

**Members Present:**

Councillor Abdal Ullah (Chair)	
Councillor Marc Francis (Vice-Chair)	– Lead for Resources
Councillor Sufia Alam	– Lead for Children's Services
Councillor Dipa Das	– Lead for Place
Councillor James King	–
Councillor Kyrsten Perry	–
Councillor Mohammed Pappu	–
Councillor Bex White	– Lead for Governance
Councillor Andrew Wood	–

**Co-opted Members Present:**

Ahmed Hussain	– Parent Governors
Fatiha Kassouri	– Parent Governors
Dr Phillip Rice	– Church of England Representative
Khoyrul Shaheed	– Muslim Faith Community

**Other Councillors Present:**

Councillor Candida Ronald	– Cabinet Member for Resources and the Voluntary Sector
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**Apologies:**

Councillor Mufeedah Bustin	
Councillor Kahar Chowdhury	– Lead for Health, Adults and Community
Neil Cunningham	– Parent Governors
Councillor Denise Jones	– Cabinet Member for Adults, Health and Wellbeing
Joanna Hannan	– Representative of Diocese of Westminster

**Officers Present:**

Shohel Ahmed	– (Joint Safeguarding Adults Strategy and Governance Manager)
Zamil Ahmed	– (Head of Procurement)
Elizabeth Bailey	– (Strategy & Policy Manager)
David Jones	– (Interim Divisional Director, Adult

Sharon Godman

David Knight  
Neville Murton  
Denise Radley

Christabel Shawcross

- Social Care)
- (Divisional Director, Strategy, Policy and Performance)
- (Senior Democratic Services Officer)
- Corporate Director, Resources)
- (Corporate Director, Health, Adults & Community)
- (Safeguarding Adults Board Chair LBTH)
- (Senior Democratic Services Officer)

## 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interest were received at this meeting.

## 2. UNRESTRICTED MINUTES

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

### RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 26<sup>th</sup> November, 2018 were approved as a correct record of the proceedings.

### 2.1 Minutes - 28th January, 2019

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 28<sup>th</sup> January, 2019 was approved as a correct record of the proceedings. Copy to sign

## 3. SCRUTINY SPOTLIGHT

### 3.1 Independent Chair of Adults Safeguarding

The Committee will receive a presentation that will outline performance in terms of service delivery and the challenges the Council is facing. The main points of the discussion maybe summarised as follows.

The Committee:

- Noted that the intention is to use the Safeguarding Adults Reviews (SAR) to identify trends and the timeliness of learning from serious cases;
- Was informed that an action plan is being developed after each SAR to highlight issues/themes/concerns and look at where there are repeating issue's (e.g. neglect; managing medication and how services are commissioned);

- Was advised that the Board has placed significant focus on raising awareness (**e.g.** so that older adults know how and when to report issues and are empowered to do so especially particularly when the abuse occurs in their own homes);
- Noted that it is important for older adults have support in establishing boundaries within their home/family environment to builds a positive relationship within their family where they may be concerned about how they are treated
- Noted that the independent regulator of all health and social care services in England ,the Care Quality Commission monitors all registered care and are a member of the Safe Guarding Board and they highlight concerns for the Board so if there are safeguarding issues these will be addressed with our partners;
- Was informed that the standards for commissioned services are the same as in-house and the Council have quality monitoring officers for the services provided via commissioned services in homes and in residential accommodation;
- Noted that it is clearly very important if improvements are to be made, and, more importantly, sustained, that local arrangements for safeguarding should be subject to scrutiny and challenge which focuses on ensuring adults are properly safeguarded and their life chances improved. This is where the role of councillors who are involved in scrutiny is crucial;
- Was informed that patients who are consider most at risk of their care escalating into the acute setting are referred to the Integrated Locality Teams who are responsible for joining up and coordinating the care provided by multiple professionals to patients; and
- Noted that the data on the quality of provision is available to families to make an informed decisions and the Council has access to detailed data on providers to make an informed assessment.

The Chair thanked Christabel Shawcross and the Officers for their presentation. Then as a result of consideration of this presentation by the Committee the Chair Moved and it was:-

## **RESOLVED**

The Committee **agreed:**

- I. They would like to regularly revisit the issues highlighted in the discussion and it was suggested that there should be a further discussion on this issue at the November meeting;
- II. That this could be held in a community setting where services are delivered e.g. Mellish Street on the Isle of Dogs; and
- III. The Committee should be provided with details of the forth coming consultation on the Adults Safeguarding Strategy.

### **3.2 The Complaints and Information Annual Report 2017/18**

The Committee received and noted a report regarding the Complaints and Information Annual Report 2017/18 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. The main points of the discussion maybe summarised as follows.

The Committee:

- Noted that in regards to the Tower Hamlets Homes the Housing Local Government Ombudsmen (LGO) has indicated that THH accept like any organisation they can make mistakes. THH want to know if they get something wrong, and welcome customer feedback so that they can learn from their mistakes and improve their services.
- Noted that training and support is provided to Council Staff so as to improve the response rates and the direction of travel is good;
- Was informed that in April there will be 2 quarters data to reflect upon and have a clearer picture of the situation since the introduction of the 2 stage complaints process;
- Was advised that if required the process can be escalated;
- Noted that the LGO have indicated that complaints provide councils valuable information that they can use to improve customer satisfaction.
- Acknowledged that a councils complaints handling procedure will enable them to address a customer's dissatisfaction and may also prevent the same problems that led to the complaints from happening again.
- Recognised that handled well, complaints can give council customers a form of redress when things go wrong, and can also help councils continuously improve their services;
- Accepted that resolving complaints early saves money and creates better customer relations. Sorting them out locally and quickly, so they are less likely to escalate to the next stage of the procedure;
- Indicated that it wished to have details of those cases that have been considered by the Environment and Traffic Adjudicators tribunal; and
- Commented that in future it would be helpful to receive details on the numbers of Members Enquiries and complaints handling within a single document. In response it was noted that the complaints data will in the future integrated into the performance report.

The Chair Moved and it was:-

#### **RESOLVED**

To note priorities for action to improve performance for both information governance and complaints handling.

## **4. UNRESTRICTED REPORTS FOR CONSIDERATION**

### **4.1 Social Value Act Scrutiny Challenge Session**

The Committee received a report that followed up from the scrutiny challenge session on the Social Value Act, which went to Overview and Scrutiny Committee (OSC) on 9 May 2017, and a subsequent action plan considered by Cabinet in 27 February 2018. The report reviewed the progress against the recommendations and action plan.

The Committee.

- Noted that the Council are looking at best practice to develop and embed the action plan and associated toolkit can be used to from area to area to get the best economic benefit;
- Was informed that Res in the Social Value Basket there was a requirement to quantify the costs involved in lower value contracts to secure those benefits;
- Noted that the Council is legally obliged to consider how something it is procuring might improve the economic social and or environmental well-being of its area;
- Noted that the Council must also consider how the mode of procurement will secure such benefit and indicated that it would wish to see the procurement in regard to the new Town Hall;
- Noted that the Members at the Challenge Session had identified that the development of a Social Value Policy would have the benefit of providing both contractors and residents with a clear definition of expectations and requirements in the commissioning, implementation and evaluation of social value elements;
- Noted that taking steps engage and consult with both communities and potential suppliers to evidence and inform the format, scale and range of the Social Value Policy is therefore at the heart of the review and a focus for recommendations; and
- Was informed that where money spent to increase equality impact through the Social Value Act it is aligned to the council's priorities.

As a result of discussions on this report the Chair Moved and it was:-

### **RESOLVED**

The Committee noted the updates within the report.

### **4.2 Q3 Corporate Budget Monitoring Report**

The Committee received a presentation from Cllr Ronald, Cabinet Member for Resources and the Voluntary Sector and Neville Murton, Corporate Director of

Resources on the Council's finances and a subsequent report to be considered by Cabinet in 27 February 2018. The Committee noted that it was being asked to consider if these align with Council priorities and provide residents with value for money.

The Committee:

- Raised concerns that the information provided was too high level and that it would be useful to have more detail in the report to improve transparency. In particular, the directorate analysis could be clearer.
- Noted that new capital governance arrangements are driving through change so that going forward there will be a better understanding future capital expenditure. Especially with regard to the former Royal London Hospital building that would become the location for the New Town Hall;
- Was reminded that funding for local authorities in England has undergone considerable changes in the 2010s. Central government grant funding has been substantially reduced; after falling in real terms to 2015, council tax has begun to rise; and new grants have been introduced in response to claims of a 'crisis' in social care funding;
- Noted that since 2013, business rate retention has also rewarded councils with a share of growth in business rate revenues. In February 2016, the Government complemented these changes with the announcement of a 'fair funding review', followed by consultations in July 2016 and December 2017;
- Was informed that the Fair Funding Review will affect how funding is allocated and redistributed between local authorities from 2020 onwards. It is expected to use three main 'cost drivers': population, deprivation and sparsity, together with additional cost drivers related to specific local authority services; and
- Queried the implications of the spending review and fair funding review colliding in 2020 and discussed the impact of the lack of provision for deprivation within current Government principles.

The Chair Moved and it was:-

## **RESOLVED**

The Committee

Note the Council's projected outturn position against General Fund, Dedicated Schools Budget and HRA budgets agreed for 2018-19, based on information as at the end of December as detailed in the Appendices and the summary savings position.

## **5. REQUESTS TO SUBMIT PETITIONS**

The Committee was advised that no requests to submit any petition's had been received for consideration at this meeting.

**6. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG  
2019/20**

Noted

**7. CABINET FORWARD PLAN & WORK PROGRAMME REVIEW**

Noted

**8. UNRESTRICTED REPORTS 'CALLED IN'**

The Committee was advised that no unrestricted reports had been “called in”.

**9. VERBAL UPDATES FROM SCRUTINY LEADS**

1. **Councillor Bex White Scrutiny Lead for Governance** advised the Committee that (i) she had, had a meeting with officers on the development of the Overview and Scrutiny Toolkit (ii) Attended the launch of the Councils Brexit Report and (iii) the report of the Spitalfields Community Governance Review would be going to General Purposes and Cabinet this week.
2. **Councillor Marc Francis Scrutiny Lead for Resources** informed the Committee that (i) there had been a Scrutiny Challenge Session on Customer Access and (ii) further work is required on the development of the Grants Scrutiny Sub-committee.

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

The Committee received and noted those questions to be presented at Cabinet by the Chair in relation to unrestricted business on the agenda – **See Appendix 1**

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

**11.1 Determination of School Admission Arrangements for 2020/21**

The Chair informed the Committee that Cabinet on 27<sup>th</sup> February, 2019 was to agree the Local Authority's school admission arrangements for Tower Hamlets Community Schools and those schools for whom the Local Authority acts as the admission authority. He stated that due to the urgency of the decision he had after briefing from officers had agreed to this decision being exempt from call-in.

**12. EXCLUSION OF THE PRESS AND PUBLIC**

As the agenda circulated contained no exempt/ confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

**13. EXEMPT/ CONFIDENTIAL MINUTES**

Nil items

**14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'**

Nil items

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

Nil items

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

Nil items

The meeting ended at 9.15 p.m.

Chair, Councillor Abdal Ullah  
Overview & Scrutiny Committee



Agenda Item 6.1 Spitalfields Community Governance Review - Consideration of Draft Recommendations	
Questions	Response
Why no mention of the fact that the majority of online responses inside the proposed area supported a Town Council?	Of the 362 responses received from those living in the area proposed by the petitioners 140 (38.7%) were in support of the proposal and 218 (60.2) were against it. Of the 216 online responses from those in that area 132 (61.1%) were in support of the proposal and 84 (38.9%) were against it. However, as a public consultation exercise the council cannot privilege one mode of responding to that consultation over another. It has therefore drafted its recommendations taking into account all the responses that it has received. (A breakdown of consultation responses by area and mode is available in the phase 1 consultation analysis at appendix C)
Why has no information been made available yet about the Council tax precept?	The council's estimate of the income which a parish could raise through the precept is set out in the report in the section 'Financing a parish council'. The council has used the national average band D precept of £65.04 per annum to make this estimate. It is aware that the level of precept set on a band D property by parish's ranges from £0 to over £200 depending on number of factors, including the ratio of spending between different levels of local government. If a parish were to be established it would be for the principal council to set a precept for the first year and for the parish council to set in subsequent years.

<p>Page 9 a) “The parish area proposed is significantly less deprived then neighbourhoods to the south, east, west &amp; north” what proof is there for this statement? What is the data source?</p>	<p>Most of the area of the parish proposed in the petition falls in TH 015B LSOA. In terms of deprivation it is ranked 16,147 out of 32,844 LSOAs in England (i.e. within the 50% most deprived). The proposed parish does contain some areas that are more deprived than this; however, the areas of Tower Hamlets surrounding the proposed parish are significantly more deprived (i.e. -depending on the LSOA - within the 30%, 20% and 10% most deprived in the country). A map and associated data can be found online at <a href="http://dclgapps.communities.gov.uk/imd/idmap.html">http://dclgapps.communities.gov.uk/imd/idmap.html</a></p>
<p><b>Agenda - 6.2 Determination of School Admission Arrangements for 2020/21</b></p>	
<p><b>Questions</b></p>	<p><b>Response</b></p>
<p>Elizabeth Selby Infants and Lawdale Junior Schools are both having 15 pupil reductions from 2020/21</p> <p>But at the last Cabinet meeting "Planning for School Places – 2018/19 Review and Recommendations" report there was estimated to be a 548 pupil spare reception places in 2020/21 mostly in western TH</p> <p><b>Q.</b> Are these reductions in Published Admission Numbers too little?</p>	<p>The LA is currently undertaking a comprehensive review of primary school places to address the surplus in the West of the borough. The proposal to reduce the number of places at Elizabeth Selby Infants and Lawdale Junior Schools is related to this work, but most of the reduction will be achieved through the decisions arising from the review.</p>
<p><b>Q.</b> Given the identified need to close primary schools when will the schools to be closed be identified?</p>	<p>The review is not primarily looking at school closures as a means of reducing surplus places. The LA is currently working with a number schools to develop a range of alternative options, with the aim of ensuring that these schools remain financially sustainable and are able to maintain high quality education in the context of falling rolls</p>

	<p>and reducing budgets. These options include changes to school organisation as follows:</p> <ul style="list-style-type: none"> <li>• federations (two or more schools joining together under one governing body)</li> <li>• amalgamations (two or more schools coming together as a single school)</li> <li>• the relocation of existing schools into areas of the borough where there is an increasing demand for school places</li> </ul> <p>This work will continue through the spring and summer terms 2019, and will include an initial (soft) consultation on these options with schools and their communities.</p> <p>The proposals arising from the review will be presented to Cabinet in the LA's report on pupil place planning in October 2019. The LA will then undertake a statutory (public) consultation on the proposals during November and December 2019. Recommendations will then be presented to Cabinet in February 2020, as part of the LA's annual report on the determination of its school admissions arrangements. If agreed, the aim will be to implement the changes from as early as September 2020, where possible.</p> <p>The challenge of surplus places is likely to be a</p>
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	recurring problem and the review acknowledges that a long-term strategy is required to address this issue. The LA is therefore taking every opportunity to address the issue of surplus places at a strategic level, where due consideration can be given to the number and location of schools that will be needed in the future. This can then be proactively planned for, to ensure that there is an appropriate balance between school places and future demand.
<b>Agenda item 6.4 Tower Hamlets Waste Management Strategy</b>	
<b>Questions</b>	<b>Response</b>
What is being done to deliver food waste recycling to high rises?	<ul style="list-style-type: none"> <li>• Tower Hamlets Waste Management Strategy includes the intention to roll out food waste collections to flats, where it is practical and cost effective to do so.</li> <li>• In December 2018 the Government issued its resources and waste strategy which identifies an intention to make the separate collection of food waste mandatory from 2023, subject to consultation. The consultation has now been issued and is asking local authorities to identify what support they need to put weekly separate food waste collections in place. The Council will respond to the consultation which closes on 13<sup>th</sup> May 2019</li> </ul>

	<ul style="list-style-type: none"> <li>• Officers are gathering benchmarking information from other local authorities who already provide separate food waste collections from flats.</li> <li>• Officers will be setting up a working group with RSL representatives to look at designing a pilot area for the new service, taking account of the outcome of the Government’s consultation on weekly food waste collections.</li> <li>• Roll out of food waste collections to flats will be implemented after the waste and recycling services are brought back in house in 2020 and subject to funding and support being available.</li> </ul>
<b>Agenda Item 6.5 Recommendations for the future delivery of Contract Services</b>	
<b>Questions</b>	<b>Response</b>
What consultation has or will be done with parents? Particularly around moving the Service to holding the Food for Life SOIL Association “Silver” standard for Primary School meals rather than the “Gold” standard currently held?	The intention is to consult with schools and parents about the proposal to move to the Food for Life Silver Standard.
The report talks about "Birmingham’s City Council’s “City Serve” and has this line: "However, it is acknowledged that they operate at significant scale through delivery of meals to 258 schools in Birmingham and the West Midlands"	The report refers to the £2.5 million surplus that City Serve (Birmingham City Council) has generated since their transformation. To put this number into perspective, Tower Hamlets, with significantly fewer schools than Birmingham, would not be able to generate that level of profit. Nonetheless, depending on the level of investment and remodelling that is introduced, Tower Hamlets

<p>Have any attempts been made to talk to our neighbours about running these services jointly? Since Birmingham would suggest scale matters.</p>	<p>could achieve a break-even and possibly a surplus position.</p> <p>We are in regular contact neighbouring boroughs including Havering, Newham, Waltham Forest, Greenwich, Enfield, Thurrock and Barking &amp; Dagenham as they are all part of PAL (Procurement Across London) Group. The London Borough of Havering's Procurement Team (One Source) lead on the procurement process on behalf of the Group. We already benefit from joint procurement processes for large contracts e.g. Meat, ambient and frozen produce, fruit and vegetables, light equipment and disposables. This method of procurement has always been of great benefit to Contract Services as consistent and improved pricing and quality is achieved due to the increased purchasing power of the participating member authorities.</p> <p>Running services jointly is a possible solution but the boroughs have not been live to this as most wish to maintain direct control of their own catering service and their decisions regarding those catering operations. All operate slightly differently, e.g. Tower Hamlets has Free School Meals for all primary pupils due to the Mayor's funding which others do not have; some services are contacted out and so aligning services would not be</p>
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	straightforward and there has been little interest shown in joint delivery of the services. Although further approaches could be made.
When will the proposed 3-year investment be fully costed? When will the costings be assessed against the recommendations and what will happen if these are deemed to be unviable as a result?	A full costing exercise for any proposed investment will be undertaken with finance. These will then be assessed against the recommendation; and the findings from the consultation exercise with schools/parents.
<b>Agenda Item - 6.7 Local Implementation Plan [LIF] 3 - Report of Consultation and Final Draft Approval</b>	
<b>Questions</b>	<b>Response</b>
How does the element of LIF identified for this plan correlate with residents views on what the LIF should be spent on? What processes are in place to ensure resident's views are delivered?	The reference to LIF (Local Infrastructure Fund) in the LIP3 simply refers to the total amount of LIF funding available. The LIF funding is managed by the Planning Delivery Team. A public consultation was carried out 2 years ago which identified the public's priorities for spending the LIF money on. Services were then invited to put forward projects which met these priorities in order to develop a programme of works to be approved by the Mayor in Cabinet in June as part of the Capital Programme process, thus confirming that funding is only allocated to projects meeting residents priorities. This process will then be repeated from the summer to inform use of further LIF funding which has become available since 2017. Consequently, in the context of the LIP3, LIF is a funding source which could provide match funding

	for schemes in the LIP where they are consistent with the priorities identified by the public. The forthcoming consultation on transport in Tower Hamlets will also give an opportunity for resident involvement going forward.
Table 14 shows potential funding for the LIP. How does this stack up against what funding is actually required? What is the funding gap (if any) and how will this be filled?	The LIP does not contain detailed projects but outlines the works programmes to which LIP will be applied. Availability of LIP funding gives a kick start to the development process which will ultimately define the detail of schemes and costing. Projects will then be submitted through the Capital Programme process, identifying their cost and sources of funding. This will determine the scope of programmes and projects to meet Strategic Plan aspirations.