

**LONDON BOROUGH OF TOWER HAMLETS**

**DRAFT MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 6.35 P.M. ON MONDAY, 23 JULY 2018**

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

**Members Present:**

Councillor Abdal Ullah (Chair)	
Councillor Marc Francis (Vice-Chair)	
Councillor Sufia Alam	– Lead for Children's Services
Councillor Mufeedah Bustin	–
Councillor Kahar Chowdhury	– Lead for Health, Adults and Community
Councillor Dipa Das	– Lead for Place
Councillor James King	–
Councillor Kyrsten Perry	–
Councillor Mohammed Pappu	– Lead for Governance
Councillor Bex White	–
Councillor Andrew Wood	–

**Co-opted Members Present:**

Khoyrul Shaheed	– Muslim Faith Community
Ahmed Hussain	– Parent Governors

**Other Councillors Present:**

Councillor Danny Hassell

**Apologies:**

Joanna Hannan	– Representative of Diocese of Westminster
Dr Phillip Rice	– Church of England Representative
Fatiha Kassouri	– Parent Governors
Neil Cunningham	– Parent Governors

**Officers Present:**

Stephen Ashley	– Independent Chair of the Local Safeguarding Children's Board
Elizabeth Bailey	– Senior Strategy, Policy and Performance Officer
Janet Fasan	– (Divisional Director, Legal)
Afazul Hoque	– (Head Corporate Strategy & Policy)

Nancy Meehan	– (Interim Divisional Director, Children's Social Care)
Neville Murton	– (Divisional Director, Finance, Procurement & Audit)
David Tolley	– (Head of Environmental Health and Trading Standards)
Brian Snary	– Financial Accountant - Resources

## **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

The Committee noted that with reference to agenda item 10 the Pre-Decision Scrutiny of the Cabinet agenda should there be any formal discussion on the Cabinet report regarding Supporting the Local Economy - Proposed criteria for granting Business Rate relief (Cabinet Item 6.6 refers) then the following Members indicated that they would have to declare an interest:

- Councillor Mufeedah Bustin – Employed by a Borough charity;
- Councillor Kahar Chowdhury – Member of a Borough charity;
- Co-Opted Member - Khoyrul Shaheed – Member of a Borough charity;
- Councillor Abdal Ullah – Trustee of a Borough charity; and
- Councillor Bex White - Employed by a Borough charity.

## **2. UNRESTRICTED MINUTES**

### **2.1 Minutes of the meeting held on 25th June, 2018**

It was agreed to defer consideration of these minutes until the next meeting.

### **2.2 Minutes of the meeting held on 11th July, 2018**

It was agreed to defer consideration of these minutes until the next meeting.

## **3. REQUESTS TO SUBMIT PETITIONS**

The Committee were advised that no requests to submit petitions had been submitted for tonight's meeting.

## **4. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG 2018/19**

The Committee received and noted the Query and Action Log 2018/19.

## **5. CHAIRS UPDATE**

The Chair reminded the Committee that a copy of the Call in Criteria had been circulated to assist Members and going forward consideration would be given to the Cabinets Forward Plan.

## **6. UNRESTRICTED REPORTS 'CALLED IN'**

The Committee was reminded that a decision had been made by the Mayor in Cabinet on Wednesday, 27 June 2018 regarding the need to 'secure the future of early years services – local authority day nurseries' and that this had been "called in" under the Overview and Scrutiny Committee Procedure Rules of the Council's Constitution. A summary of the main points of the discussion is outlined as follows:

The Committee:

- Noted that the Cabinet Report had been published on Friday, 22nd June, 2018 before the Mayor in Cabinet made his decision on Wednesday, 27th June, 2018. Those Members that had called in the report had expressed their concerns that there had been insufficient time to (i) consider the report in full, (ii) carry out appropriate due diligence on a key decision and (iii) explore alternative options available;
- Indicated that a report should only be published less than five clear days in advance of a meeting if the Chair was satisfied that it is was not possible to delay consideration until a later meeting;
- Indicated that it was important going forward that the guidance/terms of reference/protocols for the Call In process should be reviewed to ensure it is fit for purpose;
- including the time period for convening such a meeting; and
- Agreed the importance of agreeing a consensus at the meeting.

## **7. SCRUTINY SPOTLIGHT**

### **7.1 Children's Social Care: Progress Update**

The Committee received and noted a presentation from Councillor Danny Hassell the Cabinet Member for Children, Schools and Young People and Nancy Meehan the Interim Divisional Director, Children's Social Care that provided an update since the last Ofsted visit and the preparations being made for future visits on 15<sup>th</sup> and 16<sup>th</sup> August, 2018. The main points of the discussion are summarised below.

The Committee:

- Noted that quality assessments are subject to regular audits and dip samples and that there is an individual officer responsible to oversee each case;

- Was reminded of the Ofsted Judgement on the Council collectively but they had been highly impressed by what has been achieved since the Judgement and the Council had come together collectively to make a really decisive turnaround which is a credit to both the elected Members and the officers;
- Commented that the appointment Nancy Meehan as the Interim Divisional Director, Children's Social Care had made a massive difference to the journey that the Council is now on. However, wanted to receive more details as to where the Council expected to be in the short and longer term;
- Noted that the Cabinet Member for Children, Schools and Young People had been impressed by the way that LBTH as an organisation had come together to work on the changes required;
- Was informed that whilst Ofsted had seen the changes the aim was for LBTH to be rated as good especially around leadership/management so as to ensure the positive direction of travel would continue;
- Noted that the Mayor; Councillor Hassell and the Chief Executive had attended training on the restorative approach to child protection which had outlined the mechanism to address harm in a way that brings together the people affected and how it afforded them the opportunity to make it better and in particular to make the children safe;
- Commented that with regard to the retention of social workers had consideration been given to how other agencies had retained and developed Mental Health Social Worker/General Practitioners;
- Noted that LBTH was considering the offer for social workers at Year 2 and Year 4 as these milestones are considered that when social workers are most likely to consider leaving the authority;
- Noted that the Cabinet Member was happy to consider best practice regarding the recent local recruitment/retention campaigns aimed at Mental Health Social Worker and General Practitioners **e.g.** as a model upon which to base a recruitment campaign for all children's services;
- Noted that LBTH carries out case reviews at the 3; 6 and 9 month period to ensure that the required targets are hit on a sustained and regular basis;
- Noted that there is now a regular reporting up of the relevant data and it is clearer in the minds of both the managers and staff what needs to be done. Whilst there is robust and regular oversight of the process and staff know clearly what is required of them;
- Noted that maintaining the chronology of case records is now a requirement, which means that the children do not have to re-tell their story as they transit through the system. Whilst the dip sampling makes possible an effective oversight of this process and regular scheduled meetings with first line managers every 2 months is also being developed;
- Noted that whilst progress has been made there is still more work to be done. Although there have been changes in culture so that staff and their management see why (i) they have to follow a process for the good of the child and (ii) why have to do interventions at certain situation times and in certain ways.

## **7.2 Independent Chair of the Local Children's Safeguarding Board [LCSB]**

The Committee received and noted a presentation from Steve Ashley the Independent Chair of the LCSB who provided an independent view on progress in Children's Safeguarding. The main points of the discussion are summarised below.

- Noted that there would be a 15-month transition period to replace outgoing local safeguarding children boards (LSCBs) with new arrangements **i.e.** the Department for Education had stated that the new regulations will be put in place by May 2018, with local authorities being required to have their new arrangements in place by September 2019.
- Noted that Sir Alan Wood had recommended a number of changes to the safeguarding system as part of his review of LSCBs in 2016;
- Noted on the back of those recommendations the current system is set to be replaced with a new way of investigating child deaths;
- Noted that the Local Children Safeguarding Boards (LCSBs) would be replaced with three local safeguarding partners (i) Police Service Borough Commander; (ii) Chief Executive Officer of the Clinical Commissioning Group (CCG) and (iii) the Borough's Chief Executive;
- Noted that there was a need to have a focus upon the Early Help to support a child, young person or their family early in the life of a problem, as soon as such as situation emerges. Which the Committee was informed can be required at any stage in a child's life from pre-birth to adulthood, and applies to any problem or need that the family cannot deal with or meet on their own;
- Noted the Steve Ashley had established an Executive Board with a small group of senior people who were able to make decisions (i) Police Service Borough Commander; (ii) Chief Executive Officer of the Clinical Commissioning Group (CCG); (iii) the Borough's Chief Executive and (iv) the Corporate Director of Children's Services with a streamlined focused process to hold people to account;
- Noted the importance of having designated senior officers to identify where the potential issues were and that they can take the staff with them to address the issues in a focused way;
- Noted the Department for Education (DfE) statutory guidance outlines what organisations and agencies who have functions relating to children must and should do to safeguard and promote the welfare of all children and young people under the age of 18;
- Noted that Steve Ashley was happy to assist the OSC in any way he can including the running of workshops; and
- Noted that Councils cannot keep on spending in the current way given the budgetary pressures and that LBTH has done well to establish a separate fund to get the Council through to where it needs to be within the next 18 months' time then to consider if it is sustainable for the longer term.

The Chair thanked Steve Ashley for his presentation and agreed to invite him back to deliver a session with the Lead Member on safeguarding.

## **8. UNRESTRICTED REPORTS FOR CONSIDERATION**

At this point the Vice-Chair Councillor Marc Francis took the chair for the reminder of the meeting.

### **8.1 Statement of Licensing Policy 2018 - 2023**

The Committee received and noted a presentation from David Tolley Head of Trading Standards and Environmental Health on report that outlined the Council's review of the Statement of Licensing Policy. The main points of the discussion on this report maybe summarised as follows:

The Committee

- Noted that the reviewed Statement of Licensing Policy will ultimately go to full Council for adoption;
- Was informed that the Policy enables the administration by the Council of licences under the Licensing Act 2003;
- Observed that the purpose of the Policy is to define how the responsibilities under the Act are going to be exercised and administered;
- Noted that the statutory consultation requirements does consist of (i) the Chief Officer of Police for the Licensing Authority area; (ii) the Fire Authority for the area; (iii) those persons as the Licensing Authority consider to be representative of holders of existing licences; (iv) persons that the Licensing Authority considers to be representative of holders of existing clubs; (v) persons that the Licensing Authority considers to be representative of businesses and residents in its area; and (vi) Director of Public Health.
- Noted that with regard to the Boroughs Sexual Entertainment Venues (SEV's) and violence against young women and girls the Councils aim is to limit the number of venues to nil;
- Noted that in recent years LBTH have moved from 11 to 5 SEV's premises with 6 licenses, these premises are entitled to trade although they have to operate under certain conditions and they have to apply for these license annually and if considered it is inappropriate to continue to operate from those premises **e.g.** the demographic have change in an area from mainly commercial to residential then it would potentially no longer be appropriate for them to continue operate from that venue;
- Noted that with regard to all licence holders they should consider how they operate and test purposes of these businesses are carried out;
- Noted with regard to vulnerable adults **e.g.** street drinkers the aim is to cut down the level of off premises sales and monitor the compliance of these premises in this regard;

- Noted that Street drinkers are offered advice and support into treatment services to help them address their addictions, move out of the 'street lifestyle'; and
- Noted that residents and businesses had in the Brick Lane and Shoreditch East areas had expressed concern at issues that were detrimental to the quality of life which had resulted in the Council introducing Public Spaces Protection Orders (PSPO). However, these PSPO's it was noted have it seems displaced those issues into other areas and some feel that the PSPO's have not had the anticipated impact.

## **8.2 Overview & Scrutiny Committee Terms of Reference, Membership, Quorum, Dates of meetings, Protocols and Guidance**

The Committee received and noted a report presented by David Knight The Principal Committee Services Officer that set out the Terms of Reference, Membership, Quorum and Dates of meetings of the Overview & Scrutiny Committee (OSC) for the Municipal Year 2018/19. The report also set out suggested protocols and guidance to facilitate the conduct of the Committee's business and thereby meet its statutory and constitutional requirements. A summary of the discussions is set out below:

The Committee noted that:

- The adoption of the protocols and guidance set out in Appendix 1 will assist in the effective and efficient functioning of the OSC and therefore reduce the risk of poor delivery of the Council's Overview and Scrutiny function. However, the intention was to undertake a review of the protocols and guidance to ensure they were fit for purpose;
- At the Annual General Meeting of the full Council held on 23 May 2018, the Authority had approved the proportionality, establishment of the Committees and Panels of the Council and appointment of Members to these bodies. However, the Committee indicated that it would wish to see what could be done to improve the gender balance;
- It wished to give consideration to defining the roles of Members within the committee structure; and
- It wanted to seek clarity on the Call In process and that officers were working on a flow chart that explained how it works and why e.g. including a protocol for the submission of pre decision scrutiny questions to ensure that they are informing the Mayors Decision making process.

The Chair Moved and it was:-

**RESOLVED** to:

1. Note its current Terms of Reference, Membership, Quorum, and Dates of future meetings, as set out at Appendices 1, 2 and 3 to this report;

2. Agree the start time for scheduled OSC meetings during the remainder of the Municipal Year 2018/19 as 6:30 p.m.;
3. Agree to adopt the protocols as set out at Appendix 4 to this report;
4. Note the intention to undertake a review of the protocols and guidance to ensure they were fit for purpose; and
5. Note the guidance to facilitate the conduct of OSC business, in line with those statutory and constitutional requirements, as set out at Appendix 4 to this report.

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

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

**10. VERBAL UPDATES FROM SCRUTINY LEADS**

1. **Councillor Dipa Das Scrutiny Lead for Housing** advised the Committee that at the last meeting the Housing Scrutiny Committee had received presentations from Susmita Sen, Chief Executive of Tower Hamlets Homes and from Mark Baigent, Interim Divisional Director for Housing and Regeneration. In addition, there had been a private workshop between Members to set the forward plan for the Committee's work for the year;
2. **Councillor Kahar Chowdhury Scrutiny Lead for Health, Adults & Community** advised the Committee that at the last meeting the Sub-Committee had considered its Work Programme for the forth coming year and the Chair had had a meeting with Denise Radley (Corporate Director, Health, Adults & Community) on the scrutiny of health issues in the Borough; and
3. **Councillor Marc Francis Scrutiny Lead for Resources** advised the Committee that the Grants Sub-Committee had had its first meeting on 6th June, 2018 and had considered a range of issues including the scrutiny of budgetary matters such as the MTFS and CTRS. In addition, there would be a session at the end of August on the consultation regarding the CTRS.

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

Nil items

**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