

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 8 FEBRUARY 2011

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Ann Jackson (Chair)
Councillor Ahmed Adam Omer (Vice-Chair)

Councillor Tim Archer
Councillor Lesley Pavitt
Councillor Rachael Saunders
Councillor Stephanie Eaton

Co-opted Members Present:

Jake Kemp – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)

Other Councillors Present:

Councillor Peter Golds
Councillor Oliur Rahman
Councillor Alibor Choudhury
Councillor Bill Turner
Councillor Craig Aston
Councillor David Edgar
Councillor Kabir Ahmed

Guests Present:

Mayor Lutfur Rahman – (Mayor)

Officers Present:

Afazul Hoque – (Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
David Galpin – (Head of Legal Services (Community), Legal Services, Chief Executive's)
Hafsha Ali – (Acting Joint Service Head Scrutiny & Equalities, Chief Executive's)
Michael Keating – (Service Head, Scrutiny & Equalities)
Isobel Cattermole – (Acting Corporate Director, Children, Schools & Families)
Kevan Collins – (Chief Executive)

Tony Finnegan	– (Communications Officer)
Chris Naylor	– (Corporate Director Resources)
Kazim Zaidi	– (Interim Policy Advisor, Chief Executive's)
Ahzaz Chowdhury	– (Political Advisor to Conservative Group, Chief Executive's)
Amanda Thompson	– (Team Leader - Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Zenith Rahman and Co-opted Member Canon Michael Ainsworth.

In the absence of any formal Labour Group substitutes, Councillors Bill Turner and David Edgar were present at the meeting and sought the Chair's permission to participate during the Committee's question and answer sessions in accordance with Council Procedure Rule 7.2, that 'Participation in a Cabinet, Committee, Panel or other formal meeting by a Councillor or other person who is not an appointed member or substitute member of the meeting shall be at the discretion of the person chairing the meeting'.

Mr David Galpin, Head of Legal Services (Community), advised the meeting that this would require a motion to suspend procedure rules in accordance with rule 26. This motion was moved by the Chair and carried by a vote of 3 For and 2 Abstentions.

This decision was also extended to include Councillors Peter Golds, Craig Aston and Kabir Ahmed who were also in attendance.

2. DECLARATIONS OF INTEREST

The Rev James Olanipekun declared a personal interest in agenda item 7 by virtue of being the Vice Chair of the Poplar Harca board which was in lap 6 where Children Centre services would be affected by the proposed budget cuts.

3. UNRESTRICTED MINUTES

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

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 11 January be approved and signed by the Chair as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

None received.

5. REQUESTS FOR DEPUTATIONS

None received.

6. SECTION ONE REPORTS 'CALLED IN'

There were no decisions called in from the meeting of Cabinet held on 12 January 2011.

7. SCRUTINY SPOTLIGHT

Councillor Oliur Rahman, Lead Member for Children's Services, had circulated a detailed presentation on aspects of his portfolio prior to the meeting which focused on areas set out below:-

Highlights and successes

- Significant achievements at Key Stage 2
- Final GCSE results for 2010 show more than a 5% point increase on 2009
- Final GCSE results for Looked After Children, one of the most vulnerable groups, also up
- Continuing reduction in the number of children and young people not in education, employment or training (NEETS)
- Increase in participation in learning
- Reduced levels of teenage pregnancy
- Ofsted's annual assessment which now has a new inspection framework, awarded the Council an overall grade of 'performing well'
- Ofsted highlighted a number of areas of particular strength
- Recent unannounced inspection in children's social care

National policy change

- Schools White Paper – Academies Act, Education Bill
- Health and Social Care Bill
- Munro review of social care
- New Child poverty Strategy
- Welfare and housing reform
- Bigger role for third sector and community

Challenges

- Reducing budgets for all partners

- High levels of child poverty
- Complex impact of welfare reform
- Multiple impacts and fast pace of change
- Increasing demand on social care
- Rapidly growing young borough
- Some areas for development identified by Ofsted

Opportunities

- New roles and responsibilities for the third sector and the community
- New relationship between schools and the local authority
- Munro Review of Children's Social Care
- 2012 Olympics and Paralympics
- Decreases in central government control

Priorities

- Tackling child poverty, and supporting families through - cross-cutting priorities for the Children and Young People Plan
- The plan focuses on what the Council will do differently, and in partnership
- Refreshed 2009-12 plan for the third and final year
- During 2011-12 a new plan for 2012 onwards will be developed

Further key priorities

- Improve educational attainment of very young children
- Developing an effective targeted offer to children and families – Family Wellbeing Model
- Increasing post 16 attainment levels and the number of 19 year olds who are successful in obtaining qualifications
- Delivering the Council's transformation programme

Members of the Overview and Scrutiny Committee then posed a series of questions to which Councillor Rahman, supported by Mrs Isobel Catermole, Acting Corporate Director Children Schools and Families, responded. The question and answer session was centred on the following points:

- The impact of exam results on national league tables,
- The type of subjects and qualifications which were in most demand from employers,
- Truancy and the role of education welfare,
- The council's relationship with Ofsted and the changes to how schools would be assessed,
- Who were the lowest performing ethnic groups and what systems were in place to support them,
- Support strategies for NEETS, and
- Improvements in access to schools and proposed primary school expansions.

The Committee asked a number of detailed questions in relation to the development of Free Schools and Academies in the Borough, and sought clarification of how these would operate, whether any applications had been received, the qualifications required, and the impact these would have on education provision in the Borough.

The Committee also expressed concern in relation to the redesign and integration of Early Years and Children's Centres management, as a number of savings proposals related to services affecting some of the Borough's most vulnerable residents, and asked whether existing users would still be able to gain access to services through alternative provision.

Councillor Rahman reiterated the Mayor's commitment to protecting front line services, but stressed that without the additional support of Government funding, there would be financial pressures on these services and it was important to consider the impact of these in the longer term rather than just short term.

The Chair thanked Councillor Rahman and Mrs Cattermole for the presentation and their responses to questions.

8. BUDGET AND POLICY FRAMEWORK

8.1 General Fund Revenue Budget and Medium Term Financial Plan 2011/12 - 2013/14

Councillor Alibor Choudhury, Lead Member for Resources, indicated that he would introduce the reports for agenda items 8.1 and 8.2 concurrently.

He then presented the reports for the comments of the Committee prior to their submission to Cabinet next day, for consideration of the General Fund Revenue Budget and Medium Term Financial Plan 2011/12 to 2013/14 and also the Capital Programme 2011/12 to 2013/14. Cabinet recommendations would then be submitted to the Budget Council for decision on 23 February 2011.

Councillor Choudhury advised that there had only been minor changes to the final proposals since the Overview and Scrutiny Budget meeting held in January, and stressed that there had been no change to the funding position and officers' advice in relation to it, committed growth risks relating to 2011/12, officers' substantive advice on reserves and balances, or the savings proposals detailed in the reports.

Chris Naylor, Corporate Director of Resources, advised that the Council were still waiting for notification of the Early Intervention Grant, and also the Dedicated Schools Grant which was the subject of a separate report to the Cabinet.

Members of the Committee then posed a series of detailed questions to which Councillor Choudhury and Mr Naylor responded.

Arising from the discussion the Committee

RESOLVED

That the following comments and recommendations considered at both this meeting and the Budget Scrutiny meeting on 11 January 2011 be submitted to the Cabinet meeting on the 9 February:

The Committee have noted the significant reduction in capital grants to local authorities for the next three years and felt that in the current climate, with the proposed reduction of a number of services and in some case closure of services, we need to communicate to residents how our capital programme is being funded. In this instance clear communication and information will mitigate any negative perception of Council expenditure. We therefore recommend that a communication strategy be developed to explain to residents our capital programme and how it is being funded.

- 1) That the Council develop a communication strategy to inform local residents about the Capital Programme.**

We have held detailed discussions about the termination of the lease of Anchorage House and the savings that will be realised from this. The Committee seeks assurances from the Mayor and the Cabinet that in vacating Anchorage House any costs to the Council will be minimised. At the same time we are concerned about the longer lease for Mulberry Place. We therefore recommend that the Mayor look to develop a longer term accommodation strategy for the Council which will enable us to reduce costs and use our existing facilities more efficiently. The issue of moving services closer to our residents was highlighted as an area of consideration as part of the accommodation strategy.

- 2) That the Mayor reviews the Council's Accommodation Strategy which explores the use of our existing facilities and reduce costs in the longer term.**

The Committee are concerned about a number of the savings proposals and their impact on local residents. We therefore recommend that the Mayor and Cabinet carefully monitor these and work with the Overview and Scrutiny Committee to better understand the impact on local residents.

- 3) That the Mayor and Cabinet carefully monitor the savings proposals to ensure they are realised and mitigate any negative impact on local residents.**

The Committee have discussed in detail the impact on front line services from the proposed savings proposals. As a number of proposals relate to services affecting some of our most vulnerable residents, the Committee continues to seek assurances from the Mayor and the Cabinet that they continue to monitor this. Members also expressed concerns about the reduction in back office staff and the impact it would have on front line staff in terms of the management and monitoring responsibilities they will have to take on. We therefore recommend that the Council carefully monitor the impact on front line services and the remaining staff's ability to undertake more duties.

4) That the Council carefully monitors the impact on front line services and their ability to undertake further duties.

We have noted that a number of services will be stopped or more rigorous criteria will be applied for access to those services. We want to ensure all users are still able access services through other provisions available. In that respect the Committee is concerned about the impact on existing service users, for example those accessing the Housing Link service or users of the pupil transport services. The Committee recommends that the Council provides appropriate transitional support to those users by referring them to other local service providers or providing some transition support.

5) That the Council provides appropriate transitional support to existing users by referring them to other local services providers or providing alternative support.

The savings proposals in a number of the directorates will have a negative impact on the Council's BME and/or female workforce. The Committee is keen that the Equality Impact Assessments are carefully scrutinised to ensure we can mitigate the impact through enabling staff to find alternative employment in the Council through the re-deployment process and where possible through partner organisations.

6) That the Council ensure through careful monitoring that female and BME workforce are not adversely impacted upon by the saving proposals.

With regards to Home Care Services we were concerned to learn how expensive the in-house service was and queried what work had been undertaken to make this more competitive. As the proposals relate to commissioning of the service to independent providers the Committee were particularly anxious to ensure the new service providers can meet the needs of our diverse community, the quality of service is maintained and adequate accountability and monitoring of these providers is undertaken. The Committee therefore recommends that the Adults, Health & Well Being Directorate develop robust monitoring mechanisms to oversee the new providers and also ensure adequate support is available to in-house staff to TUPE over to any new supplier.

- 7) That the Adults, Health & Well Being Directorate develop a robust monitoring mechanism to oversee the new providers and also ensure adequate support is available to in-house staff to TUPE over to new supplier (s).**

The unprecedented cuts to funding of public services means a reduction in grant of £70.2m over the next three years for Tower Hamlets. This presents an unprecedented challenge for the Mayor and the Council as a whole and we feel it is absolutely crucial that all Members play a critical part in the budget setting process. Due to the very tight budget setting timetable this year the Overview and Scrutiny Committee was unable to fully consider the budget proposals and recommends that a Scrutiny Working Group be set up next year to consider the budget proposals from an earlier stage. The Committee also feels that it would be important for them to consider the impact of the some of the savings proposals and this should be incorporated into the Committee's work programme for next year.

- 8) That OSC set up a Budget Scrutiny Working Group to undertake budget scrutiny.**

- 9) That the OSC include in the 2011/12 work programme the analysis of the impact of savings on local residents.**

We are concerned about the lack of proper consultation with residents and other local stakeholders. This point was also echoed to us by local residents that took part in the budget consultation process. We recommend that the Mayor and Cabinet explore next year how we can better engage local stakeholders with the budget consultation process. We ask that the benchmarking exercise be undertaken with other local authorities who have undertaken more extensive consultation with local residents particularly around specific saving proposals.

- 10) That the Council develop a more robust resident engagement strategy on the budget and undertake a benchmarking exercise with other local authorities for next year's budget setting process.**

The Committee hope that the Cabinet fully considers our recommendations and implements those possible this year and further considers those set out for future budget setting process. The Committee recommends that the Cabinet include the response to our recommendations with the budget paper for consideration by Full Council on 23rd February 2011.

8.2 Capital Programme 2011/12 - 2013/14

This item was considered together with 8.1.

9. OVERVIEW AND SCRUTINY MANAGEMENT

9.1 Scrutiny Challenge Session Report - Developing Efficient Customer Services

The Chair introduced the report detailing the outcome of the Scrutiny Challenge Session on Developing Efficient Customer Services held on 25 November 2010.

RESOLVED

That the recommendations contained within the report be noted.

9.2 Regulation of Investigatory Powers Act (RIPA) Update

The Chair introduced the report which detailed the use of Regulation of Investigatory Powers Act 2000 (RIPA) by the Council and specified instances where covert investigations had been authorised.

RESOLVED

That the report be noted.

10. VERBAL UPDATES FROM SCRUTINY LEADS

Scrutiny Review – Safeguarding Adults at Risk

Councillor Lesley Pavitt reported that the evidence gathering exercise for this review had now been completed and the Panel would be meeting on 15 February to formulate its recommendations. The Panel would also be hearing from the Independent Chair of the Safeguarding Adults Board and Action Against Elder Abuse at this final session.

Scrutiny Review – Supporting New Communities - Case study of the Somali Community

Councillor Ahmed Omer reported that all of the evidence gathering sessions for the review had now been completed and the Panel would be meeting on Monday 14 February to discuss recommendations.

Scrutiny Review on Empowering Small and Medium-sized Enterprises (SMEs)

Councillor Rachel Sauders reported that she was Chairing a scrutiny review on empowering SMEs, and at the introductory meeting on 26 January 2011 the Panel had heard from officers regarding the Tower Hamlets Local Economic Assessment and the Enterprise Strategy.

A public meeting had also been arranged for 16 February 2011, the purpose of which was to gain a better understanding of the needs of local businesses in the Borough.

Two further meetings had been arranged for 22 Feb and 15 March.

Health Scrutiny

Councillor Tim Archer updated the Committee on the outcome of the Scrutiny Challenge Session on Cancer which had been well attended by service users, carers of patients and cancer patients themselves who alongside Councillors had looked at the care and treatment available and made suggestions for how survival rates could be improved.

Councillor Archer also advised that the Health Scrutiny Panel had recently considered the following reports:

- Update on Ocean Estate GP services;
- Complaints services in Tower Hamlets;
- Maternity services;
- The Public Health White Paper; Healthy Lives, Healthy People
- Transformation of Adult Social Care and the Personalisation agenda;
- Response from BLT to an improvement report by THINK.

Councillor Archer considered that the Public Health White paper meant there was potentially a stronger role for Scrutiny, and a response would be made to ensure that the strength and need for local accountability was well recognised within the new proposals for sector wide decision making boards.

Scrutiny Review – Public Perceptions of Parking

The Chair reported that the Panel had been given a pan-London perspective through presentations by London Councils and Transport for London (TfL), a good local perspective through meetings with parking managers and CEO (Civil Enforcement Officers) within Tower Hamlets, and finally a comparative perspective following discussions with another London Borough that faced similar challenges to Tower Hamlets.

The Committee also noted the following scheduled events:

Thursday 17 March - This event would have a member of PATAS (Parking and Traffic Appeals Service) to discuss their view of the perceptions of parking, and an officer from Westminster Council to discuss the Parking Review that they were currently undertaking.

Thursday 24 March - This event would involve a presentation and question and answer session by the Tower Hamlets Strategic Transport Team Leader on the issue of Car Culture and how to tackle it.

Thursday 31 March – A public involvement session intended to provide an opportunity for residents to discuss parking policies with officers.

**11. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED)
CABINET PAPERS**

The Chair advised that no pre - decision questions for the Cabinet meeting on the following evening had been received.

The meeting ended at 9.15 p.m.

Chair, Councillor Ann Jackson
Overview & Scrutiny Committee