

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 8 JANUARY 2013

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

Members Present:

Councillor Ann Jackson (Chair)
Councillor Tim Archer
Councillor Stephanie Eaton
Councillor Sirajul Islam
Councillor Rachael Saunders (Vice-Chair)
Councillor Helal Uddin
Councillor Amy Whitelock

Other Councillors Present:

Councillor Khaled Uddin Ahmed

Co-opted Members Present:

Memory Kampiyawo – (Parent Governor Representative)
Nozrul Mustafa – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Dr Phillip Rice – (Church of England Diocese Representative)

Guests Present:

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Officers Present:

Sarah Barr – (Senior Strategy Policy and Performance Officer,
One Tower Hamlets, Chief Executive's)
Maura Farrelly – (Community Resources Officer - Advice & Anti-
Poverty, Third Sector Team, Development &
Renewal)
Isabella Freeman – (Assistant Chief Executive - Legal Services, Chief
Executive's)
David Galpin – (Head of Legal Services (Community), Legal
Services, Chief Executive's)
Louise Russell – (Service Head Corporate Strategy and Equalities,
Chief Executive's)
Louise Stamp – (Electoral Services Manager, Chief Executive's)

Angus Taylor – (Principal Committee Officer, Democratic Services, Chief Executive's)

COUNCILLOR ANN JACKSON (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. UNRESTRICTED MINUTES

The Chair identified a typographical error on page 7 (as set out below), and accordingly **Moved** and it was: -

Resolved

1. That, subject to the amendment detailed at (a) below, the unrestricted minutes of the ordinary meeting of the Overview and Scrutiny Committee held on 4th December 2012 be approved and signed by the Chair, as a correct record of the proceedings.
 - (a) page 7, Scrutiny Spotlight – Borough Commander (Presentation), paragraph 5, line : deletion of the text “Borough’s” and insertion of the text “Borough Police’s”.
2. That it be noted that that the unrestricted minutes of the extraordinary meeting of the OSC, held on 17th December 2012, were unavailable and would be presented to the next meeting for consideration/ approval as a correct record of the proceedings.

Action by:

Angus Taylor (Principal Committee Officer)

4. REQUESTS TO SUBMIT PETITIONS

There were no petitions.

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet on 5th December 2012 had been “called in”.

The Chair:

- Informed the OSC that a decision of the Mayor outside Cabinet, taken under executive powers, relating to the Mayor's Strategic MSG Programme 2012-15 had been made on 7th January 2013. The Mayor had reconsidered his decision made outside Cabinet (30th October 2012), after its referral back to him for further consideration by the OSC (17th December 2012). The Mayor had reaffirmed his previous decision.
- Commented that the version of the formal OSC referral back to the Mayor differed in content from the version she had approved. The Chair to follow up on 9th January, and advise OSC members of the outcome.

Noted

Variation to Order of Business

The Chair noted that Dr Philip Rice, proposed for co-option to the membership of the OSC later on the agenda (item 6.3), would be attending as an observer pending OSC agreement of his co-option. The Chair welcomed Dr Rice to the meeting, and indicated that she considered it appropriate that the Order of Business be varied so that agenda item 6.3 be taken next, in order that Dr Rice's co-option could be agreed and he could then participate fully in OSC discussion of the remaining business on the agenda. Accordingly the Chair **Moved** and it was: -

Resolved

That the Order of Business be varied as below:

- Agenda Item 6.3 Co-option to Overview and Scrutiny Committee Membership be considered next.
- Subsequently return to the order of business detailed in the agenda.

However for ease of reference OSC deliberations and subsequent decisions taken, are set out below in the order detailed in the agenda.

6. REPORTS FOR CONSIDERATION

6.1 Update: Annual Electoral Canvass, Cabinet Office Pilot and Local Government and Parliamentary Boundary Reviews

The Chair informed the OSC that the presentation would not in fact encompass the Local Government and Parliamentary Boundary Reviews.

Louise Stamp, Electoral Services Manager, gave a detailed Powerpoint presentation providing the OSC with a progress update on the Annual Electoral Registration (ER) Canvass 2012 and the Individual Electoral Registration (IER) Pilot. The slides were also **Tabled**, a copy of which would be interleaved with the minutes. Isabella Freeman, Assistant Chief Executive (Legal Services), was also in attendance to answer questions from the OSC.

A discussion followed which focused on the following points:-

- Noting that:

The introduction of IER in 2014 would require data matching with Department of Work & Pensions (DWP) records.

That currently with the IER Pilot relating to the 2012 ER Canvass 35% of applications to register to vote remained unmatched, and therefore the electors could not be placed on the Register of Electors (the Register).

That the Cabinet Office and DWP had not agreed to a two way process of data flow, and officers considered DWP records to be out of date given the transient nature of the population in Tower Hamlets. This required much more work at the LBTH end by the ERO to resolve the mismatches (only if the Council were satisfied a mismatch had been resolved by other means could electors be added to the Register).

Officers anticipated that there would be 20% reduction in registered electors in Tower Hamlets as a consequence of IER.

The opt out from the published Register box could no longer be pre ticked automatically on the ER form by the Council, and so 75% of information was currently confidential would not be so in 2014.

Clarification was sought and given as to:

Whether there were any set criteria/ rules or appeal process which could be used to challenge the data mismatches arising from the DWP data and the resulting consequence that many electors could not be placed on the Register.

Whether any analysis had been undertaken to identify the proportion of electors that might legitimately be deleted from the Register because they were registered in error. Also the proportion that might be unfairly deleted.

The administrative process that would be followed to inform applicants/ electors of the data mismatch, warn them of potential deletion from the Register and advise of steps to avoid this.

Provision for alternative methods of verification eg another family member, given that many residents would struggle to provide information required to verify their application to register to vote, such as driving licence/ passport.

The strength of the case made for additional resources, given that 65% of the population in LBTH lived in rented accommodation with major implications for the electoral registration process under IER, in contrast to other boroughs.

Action planned to support those residents wanting to return an electoral registration form/ provide the necessary information, in particular outreach initiatives for those with mental health issues.

Planned partnership working eg information sharing with RSLs to assist with tenancy changes and data matching.

Whether 10,000 electors had been deleted from the Register following the 2012 ER Canvass, and whether the numbers of electors placed on the register had risen steadily since then.

How the 85.22% response rate to the 2012 ER Canvass compared to the London average.

With reference to the IER Pilot and matching of data pre and post 2012 ER Canvass to ascertain how many matched electors changed address: what the anticipated final match rate would be. Whether postal and proxy votes could still be applied for under IER.

The Chair summarised that the main concern of the OSC was that a large proportion of local residents may be disenfranchised if there was not a way to resolve data matching problems arising from out of date DWP information, due primarily to population churn and the proportion of rented accommodation in LBTH. The Council should give consideration to further action to address this issue. The Chair the **Moved** and it was:-

Resolved

That the progress update made in the presentation be noted.

6.2 Draft Financial Inclusion Strategy 2013 -16

Louise Russell, Service Head Corporate Strategy & Equality, gave a detailed Powerpoint presentation which introduced and highlighted key points in the written report, informing the OSC of current work to develop the Tower Hamlets Financial Inclusion Strategy 2013-2016 (FIS) and presenting the initial draft of the Strategy for consultation, prior to adoption by the Tower Hamlets Partnership. The slides were also **Tabled**, a copy of which would be interleaved with the minutes. Maura Farrelly, Community Resources Officer - Advice and Anti- Poverty, was also in attendance to answer questions from the OSC.

A comprehensive discussion followed which focused on the following points:-

- Clarification sought and given as to:
 - FIS objectives Theme 2 - 2.1 & 2.2 as to the efforts made to contact financial services (FS) organisations in/ near the borough and whether a positive relationship had developed. Whilst understanding the lead role of Toynbee Hall in this, consideration that more could be done in this area given the concentration of FS businesses in/ in close proximity to LBTH and their probable receptivity (post banking crisis) and expertise with products for the target group.
 - The scale of funding for advice services regarding FS and FI, and large downscaling resulting in a shift from a publicity and information campaign to a national information system geared to the literate, which was not ideal.
 - In context of FIS objective Theme 1 – 1.2, and the awareness that most related products were computer based, as to provision to improve computer literacy and community access to on line facilities. Consideration that the FIS could be strengthened by action points for further exploration of this aspect of FI.
 - How the FIS was congruent with endeavouring to mitigate the social and public health impact of personal debt and also with introduction of personal budgets for residents receiving mental

health services. Anti-Poverty Strategy be presented to a future OSC for its consideration in this context.

The nature and depth of consultation with residents in development of the FIS and the proposals it contained for partnership working to promote FI.

The consideration given when developing the FIS to linkage with the Gambling Policy currently being reviewed.

Whether the implications of the FIS could be contained within existing budgets were there to be any sudden shift in policy from Government.

- Noting the gap in FS provision (and associated social implications) of the borough-wide ATM mapping exercise, consideration that the Council, as the largest landowner in the borough, could provide sites for 'free withdrawal' ATMs. Also that provision of free ATMs in One Stop Shops, housing offices and idea stores would help mitigate this aspect of exclusion from FS.
- Consideration that:-
 - The approach of Council's in Scotland, where on line access to 'Pay Day Loan Companies' had been blocked to their workforce/ Council establishments eg libraries, should be explored in LBTH if it were lawful. Clarification also sought and given on the Communications Strategy element within the FIS.
 - The FIS should explore the potential for the Council to provide residents with a free pre-paid debit/credit card, possibly with incentivisation to pay by direct debit, so that those on low income could avoid the financial charges of commercial cards.
 - The FIS was not aligned with the Mainstream Grant Programme, recently agreed by the Mayor, given the importance of FI in the context of Government welfare/ benefit reform and the concurrent reduction of advice centre funding in the Programme.
 - The corporate social responsibility projects undertaken by Canary Wharf would be more beneficial if focussed on sharing financial expertise. Therefore the FIS could be strengthened with an initiative to put together a consortium of FS organisations to provide advice services.
 - In the context of reduced MSG funding for advice connected with FI it was worth exploring the potential for local FS businesses to plug the funding gap, even if temporarily, as the Voluntary Sector (VS) organisations had a track record in advice provision and were trusted by local residents.
 - In the context of a delay in Government introduction of a benefit cap from March/ April to June 2013, it was important to keep residents informed/ engaged and forstall the onset of any complacency.
- The importance of:
 - Simple signposting for residents on what to do if they encountered difficulty due to welfare reform changes/ impact on benefits, was emphasised in the context of the major impact on Tower Hamlets of the new Government benefit cap, and the need for effective management so that advice services weren't swamped. Noted that

initiatives were underway to address this. However concern expressed at the current levels of resident awareness, and in this context the need for bad debt provision by the Council and a preparedness to review the recent changes to processes and funding in this area.

A fair and impartial approach by the Council and partner RSLs to meeting housing need was emphasised and the need to focus efforts on gaining public trust.

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

Resolved

1. That the contents of the report, and draft Financial Inclusion Strategy 2013-2016, attached at Appendix 1, be noted; and
2. That Officers be requested to take account of the OSC comments and suggestions to strengthen the Strategy.

Action by:

Louise Russell (Service Head Corporate Strategy & Equality)

6.3 Co-option to Overview and Scrutiny Committee membership (to follow)

Please note that the order of business was varied by resolution of the OSC earlier in the proceedings in order to allow this item of business to be taken as the first item of substantive business, however for ease of reference OSC deliberations, and subsequent decisions taken, are set out below in the order detailed in the agenda.

Angus Taylor, Principal Committee Officer, briefly introduced the report and summarised the key points it contained.

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

Resolved

1. That the current position in relation to the co-option of representatives in respect of education matters, as set out at paragraphs 3.1 to 3.6 of the report, be noted;
2. That the co-option of Dr Phillip Rice as a Church of England Diocese representative, as set out at paragraph 3.5 of the report, be agreed; and
3. That, subsequent to agreement of resolution 2. above, the final current membership of the OSC, as set out in Appendix 2 to the report, be noted.

7. VERBAL UPDATES FROM SCRUTINY LEADS

Scrutiny Review - Removing the barriers to youth and graduate employment - Much of the review would be undertaken by innovative review of information obtained in previous reviews, or otherwise available. It was hoped that resources available to the Young Mayor of Tower Hamlets could be utilised.

Scrutiny Review - Mainstream grants allocation - had been delayed because of the delay in Mayoral decision making on the MSG Programme for 2012/15, and outlined the proposed foci for the review.

Challenge Session on mental health and housing need and lettings - had taken place in December. A variety of key stakeholders had been represented and the discussion was constructive/ robust and sufficiently detailed for concrete recommendations to be made; these to be reported to a future OSC.

Scrutiny Review - Post-16 attainment - Scoping completed and members co-opted onto the review group. There would be an intensive programme of review group meetings in February and March.

The Scrutiny Lead for Communities Localities and Culture outlined potential areas for review. The Chair commented that she would welcome a review crime/ statistics, considering that reporting by gender and ethnicity required improvement.

It was agreed that presentations should be submitted to OSC in future months on the progress of the scrutiny reviews.

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

Resolved

1. That the verbal updates be noted; and
2. That presentations be submitted to the next OSC on the progress of the scrutiny reviews.

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Chair informed OSC members that a sheet of pre-decision questions/ comments in respect of the unrestricted business contained in the 9th January 2013 Cabinet agenda had been **Tabled**, a copy of which would be interleaved with the minutes.

Members of the OSC proposed that the following pre-decision questions/ comments also be raised at the Cabinet meeting if they were not present to raise them:

- Agenda Item 7.1 Future Commissioning Arrangements for Public Health services

The importance of maintaining the Councils reputation and impartial/ fair role in relation to the use of public health resources over coming months was strongly emphasised by the OSC and this should be taken into account in considering the proposals.

- Agenda Item 8.1 Bonner Primary School – proposed extension
What action would be taken to mitigate any safeguarding risk given that Bonner Primary School was a split site and one of the sites was also currently used for adult education.

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

Resolved

That the pre-decision questions, as set out in the tabled paper, be submitted to Cabinet for consideration:

Action by:

Angus Taylor (Principal Committee Officer)

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

The Chair commented that she had given some consideration to the methodology for OSC scrutiny of the Mayor's 2013/14 Budget. The previous year, scrutiny of the Budget had involved 4 directorate review meetings and 2 meetings of the OSC. This year the Chair indicated that there should be 2 extraordinary meetings of the OSC to formulate OSC questions and comments for feedback to the Mayor. The OSC feedback would be formally proposed for endorsement by the OSC at its scheduled meeting on 5th February and reported to Cabinet next day. Growth and Savings proposals would be scrutinised as part of this process.

The Chair, noting that the refreshments for OSC meetings were no longer served in the meeting room, requested the Clerk to raise the matter with FM with a view to reverting to previous arrangements.

Action by:

Angus Taylor (Principal Committee Officer)

10. EXCLUSION OF THE PRESS AND PUBLIC

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

Resolved:

That in accordance with 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 contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

SUMMARY OF EXEMPT PROCEEDINGS

11. EXEMPT/ CONFIDENTIAL MINUTES

Minutes (Extraordinary OSC 17th December 2012) noted to be unavailable.

12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

13. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL CABINET PAPERS

Nil items

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

Nil items

The meeting ended at 8.30 p.m.

Chair, Councillor Ann Jackson
Overview & Scrutiny Committee