

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 26th JUNE 2013

**ANNUAL REPORT OF THE
OVERVIEW & SCRUTINY COMMITTEE**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE
(LEGAL SERVICES)**

1. INTRODUCTION

- 1.1 Under the Council's Constitution, the Overview and Scrutiny Committee (OSC) must report annually to the Council documenting the Committee's activities during the past year.
- 1.2 The OSC considered and approved its annual report for the year 2012-13 at the meeting of the Committee held on 7th May 2013. The annual report is attached for Members' information.

2. RECOMMENDATIONS

- 2.1 That the Council note the annual report of the Overview and Scrutiny Committee for 2012-13 as attached.

LOCAL GOVERNMENT ACT, 1972 (AS AMENDED) SECTION 100D

LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Background paper	Name and telephone number of and address where open to inspection
None	n/a

3. THE ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE

Chair's Foreword – Councillor Ann Jackson

- 3.1 The Committee worked exceptionally well this year, gaining a degree of comfort on its position as an apolitical reviewer, and on its ability to debate issues well and thoroughly. We continued to promote the borough's interests at all times during our reviews and call-ins, and strove to not get drawn into the increasingly heated political issues and fights surrounding Tower Hamlets. Members have continued to be constructive despite these difficulties.
- 3.2 The complexity, seriousness and sensitivity of call-ins this year has increased; due to continuing budget constraints and disputed mayoral decisions. The committee has been exemplary in its attempts to respond positively, thoughtfully, and in depth – offering alternatives where at all possible. All members have been strenuously careful to consider all business on its merits and our co-optees have made a great leap forward in their contribution too, bringing their invaluable advice and local insight to the committee. This has been helped by the committee's overall expectation that all will contribute. The reception of OSC's responses by the Mayor and Cabinet have continued to be disappointing and have not been as constructive as could have been hoped for, and expected, given last year's promise to consider our recommendations in more detail.
- 3.3 Our model for scrutinising the budget continued to work well and will continue. We have changed the committee's agenda methods to take account of the changes in how the Cabinet and Mayor consider business. Scrutiny can now respond to executive decisions, reviews, and call-ins, as well as Cabinet. It can also organise spotlight discussions on areas of concern or interest, not just standard and regular presentations, thus offering insight and critical friend observations where needed. In all, this is an efficient and comprehensive scrutiny model. Alongside this, members working party reviews are due to conclude this month and promise to offer excellent recommendations for change in the council, as was the case last year. We have acknowledged that scrutiny finds it hard to work well where there is no measured reception for its conclusions, but nevertheless the work has been done, and must continue to be done.
- 3.4 Finally, I would like to once again give thanks to officers and OSC members for all their hard work and perseverance in continuing to do what was needed this past year; we worked as a team, we again weathered the storms, produced an excellent budget response, both gained and contributed further invaluable expertise in many portfolio areas as well as the council's constitution. My thanks to you all.

Introduction to Overview and Scrutiny

- 3.5 The Overview and Scrutiny Committee (OSC) has a range of functions which enable it to be a key part of local democratic accountability by holding the executive leadership and other local partners to account. The committee scrutinises key decisions referred by other councillors through the call-in process; reviews all the main strategic documents, and contributes to policy development through the scrutiny review process. One of its most important roles is in reviewing the budget put forward by the executive, ensuring value for money and equality of opportunity for all residents.
- 3.6 2012-13 was another challenging year for OSC. The council remains under significant pressure to meet its savings targets, with further cuts in Government funding looming. The impact of welfare reforms on the borough and its residents is significant and damaging, as they are for many households in London, squeezing incomes further and making Tower Hamlets completely unaffordable for many. How the council responds to these changes, understanding their impact and working with partners to support residents is crucial. Furthermore, supporting residents to be successful in education and employment is more important than ever. With this in mind, the OSC has overseen two scrutiny reviews into important issues this year – youth unemployment and post-16 attainment.
- 3.7 To help draft this annual review, all OSC members have reflected on those things that have gone well, and those less well, as well as their key challenges and priorities for 2012-13. Their responses have been incorporated in this report.

Membership of OSC

- 3.8 Reflecting the changing political balance of the council the committee's membership changed in July 2012. The number of Labour councillors changed from six to five and one position was allocated for an independent councillor. The committee now comprises five Labour councillors, and one councillor each from the Conservative, Respect and Liberal Democrat parties and one independent councillor. The independent councillor role has been vacant since July 2012. Cllr Judith Gardiner served as the sixth Labour councillor from May 2012 to July 2012.
- 3.9 As well as councillors there are six education co-optee positions on the committee including three positions for parent governors, and one each for the Church of England Diocese, the Roman Catholic Diocese and the Muslim community. In 2012-13 two of the parent governor representative positions were renewed: Revered James Olanipekun was re-appointed and one new parent governor representative, Nozrul Musafa, was appointed. Also in 2012-13, Canon Michael Ainsworth, who has been the Church of England Diocese representative for some years, stepped down from the Committee. He was replaced

immediately by Dr Philip Rice. Therefore all of the co-optee positions were filled with the exception of the Roman Catholic Diocese representative.

3.10 Six committee members were designated scrutiny leads and assigned a portfolio aligned to each directorate. The committee membership for 2011-12 was as follows:

- Cllr Ann Jackson (Labour), Chair
- Cllr Rachael Saunders (Labour), Vice-Chair and scrutiny lead for Adults Health and Wellbeing
- Cllr Amy Whitelock (Labour), scrutiny lead for Children Schools and Families
- Cllr Helal Uddin (Labour), scrutiny lead for Resources
- Cllr Sirajul Islam (Labour), scrutiny lead for Development and Renewal
- Cllr Judith Gardiner (Labour), scrutiny lead for Communities, Localities and Culture (May – July 2012)
- Cllr Tim Archer (Conservative), scrutiny lead for Chief Executive's
- Cllr Stephanie Eaton (Liberal Democrat), scrutiny lead for Communities, Localities and Culture
- Cllr Fozol Miah (Respect)
- Rev James Olanipekun (parent governor)
- Nozrul Mustafa (parent governor)
- Memory Kampiyawo (parent governor)
- Dr Philip Rice (Church of England Diocese)
- Mushfique Uddin (Muslim community representative)
- Vacant (Roman Catholic Diocese)

Overview and Scrutiny Work Programme 2012-13

3.11 The committee agreed its work programme following a workshop to discuss a range of options. The committee agreed to undertake three scrutiny reviews, and then to use different, less resource intensive, methods to investigate other issues of concern and interest.

Budget

3.12 Following the success of the budget scrutiny process in 2011-12, OSC was keen to ensure it played a key role in the budget setting process in 2012-13. Rather than meeting with each directorate before the budget proposals were announced, as was the case last year, OSC held two extraordinary meetings in January to consider the budget proposals in detail. This enabled scrutiny members to gain a good understanding of the budget position of each directorate, the cost pressures they faced and the likely impact that savings proposals would have. The Committee's comments were finalised at their meeting in February and fed back to Cabinet. Following amendments to the budget proposals at that Cabinet meeting, OSC held another extraordinary meeting to

consider the proposals before the budget was considered by full Council.

- 3.13 In May 2013 the Committee considered the impact of some of the budget decisions on two services – adult social care and communications.
- 3.14 *Youth unemployment*
This year Cllr Jackson is leading an important review into youth unemployment and the barriers that young people face in securing employment. This review spans different directorates and has involved working closely with a range of stakeholders including schools, Tower Hamlets College, and Skillsmatch.
- 3.15 The review started by looking at the two scrutiny reviews which had been undertaken on youth unemployment in previous years, examining the delivery of the recommendations which emerged from these pieces of work and their impact on levels of unemployment. In addition to this review work, the views of young people from the borough were sought and a number of suggestions on how young people themselves, schools and other organisations, and employers could improve preparedness for the world of work, were identified.
- 3.16 An exercise to identify the various providers of post-16 support for young people in order to both map the support they provide and appraise their impact was undertaken. The review paid particular attention to apprenticeships as a key routeway for young people into work, focussing on how the apprenticeship offer can be made clearer and more accessible to young people. The review is due to be completed by May 2013 and will report to Overview and Scrutiny Committee in June.
- Children Schools and Families*
- 3.17 Scrutiny of the Children, Schools and Families Directorate, now part of the Education, Social Care and Wellbeing Directorate, focused this year on post-16 attainment. This has been identified as an issue, and a priority area for action by a number of stakeholders, including the Mayor and the directorate, and it was felt that the focus of a scrutiny review could add value to the efforts to improve attainment at this level. The outstanding progress that has been made with GCSE results in Tower Hamlets has not been seen in post-16 and members were keen to understand more about why this is and what could be done to address it.
- 3.18 The review is being led by Cllr Amy Whitelock and the review group have worked closely with officers from Education, Social Care and Wellbeing. The review began by looking in detail at the data in relation to post-16 attainment, by subject and school, and then considered some of the factors which influence good attainment at this level and progression to a good quality and appropriate higher education course.

So far the review group have heard from headteachers, higher education institutions, consultants working in other local area on post-16 and higher education, and sixth form students themselves. The review aims to report on its recommendations at OSC in June 2013.

- 3.19 In 2011-12 Cllr Whitelock led a review on the impact of the restructure of Children's Centres. The recommendations of that review were agreed at Cabinet in 2012-13 and in April 2013 OSC received a report updating the Committee on progress against those recommendations. It welcomed the fact that almost all recommendations had been implemented, in particular the review of job description and therefore pay scale of the administrative officers in children's centres, who provide a vital role within each centre which should be recognised.

Communities Localities and Culture

- 3.20 In her scrutiny of the CLC directorate Cllr Eaton has focused on the use of data in understanding and improving community safety, undertaking a desktop research based review. It considers the ways in which crime is measured, and some of the limitations of considering only the number of crimes reported to the Police. The review also considers the way crime data is used locally, particularly looking at data over time. It suggests that more use could be made of trend data and of data from different partners which illustrates the impact of crime.
- 3.21 Crime and policing has also been considered by the Committee a number of times in its monthly meetings. In July 2012 Andy Bamber, Service Head for Community Services gave a presentation to OSC on the changes to the way Police services are commissioned in London. He set out the likely impact of the abolishing of the Metropolitan Police Authority and the introduction of the Police and Crime Commission, on policing in Tower Hamlets. Members raised a range of questions on how this would impact on addressing local priorities such as anti-social behaviour and drug-related crime.
- 3.22 In December 2012 the new Borough Commander spoke to the OSC for the first time, presenting the latest crime statistics and discussing his policing priorities. Discussions focused on tackling anti-social behaviour, and violent crime and violence against women and girls.

Development and Renewal

- 3.23 In 2012-13, scrutiny of the Development and Renewal concentrated on some of the changes to housing regulation introduced in the Localism Act, through a scrutiny review, led by Cllr Sirajul Islam, on co-regulation and tenant scrutiny. The overall aim of the Review was to get a clearer understanding of how Registered Housing Providers (RPs) are held to account and performance managed through co-regulation and how Elected Members can best support this framework. The review will be addressing three key questions:
- § How is co-regulation working across RP's and what are the current strengths, gaps, challenges and opportunities?

- § How can Elected Members work effectively with tenant scrutiny members in holding housing providers to account?
- § What is the appropriate role of councillors in the new co-regulation framework particularly in relations to dealing with tenant complaints as set out in the Localism Act?

- 3.24 In working towards addressing these questions, a series of evidence gathering meetings were held, both formal and informal, with a range of witnesses. These included; senior officers from five local partner RP's and internal RSL Partnerships Officers. It took evidence from the Housing Ombudsman Services and the Tenant Participation Advice Service (TPAS). In addition to this, the lead scrutiny officer went and observed a full tenant scrutiny panel meeting organised by Tower Hamlets Homes.
- 3.25 The review is due to be completed by May 2013 and will report to Overview and Scrutiny Committee in June with a set of recommendations.
- 3.26 Members also chose to undertake a challenge session as part of their work programme, focused on housing and lettings for those with mental health problems. The aim of the challenge session was to investigate the issues that people with mental ill health face in relation to housing, particularly in relation to prioritisation on the grounds of health need. It explored whether the current lettings process discriminates against people with mental health problems by not treating mental health need equally with physical health need in prioritisation decisions. Members highlighted and addressed aspects of the lettings process that have a disproportionate impact on people with mental health issues accessing housing in the borough via the Common Housing Register. Members put forward a number of recommendations for consideration as part of discussions around the future direction of the Housing Service.
- 3.27 In addition to the scrutiny reviews, D&R services were considered in other ways this year by the Committee. In July 2012 the Service Head for Resources in Development and Renewal updated the Committee on progress with both the employment and enterprise strategies. In December 2012, the Lead Member for Housing and relevant officers gave OSC members an update on strategic housing issues. This included the achievements through the 2009-12 Housing Strategy, the new tenancy strategy, efforts to address under-occupation, co-operation with RSLs and activities by the service going forward.
- 3.28 In March 2013, the committee considered progress taken to implement the findings of the Scrutiny review into Asset Management lead by Cllr Islam in 2011. This review made a number of recommendations relating to potential savings, increased transparency and energy efficiency. In response to the review, Cabinet agreed an action plan which addressed the recommendations. In March 2013 the Committee received an update report on progress made in implementing these

recommendations. The Committee welcomed actions taken to date especially in relation to the mapping of Council assets to identify those which were surplus to requirements and could be made available to community groups through flexible lease arrangements. Questions were raised by members of the Committee about whether a statement on usage of safe and sustainable materials was needed to ensure that a commitment to environmental sustainability informs all procurement decisions. Officers present highlighted the recent decision by Cabinet to include a requirement to use sustainably produced timber in its procurement policy.

- 3.29 The Committee received a presentation on the Voluntary and Community Sector Strategy consultation document. The Committee raised questions about the current level of corporate social responsibility activity by businesses in the borough, particularly by Canary Wharf businesses and suggested that these should be further developed to have greater impact. It was also noted that the findings of the 2011 scrutiny review into Asset Management were particularly relevant to the voluntary and community sector and that these issues should be addressed in the final strategy.
- 3.30 In March 2013 the Committee received a presentation on the Faith Buildings Support Scheme. This was a new project which various Committee members were keen to discuss, following concerns raised by different community groups. The co-opted member representing the Church of England diocese in particular was able to represent the views of the church community and convey those concerns. Overall the committee welcomed the scheme but raised questions about governance and indicated this was something they would like to consider again in 2013-14.
- 3.31 Cllr Helal Uddin led on a review of the Mainstream Grants process and a scoping document was agreed by the review group. This review was originally planned to take place in early 2013. However due to delays in the grants allocation process this review was delayed.

Adults Health and Wellbeing

- 3.32 Scrutiny of adult social care and health services was chiefly done through Health Scrutiny Panel (see below). However, scrutiny of the adult social care budget position was an important concern for members this year, and following the budget setting process, the committee had a focused discussion on this part of the Education, Social Care and Wellbeing Directorate, in May 2013.

Chief Executive's

- 3.33 Scrutiny of the Chief Executive's Directorate focused on a range of issues this year. Firstly, the committee was keen to understand more about Election Services, the impact of changes in regulation and the efforts to tackle electoral fraud in the borough. This was done through a series of presentations by the Assistant Chief Executive for Legal Services and the Service Manager for Election Services.

- 3.34 Secondly, the committee considered the Financial Inclusion Strategy, a major piece of work which has been led by the Corporate Strategy and Equality Service. This is a partnership strategy and has the aim of making Tower Hamlets a financial inclusive borough.
- 3.35 In October 2012 the committee received an update on the scrutiny review of supporting new communities which was undertaken in 2010-11. The original review was led by Cllr Omer and the update was provided by the One Tower Hamlets team. The update focused mostly on the success of the New Resident and Refugee Forum, run by local organisation Praxis on behalf of the council, to understand and address some of the challenges faced by new communities within the borough.
- 3.36 Cllr Archer continued his scrutiny of the role East End Life and the costs associated with it. The committee was keen to understand the impact and implementation of the full Council budget decision in relation to East End Life and the Service Head for Communications discussed this with the Committee in May 2013.
- 3.37 Finally, Cllr Archer has undertaken scrutiny review work which considers the role of the Chief Executive and how this works in other councils, in particular those who also have a directly elected Mayor.
- 3.38 *Resources*
Following on from the 2011-12 budget scrutiny process, the Committee sought to track progress on the implementation of savings in a number of areas, including the strategic partnership for IT service with Agilisys. The Corporate Director for Resources presented a six month update. The Committee welcomed the assurance from officers that all staff who had transferred to Agilisys had had their terms and conditions protected and were benefiting from expanded development opportunities.
- Call-ins*
- 3.39 There was a fall in the number of call-ins in 2012/13 with six compared to ten in 2011/12. The following reports were called-in:
- Review of Tower Hamlets Artwork
 - Mainstream Grants Programme
 - Review of East End Life
 - Budget Implementation 2013/14 No1 (East End Life)
 - Budget Implementation 2013/14 No 2 (Mayoral Advisors)
 - Sutton Street Depot – successful bidder request for amendment of terms of lease
- The Review of Tower Hamlets Artwork, chiefly concerned with the future of the Henry Moore sculpture *Draped Seated Woman* was referred back to Cabinet. The Mainstream Grants Programme was called in twice – once after the first set of grant allocations were published and discussed at Cabinet in October 2012, and again when

revised allocations were agreed. An extraordinary meeting of OSC was held in December 2012 to consider this call-in the second time.

Policy Framework

- 3.40 The committee plays an important role in scrutinising policy framework items, making comments and recommendations in relation to such items before they go to Cabinet and then full council. However, the committee considered only one such report this year, the Gambling Policy in March 2013.

Scrutiny 'spotlights' and presentations at meetings

- 3.41 The committee were able to scrutinise and comment on a range of key policy and service issues through specific presentations and discussions, as well as the regular scrutiny 'spotlights', question and answer sessions with the mayor and lead members, senior officers and partners. In 2011-12 the committee heard from the following:
- The Executive Mayor of Tower Hamlets
 - Borough Commander on local crime and policing issues

Other regular items

- 3.42 The committee receives a series of regular reports which support its performance management function and provide an overview of council activities. These are an important source of information for the committee which inform future work planning. These reports include:
- Complaints and Information Annual Report and a new Enforcement Report.
 - Strategic performance and corporate revenue and capital budget monitoring report, received quarterly;

Health Scrutiny Panel 2012-13

- 3.43 Given the scale and pace of on-going changes in the health sector, Health Scrutiny Panel continued to face a significant challenge in understanding what these will mean for local service provision. However they were also keen to take a strong overview of the responsiveness of local providers to the views of residents, and their overall contribution to addressing health inequalities and increasing the wellbeing of local people. With this in mind, HSP identified three main workstreams for 2012-13:
- Scrutiny of Barts Health NHS Trust
 - Accountability
 - Understanding health promotion across the life course
- 3.44 One of the most significant changes locally was the formation of the new Barts Health NHS Trust in April 2012. Senior managers from Barts Health presented to HSP regularly throughout the year on a range of issues including their Quality Accounts, the vision and strategy for the newly formed trust, their engagement work with patients and the steps they will need to take to become a Foundation Trust. Health Scrutiny Panel members also visited the New Royal London Hospital.

- 3.45 In terms of accountability the panel considered the engagement strategies of different providers and focused in particular on the development of Healthwatch and the commissioning process for that provision by the council. They were also keen to hold the new Health and Wellbeing Board to account, through scrutiny of the Health and Wellbeing Strategy for the borough.
- 3.46 To understand health promotion across the life course, as advocated by Sir Michael Marmot, the panel undertook a range of activities including two scrutiny reviews and by dedicating meetings to a stage in the life course and understanding how partners work together to promote health for that group. The November 2012 HSP meeting focused on children and early years and it is the intention that the first meeting of 2013-14 focuses on young adults.
- 3.47 The Panel undertook two reviews this year: a review of the Healthy Borough Programme which came to an end in 2011 and an investigation into the potential for a Community Assets approach to health promotion to improve health outcomes in the borough. The Panel were keen to understand how the transfer of public health to the local authority could be best managed to benefit local people. The Healthy Borough programme was the single largest health promotion programme ever delivered by the Council and was embedded across the organisation. The review sought to evaluate the success of its constituent projects as well as the lessons learned from work to embed health promotion across a wide range of Council services to generate recommendations to inform plans to inform the transfer of public health to the Council. The review group heard from a wide range of stakeholders from the voluntary sector as well as Council services and the NHS.
- 3.48 The Community Assets review also offered the potential for the Panel to develop its understanding of effective health promotion in the context of the transfer of public health to the Council. The review looked at the role of 'community assets' in promoting health and wellbeing. Research has shown that working at a neighbourhood level to strengthen community assets and empower local people to be active partners in the development of local health programmes can have a positive impact on health outcomes. The review involved conducting a mapping exercise of community assets in St Paul's Way and holding interviews with key community leaders and organisations. This case study provided the evidence for recommendations about how a community assets approach to health promotion could help strengthen the work of public health following the transition to the Council.

Conclusions and looking ahead to 2013-14

- 3.49 Feedback from OSC has indicated a broad agreement that, despite the challenges, 2012/13 has been a productive year with good quality

debate on a broad range of issues. Issues and topics were addressed in a number of different ways, including spotlight sessions during OSC meetings, one off Challenge Sessions and Reviews supported by officers from the Corporate Strategy and Equality Service. This flexible approach has proved an effective way to utilise the resources available to support scrutiny.

- 3.50 The Committee welcomed the engagement of the Mayor and Cabinet members with the OSC in early part of the year and noted that the attendance of Lead members and Mayor at OSC meetings had enabled the Committee to play its scrutiny role effectively. Conversely, where issues were discussed without the Lead members present the Committee felt they were less able to fulfil their role. It was noted that the Mayor had not attended the Committee in relation to the Call-Ins of Executive Decisions.
- 3.51 In identifying priorities and challenges for the year ahead, members emphasised how important it will be for OSC to hold the Mayor to account effectively. They hoped to have the opportunity to discuss issues directly with him and his Cabinet members in the new municipal year. They also proposed that the OSC reinstate Directorate spotlight sessions in the forward plan of Committee meetings.
- 3.52 For 2013-14 a variety of issues and topics have already been suggested by members for consideration by OSC and the HSP when developing their work programmes. These include:
- Monitoring the implementation of savings in the Council's medium term financial plan and Budget for 2013-14 and their impact on service delivery and performance
 - Review the Council's approach to Mainstream Grants and how this relates to the Voluntary and Community Sector Strategy
 - On-going monitoring of work to address the findings of the Electoral Commission investigation into the conduct of elections in Tower Hamlets
 - The functioning of the new Education, Social Care and Wellbeing Directorate.
 - The projected shortage of school places
 - The impact of recent and upcoming changes to welfare benefits on local residents
 - Financial management of the council beyond 2014
 - The transfer of public health into the local authority

4. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 4.1 Article 6.03 (d) of the council's constitution provides that the Overview and Scrutiny Committee must report annually to full council on its work. The report submitted to council following this consideration will fulfil that obligation.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 This report provides a summary and review of the Overview and Scrutiny Committee's work in 2012-13.
- 5.2 There are no financial implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Reducing inequality, promoting community cohesion and building community leadership are all central to the work of the Overview and Scrutiny Committee. A number of pieces of work raised specific equalities issues including scrutiny of the budget, the scrutiny review of children's centres and the work to map consultation and engagement with service users in adult social care.

7. RISK MANAGEMENT

- 7.1 There are no direct risk management actions arising from this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The content of this report has no implications for a greener environment.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 The content of this report has no implications for crime and disorder reduction.

10. EFFICIENCY STATEMENT

- 10.1 The Overview and Scrutiny Committee contributes to the efficiency of the council, particularly through its scrutiny of the budget process where the committee ensures services are achieving value for money.