

**LONDON BOROUGH OF TOWER HAMLETS**  
**COUNCIL MEETING**  
**26<sup>th</sup> MARCH 2014**  
**ANNUAL REPORT OF THE**  
**OVERVIEW & SCRUTINY COMMITTEE**  
**REPORT OF CHAIR OF OVERVIEW & SCRUTINY**  
**COMMITTEE**

**1. INTRODUCTION**

- 1.1 Under the council's Constitution, the Overview and Scrutiny Committee (OSC) must report annually to full Council documenting the committee's activities during the past year.
- 1.2 The OSC considered and approved its annual report for the year 2013-14 at the meeting of the committee held on 4<sup>th</sup> March 2014. 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 2013-14 as attached.

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**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
<b>None</b>	<b>n/a</b>

### **3. THE ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

#### **Chair's Foreword – Motin Uz-Zaman**

- 3.1 It has been interesting and challenging for the Overview & Scrutiny Committee (OSC) this year. The committee is independent of the council's executive and its statutory role is clearly defined in the council's constitution. The committee's role is to review existing policy, develop new options for improving services, hold the council's executive (the Mayor and his Cabinet) and partner agencies to account for their decisions, and check the delivery and performance of council services against agreed aims and targets. Our role has been to provide a constructive challenge to the executive, allowing members of all political groups to investigate issues from a non-political viewpoint. It is an evidence-based process which engages non-executive frontline members and community representatives more closely in the council's decision-making process.
- 3.2 However, I am very disappointed that Mayor Lutfur Rahman has failed to attend a single OSC meeting or to answer a single question this year. He has been invited eight times and let the committee down on each occasion.
- 3.3 Rule 14.1 of the Overview & Scrutiny Procedure Rules, provides that the Overview & Scrutiny Committee "may require the Mayor, any other Member of the Executive, a Councillor, the Head of Paid Service and/or any senior officer to attend before it to explain in relation to matters within their remit" any decisions, actions, performance and functions. Unfortunately, the Mayor's total lack of transparency and accountability for his decisions has made the work of the OSC difficult. The committee has, however, managed to work exceptionally well and continued to be constructive despite these difficulties.
- 3.4 The complexity, seriousness and sensitivity of call-ins and referrals from council this year has increased, due to the number of decisions the Mayor has taken outside of Cabinet, and to continuing budget restraints. 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, including our co-optees, who have contributed to debate and discussions and brought their invaluable advice and local insight to the committee. The reception given by the Mayor and Cabinet to OSC responses continues to be disappointing.
- 3.5 We have organised a series of spotlight discussions on areas of concern or interest, along with regular presentations. Alongside this, excellent work has been undertaken by our scrutiny leads in

challenging and reviewing services. Some of our findings and recommendations have been incorporated into the body of this report.

- 3.6 We have also taken a particular interest in the measures being undertaken by the council, police, and political parties to prevent electoral fraud in the borough. It is of the utmost importance that the integrity of elections is secured, and that voters can have full confidence that the legitimacy of the democratic process. For this reason, the committee strongly encourages all partners to send out a strong, consistent message against electoral fraud.
- 3.7 Finally, I would like to give thanks to OSC members, directorate and scrutiny officers for all their hard work and perseverance in continuing to do what was needed to hold the executive accountable for their decisions. I would like to thank in particular Cllr Choudhury for his continued engagement with the committee.

### **Introduction to Overview and Scrutiny**

- 3.8 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, reviews all the main strategic documents, and contributes to policy development through scrutiny reviews and one-off “challenge sessions”. 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.
- 3.9 To help draft this annual review, all OSC members have reflected on their work over the last year, as well as the main priorities and challenges for 2014-15. Their responses have been incorporated in this report.

### **Membership of OSC**

- 3.10 There were only two changes to the committee’s membership this year, with Cllr Motin Uz-Zaman taking the chair and Cllr Abdal Ullah also joining. The roles have been as follows:
- 3.11 Councillor Motin Uz-Zaman (Chair)  
Councillor Rachael Saunders (Vice-chair and Scrutiny Lead for Adults, Health & Wellbeing)  
Councillor Stephanie Eaton (Scrutiny Lead for Resources)  
Councillor Fozol Miah  
Councillor Amy Whitelock Gibbs (Scrutiny Lead for Children, Schools & Families)

Councillor Helal Uddin (Scrutiny Lead for Communities, Localities & Culture)  
Councillor Abdal Ullah (Scrutiny Lead for Development & Renewal)  
Councillor David Snowdon (Scrutiny Lead for Chief Executive's).

In addition, the committee's co-opted members are:

Memory Kampiyawo (Parent Governor Representative)  
Nozrul Mustafa (Parent Governor Representative)  
Rev James Olanipekun (Parent Governor Representative)  
Mr Mushfique Uddin (Muslim Community Representative) and  
Dr Phillip Rice (Church of England Diocese Representative).

There remains a vacancy for a representative of the Roman Catholic Diocese of Westminster.

### **Overview and Scrutiny Work Programme 2013-14**

3.12 At the beginning of the year, the committee undertook a session supported by a consultant from the Centre for Public Scrutiny, to set its work programme for 2013-14. In spite of this being an election year, the committee was determined to carry out a significant programme of policy review work, with the Health Scrutiny Panel recently completing an insightful review of accident and emergency services, and OSC lead members holding challenge sessions on important issues including the growing issue of pressure on school places, the transfer of youth services back into the council, the involvement of residents in the budget-setting process, and support for council staff with learning difficulties. The reports and recommendations resulting from these pieces of work will be presented to OSC for agreement by its April meeting, and then to Cabinet in due course.

#### *Resources*

3.13 The committee took the opportunity to review the regular quarterly monitoring reports of the council's budget and performance during the year, with members taking a particular interest in the sale of capital assets and how receipts are managed and utilised, as well as expressing concern where certain crime indicators had not met targets.

3.14 The committee held an extraordinary meeting in January dedicated to considering the budget proposals, and questioned the Cabinet Member for Resources, as well as the Acting Corporate Director, in relation to the council's strategy on delivering the required savings targets, the use of reserves, asset management (mirroring discussions on the quarterly monitoring reports), and other specific areas of spending. Following amendments made at the February Cabinet meeting, OSC held an additional extraordinary meeting to consider the revised budget proposals before the budget was considered by Council.

- 3.15 Engagement of local people with the council's budgeting process has formed the basis of a recent challenge session, as members have been concerned that this could be improved. Residents were invited to contribute to a discussion, where the approaches of other councils and the input of public participation specialists were also considered. The report from this session will be presented to the committee at its April meeting. This will be joined by a report from another recent challenge session on the council's approach to identifying and supporting staff with learning difficulties, as low numbers tend to declare that they have such difficulties and are therefore unable to access support.

*Children Schools and Families*

- 3.16 The OSC as a whole focused on this area in October, with a spotlight session with the Cabinet Member and the then-Acting Corporate Director, where the three key challenges facing the Directorate over the coming years were set out as pupil place planning; integrated care for children with disabilities; and managing the Troubled Families programme to meet targets and release more funding. The challenges of working with free schools and academies were also highlighted, particularly the interaction with future pupil place planning and with the existing admissions process.
- 3.17 The committee was concerned to learn that the council was unlikely to be able to meet the Government target to provide 15 hours of provision for all eligible two year olds by the beginning of next academic year, as well as to hear of the shortage of suitably qualified childcare staff in the borough. Members gave constructive suggestions to help address these issues, including investigating the suitability of council assets as childcare venues, linking more proactively with existing children's centres, and prioritising collaboration with training providers to fill this gap in quality provision.
- 3.18 Given the challenge of pupil place planning, the committee decided to use one of its challenge sessions this year to investigate the effectiveness of the council's arrangements and what more can be done to meet the school places gap. This is a key issue for Tower Hamlets, given the borough's large and growing young population which is outstripping government funding, with available options for the council to meet demand further complicated by new free schools and academies. Members' recommendations seek to help families better understand and negotiate the system; as well as enable the council to seize opportunities for school expansion and procurement of new sites, and proactively engage with new schools that are approved in the borough.
- 3.19 OSC also heard an update from officers on progress in implementing the recommendations made in the 2011-12 review into Children's Centres. The committee was pleased to hear that many recommendations had been progressed, particularly on staff remuneration, training and support, but sought further reassurances

about improvements in communications with parents about the provision on offer and parental engagement opportunities. Both members and officers also reflected on how constructive the process of this review had been, leading to concrete outcomes. The scrutiny lead, Councillor Whitelock Gibbs, also presented the 2012-13 review of post-16 attainment formally to Cabinet, which was welcomed by the Mayor and Lead Member.

### *Communities Localities and Culture*

- 3.20 During his annual scrutiny spotlight appearance, the police Borough Commander provided a very helpful overview of crime in the borough, including comparative analysis with our neighbouring areas and performance on victim satisfaction and overall public confidence in the police. He also outlined a number of areas of development including the establishment of an Integrated Offender Management Team in the borough.
- 3.21 At the same meeting, the Deputy Mayor presented the Community Safety Partnership Plan and highlighted the work of a wide range of partners which contribute to the Plan. The committee explored the implications of restructuring Safer Neighbourhoods Teams, the role and approaches of housing associations in addressing anti-social behaviour, and domestic violence.
- 3.22 Members also welcomed the opportunity to scrutinise both the Cumulative Impact Policy (for managing the negative impact of the night time economy in the Brick Lane area), and the Licensing Policy. Whilst members were keen to ensure that the council maintained its commitment to reduce harassment by touts, it was also careful to ensure that the employment opportunities and tourism value offered by licenced premises in the area were protected.
- 3.23 Later in the year, Cllr Helal Uddin chaired a scrutiny challenge session examining the decision to move the Youth Service in-house, critically appraising the delivery of this change and seeking areas of improvement, with input from external experts from the National Youth Agency and the New Economics Foundation. The committee will consider the recommendations from this session at its April meeting.

### *Development and Renewal*

- 3.24 The committee had a useful discussion which looked at the Community Events and Community Chest funds, including how their geographical allocation matched need in the borough, the need for support for some organisations in submitting bids, and the impact of transferring Community Chest money to the Community Events fund. There was also a housing spotlight session, where the Cabinet Member presented the key challenges in delivering a sufficient supply of affordable

housing, and committee members explored the delivery and costs of the Decent Homes programme, and ways of addressing problems in the private rented sector.

- 3.25 In addition, many of the items considered by the committee through call-ins and references from council also fell into this area, and are mentioned below.

*Chief Executive's Directorate (now Directorate of Law, Probity and Governance)*

- 3.26 The work of the council with its partners in securing the integrity of elections has naturally been a primary focus of the committee as the election approaches later this year, and so it considered reports on this topic on two occasions. Members were specifically keen to hear about the work of the service in mitigating any fraudulent activity, especially with regard to postal votes, through registration checks, a voluntary local protocol (the robustness of which the committee examined), and a communications strategy including a publicity campaign in the run-up to the election period. The committee wishes to see a strong, consistent message from all parties to residents to discourage attempts at electoral fraud, utilising all relevant communications tools, in relevant languages. It is also keen that police have a leading role in preventing fraud on election day.
- 3.27 The committee also received the Regulation of Investigative Powers Act report setting out the covert surveillance authorised by the council. While members welcomed the significant drop in applications for surveillance, they noted that the report did not include the numbers of authorisations sought by Registered Social Landlords and the Police in the borough, which was a concern.

*Call-ins*

- 3.28 So far there have been three call-ins this year, each pertaining to Mayoral Executive Decisions on the various rounds of the Mayor's Community Chest and Community Events funds. On each occasion, the decisions were referred back to the Mayor.
- 3.29 Additionally, this year full Council has passed motions referring three matters to the OSC to consider. One was the Mayor's decision to abandon the Watts Grove Depot redevelopment in January, where the committee found that, amongst other things, the reasons for disparity between officer advice and the Mayor's decision remained unclear; and that using a registered provider to deliver the development would have avoided the risks which caused the programme to be stopped. The full report with findings is attached as Appendix A.

- 3.30 A second reference in respect of the use of the Mayor's car will be reported to the March meeting of full Council. Once agreed by OSC in March, this report will be attached as Appendix B. The committee's views on an officer investigation into the marketing and sale of Poplar Town Hall will also be reported at a future meeting.

#### *Policy Framework*

- 3.31 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 Council. This year the committee considered the Licensing Policy and the Community Safety Plan.

#### *Scrutiny 'spotlights' and presentations at meetings*

- 3.32 The committee has been able to scrutinise and comment on a range of key policy and service issues through the regular scrutiny 'spotlights'. So far this year the committee has heard from the Borough Commander on local crime and policing issues, and the Cabinet Members for Health and Wellbeing, Children's Services, and Housing.

#### *Other regular items*

- 3.33 The committee received 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, and included the Complaints and Information Governance Annual Report, and the quarterly strategic performance and corporate revenue and capital budget monitoring reports.

### **Health Scrutiny Panel 2013-14**

- 3.34 Since 1<sup>st</sup> April 2013 the NHS has undergone a major reorganisation. This has required the Health Scrutiny Panel to be more attentive to trending issues, and the concerns of health service providers. However, the panel was also keen to continue scrutinising 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.
- 3.35 Given the scale and pace of on-going changes in the health sector, the Health Scrutiny Panel continued to face a significant challenge in understanding what these will mean for local service provision. Two of the main issues (which were also topics suggested by last year's committee) were the integration of Public Health into the council and the development of Tower Hamlets HealthWatch.



3.36 With this in mind and in consideration of other key areas, as well as continuing some of the work from the previous year, the Health Scrutiny Panel has retained its three main workstreams for 2013-14:

- Scrutiny of Barts Health NHS Trust,
- Accountability, and
- Understanding health promotion across the life course

3.37 In consideration of these broad areas, during the past year some of the key issues that were covered through the Health Scrutiny Panel meetings are outlined as below:

*Life Cycle- Young Adults and Middle Age*

3.38 There was a continuation of looking at the 'Life Course approach' to health. This was in order to focus on partnership working across a broad range of providers for the 'young adults' and 'middle age' part of the life course, sharing priorities, challenges, issues, and good practice; and gauging if providers are working together sufficiently. Sexual health, alcohol and substance misuse and general health priorities in the borough amongst young adults were given emphasis, along with workplace health, mental health and gendered health issues and prevention for both groups.

*Barts Health – Financial Turnaround*

3.39 In 2012 Barts Health experienced significant financial difficulties and in August 2013 the Trust announced a financial turnaround programme, bringing in extra expertise and support to work with clinicians and managers. The Health Scrutiny Panel, both through the Inner North East London Joint Health Overview Scrutiny Committee (INEL JHOSC) and its own individual work, monitored Barts Health's financial position throughout the year, and this has now stabilised.

*CQC inspection of Barts Health*

3.40 The INEL JHOSC reviewed the Care Quality Commission's deep dive inspection reports on Barts Health (including areas of good practice and in need of improvement), and the Trust's response (including plans for improvement). Barts Health will provide regular feedback on its improvement plan.

*Public Health*

3.41 The Panel received a presentation from Public Health on the integration of its services into the council. The Director of Public Health presented on the new structure of the team, its various functions and how it would contribute to the council's wider remit around health. The panel hopes to receive a follow up update mid-2014.

*HealthWatch*

- 3.42 The Panel received a presentation from the new Director of Tower Hamlets HealthWatch on the development of this new statutory service, discussing its structure, workplan and objectives for the coming year. The service's strategy for engaging with local residents and patients was also discussed, and HealthWatch will keep the HSP updated on any issues and escalate any concerns it feels that need to be addressed by the panel, as well as provide regular feedback on its work.

*New Education, Social Care and Wellbeing Directorate*

- 3.43 The Panel received presentation on the merger of the Adults, Health and Wellbeing Directorate and the Children, Schools and Families Directorate, detailing the process, benefits, timescales, risks and activity to mitigate these.

*Strategies*

- 3.44 The Mental Health Joint Strategic Needs Assessment (JSNA) was updated in 2013, and a joint presentation was received from internal and external stakeholders on the development of the priorities outlined in the new assessment.

*Accident & Emergency Scrutiny Review*

- 3.45 The Panel undertook this review due to the new NHS arrangements and the significant concerns being raised about A&E services. The panel was keen to understand how Barts Health and the Clinical Commissioning Group were planning to tackle issues around A&E services, especially leading up to winter. The review group heard from a wide range of stakeholders including Public Health, the Clinical Commissioning Group and Urgent Care Board, HealthWatch and the Royal London Hospital A&E department. The review group have made recommendations which will be presented to the OSC in April 2014.

**Conclusions and looking ahead to 2013-14**

- 3.46 Over the last year, the committee has been able to address through its work programme many of the priorities and challenges previously identified for this year. It was able to monitor plans for savings in the council's medium term financial plan and Budget for 2014-15 and their impact on service delivery and performance. It took an ongoing interest over multiple meetings in the work to address the findings of the Electoral Commission's investigation, and has tried to secure a joint effort across all relevant parties and participants to prevent electoral fraud. It further used a spotlight to look closely at the functioning of the new Education, Social Care and Wellbeing Directorate, and used a challenge session to focus in particular on the pressure on school

places. In addition, the committee was able to examine the council's approach to grants, through call-ins of the Mayor's Community Events and Community Chest funds; an item on the administration of these funds; and further supplementary information provided outside of the committee's meetings. The Health Scrutiny Panel also looked at the transfer of public health into the local authority, and intends to examine this again at a later stage.

3.47 The committee has also been keen to monitor implementation of the recommendations from previous scrutiny reviews, including those on children's centres (considered earlier in the year), barriers to youth employment (on the March agenda) and housing co-regulation (scheduled for April).

3.48 Members have, however, lacked opportunities to hold the Mayor to account directly, as he has not appeared before the OSC so far in the 2013-14 year). The committee hopes that it will be provided with greater opportunities to carry out this role in the coming year.

#### **4. LEGAL COMMENTS**

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.

4.2 There are no immediate legal implications arising from this report.

#### **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 2013-14. It forms the draft of a report which will go to full council early in the new municipal year.

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. Scrutiny of the budget raised a number of equality issues, as did several challenge sessions. One session focused specifically on Tower Hamlets staff with learning difficulties, with a view to enabling them to be better-supported at work. Additionally, the session on budget consultation considered how better to engage hard-to-reach groups in one of the council's most important decision-making processes; and the session on the move of youth services in-house encompassed services for young people with protected characteristics, such as LGBT.

**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.