

**TOWER HAMLETS COUNCIL  
OVERVIEW & SCRUTINY  
COMMITTEE**

**ANNUAL REPORT 2015/16**

## **Chair's Foreword**

This year has been an interesting and important one for the Overview and Scrutiny Committee. Along with individual members' reviews on important issues for the council such as the effectiveness of the Prevent programme and provision for pupils with social, emotional and mental health needs, the Committee chose to dedicate a significant portion of its time and attention to the difficulty the council can have in making its decision-making and data open and accountable. The Overview and Scrutiny Transparency Commission was a high-profile and well-received contribution to addressing these problems, and I am proud of the resulting report and recommendations which, when implemented, should help bridge the gap between residents and their council, and make the borough a beacon for openness, transparency and accountability.

I was pleased that the Committee had an opportunity to be involved in the Council's budget-setting process at an early stage, and was able to influence the Mayor to abandon plans to reduce or stop Sunday opening for Idea Stores, as well as to ensure that older people would have access to suitable alternative provision before continuing with any review of day services for older people. I hope this will set the template for constructive dialogue between Overview and Scrutiny and the Executive in future years.

Alongside this, the function will be strengthened following the review of how the Committee works and is supported. In particular, new sub-committees to review bids for grants, and to focus on housing performance and issues, will supplement the work of the main Committee and the Health Scrutiny Panel, and ensure greater member capacity and attention to issues of real importance to our residents.

My thanks to the councillor and co-opted members of the Committee, and to the officers who have assisted us this year.

Cllr John Pierce  
Chair, Overview and Scrutiny Committee

## **Introduction to Overview and Scrutiny**

- 1.1 The Overview and Scrutiny Committee (OSC) exists to hold the executive leadership and other local partners to account. Its statutory duties include reviewing and scrutinising decisions made or actions taken by the Council's executive, health services (carried out in Tower Hamlets by the Health Scrutiny Panel), and crime and disorder partners, and reporting back on these to the executive or, as appropriate, Council. They also require the Committee to report to the executive or, as appropriate, Council on matters affecting the area or residents.
- 1.2 The Committee also reviews strategic documents which comprise the Budget and Policy Framework, and contributes to policy development through scrutiny reviews and one-off "challenge sessions".

### **Membership**

- 1.3 Following the mayoral elections in June 2015, a new Overview and Scrutiny Committee was appointed by Council. The members and their roles have been as follows:

- Councillor John Pierce (Chair)
- Councillor Danny Hassell (Vice Chair and Scrutiny Lead for Children's Services)
- Councillor Denise Jones (Scrutiny Lead for Communities, Localities and Culture)
- Councillor Md. Maium Miah (Scrutiny Lead for Resources)
- Councillor Amina Ali (Scrutiny Lead for Adults, Health & Wellbeing)
- Councillor Peter Golds (Scrutiny Lead for Law, Probity and Governance)
- Councillor Helal Uddin (Scrutiny Lead for Development & Renewal)
- Councillor Mahbub Alam
- Councillor Oliur Rahman

- 2.2 In addition, the Committee's co-opted members have been:

- Nozrul Mustafa (Parent Governor Representative)
- Rev James Olanipekun (Parent Governor Representative until February 2016)
- Victoria Ekubia (Roman Catholic Diocese Representative) and
- Dr Phillip Rice (Church of England Diocese Representative).

There are at present two vacancies for Parent Governor Representatives, and one additional co-optee, who may be a representative of the Muslim community.

## **2. Overview and Scrutiny Committee Work Programme 2015-16**

2.1 At the beginning of this municipal year, the OSC was provided with detailed briefings on key information, developments and issues for each of the portfolios. The Committee undertook a session facilitated by officers to set its work programme for 2015-16, as did the Health Scrutiny Panel. In considering topics to include, members took into consideration factors such as:

- The extent of public and member interest
- The significance of any budgetary implications
- Current performance and user satisfaction
- Any scrutiny already planned or being carried out by other bodies
- New developments or changes, and
- The Committee's ability to influence outcomes.

2.2 Following this discussion a proposed list of scrutiny review topics and methods of scrutiny was agreed, including:

- ordinary items on the OSC agenda;
- spotlight sessions (where attendees are questioned and held to account on a range pertinent issues within their remit, and need not be focused on a report);
- reviews (which allow members to examine a topic in-depth over multiple sessions with directorate support, with a view to developing a report with recommendations for improvement); and
- challenge sessions (similar to reviews, but with only one session and typically in slightly less depth).

2.3 Below are some of the highlights from the work programme so far this year, for each portfolio. The work of the Health Scrutiny Panel is considered in a separate section below.

### Transparency Commission

2.4 At its first meeting of the 2015-16 municipal year, the Overview and Scrutiny Committee decided its next three meetings would be focused primarily on a review of the Council's transparency, with the full Committee sitting as the Overview and Scrutiny Transparency Commission. This was seen as an opportunity for members from all political parties to work together to identify actions to help the Council become more transparent. In addressing this, members considered different aspects of the issue, such as:

- How residents could be better informed about Council activity, processes and decisions;
- How members could be supported to make more transparent decisions; and
- How decision-makers could be held to account transparently.

- 3.5 The Commission's evidence-gathering sessions took place at Overview and Scrutiny Committee meetings in July, September and October 2015, where it heard from the Mayor, officers, local journalists and bloggers, trade unions, and professional experts involved in improving transparency in other authorities and organisations. It also consulted other sources, and held a public consultation to gauge perceptions of Council transparency, the results of which are also included as an appendix to the report.
- 3.6 The Commission's Final Report set out the following key goals for the Council:
- Make the Council a beacon for openness, accountability and transparency by the end of 2017-18
  - Enhance the role of Overview and Scrutiny to enable greater openness, accountability and transparency in 2016-17, and
  - Publish all data by default wherever possible by the end of 2016-17.
- 3.7 In order to achieve these goals, the Final Report made eighteen recommendations. This was presented to the Mayor and launched early in 2016, and implementation of the recommendations, alongside the commitments in the Mayor's Transparency Protocol, is currently being planned by officers, with a report to Cabinet expected in the summer.
- 3.8 The Overview and Scrutiny Transparency Commission has been cited as a significant improvement in the development of scrutiny in Tower Hamlets. The Commission's work has been widely well-received, including by the Secretary of State's Commissioners and is driving improvements in the Council's approach to transparency.

### Resources

- 2.5 The Committee played a key role in scrutinising and challenging the 2015/16 budget and Medium Term Financial Plan, and this work is considered elsewhere in this report. In relation to in-year spend, members received and considered quarterly reports on the budget. During discussions at quarter 2, for example, they raised their concerns about the failure to allocate significant in-year savings for the Children's and Adults Directorates by halfway through the financial year, as well as holding the Council to account for how unallocated grants and funding was to be spent. In response to issues raised by the Committee, changes are being made to financial reports to ensure that that are clearer and more transparent.
- 2.6 The Council's approach to improving representation of staff from ethnic minorities and those with disabilities at senior management level formed the basis of a challenge session in led by Cllr Maium Miah, the Committee's lead member for Resources. The session found that further work is needed to achieve a workforce to reflect the community particularly at senior management level, and key recommendations focused on improving talent

management processes within the organisation and invigorating forums for BME and disabled staff, as well as carrying out an audit of the Council's organisational culture in relation to diversity and inclusion.

### Children, Schools and Families

- 2.7 The Committee considered the draft Children's and Families Plan 2016-19, and made recommendations for the plan to expand on areas around improving oral health and supporting families together against the risk of child sexual exploitation.
- 2.8 Recognising the important role played by school governing bodies, the Committee explored the relationship between the composition of governing bodies and the wider community, and the ways in which the Council can influence governing bodies to be more diverse and representative. Whilst acknowledging the limits of this influence, the Committee did recommend officers explore how communities were being engaged to promote increased participation and the possible role to be played by the third sector to address imbalances.
- 2.9 The provision of sufficient pupil places is an important local issue, and the Committee asked the Cabinet Member and officers about planning for this. They learned about the progress made in securing developer contributions to deliver additional school places, and that the Council recognises the importance of working with free schools and academies.
- 2.10 The Committee received an update on the progress against recommendations from a challenge session held in 2013 focusing on raising post-16 educational attainment. The Committee noted the improvements to post-16 attainment through collaborative working across schools and the development of continuing professional development modules on the transition to post-16 learning and effective use of attainment data.
- 2.11 The scrutiny lead for Children, Schools and Families led a challenge session looking at the provision of support for pupils with social, emotional and mental health (SEMH) needs and if this was sufficient, particularly in relation to girls. The findings from this noted better co-ordination between the agencies supporting young people with SEMH especially in collection and use of data and how that can be used to develop future services. Recommendations focus on investigating developing further provision for girls especially in specialist schools in the borough and reducing reliance on more costly provision.

### Communities Localities and Culture

- 2.12 Members reviewed the Gambling Policy for 2013-16 and examined areas of change which may be brought forward for the next three years. The Committee expressed concern over the growth of fixed odds betting terminals (FOBT) and the impact on poorer residents. Members were keen that the

Council should explore avenues to lobby for a change in the law to increase its freedom in developing its gambling policy.

- 2.13 Recognising the continued reduction of Council resources and EU recycling targets due to come in to effect as of 2020, a challenge session was led by Cllr Denise Jones, the Scrutiny Lead for Communities, Localities and Culture. This explored the challenges of promoting a shared responsibility and removing barriers to improved recycling in the borough. Recommendations to improve communications and the accessibility of recycling facilities, as well as to work with developers to incorporate innovative waste and recycling management systems, were welcomed by the Committee.
- 2.14 The Chair of the Overview and Scrutiny Committee has also been leading a scrutiny review on the delivery of the Prevent Strategy in the borough and the impact on young people. The review received evidence from a wide range of stakeholders, including academics, third sector providers, and the Home Office. It has also visited another local authority to learn about how best practice on Prevent is being delivered. This work is continuing over the summer, and the final report is expected to be presented to the Committee early in the 2016/17 municipal year.

#### Development and Renewal

- 2.15 The Committee examined the proposed scope, process and timeline for the development of a new Local Plan. In doing so, members commented on the extent of consultation being undertaken, and in particular how those hard to reach or from minority communities were being engaged. The Committee recommended that particular needs and interests were reflected, such as the desire to limit betting shops and the need to further develop affordable housing for key workers.
- 2.16 The Committee received a report that followed up from the previous year's challenge session on planning in conservation areas in relation to extending family homes. The report outlined the progress against the original recommendations, highlighting that two programmes were already advanced, to refresh the Character Appraisals for the eight conservation areas where householders submit the most planning applications, and to create new Supplementary Planning Guidance on mansard roof extensions in conservations areas. The remaining recommendations will be taken forward through the new Local Plan.
- 2.17 The Scrutiny Lead for Development & Renewal led a challenge session on homelessness, and the use of bed and breakfast accommodation. This found that rent arrears were a main cause of homelessness problems, and good relationships between the council and landlords was crucial to avoiding evictions and preventing homelessness. Members recommended a review of partnership arrangements and objectives, so that progress achieved since the last homelessness action plan can be

sustained, and the service is in a strong position to respond to new threats and demands. There is also best practice already established in the service which could be used to further improve customer satisfaction of homeless applicants, such as building on the customer empathy training received by the Housing Options Singles Team (HOST). Additional recommendations related to publishing the criteria for suitable temporary accommodation and spot-checking properties, reporting and publication of performance data, use of the private rented sector, and support for families placed outside of the borough.

#### Law, Probity and Governance

- 2.18 The Mayor attended the Committee meetings to present the quarterly performance report. In reviewing performance, members placed particular emphasis on areas which were below target or had deteriorated. Throughout the year, members queried the levels of staff sickness, which were highlighted as an ongoing area of concern, and also asked tough questions about performance in recycling and removal of flyposting, amongst other areas.

#### Petitions, call-ins, references and pre-decision scrutiny

- 2.19 One executive decision was called in this year, on the decision to abandon litigation against Rich Mix. The Committee referred this decision back to the Mayor with a recommendation to consider Rich Mix's business plan and consider setting targets for its work with young people. Upon considering the business plan, the Mayor amended his decision, requiring that the section 106 resources to be allocated to Rich Mix (after repaying its loan to the Council) be used to increase "free at the point of entry" cultural outputs expressly targeting local residents and local schools. He also committed that Rich Mix would be audited against these requirements.
- 2.20 The Committee heard a petition from the remaining residents of the Tower Hamlets Users of Shortlife Housing (TUSH ) Co-operative over the approach taken by the Council in pursuing evictions. The Committee noted these concerns and resolved to refer the matter on to the executive for a response.
- 2.21 The Committee also undertook a review of a petition from 2014, where the Council had resolved to take action in response to leaseholder concerns at how service charges had been set. As a result of the Committee's consideration of the matter, the findings of reviews and audits which had not been provided to leaseholders were published.
- 2.22 Throughout the year the Committee submitted pre-decision questions across a range of areas. As mentioned above, the importance of these questions was reflected in changes to how the Committee dealt with them on its agenda, to allow greater time to discuss them

- 2.23 The Committee also produced its final report into the sale of the former Poplar Town Hall, with an overview of the detailed work undertaken to date and identifying key actions for the council to consider and implement. The report took account of the significant changes that have occurred since the original Council resolution made in January 2014, and set out recommendations for further improvements to be considered by the Mayor and the Governance Review Working Group regarding the decision-making on property disposals, financial procedure rules, resourcing of the Committee, organisational culture and transparency.

#### Budget and Policy Framework

- 2.24 The Committee has a mandatory consultation role on all items which are the responsibility of Council to agree, rather than the executive and these make up the Budget and Policy Framework. This year, these have included the Budget and the extension of the Community Safety Plan.
- 2.25 The Committee considered early draft savings proposals for 2016/17 put forward by the Mayor and Cabinet in November, thoroughly scrutinising the impact on users, cost-effectiveness, and deliverability of the proposals, and requesting further information where necessary to better determine their impact or justification.
- 2.26 The Committee then held a dedicated meeting in January to consider and challenge the published draft Budget, making a series of recommendations to the executive to reconsider proposals where it was felt these disproportionately affected residents or did not represent long-term value for the borough. The proposals it asked to be reconsidered included reducing funding to local police budgets, the deletion of the Burial Subsidy Scheme, and a reduced budget for Mainstream Grants, handing over delivery of school crossing patrols to schools, and the proposal on PGCE bursaries. The Mayor and Council considered the comments from the Committee as part of the decision making process. Following engagement with the Committee and other local stakeholders the Mayor did not pursue the proposal to reduce or stop Sunday opening for Idea Stores, and committed to only progress the review of day services for older people once suitable alternative provision had been identified for any service users who would be affected.
- 2.27 The Committee supported the extension to the Community Safety Plan in line with the London-wide Police and Crime Plan to March 2017, which has been extended to carry existing arrangements through to the end of the term of the current Mayor of London. In considering this, members made clear their views that the local Safer Neighbourhood Panels should be involved in responding to issues such as radicalisation, and female genital mutilation, as the ways in which some community safety concerns were pursued by professionals could sometimes alienate communities.

## Spotlights

- 2.28 This year, the Committee took a particular interest in crime and disorder with two spotlight sessions taking place. Senior police officers attended (including the former Borough Commander for the first spotlight, prior to his departure from the post), along with the relevant Service Head and Cabinet Member, to discuss performance levels, the importance of engaging effectively with the community and councillors, policing priorities, and relationships between the police and the Council. Issues and actions were raised that it is hoped will be taken up by the next Committee, including the communications issues mentioned, as well as accountability within the MPS for how decisions to investigate electoral malpractice in the borough have been taken.

## **Health Scrutiny Panel 2015/16**

- 2.29 In 2015-16 the Health Scrutiny Panel faced the challenge of understanding the implications of policy changes on health services, scrutinising local services undergoing change, and ensuring local providers consider the views of local residents, address health inequalities and support the wellbeing of local people. The focus has been on the performance of Barts Health NHS Trust, health and social care integration, the community benefits from health and social care commissioning, and changes to primary care.
- 2.30 The Panel undertook a detailed review of maternity services at Royal London Hospital focusing on customer care and held a challenge session on Children and Adolescent Mental Health Services (CAMHS).

### Barts Health – CQC Inspection findings and improvement plan

- 2.31 The Panel considered the Barts Health NHS Trust Improvement Plan and discussed in detail how this would enable the Trust to address the issues raised by the Inspection. The Panel's discussion focused on concerns around bullying within the organisation, how complaints were handled and used to improve performance, management and governance, resource allocation and data quality.

## Health and Social Care Integration

- 2.32 The Panel assessed Integrated Care in Tower Hamlets and the work of the Tower Hamlets Integrated Provider Partnership. Feedback from the Panel related to improving primary care services, enabling people to die at the place of their choice and that links between housing and health is explicitly considered in this work.

### Community Benefits from health and social care commissioning

- 2.33 The Panel heard from the Council and Tower Hamlets CCG about how through commissioning they are delivering community benefits. The Panel suggested the need for better co-ordination in procurement within public services, and that the Council should explore best practice from other areas and learn how they are getting more for their money. It noted that the Voluntary and Community Sector Strategy being developed by the Council may also help achieve benefits from commissioning.

### Primary Care Strategy – Tower Hamlets Clinical Commissioning Group

- 4.6 The Panel considered the CCG's draft Primary Care Strategy. The Panel focused on the impact of population growth within the borough, patients' experience of primary care and integration with other to ensure local people receive a seamless service.

### Transforming Services Together

- 2.34 The Panel reviewed the Strategy and Investment Case of the Transforming Services Together (TST) Partnership programme, which recommends investing in care closer to home, new models of care at our hospitals, more modern facilities and developing new ways of working. The Panel agreed with the approach taken to address population growth by building capacity in the health system through integration, rather than dispersing provision more widely. However, it emphasised that the needs of children should be better accounted for, and was concerned about how specialist commissioning carried out by NHS England would be addressed.

### Healthwatch Tower Hamlets – Community Intelligence Report

- 4.8 The Tower Hamlets Community Intelligence Bursary is a programme that was developed in a partnership between Healthwatch Tower Hamlets, Tower Hamlets Clinical Commissioning Group (CCG), Tower Hamlets Citizens, Queen Mary University and Tower Hamlets Council for Voluntary Services (CVS), to ensure that the needs and views of the local community directly affect how health and social care services are designed, commissioned and delivered within Tower Hamlets. The Panel reviewed the findings of the programme and endorsed its recommendations, given that these had been developed through the work of people in the community themselves.

### Reviews: CAMHS, Maternity Services

- 2.35 Whilst clinical outcomes at the Royal London Hospital (RLH) are excellent, and the hospital deals with a high proportion of complex, high acuity births, various inspection reports over the last two years have raised concerns about patient experience of maternity services. The Panel undertook a review

between December 2015 and March 2016, reviewing patient feedback and looking at how the RLH has responded to the challenges identified in a recent CQC inspection report. The Review Group heard that Barts Health Trust are planning a number of improvements including opening a new co-located low risk' maternity unit at the RLH. Areas identified as in need of improvement include compassionate care; consistency and continuity in relation to that care; information, choice and control offered to patients; women's involvement in planning and monitoring services; capacity, organisation and administration within Barts Health; and patient experience, feedback and complaints. Barts and the CCG are committed to working with the HSP going forward to develop action plans that will help to drive the improvements that are needed.

### **Conclusions and looking ahead to 2016-17**

- 2.36 Over the last year, the Overview and Scrutiny Committee has been able to address through its work programme many priorities and challenges facing the Council, partners and residents.
- 2.37 While the next Committee will plan its own work programme, some elements of this year's programme will carry over to the next municipal year, including the report of the scrutiny review into the delivery of the Prevent Strategy and its impact on young people, and that of the challenge session into homelessness. Additionally, spotlights on the Youth Service and on the progress made by Tower Hamlets Homes in implementing recommendations from the audits referred to earlier would be valuable. Similarly, the maternity services review will report back to the Health Scrutiny Panel early in the 2016/17 year.

### Review and development of Overview & Scrutiny

- 2.38 Following on from the Transparency Commission's recommendation that the Council "undertakes a full review of its Overview and Scrutiny arrangements, and amends these as necessary", the Committee has recently agreed to create a new Grants Sub-committee. This has been established to review officer recommendations regarding grants prior to their consideration at Commissioners' Decision Making Meetings. This will provide a transparent, cross-party member-led check on the way in which decisions to award grants are made, and is an important step towards the Council regaining control of its grant-giving functions. This Sub-committee has received training and has already begun to meet, and the arrangements will be reviewed early in the new municipal year.
- 2.39 There has also been discussion between members and officers about ensuring sufficient capacity to enable effective scrutiny of housing performance and issues. A Housing Scrutiny Panel is being established to undertake this role and will work with local housing providers to ensure borough-wide engagement and challenge to improve services for local people.

- 2.40 Some changes have also been made to the way in which the Overview & Scrutiny Committee undertakes its work. The important function of scrutinising proposed executive decisions has been improved by changing the position on the agenda of this standing item, and circulating to members a list of both the items on the next Cabinet agenda, as well as all forthcoming decisions published by the Council. In addition, the meeting dates of the Committee have been moved further in advance of Cabinet in order to allow greater time for consideration of pre-decision scrutiny questions, and therefore more substantive responses. In addition, the Committee now keeps an open log of the status of the requests it has made.
- 2.41 In discussion with the Chair and OSC Members an induction programme is being developed for the new Committee which will help build on learning from this year and enable continuity of key issues going forward.