
REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 24 APRIL 2007

Chairman: * Councillor Jean Lammiman

Councillors: * B E Gate * Anthony Seymour
* Mitzi Green * Mrs Rekha Shah
* Salim Miah * Stanley Sheinwald
* Jerry Miles * Dinesh Solanki (1)
* Christopher Noyce * Mark Versallion

* Denotes Member present

(1) Denote category of Reserve Member

[Note: Councillors Macleod-Cullinane and Ms Nana Asante also attended this meeting to speak on the items indicated at Minutes 124 and 128 respectively].

PART I - RECOMMENDATIONS**RECOMMENDATION I - Scrutiny Annual Report 2006-07**

The Committee considered its annual report for 2006/07, which provided an overview of the work and achievements of the scrutiny bodies over the past year following a change in the administration and in the structure of the Scrutiny Sub-Committees. The annual report also looked forward and identified projects for 2007/08. Members requested a number of minor amendments to the report, including details of the memberships.

The Committee was proud of the achievements of Scrutiny and of the pioneering work carried out by Scrutiny Members on reviews with the support of officers. The Committee felt that the Council had benefited from its sterling work in this regard.

The Chairman thanked Members and officers for their work on the annual report and for scrutinising challenging issues. Members thanked the Chairman for her service to Scrutiny and wished her a successful 2007/08 in her intended role as the Borough's Mayor.

The Committee, having agreed the annual report subject to minor amendments, and in order to meet its obligations under the Council's Constitution

Resolved to RECOMMEND: (to Council)

That the Committee's annual report for 2006/07, as now amended, be noted.

PART II - MINUTES116. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrs Myra Michael	Councillor Dinesh Solanki

117. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

Agenda Item 11 – Arts Culture Harrow – Report of the Challenge Panel
Councillor Jean Lammiman declared an interest in that she had given evidence to the Challenge Panel. She vacated the Chair during consideration of this item and took no part in the discussion or decision-making relating to it.

118. **Arrangement of Agenda:**

The Chairman re-ordered the agenda and it was

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
10. Reconfiguring Scrutiny	This report was being consulted on at the time of the dispatch of the agenda and was not received in its final form to be included on the agenda. Members were requested to consider this item, as a matter of urgency, as it would not be in the interests of the Council to delay consideration of this report and in order to allow recommendations - if any - to be made to the appropriate bodies of the Council for final decision.
11. Arts Culture Harrow – Report of the Challenge Panel	This report was not available at the time the agenda was printed and circulated as it was being consulted on. Members were requested to consider this item, as a matter of urgency, so that the recommendations of the Challenge Panel, set up by the Committee, could be considered.
13. Individual Performance Appraisal and Development	This report was not available at the time the agenda was printed and circulated because of an unforeseen absence of a member of staff. Members were requested to consider this item in order to avail themselves of the progress made on IPAD.
16. Scrutiny Annual Report 2006-07	This report was not available at the time the agenda was printed and circulated as it was being consulted on. Members were requested to consider this item, as a matter of urgency, so that the work of scrutiny could be reported to Council.

(2) all items be considered with the press and public present.

119. **Minutes:**

RESOLVED: That the minutes of the meeting held on 27 March 2007 be confirmed as a correct record and the Chairman be authorised to sign them when printed in the Council Bound Minute Volume.

120. Public Questions:

It was noted that the Portfolio Holder for Adult and Community Care Services and Issues Facing People with Special Needs had, as requested, provided responses to supplementary questions to public questions at the last meeting of the Committee. The Chairman stated that she would send the responses to the questioners and provide copies to all Members of the Committee.

RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.

121. Petitions:

RESOLVED: To note that no petitions had been received.

122. Deputations:

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.

123. References from Council/Cabinet:

RESOLVED: To note that there were no references from Cabinet or Council.

124. Fairtrade:

The Committee received a report of the Director of People, Performance and Policy, which set out the actions required for Harrow to become a Fairtrade Town. The report also outlined the progress made and how the intended objective could be achieved.

An officer introduced the report and stated that since the decision by Council in 2005, the original momentum on this matter had been lost and that the report was intended to re-invigorate the campaign for Fairtrade. The Council's partners would be engaged on this matter through the Harrow Strategic Partnership (HSP). Resources of the HSP would help reduce the impact on costs associated with the initiative.

The Chairman of the Fairtrade Steering Group informed the Committee that the new administration needed to take a view on how this matter ought to be progressed, which should be done with the assistance of a strategy and an action programme. He outlined the requirements necessary to achieve Fairtrade status.

Members welcomed the report and commented as follows:-

- They were disappointed that, despite the decision of Council, there had been no noticeable activity by the Council on this important issue and during the most recent Fairtrade fortnight.
- Fairtrade was especially important in a multi-cultural borough like Harrow.

Following further discussion, it was

RESOLVED: That (1) the Director of People, Performance and Policy submit further updates on this issue twice yearly, with the first one being presented in six months' time;

(2) the first update include details of the response received from Harrow In Business in relation to the assessment requested as set out in the officer report.

125. Performance on the Local Area Agreement:

The Committee received a report on the performance to date on the Local Area Agreement (LAA) targets. An officer introduced the report and highlighted the stretched targets, which, if met, would be rewarded. He stated that the performance on the stretched targets had been good but pointed out that LAA would have to be renegotiated soon.

In response to questions from Members, the officer:-

- commented on the relationship with the Government Office for London (GOL);
- stated that the stretched target on the number of residential burglaries where the victim was over 75 years had been managed well but that this target would be measured over a period of 3 years and therefore the situation could alter.

RESOLVED: That (1) the 3rd quarter performance, as set out in the performance tables attached to the officer report, be noted;

(2) monitoring reports be submitted after data on all indicators had been received, generally in June and November of each year.

126. **Occupational Health and Safety:**

The Committee received a report of the Director of Financial and Business Strategy, which set out the work of the Health at Work Group and information on the Occupational Health Service. An officer introduced the report and informed Members that central government had stated its intention on occupational health and risk management. He added that the work in Harrow was being conducted through the Health at Work Group, which was chaired by the Director of People, Performance and Policy. Training was provided through the Harrow Rules programme and other workshops. Members were informed that the work of Occupational Health was not always related to work related problems of staff.

The officer and the Director of People, Performance and Policy agreed to provide data to Members on the issues raised. They responded to questions as follows: -

- The report only addressed occupational health and safety matters relating to staff employed by the Council but information on how many of Harrow's residents travelled to other boroughs to work and vice-versa would be provided.
- Scorecards were being used to track trends and further data would be available by end of the month.
- Absence from work was monitored and there had been a downward trend; however, in the last year this trend had reversed.
- Work on the key recommendations submitted to the Health and Safety Partnership Board were being done within existing financial constraints and other funding avenues, such as the Local Area Agreement (LAA) would be explored.
- Staff or managers could make referrals to Occupational Health which would decide whether a case management was necessary or a staggered return to work.
- The national trend for absence for psychological reasons was going up in all sectors.
- The staff survey would be re-designed soon and a question on whether the Council was a stressful place to work could be incorporated; research by the Work Foundation had shown that Harrow's figures were not high when compared with the rest of the public sector.

Following further discussion, it was

RESOLVED: That (1) the report be noted;

(2) officers submit further updates on this issue twice yearly, with the first one being presented in July 2007 addressing the following:

- indicators of trends and causations;
- comparative statistics/national averages in relation to absences due to psychological reasons;
- changes in the work environment and how national targets could be achieved;
- work carried out by the Work Foundation in achieving work/life balance.

127. **Strong and Prosperous Communities – Implications for Scrutiny of the Local Government White Paper:**

An officer introduced the report, which set out the implications for scrutiny as a result of the Strong and Prosperous Communities Local Government White Paper. She outlined the wide-ranging implications for scrutiny, as set out in the report, and outlined its relationship with the report on Reconfiguring Scrutiny, which was also on the agenda.

The officer highlighted the positive developments that would result from the White Paper and briefed Members on scrutiny's role as a 'gate keeper' of issues. Together with the Director of People, Performance and Policy and the Scrutiny Manager, she responded to questions from Members as follows:-

- It was unclear, at this stage, how Community Call for Action would function. It appeared that issues could be referred to another body provided reasons were given.
- Scrutiny's role in helping constituents would expand and this issue would be addressed as part of the report on Reconfiguring Scrutiny.
- Whilst formal consultation would be conducted during October-December 2007, there was a continuous process to influence the White Paper and it would be advisable to do this through the London Councils by the Leader of the Council.
- An early direction from Members of the Council on what was the best way forward for Harrow in relation to the White Paper would be helpful for officers as it was likely that implementation would be on a modular basis.

Members asked for further details and it was

RESOLVED: That (1) the report be noted and the Committee receive further reports on the impact of the White Paper on scrutiny structures;

(2) a further report be submitted to the July 2007 meeting of the Committee with a view to making a recommendation to the July 2007 Council on the following matters:-

- scenarios on how scrutiny would operate under the three local government models;
- how the proposed London Involvement Networks (LINKs) would operate;
- various platforms/lobbying methods that could be used to influence the White Paper.

128. **Arts Culture Harrow - Report of the Challenge Panel:**

The Committee considered a report of the Director of People, Performance and Policy, which set out the recommendations of the Arts Culture Harrow (ACH) Scrutiny Challenge Panel.

The Committee received a presentation from the Chairman of the Challenge Panel. The Chairman reported on the Panel's findings and stated that the investigation had not been in-depth. She explained why a Challenge Panel had been set up and provided background information on the ACH and, its predecessor body, Harrow Arts Centre Limited (HACL). In addition, the Panel Chairman commented on the discussion at the Challenge Panel about the Service Level Agreement (SLA) between the ACH and the Council, and briefed the Committee on key observations and recommendations of the Panel.

The Chairman of the Challenge Panel thanked the Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People, along with officers and volunteers for their commitment and for providing evidence to the Challenge Panel.

In response to questions, the Panel Chairman and other Members of the Challenge Panel stated that:-

- The Panel had found that the SLA had not been properly costed from a business perspective, as a result of which the ACH might not have had sufficient funds to carry on with the business.
- The ACH appeared to have inherited the poor practices of the HACL.
- Whilst access to the building occupied by the ACH was an issue, the location of ACH was not, as it had had a loyal clientele, and it wasn't the main reason why the organisation had folded. However, although it had expanded its audience, there had been a problem in attracting a new clientele. In any case, a site in Harrow Town Centre would have been better.

- A reduction in money had not correspondingly resulted in a reduction in the service.
- The ACH had received limited information on HACL and salaries had not reflected the levels of responsibilities of staff.
- The ACH had not been autonomous and appeared to be entirely dependent on the Council. However, the ACH was an independent organisation and took its own decision to go into liquidation.

Members commented as follows:-

- The Challenge Panel had highlighted issues of leadership, responsibility, the difficult relationships within the ACH and its financial situation, the latter of which appeared to have played a major part in its demise.
- The situation was being addressed by the Council, which had taken direct control of the provision of arts and cultural services in Harrow.

Following further discussion on whether to refer the findings to the relevant Portfolio Holder or the Cabinet, it was:

RESOLVED: That (1) the findings of the Arts Culture Harrow Scrutiny Challenge Panel be noted and its recommendation agreed;

(2) the report be referred to the next meeting of the Cabinet.

[Notes: (i) The Chairman, Councillor Jean Lammiman, having declared an interest in this item, the Vice-Chairman, Councillor Mitzi Green, took the Chair;

(ii) upon the conclusion of this item, Councillor Jean Lammiman resumed the Chair].

(See also Minute 117).

129. **Individual Performance Appraisal and Development:**

The Committee received a progress report on Individual Performance Appraisal Development (IPAD) since the matter was last reported to the Committee in April 2006. The report updated Members on development of the IPAD process, which included details on how the process was monitored and the development of competencies for all staff.

An officer introduced the report and informed Members of the progress made on the scheme, the robust monitoring systems that had been embedded and drew attention to the IPAD completion rates during 2006/07. She added that, since Quarter 3, the completion rates appeared to have fallen recently and informed Members of the reasons for this trend.

Members were briefed on the link between IPAD and IIP (Investors in People), the core competency framework and the training provided, details of which were set out in the officer report.

In response to questions from Members, the officer explained the frequency of appraisals and how disagreements could be resolved. Different procedures were in place for members of staff whose performance was poor. She added that £25,000 had been earmarked for further development work on the IPAD and that external trainers might be engaged to carry out the work. There were real benefits to acquiring IIP badge and these were outlined at the meeting. The Corporate IIP was earmarked for 2008.

In response to questions on IPAD for Members, the Director of People, Performance and Policy stated that he had been commissioned to work on developing skills for Members and that competencies unique to the role of Members would form part of this exercise.

RESOLVED: That the report be noted and a progress report be submitted in April 2008.

130. **Reconfiguring Scrutiny:**

An officer introduced the report, which set out the arrangements proposed for the reconfiguration of the Council's scrutiny function. She outlined the proposed revised arrangements, which, if agreed, could come into force in the autumn following determination of various issues and consideration of further reports by the various

approving bodies. She outlined the arrangements during the interim period. No changes were proposed to the current operation of the Call-In Sub-Committee.

Members were informed that the principles of Scrutiny would remain intact/sacrosanct in any proposals that were finally agreed. The Scrutiny Manager outlined the proposals, as set out in the report. It was important that Scrutiny had the ability to respond to any changes as a result of the White Paper on Local Government.

Members commented as follows:-

- Whilst the Scrutiny Sub-Committees might not be required to meet in the interim, the reviews on obesity, NHS Finance and cultural services, ought to be completed and submitted to the Overview and Scrutiny Committee.
- Advisory Members were valuable and ought to be retained. It was noted that there was a statutory requirement to appoint parent governor representatives and "church" representatives with voting rights.
- A number of issues needed resolving but the proposal to appoint lead scrutiny Members ought not to mirror Portfolio Holder positions.
- Holding the Executive to account should not be lost in the reconfiguration process.
- A seamless change was required/necessary and that the terms of reference of the proposed new bodies should not be duplicated.

Members were advised how the interim arrangements would work and of the need to establish all the existing bodies in the interim period. Advice on the appointments of the Vice-Chairmen of the Scrutiny Sub-Committees could be sent to the Chairman and the Vice-Chairman of Overview and Scrutiny Committee.

The Chairman suggested that Liberal Democrat Members ought to be invited to participate in the Chairmen/Vice-Chairmen meetings.

RESOLVED: To (1) agree to the establishment of the Overview and Scrutiny Committee with the outline terms of reference and responsibilities set out in paragraphs 3.10 - 3.13 of the officer report;

(2) agree to the establishment of the Performance and Finance Sub-Committee with the outline terms of reference and responsibilities set out in paragraphs 3.3 - 3.9 of the officer report;

(3) agree to the establishment of lead Councillor roles, as set out in paragraph 3.6 of the officer report;

(4) agree to suspend the meetings of the Scrutiny Sub-Committees, except where a further meeting was deemed necessary by the relevant Chairman and Vice-Chairman;

(5) receive a final report to the Committee in July 2007, for submission to Council in July 2007, to confirm the reconfiguration proposals and to address the outstanding issues, as set out in paragraph 3.14 of the officer report and below: -

- a. detailed terms of reference for the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- b. areas of responsibility for lead scrutiny Councillors
- c. membership of the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- d. arrangements for payment of special responsibility allowances
- e. chairing arrangements for the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- f. programme of meetings of Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- g. confirmation of co-option arrangements;

(5) agree the arrangements for finalising the work of the existing Committees and interim arrangements until the new system was able to go live, as outlined in paragraph 3.15 of the officer report;

(6) review the impact of the configuration in a year's time.

131. **Scrutiny Annual Report 2006 - 07:**
(See Recommendation I).

(Note: The meeting, having commenced at 7.30 pm, closed at 10.35 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chairman