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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 20 NOVEMBER 2007**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Robert Benson (1) * Mrs Margaret Davine * B E Gate * Mitzi Green * Mrs Kinnear (3) * Ashok Kulkarni (2)	* Barry Macleod-Cullinane * Jerry Miles * Dinesh Solanki * Yogesh Teli * Mark Versallion
Voting	(Voluntary Aided)	(Parent Governors)
Co-opted:	† Mrs J Rammelt * Reverend P Reece	* Mr R Chauhan * Mrs D Speel

\* Denotes Member present  
(1), (3), (2) Denotes category of Reserve Members  
† Denotes apologies received

[Notes: (1) Councillors Paul Scott and Bill Stephenson, having been invited by the Committee to backbench, also attended this meeting to speak on the items indicated at Minutes 232 and 233 below;

(2) Councillor Anjana Patel, having been invited by the Committee in her capacity as the Portfolio Holder for Community and Cultural Services, also attended the meeting to speak on the items indicated at Minutes 232 and 233 below;

(3) Councillors Christine Bednell and Janet Mote, having been invited by the Committee to attend the meeting in their capacity as Portfolio Holders for Schools and Children's Development and Children's Services respectively, spoke on items indicated at Minutes 234 to 238 below].

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**

221. **Membership of Overview and Scrutiny Committee:**  
The Chairman advised Members of the change in the membership of the Overview and Scrutiny Committee, as set out in the second supplemental agenda. He welcomed Councillor Barry Macleod-Cullinane as a full Member of the Committee.

It was noted that the change had been agreed under the procedure for Urgent Council Decisions, in accordance with Part 3b of the Council's Constitution, a departure from the normal procedure of making such decisions at full Council meetings.

222. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Manji Kara  
Councillor Mrs Myra Michael  
Councillor Anthony Seymour

Reserve Member

Councillor Ashok Kulkarni  
Councillor Robert Benson  
Councillor Mrs Kinnear

223. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

Agenda item 12 – Adult Services Complaints Annual Report

Councillor Mitzi Green declared a prejudicial interest in that her son was currently pursuing a complaint against the Council. She would leave the room during consideration of this item and would not take part in the discussion or decision relating to it.

Agenda items 13-16 – Children’s Services Complaints Annual Report/Children and Young People Strategic Partnership Scorecards/Children’s Issues – Annual Performance Assessment and Children and Young Persons Plan/Strategic Approach to School Organisations

- (i) The majority of Members indicated personal interests in that they were governors at various schools in Harrow. They would remain in the room to participate in the discussion and decision relating to these items.
- (ii) Councillor Dinesh Solanki declared a personal interest in that his daughter was a pupil at Belmont School. He would remain in the room to participate in the discussion and decision relating to these items.

224. **Arrangement of Agenda:**

The Chairman stated that items 10, 11 and 18(a) would be considered together. It was accepted that any questions in relation to item 19 (confidential appendices in relation to item 18(a)) ought to be raised outside of the meeting.

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

<u>Item</u>	<u>Special Circumstances/Grounds for Urgency</u>
18(a)/19. Development of Leisure and Cultural Services Facilities	The report and the appendices were not available at the time the agenda was printed and circulated as necessary approvals were being sought for its inclusion on the agenda. Members were requested to consider these items, as a matter of urgency, as they related to items 10 and 11 on the agenda.
18(b) Appendix. Membership of the Performance and Finance Scrutiny Sub-Committee	The proposed changes to the membership of the Sub-Committee had not been notified when the agenda was printed and circulated. Members were requested to consider this item so that the changes could be made with immediate effect.

(2) all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
19. Development of Leisure and Cultural Services Facilities – Exempt Appendices 4-7 to agenda item 18(a)	These appendices were considered to be exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 in that they contained information relating to the financial or business affairs of any particular person.

225. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 13 November 2007 be deferred until printed in the Council Bound Minute Volume.

226. **Public Questions:**

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

227. **Petitions:**

**RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

228. **Deputations:**

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

229. **References from Council/Cabinet:**

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

230. **Report from Lead Members:**

**RESOLVED:** To note that there was no report from Lead Members.

231. **Overview and Scrutiny Review of Cultural Services/Development of Leisure and Cultural Services Facilities:**

The above-mentioned reports were discussed together and reference was made to the report at Minute 233, which also related to these items. It was noted that the report on the Development of Leisure and Cultural Services Facilities had been considered by the Cabinet at its meeting held on 8 November 2007.

The Chairman welcomed the Portfolio Holder for Community and Cultural Services to the meeting. The Portfolio Holder referred to the Overview and Scrutiny Review of Cultural Services report, which provided progress made on the recommendations made by the Overview and Scrutiny Committee in this regard. She invited questions from the Committee.

Members asked questions on the recommendations made, which were responded to by the Portfolio Holder and an officer as follows:-

- The choice of wording in the response to recommendation 13 was unfortunate. The officer assured Members that business cases were made before any action was initiated.
- In relation to recommendation 11, the Service was providing value for money and the knock-on effect on the community for every £1 spent was very high.
- Regarding recommendation 2, the Cultural Forum would meet bi-monthly to plan the cultural strategy and that its first meeting was scheduled to be held in December 2007.
- The Passport to Culture (a leisure card) would provide a direct marketing approach for the young to explore the world of Harrow. Data collection would be a challenge, including its management to understand potential customers.
- In relation to recommendation 14, no specific funds were available for cultural projects. In relation to Prosperity Action Teams (PATs), better guidance would be produced for Ward Councillors. Officers would identify the most needy areas which would most benefit from the money available through PATs.
- In light of the decisions taken by the Cabinet on 8 November 2007, discussions on the provision of art/gallery space would continue with potential developers.
- In relation to recommendation 12, robust investment had been made to ensure community involvement and the re-launch of the Cultural Forum would help move this forward. Involvement would be measured through scorecards.
- The provision of artists studios at Bernays Gardens were unlikely as there was no funding available for this project.
- A Cultural Olympiad would take place in 2008 in partnership with the west London boroughs.

A Member who was backbenching stated that he was disappointed with Cabinet's decision and was concerned that Harrow Town Centre would become a 'cultural desert'. Low priority had been given to the provision of art and an opportunity had been missed. Exhibition and performance spaces were crucial to the Town Centre. Another Member who was also backbenching asked if discussions had involved the retention of the library at the Gayton Road site.

In response the Portfolio Holder explained the decision of the Cabinet had been taken with due consideration being given to the Council's challenging financial situation. It

had not been viable to retain the library on the Gayton Road site and the most appropriate site for a library was the Town Centre. It was intended to provide a library in the Town Centre as part of its overall development. The provision of performance/exhibition space would also be considered at that time. The provision of a new Leisure Centre was crucial and could not be delayed at the expense of providing performance space/exhibition space. An officer explained that since the Cultural Strategy was adopted and with the support from Sport England, work was being done to ensure that facilities were not being replicated. Sport England had identified South Harrow as an area which would benefit from leisure facilities.

**RESOLVED:** That the reports be noted.

232. **Cultural Services Review - Beacon Centre Case Study - Scope:**

An officer introduced the report, which set out the scope for the completion of the case study on the Beacon Centre as part of the Cultural Services Review carried out by the Committee. He stated that the report related to recommendation 26 of the Review, details of which were set out in the report of the Director of Community and Cultural Services at item 10 on the agenda.

The officer responded to questions from Members and explained that the Review would examine all issues, including those suggested at the meeting such as the financial viability of the Centre and the different ways in which it could operate. The Portfolio Holder for Community and Cultural Services suggested that a representative from the Rayners Lane Centre be invited to take part in the Review. Following further discussion on the timing of reporting back on the review and which Members were eligible to participate in reviews, it was

**RESOLVED:** That (1) the draft scope on the Beacon Centre Case Study attached to the officer report be agreed;

(2) the Review Group report back to the Committee, at its meetings scheduled to be held on 12 February or 31 March 2008;

(3) a representative from the Rayners Lane Estate be invited to participate in the Review;

(4) in addition to the Members listed on page 17 of the agenda, other Members be invited to participate in the Review Group;

(5) the Director of Legal and Governance Services be asked to clarify whether Cabinet Assistants were eligible to participate in scrutiny reviews.

233. **Adult Services Complaints Annual Report (social care only):**

An officer introduced the report in this regard, which provided information about complaints made between 1 April 2006 and 31 March 2007 under the complaints and representations procedures established under the National Health Service and Community Care Act 1990, through the Local Authority Social Services Complaints (England) Regulations 2006 and the Council's Corporate Complaints Procedure relating to Adults Community Care Services. He highlighted the key aspects of the report.

The officer highlighted the successful use of mediation in complaints management, which had meant that no statutory complaints in relation to adults' services had progressed to Stage 3.

The officer responded to various questions from Members. In addition, he stated that it was desirable to increase Stage 1 complaints in order to listen to people's concerns with a view to making improvements in service provision. He agreed to inform Members of when the Older Peoples' Handbook would be updated and amended.

A Member commented on the need to explain the acronyms used in reports and the need to identify risks, costs and opportunities associated with the making of complaints. He stated that it was unacceptable that a complaint had taken 51 days to produce a response and that in such situations, other staff should be asked to assist. Another Member registered her concern about the proposed single comprehensive complaints process across health and social care, as set out on page 37 of the agenda. She was of the view that such a move would disadvantage sections of the community and would lead to an increase in the need for advocacy.

**RESOLVED:** That the report be noted.

234. **Children's Services Complaints Annual Report:**

Members received a report in this regard, which provided information about complaints made between 1 April 2006 and 31 March 2007 under the complaints and representations procedures established through the Representations Procedure.

An officer highlighted the key aspects of the report and responded to Members' questions in detail. The officer highlighted the need to empower young people to raise complaints and referred to the measures that had been introduced to ensure that this happened. There was a need to build relationships between the advocacy service and Children's Services. He attributed the reduction in Stage 2 complaints to the good work done by staff in Children's Services, and key lessons learnt which had resulted in improvements all round. The amalgamation of the health and social care complaints processes would also apply to Children's Services.

The Committee was informed of the need to improve Harrow's pool of investigators and to introduce penalties where report deadlines were not adhered. He undertook to write to Members about the nature of the complaints, which were about policy and procedural requirements not being met and whether they related to any systematic issues.

A Member enquired about the way in which outcomes of complaints would be recorded in future. The officer advised that outcomes would be recorded as upheld, partially upheld or not upheld.

The Chairman thanked the Corporate Director of Children's Services and the officer for the responses provided to Members' questions.

**RESOLVED:** That the report be noted.

235. **Children and Young People Strategic Partnership (CYPSP) Scorecards:**

The Chairman welcomed the Portfolio Holders for Schools and Children's Development and Children's Services to the meeting for this item.

The Corporate Director of Children's Services introduced the report, which set out the latest position on the Children and Young People's scorecard. The report provided target and latest performance against the indicators, which were monitored by Harrow's Children and Young People Strategic Partnership. The Director outlined key aspects of the report and referred to improvements made year on year.

The Director of Schools and Children's Development circulated a paper setting out the GCSE 2007 results. The Director added that the data was based on provisional 2007 results from the Statistical First Release (SFR) and the results would not be finalised until December 2007. She highlighted the areas that impacted on the results, such as pupil mobility and the process of discounting. Members were advised of a correction on page 65 of the agenda and it was reported that the actual 07/08 figure under A3 - number of available childcare places - should read 6620 places rather than 686. Harrow was therefore exceeding its target of 6042.

The Portfolio Holders for Children's Development and Schools and Children's Services and the Director responded to various questions from Members. Of particular note were:-

- Officers would be looking at the pioneering work carried out by Barnet Council in relation to the under-achievement of Children Looked After with a view to introducing a similar mentoring scheme in Harrow. It was intended to invite Barnet Council by January 2008 to make a presentation to Harrow on this matter.
- Teenage pregnancy rates were comparatively low in Harrow. The performance target was based on the percent reduction in teenage mothers, which was challenging for Harrow given the low overall level of teenage pregnancies. Young mothers were encouraged to stay in full time education. Members made differing comments about a flyer relating to the issue of teenage pregnancy.
- The excellent work carried out by teachers in schools and the support provided by parents had resulted in an increase in numbers achieving 5 or more GCSEs at grades A\*-C.
- Harrow was unusual in that it suffered from high figures for authorised absences, the majority of which were due to religious observance. The various

festivals fell during school term time. An officer commented that inspectors had indicated that Harrow was doing all that it could to address absences.

- The Compact, agreed with schools and other partners, was used to address the problems associated with fixed term and permanent exclusions. In addition, a number of other strategies were also used which allowed the reintegration of pupils through managed moves into another school and by keeping pupils in schools but separating them from their peers. The Rapid Intervention Team played a crucial role in this area together with Helix (based at the Teachers' Centre), which provided a tuition service to those at risk of being excluded from schools.

**RESOLVED:** That the report be noted.

236. **Children's Issues - Annual Performance Assessment and Children and Young Persons Plan:**

The Corporate Director of Children's Services provided an oral report to the meeting in this regard. He informed the Committee that the Annual Performance Assessment (APA) was carried out by OFSTED who had visited Harrow, collected data and interviewed the staff. However, the results were embargoed until 29 November 2007.

The Corporate Director expected the results to be positive. The self-assessment carried out had shown improvements in all areas, particularly in service management and in delivery of value. In response to a question from the Chairman, he stated that the Children and Young Persons Plan was a 3-year Plan and would be refreshed in February 2008, the same time as the Council's budget was approved. At that time staff and young people of Harrow would be interviewed. Scrutiny would be invited to engage at that time and key issues discussed.

**RESOLVED:** That the report be noted.

237. **Strategic Approach to School Organisation:**

The Director of Schools and Children's Services introduced the report, which outlined the reasons for considering a strategic approach to school organisation and proposed a framework for seeking stakeholder support for a way forward. The Director informed Members that the recommendations set out in the report had been agreed by Cabinet at its meeting held on 11 October 2007. The report had been submitted to this Committee for information only. She stated that the process would take 2-3 years to implement and that further reports would be submitted to this Committee to enable scrutiny to monitor progress.

The Portfolio Holder for Schools and Children's Development echoed her support for the strategic approach to school organisation and highlighted the need to implement it as soon as possible. She referred to the improvements made to the provision for early years and highlighted the need to change the age of transfer from 12 to 11. The latter was dependent on funding from the government.

In response to questions about amalgamation from a co-opted member, the Director stated that paragraph 10 on page 81 of the agenda had been amended following the receipt of comments from the Education Consultative Forum. She informed the Committee that where schools did not wish to amalgamate, they would be required to carry out a feasibility study to identify how amalgamation would be harmful, and provide compelling and overriding reasons against amalgamation. The decision on amalgamation would rest with the governing bodies, which had an overriding duty to consider and respond to the needs of pupils and parents.

The Portfolio Holder for Schools and Children's Development and the Director also responded to questions from Members as follows:-

- Currently, Harrow exported 25% of its pupils and imported 15%. It was intended to reverse this trend by providing schools for Harrow residents. When admission figures had been reached, Harrow schools would not be expected to provide extra places for residents outside Harrow though if pupil numbers in Harrow increased that would need to be reviewed.
- The proposed changes would assist with retention of children in the Borough's schools past primary age.
- New sites for schools were difficult to find and the measures proposed in the report would allow for existing sites to be used to retain children in the Borough

past primary age and for any spare capacity within primary school sites to be used as community facilities.

- The Stakeholder Group would be responsible for communicating proposals for amalgamation to parents. The governing bodies would need to make all information accessible to parents and hold meetings with them when carrying out a feasibility study. The local authority, as champions of pupils and parents, would have the powers to intervene when necessary under the provisions in the 2006 Education and Inspections Act.

The Chairman thanked the Director and the Portfolio Holders for attending the meeting and responding to questions from the Committee.

**RESOLVED:** That the report be noted.

238. **Accord MP Review – Scope:**

The Chairman of the Accord MP Review Group introduced the report, which set out the scope for the review of the first year's operation of the Accord MP partnership.

**RESOLVED:** That (1) the draft scope attached to the officer report be agreed;

(2) the Review Group report back to the Committee after the final report had been considered by the Performance and Finance Scrutiny Sub-Committee at its meeting scheduled to be held on 22 January 2008.

239. **Membership of the Performance and Finance Scrutiny Sub-Committee:**

**RESOLVED:** That (1) the membership of the Performance and Finance Scrutiny Sub-Committee set out below be approved;

	<u>Conservative</u>	<u>Labour</u>	<u>Liberal Democrat</u>
<u>Members</u>	Robert Benson Ashok Kulkarni Barry Macleod-Cullinane Dinesh Solanki Mark Versallion (CH) Yogesh Teli	Ms Nana Asante B E Gate (VC) * Phillip O'Dell Mrs Rekha Shah	Christopher Noyce
<u>Reserve Members</u>	1. Manji Kara 2. Don Billson 3. Jeremy Zeid 4. Mrs Kinnear 5. Stanley Sheinwald 6. (Vacancy)	1. Mitzi Green 2. Bill Stephenson 3. Thaya Idaikkadar 4. Keeki Thammaiah	1. Paul Scott

(2) Councillor Barry Macleod-Cullinane be appointed Scrutiny Performance Lead Member for Children and Young People.

240. **Extension and Termination of Meeting:**

In accordance with the provision of Overview and Scrutiny Procedure Rule 6.7(ii)(b), it was

**RESOLVED:** At 10.00 pm to continue until 10.20 pm.

(Note: The meeting, having commenced at 7.35 pm, closed at 10.15 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman