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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 6 SEPTEMBER 2007**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Mrs Margaret Davine * Mitzi Green * Mrs Kinnear (4) * Ashok Kulkarni (2) * Barry Macleod-Cullinane (5) * Mrs Myra Michael	* Jerry Miles * Bill Stephenson (1) * Yogesh Teli * Mark Versallion * Jeremy Zeid (8)
Voting	(Voluntary Aided)	(Parent Governors)
Co-opted:	* Mrs J Rammelt Reverend P Reece	* Mr R Chauhan * Mrs D Speel

\* Denotes Member present  
(1), (2), (4), (5) and (8) Denote category of Reserve Members

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

172. **Welcome:**  
The Chairman welcomed Members and Co-opted Members of the Committee to their first meeting of the Overview and Scrutiny Committee since its reconfiguration. On behalf of the Committee, he also welcomed Mr Andrew Woodhead, Chief Executive of the Royal National Orthopaedic Hospital.
173. **Attendance by Reserve Members:**  
**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-
- | <u>Ordinary Member</u>     | <u>Reserve Member</u>              |
|----------------------------|------------------------------------|
| Councillor Don Billson     | Councillor Ashok Kulkarni          |
| Councillor Janet Cowan     | Councillor Jeremy Zeid             |
| Councillor B E Gate        | Councillor Bill Stephenson         |
| Councillor Anthony Seymour | Councillor Mrs Kinnear             |
| Councillor Dinesh Solanki  | Councillor Barry Macleod-Cullinane |
174. **Declarations of Interest:**  
**RESOLVED:** To note that the following interests were declared:
- Agenda item 12 - Royal National Orthopaedic Hospital (RNOH) – Summary of application to become an NHS Foundation Trust
- (i) Councillor Dinesh Solanki declared a personal interest in that his relative was in receipt of medical treatment at the Royal National Orthopaedic Hospital.
  - (ii) During discussion on this item, Councillor Bill Stephenson declared a personal interest in that the University College London (UCL) employed him.
- Accordingly, both Members would remain in the room whilst the matter was considered and voted upon.
175. **Arrangement of Agenda:**  
**RESOLVED:** That all items be considered with the press and public present.

176. **Minutes:**

**RESOLVED:** That (1) the minutes of the Overview and Scrutiny Committee's Ordinary meeting held on 24 April 2007, the Special meeting held on 14 May 2007, the Special meeting held on 12 June 2007, the Ordinary meeting held on 10 July and the Special meeting held on 12 July 2007 (subject to the inclusion of Mrs J Rammelt as being marked present at the meeting); and

(2) the minutes of the Adult Health and Social Care Scrutiny Sub-Committee meetings held on 20 March and 18 April 2007, the Safer and Stronger Scrutiny Sub-Committee meeting held on 23 January 2007, the Children and Young People Scrutiny Sub-Committee meeting held on 17 April 2007 and the Sustainable Development and Enterprise Scrutiny Sub-Committee meetings held on 28 March and 13 June 2007, being the former Scrutiny Sub-Committees, be taken as read and signed as correct records.

177. **Public Questions:**

**RESOLVED:** To note that the following public question had been received:

1.

**Questioner:** Yvonne Lee

**Asked of:** Councillor Stanley Sheinwald

**Question:** Harrow Mencap welcomes the fact that residents of Harrow have an opportunity through the Residents' call-in to further exercise their democratic rights. However having been involved in the first such call-in on the 8th August 2007 we are of the view that the procedure applied in that instance does no favours to the underpinning democratic principles. In light of this experience will the Committee consider reviewing its procedure in order to enhance the process?

[Notes: (i) An oral answer was provided to the above question;

(ii) under the provisions of Overview and Scrutiny Procedure Rule 8.4, the questioner asked a supplementary question. The Chairman undertook to provide a written answer].

178. **Petitions:**

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

179. **Deputations:**

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

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

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

181. **Terms of Reference of the Overview and Scrutiny Committee:**

**RESOLVED:** To note the terms of reference of the Overview and Scrutiny Committee, as set out at Appendix 1 to the minutes.

182. **Membership - Performance and Finance Scrutiny Sub-Committee:**

Further revisions to the membership were circulated at the meeting.

**RESOLVED:** To approve the revised membership of the Performance and Finance Scrutiny Sub-Committee, as set out at Appendix 2 to the minutes.

183. **Appointment of Advisers to the Committee:**

The Committee considered a report of the Director of Legal and Governance Services, which advised Members on the appointment of non-voting advisers to the Committee for the Municipal Year 2007/2008.

Some Members suggested alternative ways of appointing non-voting advisers to the Committee. They felt it appropriate to widen the remit and also suggested that a pool of expert advisers would benefit the Committee as their expertise could be called upon, when necessary. New ways of appointing advisers with due consideration being given to qualifications, suitability, purpose and equality issues, ought to be explored before making appointments.

Other Members were of the view that some seamless transition of non-voting advisers was appropriate and essential in order to ensure continuity, particularly when the advice and contributions received by the former Scrutiny Sub-Committee(s) had been of immense benefit to its work.

Following further discussion, it was

**RESOLVED:** That the appointment of non-voting advisers to the Overview and Scrutiny Committee for the 2007/08 Municipal Year be deferred to allow officers to submit a comprehensive report to the next meeting of the Committee taking account of the views of Members, as set out in the preamble above, including proposals on how the Committee could engage widely with the local community.

[Note: The report would be submitted to the meeting scheduled for 9 October 2007].

184. **Royal National Orthopaedic Hospital (RNOH) - Summary of application to become an NHS Foundation Trust:**

The Chairman invited Mr Andrew Woodhead, the Chief Executive of the Royal National Orthopaedic Hospital (RNOH) to give a presentation to the Committee on the RNOH's application to become an NHS Foundation Trust.

Mr Woodhead circulated RNOH's consultation document in this matter and thanked the Committee for the invitation. In his presentation, Mr Woodhead:

- described the core values of the RNOH and how Foundation Trust status would help further enhance the hospital's vision for its patients and commissioners, including the services provided;
- explained RNOH's desire to become a Foundation Trust and the difference it would make to the public, patients and staff who would be able to influence how the Trust was run;
- referred to issues of governance and accountability and how these would be managed.

Mr Woodhead stated that RNOH would not wish to delay its Foundation Trust status, as the organisation was ready and 'fit for purpose'. He described the achievements of the RNOH and how the status would secure the hospital's future.

Members were supportive of the RNOH's application to become an NHS Foundation Trust and thanked Mr Woodhead for the recent tour of the hospital, which had impressed them. Mr Woodhead responded to questions from Members on accountability, election of members, local authority representation, nominations, morale, private care, risks and how relocation or a merger of the RNOH with the Royal Free Hospital would adversely affect the hospital and impact upon its application for Foundation Trust status. The Committee agreed that any relocation of the RNOH would not be in the interests of the RNOH's clients. He outlined the arguments against the hospital being merged with another.

The Chairman thanked Mr Woodhead for the presentation and his responses to questions from the Committee.

**RESOLVED:** That (1) the Overview and Scrutiny Committee supported RNOH's application to become an NHS Foundation Trust;

(2) the Overview and Scrutiny Committee be informed of the outcome of the application and that the Committee's policy and performance leads for Adult Health and Social Care be kept informed of developments and also advised of the outcome of the application.

(See also Minute 174)

185. **Developing the Scrutiny Work Programme:**

The Committee received a report of the Director of People, Performance and Policy, which made a number of proposals regarding the disposal of items outstanding from the work programmes of the previous scrutiny committees. It also sought authorisation from the Overview and Scrutiny Committee to begin discussions with the Lead Policy and Performance Members, Portfolio Holders, the Council's senior management and partners to identify those issues that they would like to see included in the scrutiny work programme.

The Scrutiny Manager introduced the report and, in order to assist Members in prioritising projects, drew attention to the criteria included in the Scrutiny Principles and Proposals document agreed in September 2005. Following consideration of the report, issues agreed as priorities would be taken forward and included in a 'long list' of projects from which the final work programme for the next 18 months would be devised. A further report would be presented to the Committee in October 2007.

Members commented on individual topics/projects, listed at Appendix 1 to the officer report, and the rationale behind them. They referred to projects, which ought to be addressed as they satisfied the criteria and would address the issue of accountability. It was essential that projects which made the best use of scarce resources and had a greater impact on the Council's budget by accruing larger savings were scrutinised first.

A Member suggested that Scrutiny ought to avoid duplication of work being carried out by other bodies of the Council, such as the review on the budget. However, it ought to be recognised that Scrutiny's contributions effected change and that its role was persuasive.

The Vice-Chairman identified important pieces of work from Appendix 1, some of which could be merged. She stated that the list was not exhaustive and would be guided by issues as and when they happened. It was important for Scrutiny to produce outcomes which would benefit the Council and to be less prescriptive about the number of reviews that were necessary. She supported the standing review on the budget and the need for the scope to be presented to the next meeting of the Committee.

In light of the comments made, the Chairman of the Performance and Finance Scrutiny Sub-Committee suggested a meeting between the Chairman and the Vice-Chairman of the Overview and Scrutiny Committee and its Sub-Committee, together with the Scrutiny Manager, with a view to presenting a further report on the Work Programme for agreement. He acknowledged the need to retain flexibility.

The Scrutiny Manager clarified that the report was not seeking approval of the Work Programme that evening, and that she would provide detailed commentary on the projects to the next meeting of the Committee and seek advice from 'other' parts of the Council on 'burning' issues that Scrutiny ought to include in its Work Programme. She referred to the scrutiny review on the budget and the proposals made by the Corporate Director of Finance and the methodology that would be adopted in the future.

**RESOLVED:** That (1) the proposals with regard to the disposal of existing items on the Scrutiny Work Programme be noted;

(2) the priorities identified be noted;

(3) the Scrutiny team be authorised to begin consultation on the development of the Work Programme for the next year/18 months;

(4) a further report be submitted to the October 2007 meeting of the Overview and Scrutiny Committee to enable the Work Programme, which would be drawn from the long list of projects incorporating the priorities identified at the meeting and those projects identified during consultations to be agreed;

(5) the continuation of the Standing Scrutiny Review of NHS Finances and Part Two of the Review of Cultural Services (the Beacon project) be agreed;

(6) the Standing Review of the Budget be established with a membership of eight Councillors, to include Councillors B E Gate, Mitzi Green, Thaya Idaikkadar, Mrs Kinnear, Barry Macleod-Cullinane, Bill Stephenson, Yogesh Teli, and Mark Versallion;

(7) that the Liberal Democrat Group be invited to participate in the Standing Review of the Budget and that all backbench Members be notified of the review;

(8) that the scope of the Standing Review of the Budget and its Chairman be agreed at the next meeting of the Committee.

[Note: Subsequently, Councillor Mark Versallion stepped down from the Standing Review of the Budget review group].

186. **Reconfiguring Scrutiny – An Update:**

Members received a report of the Director of People, Performance and Policy, which updated them on the implementation of the reconfigured scrutiny function, as agreed by Council on 12 July 2007.

The Scrutiny Manager introduced the report and outlined the key points set out in the report. She referred to the proposals to hold joint meetings of the Chairman and Vice-Chairman of the Overview and Scrutiny Committee and Performance and Finance Scrutiny Sub-Committee and the training programme, which was mandatory.

In response to the concerns expressed by some Members about the lack of information flow from some officers to Scrutiny, the Chairman of the Performance and Finance Scrutiny Sub-Committee asked that such matters be brought to his attention. He referred to a meeting he had had with the Chief Executive on this matter. It was essential that the Portfolio Holders attended meetings of the Committee or sent their support Members, if necessary. The status of the Overview and Scrutiny Committee needed to be maintained.

The Scrutiny Manager acknowledged that lack of information available would devalue the scrutiny process and defined scrutiny's statutory rights. She asked Members to make her aware of where the blockages were, with a view to working constructively to improve information flow.

In response to questions from Members on the training programme, the Scrutiny Manager explained that the second stages of the training on performance management would concentrate on practical and real issues and challenges facing the Council.

Members noted the dates of meetings of the Performance and Finance Scrutiny Sub-Committee, commented on the Scrutiny newsletter and enquired about the seminar scheduled to be held on 10 September 2007. The Scrutiny Manager agreed to check on the latter and inform Members accordingly.

**RESOLVED:** That the following programme of activity and associated proposals made in order to deliver a successful reconfiguration of scrutiny be agreed:

- role of Lead Members;
- links into the Integrated Planning, Budgeting and Performance Management Framework;
- programme of meetings to support the Committees;
- Member development programme;
- proposals for communicating the changes;
- proposals for monitoring the changes.

187. **Evidence for Accountability Project:**

The Scrutiny Manager introduced the report, which informed Members of the invitation to reaffirm their participation in the Evidence for Accountability projects, agreed in 2006. She added that there were no direct financial costs associated with participating in the project.

**RESOLVED:** That (1) the terms of reference of the project be noted;

(2) Scrutiny's ongoing commitment to participate in the project be re-affirmed.

188. **Dates of Future Meetings:**

**RESOLVED:** That the following dates for future meetings be noted:

**2007 (7.30 pm start time)**

6 September	(Ordinary)
25 September	(Health)
9 October	(Ordinary + Education)
30 October	(Ordinary)
13 November	(Ordinary) *
20 November	(Ordinary + Education)
11 December	(Q&A) *

**2008 (7.30 pm start time)**

28 January	(Ordinary + Education)
12 February	(Ordinary + Health)
31 March	(Health)
22 April	(Ordinary + annual Partnership matters)

[\* The themes for these meetings had been swapped round].

(Note: The meeting, having commenced at 7.32 pm, closed at 9.55 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman

**APPENDIX 1****OVERVIEW AND SCRUTINY COMMITTEE****TERMS OF REFERENCE**

The Overview and Scrutiny Committee has the following power and duties:

1. To oversee a more targeted and proportionate work programme that can help secured service improvement through in depth investigation of poor performance and the development of an effective strategy/policy framework for the council and partners.
2. To have general oversight of the council's scrutiny function.
3. To support the executive's policy development function and the long-term strategic direction of the borough.
4. To anticipate policy changes and determine their potential impact on residents.
5. To consider the council and partners strategic approach to service delivery.
6. To undertake detailed investigation of service/financial performance in order to recommend policy changes and to commission light touch investigations by the Performance and Finance sub committee.
7. To consider items included in the Forward Plan as appropriate.
8. To consider such urgent items as are appropriate – Community Calls for Action, area scrutiny.

APPENDIX 2**(1) PERFORMANCE AND FINANCE SCRUTINY SUB-COMMITTEE (11)**

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

(CH)

(VC)

\*

= Chair

= Vice-Chair

Denotes Group Members for consultation Delegated Action and/or on administrative matters.