

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

16 SEPTEMBER 2015

Chair: * Councillor Jerry Miles

Councillors:

* Ghazanfar Ali	* Michael Borio
* Richard Almond	* Chris Mote
* Jeff Anderson	* Paul Osborn
* Marilyn Ashton	* Primesh Patel

Voting Co-opted: (Voluntary Aided) (Parent Governors)

† Mrs J Rammelt	Mrs A Khan
Reverend P Reece	

Non-voting Co-opted: Harrow Youth Parliament Representative

* Denotes Member present
† Denotes apologies received

110. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance.

111. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 7 – Harrow Youth Offending Team – Annual Report; Agenda Item 8 – Harrow Youth Offending Partnership Youth Justice Plan 2015-2018

Councillor Marilyn Ashton declared a non-pecuniary interest in that she was a magistrate but not a youth magistrate. She would remain in the room whilst the matter was considered and voted upon.

Agenda Item 9 – Special Educational Needs and Disability (SEND) Reforms Implementation

Councillor Jeff Anderson declared a non-pecuniary interest in that he was a governor at Kingsley School. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 11 – Commercialisation Strategy

Councillor Paul Osborn declared a non-pecuniary interest in that he lived close to the Vaughan Road Car Park site. He would remain in the room whilst the matter was considered and voted upon.

112. Minutes

That the minutes of the ordinary meeting held on 9 June 2015 and the special meeting held on 3 September 2015 be taken as read and signed as correct records.

113. Public Questions and Petitions

RESOLVED: To note that no public questions were put or petitions received at this meeting.

114. References from Council/Cabinet

There were none.

RECOMMENDED ITEMS

115. Harrow Youth Offending Partnership Youth Justice Plan 2015-2018

This Committee considered a report which presented the draft Youth Justice Plan (The Plan) 2015-2018 setting out how its outcomes would be delivered and what were its challenges and priorities

The Interim Corporate Director of Children and Families addressed the Committee and explained that the Youth Justice Plan was a 3 year plan and would be submitted to the Youth Justice Board in August 2015 prior to Full Council approval in December 2015.

The Head of Service – Youth Offending also addressed the Committee and made the following points:

- the three Key Performance Indicators for the Youth Offending Team, as set by the Youth Justice Board were reducing first time entrants; reducing re-offending and reducing the use of custody. Performance against these targets was good;
- there was a decrease in the number of young people being found guilty of a crime in 2014-15;
- the Harrow Youth Offending Team Annual Report fed into this Plan;
- the financial grant which was provided and associated with the work set out in the Plan would only be provided once the Plan had been finalised and agreed;
- the Plan addressed a number of key issues. These included structure and governance, partnership arrangements, use of resources, value for money and performance. It also reported on the key achievements and challenges.
- there had been a decrease in the number of youth remanded into custody. However those who had been remanded into custody were now being sentenced for longer periods for more serious crimes;
- there was increased compliance with national standards;
- the Youth Offending Service had been re-structured. There were now permanent members of staff as opposed to temporary members of staff. This meant that staff were better able to support young people;
- it was acknowledged that there were still some challenges in relation to assessments conducted and consistency.

The Portfolio Holder Assistant for Children's Health and Social Care addressed the Committee and reported that in her view the report was excellent and provided a good account of the issues in Harrow.

The following questions were made by Members and responded to accordingly:

- How was radicalisation of young people being addressed?

This was a very important issue. The Council had a bespoke officer who dealt with this issue. Training was also provided to members of the Youth Offending Team. If anyone was suspected of being radicalised they were referred to the appropriate Panel who could signpost them to the relevant support networks and to gather soft intelligence. There was a comprehensive Council approach and the Youth Offending Team played an important role in delivering this broader strategy.

- The number of female youths committing crimes in Harrow appeared to be higher than the national average. Was this significant?

It was believed that more young females were becoming involved in gangs in Harrow. There would be a peer review taking place on gangs in Harrow and it was expected that this issue would be reviewed in more depth to understand the issues.

- How would the issues surrounding the core group of youths who committed crime be tackled? Was it a case of youths copying parents' behavior particularly where parents had been remanded in custody for offences?

The Council would utilise a re-offending toolkit which would provide up to date data which the Council could use to address these issues. It was a fair comment to say that re-offending involved complex issues and there were multiple factors which impacted upon this.

- The re-offending rates were going up although the cohort was going down. Did this indicate that the situation was getting worse?

Whilst the re-offending rate had increased the cohort had decreased. This meant that the data provided was disproportionate and had to be viewed in this context.

- How representative were the quotes which had been utilised about the Youth Offending Team in the Youth Justice Plan.

The quotes were reflective of random feedback obtained from the Council's partners and from young people. The quality of survey responses did differ. It was important to remember that it was difficult for young people to articulate their responses particularly when they had faced immense challenges.

- Did the report reflect how self-aware the Council was on this issue?

It was believed that the Council was very self-aware of its performance in this area. Whilst the Council was not perfect the Youth Offending Services Team had improved considerably although it was recognised that there would still be challenges in the future.

- What was the relationship between the Youth Offending Team and the Youth Offending Management Board?

The Youth Offending Management Team was made up of managers and deputy managers. This Team was accountable to the Youth Offending Management Board who reported to the Youth Justice Board. The Youth Justice Board was a national organisation overseeing all Youth Offending Management Teams across the country.

Resolved to RECOMMEND: (to Cabinet)

That the Harrow Youth Offending Partnership Youth Justice Plan 2015-2018 be approved.

RESOLVED ITEMS

116. Harrow Youth Offending Team - Annual Report 2014-15

This Committee considered this report which was discussed together with minute item 115 – Harrow Youth Offending Partnership youth Justice Plan 2015-2018.

RESOLVED: That the report be noted.

117. Special Educational Needs and Disability (SEND) Reforms Implementation

The Committee received a report which set out the arrangements for implementing the SEND reforms introduced by the Children and Families Act 2014 to improve outcomes for children and young people with special educational needs.

The Divisional Director of Special Needs Services introduced the item and made the following points:

- the Committee had first considered the issues raised in this report about a year ago. The Committee had agreed that these issues would be further reported at this point to set out the relevant developments which had taken place;
- the requirements of the SEND reforms are contained within the Children and Families Act 2014 which repealed previous legislation;
- Local Authorities and their partners were required to implement a number of key aspects of the reforms by 1 September 2014 and there were a number of elements that were being developed over time;
- a key feature of the new system that had been introduced was that there was a greater emphasis on a family-centred approach with the expectation of a stronger engagement of the parents of children, young people with special educational needs and disabilities, children and young people;
- there were a number of key developments relevant to Harrow. Firstly the Council was required to publish an initial, accessible local offer developed with key partners. This covered the support available for those with or without special educational statements or education, health and care plans from birth to 25 years, including SEN support in school;

- a Transition Plan had been published as part of the local offer and was produced and developed with parent and schools and colleges. This gave information on how the Council would go about transferring children and young people who received support as a result of special educational statements or a learning difficulty assessment to education health and care plans overall by April 2018;
- a clear policy was in place regarding the scope of personal budgets being part of the local offer. Whilst personal budgets had attracted a lot of media attention, they had attracted less attention from parents;
- there was a strong emphasis on Joint Commissioning and the requirement for Local Authorities and Clinical Commissioning Groups to work together strategically to develop special needs and disability system that will nest support the SEND reforms;
- the Authority was required and had put in place arrangements for providing independents information, advice and support for parents and children and young people with special educational needs and disabilities across education, social care and health, including independent supporters;
- the Council also had to have in place systems for dispute resolution;
- the Government had provided funding for the implementation of the SEND reforms. However the amount provided had been modest and the Council had engaged in considerable amounts of work and service restructure to deliver the new requirements;
- research commissioned by the Department for Education had indicated that the new proposals would on average be more expensive than the previous system of special needs statements. This was consistent with the Council's experience locally;
- it was still early to assess the performance of the new provisions. However there were indications that the views of families were being sought and listened to and taken into account. The process was more joined up and integrated, involving children and adult social care services;
- since the SEND provisions came into effect in September 2014, there had been a 14.5% increase in the number of requests for education, health and care (EHC) plan assessments. The statutory time period for the completion of assessments had been reduced from 26 weeks to 20 weeks;
- Harrow's performance in relation to the key national indicator of EHC Plans which measured country. However owing to the increased time demands and complexity of completing assessments under the new SEND system there had been a decrease in performance;

- there was an anticipated inspection by Ofsted and the Care Quality Commission (CQC) due to take place. This would assess the implementation of SEND reforms in local authorities and health partners;
- the process of transferring from the old to new system for those with special needs statements had involved the initiation of 244 transfers of which 198 were complete.

The following questions were made by Members and responded to accordingly:

- the process involved the Council being more proactive which was more positive. It enabled the Council to detect issues at a much earlier stage. What were the financial implications on delivering the new proposals for the future?

It was unsure how long that the Government funding for implementing these new proposals would last. The Council had carefully budgeted for it by using money allocated for this current financial year to be transferred to the next financial year.

- What was is meant by the Council extending and widening the personal budget approach to supporting children and young people with disabilities and their families?

The scope to deliver personal budgets for children was similar to that in adult services. Given the emphasis placed on personal budgets the next step would be personalisation.

- Were schools prepared for the education, health and care plan templates that were tested with children and young people with special educational needs?

There was not a national template that could be utilised but there was guidance and legislation that had to be followed. The template that the Council were using had been approved by the Department for Education. There would be a steep learning curve for schools and this was a complex area. Upskilling by schools was required as they were still operating two systems which caused confusion in itself. The Council would be working hard to support schools as best they could.

RESOLVED: That the report be noted.

118. Draft Scope for Welfare Reform Scrutiny Review Group

The Committee received a report which set out the draft scope for the scrutiny review of welfare reforms. The proposed Chair of the Review Group addressed the Committee and explained that potentially the review could have a very wide scope. Given this there were two areas that the Review

Group wanted to focus on. These were consideration of Working Tax Credits and the Benefits Cap.

There were 4 phases involved as part of the review. This would involve the evidence phase, evidence gathering, the solution phase and finally writing of the final report.

A Member of the Committee commented that given the Greater London Authority Elections would be held next year, it was advisable that the final report was submitted back to the Committee at the first meeting after these elections. The report could potentially involve political discussion and it was in the interests of the Review that this was considered at a time when there would be less political discussion about it. The Member also asked that in section 6 of the Draft Scope, the second paragraph be amended to read 'Amongst the cohorts to focus on ...'

RESOLVED: That

- (1) the scope of the Review be agreed subject to the second paragraph of section 6 of the Draft Scope, being amended to read 'Amongst the cohorts to focus on ...'
- (2) the Chair of the Review Group be Councillor Pamela Fitzpatrick;
- (3) a final report be presented back to the Committee at its first ordinary meeting after the Greater London Authority Elections on 5 May 2016.

119. Commercialisation Strategy

The Committee received a report which set out updates to the Commercialisation Strategy that was approved by Cabinet in June 2015. The Committee welcomed the Portfolio Holder for Finance and Major Contracts and the Portfolio Holder for Business, Planning and Regeneration who were in attendance for this item.

The Corporate Director of Resources & Commercial introduced the report and explained that it was of huge importance that the Council investigated how it could bring new streams of income to invest in and support the delivery of priority outcomes across the Council. The Corporate Director made the following points:

- the scope and objectives of the Commercialisation Strategy had been included in the report;
- the Council will be part of the Advanced Commercialisation Network at the Local Government Association (LGA) and had been liaising with a number of different authorities;
- it was recognised that the Council would have to undergo cultural changes if the aims and objectives of the Commercialisation Strategy

were to be achieved. It was recognised that different skills and knowledge were required by the Council;

- when the Commercialisation Strategy had been presented to Cabinet, a number of initial ideas had been included. For some of these ideas feasibility studies had been produced and some were quite detailed;
- it was expected that when the draft budget was produced in December 2015, there would be more information provided on the financial savings which it was expected that these ideas would make;
- the Council had taken legal and tax advice and had decided to set up trading entities and a limited liability partnership to deliver the proposals contained within the Commercialisation Strategy;
- there were a number of programme activities contained within the Commercialisation Strategy. These included reviewing the Council's subsidy position on fees and charges and revising the Council's trading performance and an ongoing review of service specification levels in major contracts.

The Portfolio Holder for Finance and Major Contracts explained that it was important that the Council embarked on a Commercialisation Strategy given the financial cuts facing the Council. The Portfolio Holder for Business, Planning and Regeneration explained that it was believed that the options explored in the Commercialisation Strategy would provide income to the Council.

The following questions were raised by Members and responded to accordingly:

- there were concerns that the risks involved with the Commercialisation Strategy had not been explored fully. There were big risks particularly in relation to commercial property and to the skill set that existing staff in the Council had.

There were risks involved in the Commercialisation Strategy but a lot of work had been done in assessing these. Specific analysis of risks would be included as decisions to progress key areas are brought to Cabinet in the future. The initial Commercialisation Strategy is high level. The Council had studied other authorities where commercialisation ideas had worked well and had also studied those where it had not. There would be business cases for each idea contained within the Commercialisation Strategy before it was commenced and this would involve a full evaluation of risk and financial implications.

- Who were the three directors on the Holding Company and how were they appointed?

The Directors of the Holding Company had not yet been appointed. A recruitment process would be followed. Role profiles for these roles had been developed and before their appointment independent advice would be sought by individuals. Any successful director appointed would be expected to fully understand their role.

- A different set of skills was required by staff working in a commercial organisation than those working in Local Government. How would this be addressed?

It was realised that there would have to be a culture change in the Council and that skills from outside of the Council would have to be brought in to deliver the proposals contained within the Commercialisation Strategy. However it was also important to recognise that staff within the Council had a strong set of skills and talent which could also be utilised. This had been demonstrated by the success of HB Public Law.

- There were significant concerns in relation to the proposal to the Property Purchase Initiative and the proposal to build homes for rental to private tenants. This involved a lot of risk and if money was lost this would ultimately be tax payers money.

A Commissioning and Commercial Board would be established within the Council as a result of the proposals. All key proposals would be put through this Board where risks would be fully assessed and considered. If specialist advice was required, then the Board would also ensure that this was provided.

- Who was responsible for recruiting staff to the Trading Company?

The Council would firstly look to recruit Directors in order to set up the company. It was then anticipated that the Directors would be responsible for the recruitment of the remaining staff. It was important to note that the aim was for the Holding Company to be self sustaining so any initial costs which the Council provided would have to be returned.

- The Commercialisation Strategy was welcomed. Could more details be provided regarding the proposal to build more homes to rent to private tenants?

Sites where new homes could be built included the Vaughan Road Car Park and the Waxwell Lane Car Park. Land close to the Leisure Centre could also be investigated as could the land on the old Gayton Road Library site. It was anticipated that most of the new homes built would be on Council owned sites although new sites could be acquired in the future.

- In terms of advertising banners on the Council's website, were the Council being selective on the companies that they were choosing?

The Council were careful in whom they selected and balanced this with the need to attract companies to advertise on the website. The Council had a code which it followed for this purpose.

- Could an update be provided regarding the proposed Recruitment Agency?

An assessment on this proposal had been undertaken by an organisation which had done a previous assessment for Kent County Council. It was believed that Kent County Council was now making £4 million profit on this area so the Council were keen to follow this.

- Could clarification be provided on the specific figures that were expected to make up the £5 million savings as part of the Commercialisation Strategy?

The exact figures were not available at this meeting but this figure was the minimum that was expected to be achieved by 2018/19. Further details on the breakdown of how this would be achieved would be available in the draft Budget in December.

- In relation to the Private Rented Sector Housing proposal was it the Council's intention to maximise its income in renting to private tenants or to build homes that were affordable?

The Council wanted to maximise its income but also hoped to create affordable housing. It was recognised that some sites lent itself to develop affordable housing and some sites lent itself to maximise its returns on private rental. Waxwell Lane was an area where the Council would expect to maximise its return on private rental.

- Could an update be provided in relation to the proposal to expand the Harrow School Improvement Partnership to other authorities?

This information would be circulated to Members after the meeting.

- What was the turnaround time for properties which were void to being re-let? How did the housing rental collection compare with other boroughs?

There was a programme on voids which was 8½ weeks. This was in line with other local authorities and the Council always tried to ensure that the turnaround time was kept to as minimum as possible.

- If the Waxwell Lane Car Park was let fully and could bring in more income than the proposal put forward, would the Council consider it?

The Council would consider this if this suggested income received outweighed the proposed income. Trials would also be considered.

RESOLVED: That the report be noted.

120. Draft Scope for Scrutiny Reviews of Community Involvement in Parks and Social & Community Infrastructure

The Committee received a report which set out the draft scope for two scrutiny reviews from the Environment and Enterprise Scrutiny Leads covering community involvement in parks and Social and Community Infrastructure.

The Chair commented that it had previously been informally agreed that a Labour Group Member would Chair the Review into Parks and a Conservative Member would Chair the Review into Social & Community Infrastructure. However the Vice-Chair commented that this had not yet been agreed by the Conservative Group. It was agreed that the memberships and Chairs of the working Group would be decided at a future scrutiny leadership meeting.

RESOLVED: That

- (1) the scopes for the Reviews be agreed;
- (2) the membership and Chairs of the Scrutiny Reviews be agreed at a future Scrutiny Leadership Group meeting.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.35 pm).

(Signed) COUNCILLOR JERRY MILES
Chair