

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 19 APRIL 2016

<b>Chair:</b>	† Councillor Jerry Miles	
<b>Councillors:</b>	* Ghazanfar Ali * Richard Almond Jeff Anderson * Michael Borio * Susan Hall (4)	* Paul Osborn (Vice-Chair in the Chair) * Primesh Patel * Aneka Shah-Levy (1) * Stephen Wright (1)
<b>Voting Co-opted:</b>	(Voluntary Aided)  Mrs J Rammelt Reverend P Reece	(Parent Governors)  Vacancy Vacancy
<b>Non-voting Co-opted:</b>	Harrow Youth Parliament Representative	
<b>In attendance: (Councillors)</b>	Simon Brown Graham Henson	Minute 146 Minute 147

- \* Denotes Member present
- (1) and (4) Denote category of Reserve Members
- † Denotes apologies received

### 140. Attendance by Reserve Members

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

### Ordinary Member

Councillor Chris Mote  
Councillor Marilyn Ashton  
Councillor Jerry Miles

### Reserve Member

Councillor Stephen Wright  
Councillor Susan Hall  
Councillor Aneka Shah-Levy

## **141. Declarations of Interest**

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

### Agenda Item 7 – School Expansion Programme

Councillor Paul Osborn declared a non-pecuniary interest in that he was a Governor at Norbury School. He would remain in the room whilst the matter was considered and voted upon.

Councillor Richard Almond declared a non-pecuniary interest in that he was a governor at St Teresa's Catholic Primary School. He would remain in the room whilst the matter was considered and voted upon.

Councillor Primesh Patel declared a non-pecuniary interest in that he was a Governor at Bentley Wood School. He would remain in the room whilst the matter was considered and voted upon.

Councillor Michael Borio declared a non-pecuniary interest in that he was a Governor at Norbury School. He would remain in the room whilst the matter was considered and voted upon.

## **142. Minutes**

**RESOLVED:** That the minutes of the meeting held on 16 February 2016, be taken as read and signed as a correct record.

## **143. Public Questions and Petitions**

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

## **144. References from Council/Cabinet**

There were none.

## **RECOMMENDED ITEMS**

## **145. Scrutiny Annual Report 2015-16**

The Committee received and considered the Scrutiny Annual Report which outlined the activities of the Overview and Scrutiny Committee, the Scrutiny Sub-Committees and the scrutiny lead councillors during the 2015-16 municipal year. It was noted that the Council's Constitution required the Committee to report annually on its activities to Council.

**Resolved to RECOMMEND:** (to Council)

That the annual report be endorsed.

## **RESOLVED ITEMS**

### **146. School Expansion Programme**

The Committee received a report which set out how the school expansion programme had equipped schools to accommodate the additional children requiring places in Harrow schools and the opportunities taken to improve the school estate.

The Portfolio Holder for Children, Schools and Young People introduced the report, informing the Committee that to date the school expansion programme had created 26 additional permanent Reception forms of entry through the expansion of existing schools, six additional permanent year 7 forms of entry through the expansion of two existing schools and six schools had opened additional special educational needs places. Most of the phase 1 and 2 projects were reaching project completion and were being handed over except for a issue with regard to Whitchurch Primary School which was awaiting resolution. The final accounts were under review and robust contract monitoring arrangements had been established to hold all parties to account.

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

- Did the uncommitted primary SEP4 budget of £3.615m take account of the virement of £1m to SEP1 and SEP2 schemes?

The officer confirmed that this was the situation.

- Which were the three free schools that were the result of successful applications by Harrow schools? What form did the support provided by Harrow Council take both prior and subsequent to approval of free schools? Who administered the admissions process for free schools?

Harrow schools had made successful applications to establish The Jubilee Academy, Pinner High School and Harrow View Primary School. The opening of Mariposa Primary had been deferred by the Education Funding Agency (EFA) to September 2017. On receipt of a proposal for a free school, officer time was made available to talk through the plans and provide realistic advice on viability. No funding support was available. Once a scheme obtained approval the dialogue and guidance for successful delivery continued but this did not extend to help with setting up which was the responsibility of the EFA.

Free schools were their own admissions authority with Harrow Council acting as a clearing house for applications and the free schools allocating places. Free schools were included in Head Teacher Groups

and were encouraged to buy in to Harrow School Improvement Partnership (HSIP).

- Although financial implications were addressed in the report, more detail was required particularly with regard to any budget overrun with Keepmoat.

Problems had arisen in concluding the final accounts and officers were in dispute with Keepmoat in relation to a number of projects on which legal advice was being taken to try to reach resolution prior to any legal action. The cost of agreeing all claims would be in the region of £2-3m but they were being robustly challenged and the overall costs should be contained within budget. It was intended to draw forward from SEP 4 to offset SEPs 1, 2 and 3 but until resolution of the claims and potential legal issues this could not be quantified.

- What was the estimate regarding risk and how exposed was the Council?

There was currently no additional cost to Harrow and the intention was to minimise the risk of any extra Harrow funding. The officers were reviewing the situation with cost consultants and were looking at individual items. Costs were still being received from schools and third parties. Risk analysis took place every Monday and there was an escalation process.

- Could further detail be made available on the number of building issues which had come to light during the 12 months defects liability period? Could the next report to the Committee include a list of issues, whether complete or incomplete and with a timeline? It was difficult to assess the situation given the high number of projects and issues without knowledge of funding or the source of funding.

The officers were seeking clarification of the defects list in a situation where the Council had identified items as defects whereas the contractor alleged the cause was damage by the school. A decision was then required on which party put it right, whether the cost was deducted or the issue rectified by the contractor or whether the Council bore the cost. The Corporate Director People Services met with the regional director of Keepmoat to attempt to resolve the issues without recourse to law.

The Committee was advised that issues included: the damp proof course at Stanburn School on which independent advice had been sought on the contractor's report; drainage at Cannon Lane School on which an independent investigation and samples for analysis were being taken; Newton Farm School electrical distribution; Elmgrove School damp and asbestos; Kenmore School electrical supply; and Belmont School collapsed drain.

A matrix of key disputed items which highlighted what was coming forward would be made available to the Committee.

With regard to funding, virements had been used where a need for additional funding had been identified. The programme had progressed to Phase III and a range of government funding schemes for free schools, basic needs, and direct funding of new schools had been used.

- What impact would the Department for Education national funding formula consultation have on the school expansion programme?

Officers would confirm the situation but the understanding was that this was largely revenue funding so there would be no impact on the programme.

- Was any Education Funding Agency funding outstanding and do grants include the cost of supervising contracts such as requirements for legal officer input?

No EFA funds were currently outstanding and no more had been made available although a Priority School Building Programme (PSBP) round could become available. The time spent by the Children's Capital Project Team had been taken into account in the SEP capital monies. However, the time spent by the Corporate Director People was not included.

- Did Harrow Council have any role in claims regarding faulty workmanship in Free Schools?

No.

- What sanctions were available if the contractor failed to attend claim resolution meetings?

The contract for SEP 1 & 2 had been a partnership agreement and had not contained any provision for damages resulting in very little leverage regarding timeliness or quality and only economic loss could be sought. The SEP III contract included provision of £1800 per day for damages.

- Had any school expansions been signed off subsequent to the last report to the Committee?

Whilst there had been partial or full sign-off it did not mean that they were defect free for schools to make use of, for example the Cannon Lane Primary drainage defect. The vast majority of the schools were using the available space and some SEN provision would be available at half term. The officers were unaware at this stage of the final costs and it was agreed that the Chair, Vice-Chair and the two Scrutiny Leads meet to go through this and recommend to Scrutiny Leadership.

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

#### **147. Community Safety Strategy**

The Portfolio Holder for Environment, Crime & Community Safety introduced a report which summarised the Community Safety Strategy 2016-19 including current trends, emerging priorities and the implications of the Strategy. He made the following points

- it was a live document which would go back to Safer Harrow;
- there was a greater focus on high impact and high profile events around the world;
- although there were concerns at the reduction in police numbers and its effects had been recognised, Harrow was one of the safest London Boroughs. Harrow police also assisted at the more high profile events in Central London;
- concerns had been expressed regarding the increase in violence with injury involving persons who knew each other;
- co-ordination had been improved with the sharing of data and information working successfully.

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

- Statistical comparison was difficult due to the recording of figures for recorded crime for the London context being the year to January 2016 whilst those for the Local context were for October to September. This should be raised with the Police as the information was used to compare Harrow with the rest of the country. Attendance by a Police representative at the Committee would have been helpful.
- The difficulty in making comparisons with such data was noted. The figures were provided centrally by the Police Information Unit. Consideration would be given to the subtraction of data in order to report on a common period although as it was received in pdf format there was a capacity issue. The Borough Commander had access to more recent data than the officers.
- The fact that Safer Harrow was assisted in its work by the efforts of other strategic partnerships that had their own agendas and action plans suggested a lack of coordination.

The Divisional Director, Strategic Commissioning undertook to take the issue to the partnership Chairs in his capacity as the co-ordinator of the Community Strategy.

- Concerns regarding IT systems in the Youth Offending Service had been expressed for some time. Whilst it was reported that the introduction of the new IT for the service had not been problem free and that in the medium term it would make the operation of the team more effective, information was sought on the short term effects. The Committee requested the submission of a report to Members of the Committee outlining the problems and the expected date of resolution.

Difficulty had been experienced in rolling out the new system which had gone live in September. Teething problems had been reported to the supplier and progress was being made. There had been some infrastructure issues during the move onto Citrix resulting in the system not working some years ago, but this was the old system rather than the new system. The officers undertook to report back on the matter as requested.

- Additional information was sought on the increase in violence with injury of 10.4%. How was it measured that this was due to an increase in reporting and not an increase in crime? A request was made to track reports of domestic violence over the previous 5 years in order to see if there was a trend and, if so, more evidence was requested as to why reporting had increased.

There were a number of aspects such as crime on the street and although it was not possible to substantiate, it was considered that the main reason for the increase was the national trend in the increase in domestic violence reporting.

The Portfolio Holder reported that it inferred increased signposting such as in hospital and by the police. In addition there had been reclassification in the way data was reported to include children and blood as violence and injury.

- What percentage of the 23% increase in domestic and sexual violence reporting was violence with injury as the latter had increased by 10.4%?

The officer undertook to provide a breakdown of the information.

- What was the source of the five key attributes for cohesive communities?

This reflected national formats.

- With regard to community cohesion, the report recognised the importance in identification of changing issues, and responding quickly and effectively when there were tensions to be addressed. However, in the absence of information on which areas of the Council were responsible for which activities, it was difficult to monitor how issues were addressed and who was responsible.

The Safer Harrow representatives together with Lead partners in Harrow co-ordinated activities. The Divisional Director, Strategic Commissioning, had responsibility for community cohesion matters but did not have management of front line services. The Portfolio Holder stated that a page in the report identifying who was responsible for the different activities would be useful.

- Although the attributes for community cohesion that could be influenced by other social programmes and outcomes were listed, there were no figures to supplement the indicators. As the action plan was developed could it be reported to the Committee together with data, measures and baseline.

The action plan would be submitted to the Committee as it developed. Work was taking place with the community to develop trust and work together. It was noted that the Action Plan referenced was the Prevent Action Plan and not the Community Cohesion Action Plan.

- What does 'political trust' mean?

The officer undertook to check the source and come back.

- What were the reasons for the reduction in burglary, did it result from specific initiatives?

The arrest of prolific burglars affected the figures.

- It would be of interest for the Borough Commander to make a presentation on his aspirations for Harrow to be a safer borough and what the steps would be.

The comments of the Committee would be submitted to the Safer Harrow Group.

**RESOLVED:** That the comments of the Committee on the draft Community Safety Strategy be referred to Cabinet.

#### **148. Equalities Vision and Objectives**

The Committee received a report which set out a summary of the recommendations agreed by the Corporate Equalities Group arising from the Equalities review undertaken to develop a Vision for the Council for Equalities and revise the Corporate Equality Objectives which were a requirement of the Public Sector Equality Duty (PSED) introduced by the Equality Act 2010.

An officer presented the report and made the following points:

- a revised set of Corporate Equality Objectives had been developed subsequent to consultation and discussion on a review commissioned by the Corporate Equalities Group in order to be clear on the focus and priorities for equalities and how it would be delivered;



- following feedback on the Corporate Equality Objectives, the options in the vision had been shortlisted to two and the objectives narrowed down to three in order to focus on a few priorities and do them well in order to make a real difference;
- there had been a change in emphasis from identification of work that was taking place in accordance with the vision to analysis of data and identification of where improvements could be made;
- a review of staff representation groups had resulted in a reduction to one group, the Making A Difference Group.

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

- How did the percentage data from the staff survey that 20% of gay men and 38% lesbians strongly disagreed/disagreed that Harrow demonstrated through its actions that it was committed to being an equal opportunities employer compare with responses from other protective groups and staff generally? 77.23% of staff had not answered the question about sexual orientation in the latest staff survey, how many people did that equate to?

The percentage response from gay men and lesbians had been disproportionately high against other protective characteristics. With regard to the actual numbers the percentages in the staff survey equated to, the officers would seek the information. The annual equality monitoring report was based on different data.

- Why was the decision taken to reduce the staff representation groups to one? What was the attendance at the Making a Difference Group?

The consultation feedback was that the groups did not represent the intended staff, did not add value and a single group was sought. The Making a Difference Group had done some excellent work and was open to all staff. There were about 100 staff on the database and over 250 staff had attended a recent International Women's Day Event. There had been good feedback from community organisations.

An Equality event was planned for 11 May with the objective to reach out and engage. Initiatives to respond to recognised need had included special safe places for LGTB staff.

- Is the low proportion of Harrow Council employees aged less than 25 and the number of them leaving comparable with other boroughs? Can barriers, for example driving vehicle age restrictions, presented by insurance requirements for under 25 be removed?

Information on comparisons with other boroughs would be sought from Human Resources. The officer was not aware of the issue with regard to insurance for young people.

- With regard to the low number of staff who had answered the question around sexual orientation, was the objective a better response or a better attitude?

The staff survey was anonymous whereas staff were aware that the staff reporting exercise was not so the figures were different. It was challenging to show staff why the data was required and to do so successfully required staff to feel that the Council was more inclusive and that the information was of value.

- The Corporate Equality Objectives Action Plan referred to an action plan that specified the actions required to deliver each priority but it was not attached.

The action plan would be sent to members of the Committee.

- The Council was seeking to achieve a top 200 place in the workplace index in 2016. What was the current position?

The Council was currently 399 for its first submission out of 419 so it was a positive target,

- Was it a legal requirement to have a Corporate Equality Group?

It was not a legal requirement but was a sensible part of the governance framework in holding services to account

- Feedback from frontline staff that they sometimes felt uncomfortable in requesting information on protected characteristics from service users was reported. What was the information and what in what circumstances? How was the Council aware of which groups do not use a service?

In order to ensure that services were inclusive, staff needed to be confident and inform service users that the information on protective characteristics was required to tailor services to their needs. To identify if certain communities do not use services, such as to see who used a service and compare with the local demographics. Knowledge of the protective characteristics of complainants could provide the ability to make small changes to address the situation.

- What were the reasons for the lack of staff who had declared their ethnicity as BAME on pay band 6? Was data available on the number of applications by BAME staff, the numbers shortlisted and those interviewed?

The Annual Equality Employment report indicated that this situation arose across London. It could be the result of a number of things and needed to be recognised in the objectives. The data for applications had been published.

The Committee thanked the officer for his hard work and attendance.

**RESOLVED:** That the comments of the Committee on the Equalities Vision and Objectives be referred to Cabinet.

**149. Expression of best wishes**

The Committee expressed its best wishes to Mrs Miles, wife of the Chair, and hoped that she would have a speedy recovery.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.10 pm).

(Signed) COUNCILLOR PAUL OSBORN  
Vice-Chair in the Chair