
REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 12 FEBRUARY 2008

Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Mrs Margaret Davine * B E Gate * Mitzi Green * Manji Kara * Barry Macleod-Cullinane * Jerry Miles	* Mrs Vina Mithani * Anthony Seymour * 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
† Denotes apologies received

[Note: Councillors Susan Hall and Chris Mote also attended this meeting to speak on the item indicated at Minutes 271 and 272 below. Councillor Chris Mote also spoke on the item indicated at Minute 265.]

PART I - RECOMMENDATIONS
RECOMMENDATION I - Councillor Call for Action and Local Petitions

Central government, under the auspices of its community empowerment agenda, has developed the Councillor Call for Action. As part of its drive for 'responsive services and empowered communities', the process is intended to strengthen the role of Councillors as advocates of the concerns of local people.

The Overview and Scrutiny Committee, in considering the report of the Corporate Director of Strategy and Business Support, which outlined the progress made in Harrow in preparing for the Councillor Call for Action, agreed, inter alia, that the Committee's terms of reference and that of its Performance and Finance Sub-Committee be amended to ensure that arrangements were in place should the provisions in the legislation – the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 – come into force from 1 April 2008.

Resolved to RECOMMEND: (to Council)

That the revised terms of reference of the Overview and Scrutiny Committee and Performance and Finance Sub-Committee, attached as an appendix to these minutes, be approved.

(See also Minute 275)

PART II - MINUTES262. **Attendance by Reserve Members:**

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

263. **Declarations of Interest:**

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

Agenda Item 10 – Corporate Plan

The following Members declared personal interests as set out below and remained in the room to participate in the discussion and the decision relating to this item:-

- (i) Councillor Mitzi Green stated that her adult son received benefits from the Council;
- (ii) Councillor Stanley Sheinwald stated that he was Chair of the Carers' Partnership Group.

Agenda Items 12/13 – Exclusions and Pupil Referral Unit/Final Education Results

The following Members declared personal interests as set out below and remained in the room to participate in the discussion and the decision relating to these items:-

- (i) Councillor Mrs Margaret Davine declared that she was a governor of Newton Farm First and Middle School;
- (ii) Councillor Brian Gate stated that he was a governor of Hillview Nursery;
- (iii) Councillor Mitzi Green stated that she was a governor of Kenmore Park First and Middle School;
- (iv) Councillor Susan Hall, who was not a Member of this Committee, declared that she was a governor of Priestmead First School;
- (v) Councillor Manji Kara declared that he was a governor of Glebe First and Middle School and Stanburn First and Middle School;
- (vi) Councillor Barry Macleod-Cullinane stated that he was a governor of Canons High School;
- (vii) Councillor Vina Mithani stated that she was a governor of Glebe School;
- (viii) Councillor Anthony Seymour declared that he was a governor of Pinner Park First and Middle School;
- (ix) Councillor Dinesh Solanki stated that he was a governor of Park High School;
- (x) Mrs D Speel stated that she was a parent governor of Cannon Lane Middle School;
- (xi) Councillor Yogesh Teli stated that he was a governor of Elmgrove First and Middle School.

264. **Arrangement of Agenda:**

RESOLVED: That (1) item 11 - Local Area Agreement and Community Plan - be considered prior to item 10 - Corporate Plan 2008-11;

(2) in accordance with the Local Government (Access to Information) Act 1985, the following item 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>
4. Minutes of the meeting held on 28 January 2008.	The minutes of the meeting held on 28 January 2008 were not available at the time the agenda was printed and circulated owing to the proximity of meetings and the need for consultation. Members were requested to consider this item, as a matter of urgency, in order to allow the minutes to be approved at the earliest opportunity.

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

265. **Minutes:**

RESOLVED: That (1) subject to the following amendments, the minutes of the meeting held on 28 January 2008 be taken as read and signed as a correct record:-

Amend Minute 250(i) as follows: Councillor B E Gate stated that his wife and daughter worked for general practitioners in West Harrow and Pinner respectively;

Amend Minute 252(3) to include, under Minute 243(ii), a further following paragraph:-

- (v) Councillor Dinesh Solanki declared an interest in that he was a governor of Park High School.

(2) the response given by the Leader, who was present at the meeting, that he would send a written response on the legal basis of the decision taken by the Council in relation to the pan-London JOSOC be noted and it be also noted that he was of the view that the information/advice received by both the Overview and Scrutiny Committee and the Council had been misleading.

266. **Public Questions:**

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

267. **Petitions:**

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

268. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

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

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

270. **Report from Lead Members:**

RESOLVED: To note that there were no reports from Scrutiny Lead Members.

271. **New Local Area Agreement:**

The Committee considered a report of the Corporate Director of Strategy and Business Support, which set out the current position in relation to the negotiations with the government on the LAA.

The Leader of the Council stated that the Harrow Strategic Partnership Board would be considering the comments received from the Government Office for London (GOL) on some of the indicators selected by the partnership. In addition, sub-groups had been set up to work on these indicators.

The Borough Commander and the representative of the Harrow PCT made the following comments:-

- it was important to recognise that whilst the requirement for the new LAA was up to 35 indicators, the partners would also be inspected on the remaining targets as well as targets set for their own separate organisation;
- the partnership had worked well together on the LAA and that it was important that local priorities should form an essential part of the LAA indicators.

In response to a question, the officer undertook to provide details of the measures for the indicators. Questions in relation to infant mortality and its relationship with breastfeeding/provision of good antenatal care were answered. It was acknowledged that improvements in services relating to these areas would also help improve the infant mortality rates.

The officer also referred to the employee-volunteering scheme, which would be launched soon by the partners, and explained the difficulties in measuring some of the targets. He added that the new LAA had different standards of measure for volunteering.

The Borough Commander referred to the difficulties associated with setting a benchmark in relation to domestic violence and that there were no benchmarks set either locally or nationally. However, these aspects should not deter from what was an important issue that needed to be addressed. The Portfolio Holder for Environment Services and the Leader of the Council stated that the profile of this issue was being raised both locally and nationally. He explained that apart from the LAA targets, the Police force was also required to meet some 200 other targets. All targets needed to be realigned in order to avoid conflict and communication was therefore critical.

The Portfolio Holder for Environment Services stated that a combination of measures would be undertaken to address the issue of recycling. Recycling in schools and flats was being looked at. Her ambition was to ensure Harrow was the best borough in this area for recycling. Anti Social Behaviour in Harrow had been reduced and a great deal of attention was being paid to the perception of Fear of Crime and how this could be reduced. Working in partnership on this issue with young people was being investigated.

A Member suggested that the Council and the stakeholders ought to work in unison to communicate and improve on health inequalities. It was noted that a great deal of work was being done on self-directed care. Another Member queried the number of employees with learning disabilities in the Council. It was noted that Harrow did not categorise employees by the nature of the disability but explained how the indicator would be measured. It was further noted that the Council was looking into the employment of people with disabilities and the need to set an example to the rest of the industry. Details would be reported to this Committee.

It was also noted that significant investments had been made in child and adolescent mental health (CAHMS) with the intention of delivering on the project.

The Committee was also informed of the need to raise awareness in relation to CO₂ emissions and for the Council to take a lead on it. A new fleet of vans, the fuel used by Council transport and a walk to school plan were all being considered.

RESOLVED: To note the above and the current position in negotiations with the government for a new Local Area Agreement (LAA).

272. **Corporate Plan 2008-11:**

The Leader of the Council introduced the report titled 'Corporate Plan 2008-11', which had been produced at the same time as the Council's budget for the first time. He drew attention to the flagship actions of the administration and invited questions from the Committee.

The Leader of the Council and the Corporate Director of Strategy and Business Support responded to questions as follows:-

- in relation to flagship action 5.3 (improve the service for library users), the relocation of the Gayton Road library to Garden House was a temporary measure. It was intended to provide a purpose built library and improve the systems with a view to improving the service. The final site of the library had not been agreed. The Arts Centre at Hatch End would be revitalised and it was intended to get the residents involved on this issue in a cohesive way. The same would apply to other proposals and it was important to improve the existing resources before embarking on building other such facilities across the borough;
- acknowledged that the development of the Gayton Road site was subject to planning approval;
- the flagship action 2.3 (give a facelift to St. Anns Road) together with improved cleaning and the Town Centre policing team initiative would have a significant impact on the area;
- the Town Centre policing initiative would increase the number of police officers by six, and a zero tolerance approach would be applied. This team would be supported by the Greenhill safer neighbourhoods police team and visibility was

essential to deter crime, such as pick pocketing which was an issue in the Town Centre;

- dedicated teams of officers working across Directorates – the Envirocrime Team - would tackle environmental crime. It was intended to achieve a Gold Standard. The team would be in place by April 2008. The Council intended to concentrate on collecting recycling material from houses rather than flats. Continual offenders who contaminated their bins would be fined. The Portfolio Holder for Environment Services offered to speak to various groups, especially the elderly, on issues relating to this matter;
- in relation to the 2012 Olympics, Harrow had a multitude of talent within the borough and a diverse culture which would make a marked contribution to the Games;
- the key to flagship 3.4 was to ensure that more carers were available. It was noted that children with complex needs were placed outside the borough, however this was not the most appropriate solution and children's homes were costly. The most suitable way forward was to encourage foster care;
- a holistic service in relation to flagship action 4.2 (establish provision of children on the autistic spectrum in mainstream primary schools) was appropriate. A number of strands were being worked on, including multi-professional work with partners and an early intervention programme;
- the Miss Dorothy Dot Com programme would be rolled out to all primary schools to help fight bullying and abuse. Its effectiveness would be measured by carrying out a survey of children and through the OFSTED inspection;
- a number of groups were under performing in schools and that black pupils performance was significantly low in Harrow when compared with other boroughs. In addition, performance of white working class pupils was also an issue and an area of focus for the Council;
- the measurement applied to flagship action 5.2 (improve access to services through our contact centre) was achievable, subject to budget approval. Average waiting times currently were in the region of 20-25 minutes;
- there was a vision that all schools would have sport facilities similar to those envisaged for Whitmore High School, and open to the public.

RESOLVED: That the report and the comments above be noted.

273. **Exclusions and Pupil Referral Unit:**

The Director of Schools and Children's Development introduced the report, which set out the position on exclusions up to July 2007 and the current provision with regard to the Pupil Referral Unit. The Director stated that this area remained a challenge for Harrow. Funding from the Local Area Agreement had been used for in-school seclusion for pupils subject to fixed term exclusions, which were considered more of a deterrent to pupils. She also explained that education targets were collected on a school calendar yearly basis rather than the financial year.

In response to questions, the Director stated that the Helix Project was being piloted. In relation to exclusions in primary schools, underlying factors leading to exclusion would also be examined and the approach was to look at the child holistically and make appropriate referrals.

RESOLVED: That the report be noted.

274. **Final Education Results:**

The Director of Schools and Children's Development introduced the report, which summarised the final education results for Key Stage 2 and Key Stage 4. It was noted that Key Stage 3 results were still provisional and would not be finalised until 27 February 2008. The Director highlighted the key aspects of the report. She referred to the performance of pupils which had been outstanding.

A Member suggested an alternative way of presenting the information in a positive way. A co-opted member suggested the inclusion of the previous year's figures to allow comparisons to be made.

RESOLVED: That the report be noted.

275. **Councillor Call for Action and Local Petitions:**

Further to Recommendation I, the Committee considered the report of the Corporate Director of Strategy and Business Support in detail. The report also invited the Committee to comment on the consultation document on Councillor Call for Action and local petitions.

The Scrutiny Officer introduced the report and stated that the consultation document gave Members an opportunity to comment on the proposals and identify areas where exemptions might be suitable for Harrow.

In noting the progress made in Harrow in preparing for the Councillor Call for Action, Members sought clarification on aspects of the report and made the following comments on the consultation document and local petitions:-

- the consultation document was vague in relation to matters relating to crime and disorder. As a result, there was a potential of an overlap and duplication of work in the arrangements for dealing with crime and disorder matters. The Scrutiny Officer advised that the Councillor Call for Action related to the discharge of the functions of the authority, thereby crime and disorder matters could be covered as they related to services delivered by the Council or in partnership;
- the consultation document failed to address partnerships and how they could work together. There was an opportunity for Harrow to add value and put in place various processes to ensure effective working;
- the local proposal that Lead Members for Scrutiny should consider Councillor Calls for Action and the potential conflict of interest that could arise if the matter was in their Ward. In response, the Scrutiny Officer stated that checks and balances would be in place in order to address such situations, for example it was proposed that Lead Members would work together, thereby strengthening accountability. Additionally, only systematic problems ought to be referred to the Committee for review, as set out in the options available to the Lead Members for Scrutiny on page 19 of the agenda;
- officers ought to present the proposals to the political groups in order to ensure that Members were fully briefed on the proposals and arrangements;
- the Committee's remit ought to include an overview of how the Councillor Call for Action was working by way of an annual report;
- the potential risks associated with the Councillor Call for Action were challenging, in particular the costs of implementing the proposals. The Scrutiny Officer acknowledged the potential cost implications but costs would be minimised by ensuring that the Council's existing processes for handling complaints were robust. This would ensure that scrutiny was not overwhelmed with minor issues, which could be resolved through normal daily interactions with Council services.

RESOLVED: That (1) the progress made in Harrow in preparing for the Councillor Call for Action be noted;

(2) the comments made in the preamble above be incorporated into the Council's response to the Department for Communities and Local Government consultation document.

276. **Review Programme Update Report:**

The Scrutiny Manager introduced the report, which updated the Committee on progress made on the current programme of reviews. It outlined the membership and chairing arrangements for each of the reviews and scopes for two challenge panels. She amended the report as follows:-

- Future of Schools – to include Councillor Mrs Margaret Davine as a Member and to note that Councillor Barry Macleod-Cullinane would Chair the review;
- preparing for the White Paper on Care Matters: Time for Change – to note that Councillor Mrs Margaret Davine would Chair the review.

It was noted that the Town Centre Redevelopment Review had met on 6 February 2008. The Scrutiny Policy Lead Member for Children and Young People suggested

looking at extended schools. The Policy and Performance Lead Members agreed to discuss this suggestion with officers at a separate meeting.

RESOLVED: That (1) subject to the preamble above, the progress on the review programme, attached at Appendix 1 to the officer report, be noted;

(2) the membership and chairing of the review programme, attached at appendix 1 to the officer report be noted, subject to the preamble above (Appendix One);

(3) the scope for the 'Preparing for the White Paper 'Care Matters: Time for Change' challenge panel, set out at appendix 2 to the officer report, be agreed.

277. **Appointment of Non-Voting Advisers to the Overview and Scrutiny Committee:**
The Scrutiny Manager introduced the report, which outlined options for appointing non-voting advisers to the Committee. She stated that Appendix 3 should not be considered as a conclusive list and could be amended. It was suggested that the Community Health Councils (CHC) be included at Appendix 3. Non-voting advisers would be expected to give impartial advice and declare interests should a conflict of interest arise.

RESOLVED: That (1) the amended role profile for the non-voting scrutiny adviser at Appendix 1 to the report be agreed;

(2) the proposal for the development of the pool of advisors set out at paragraphs 4 – 7 of the officer report be agreed;

(3) the person specification at Appendix 2 be agreed;

(4) CHC be included on the list of possible organisations (Appendix 3 refers) to be invited to participate in the pool of advisers.

278. **References from Performance and Finance Committee:**
The Chairman of the Performance and Finance Scrutiny Sub-Committee introduced the report, which set out issues arising from the last two quarterly meetings of the Sub-Committee. It was noted that the matters relating to the MORI survey, the Decent Homes programme, Recycling and Waste, as set out in pages 60 and 61 of the agenda would be examined further in April 2008. He referred to the opportunity given to Scrutiny Lead Members to raise issues.

RESOLVED: That the report be noted.

(Note: The meeting, having commenced at 7.36 pm, closed at 10.22 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD
Chairman

APPENDIX**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.
9. **To consider Councillor Call for Action.**

PERFORMANCE AND FINANCE SUB-COMMITTEE – Terms of Reference

The Performance and Finance Sub-Committee has the following power and duties:

1. To be the key driver of the scrutiny function's work programme and the body responsible for monitoring the performance of the council and partners in relation to their stated priorities;
2. To consider/monitor, on an *exception* basis, the financial and service performance of the organisation;
3. To consider/monitor the performance of the Local Area Agreement;
4. To undertake specific investigation of identified 'hot spots' through Q&A, reports or challenge panels – subject to endorsement by Overview and Scrutiny Committee;
5. To refer 'hot spots' to Overview & Scrutiny for more detailed investigation where necessary;
6. To consider such urgent items as are appropriate – ad hoc, ~~Community Calls for Action~~, area scrutiny.
7. **To consider Councillor Call for Action.**