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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 8 JULY 2008**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Mrs Margaret Davine * B E Gate * Mitzi Green * Manji Kara * Mrs Vina Mithani * Janet Mote	* Phillip O'Dell (2) * 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  
(2) Denotes category of Reserve Members  
† Denotes apologies received

[Note: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing, also attended this meeting to speak on the item indicated at Minute 348 below. Councillor Jean Lammiman also attended the meeting in her capacity as Assistant (Support Member) to the Portfolio Holder for Adults and Housing].

**PART I - RECOMMENDATIONS**
**RECOMMENDATION I - Scrutiny Annual Report 2007/08**

The Committee considered its Annual Report 2007/08, which outlined the activities of the Overview and Scrutiny Committee, Performance and Finance and Call-In Sub-Committees over the past year following changes to its structure. The Annual Report also detailed the activities of the Lead Members for Scrutiny, outlined the outcomes of individual projects that had been undertaken and included the results from the annual scrutiny survey.

The Annual Report set out the achievements made and the work carried out by scrutiny Members and voting co-opted members, including advisors, whose contributions in raising the profile of scrutiny in Harrow was welcomed. Scrutiny welcomed the opportunity for closer working with the Council's partners, local residents, the Executive and appropriate organisations with a view to working towards delivering the Council's ambition to be one of the best in London by 2012.

The Chairman thanked Members and officers for their work on the Annual Report and for scrutinising challenging issues.

Having endorsed the Annual Report 2007/08, and in order to meet its obligations under the Council's Constitution to report annually on the work of the Overview and Scrutiny Committee, the Committee

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

That the Overview and Scrutiny Committee's annual report for 2007/08, as attached herewith, be adopted.

(See also Minute 354).

**PART II - MINUTES**338. **Welcome:**

The Chairman welcomed Councillor Barry Macleod-Cullinane to his first meeting of the Overview and Scrutiny Committee as Portfolio Holder for Adult and Housing Services and Councillor Jean Lammiman, Assistant (Support Member) to the Portfolio Holder;

He also welcomed Mr Adeodatus Rone Twumasi, a representative from the Harrow Association of Voluntary Services, to the meeting in relation to item 11 – Local Involvement Networks (LINKs) – on the agenda.

339. **Attendance by Reserve Members:**

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

Ordinary Member

Reserve Member

Councillor Jerry Miles

Councillor Phillip O'Dell

340. **Declarations of Interest:**

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

Agenda Item 10 – Safeguarding Adults

Councillor Mitzi Green declared a personal interest in that her son was a vulnerable adult and received benefits from the Council. She would remain in the room whilst this matter was considered and determined.

During consideration of item 10 and prior to any substantive discussion on this matter, Councillor Yogesh Teli declared a prejudicial interest in that he was a Cabinet Assistant (Support Member) to the Portfolio Holder for Adults and Housing. He had had a level of input on this matter, carried out some background reading and had been engaged in the implementation process. He left the room during consideration and determination of this item.

(See also Minute 355).

341. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following items 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(a) Minutes of the Ordinary Meeting held on 22 April 2008	The minutes were not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency, so that the minutes could be approved.
10. Safeguarding Adults	The report was not available at the time the agenda was printed and circulated, as it was being consulted on. Members were requested to consider this item, as a matter of urgency, so that any comments on the Safeguarding Action Plan could be considered.
13. New Local Area Agreement – Progress Report	The report was not available at the time the agenda was printed and circulated. Members were requested to consider this item as a matter of urgency, so as to avail themselves of the negotiated agreement as part of the Committee's work programme.

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

342. **Minutes:**
- RESOLVED:** That (1) the minutes of the ordinary meeting held on 22 April 2008, be taken as read and signed as a correct record when printed in the Council Bound Minute Volume;
- (2) the minutes of the special meetings held on 12 May and 10 June 2008 be taken as read and signed as correct records.
343. **Public Questions:**
- RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.
344. **Petitions:**
- Ms Maria Tavras, representing the Mollison Way Patients' Group, presented a petition containing 1,430 signatures accompanied by a letter and a statement sent to the Chief Executive of Harrow Primary Care Trust (PCT) with a copy to a local MP. She added that the surgery on Mollison Way was closed down as a result of which some 2,900 patients on the surgery's register, particularly the elderly and the mothers with children, had to travel some distance to see a doctor. The consultation process that the PCT intended to carry out on this matter was considered to be a waste of resources. The petitioner urged for support from the Council.
- It was noted that the PCT, as part of its consultation process, would be holding a meeting on this issue.
- RESOLVED:** That the petition be received and referred to Harrow PCT, appropriate Councillors and officers of the Council for consideration.
- [Note: Subsequent to the meeting, the petition was referred to the Chief Executive of Harrow PCT, Adult Health and Social Care Lead Members for Scrutiny, the Portfolio Holder for Adults and Housing and the Corporate Director of Adults and Housing].
345. **Deputations:**
- RESOLVED:** To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.
346. **References from Council/Cabinet:**
- RESOLVED:** To note that there were no references from Cabinet or Council.
347. **Report from Lead Members:**
- RESOLVED:** To note that there were no reports from Scrutiny Lead Members as no meetings had taken place.
348. **Safeguarding Adults:**
- The Portfolio Holder for Adults and Housing introduced the report, which set out the commitment of Harrow Council and its partners to safeguarding Harrow's vulnerable groups from harm, exploitation or abuse. He highlighted how this important area was to be taken forward, an area that was a national priority.
- The Portfolio Holder highlighted the need to ensure the service in this area was delivered positively as past performance had been rated as adequate and needed improving. The Commission for Social Care Inspection (CSCI) in January 2008 had helped Harrow to focus on the shortcomings and had resulted in an Action Plan, which set out Harrow's commitment to safeguarding its vulnerable groups together with how it would deliver on the aims and objectives of the Plan. He provided a definition of a vulnerable adult, as set out in the Law Commission Report 1997 and that adopted by "No Secrets 2000", a document on which safeguarding adults work was based. He referred to the Adult Training Programme, which his predecessor had been instrumental in launching and taking forward.
- The Committee was informed that in supporting individuals to maximise independence, choice and control over their lives and the services they receive, potential risks would need to be mitigated and managed. Appropriate safeguards would be put in place. Members were briefed on safeguarding the vulnerable and associated legislative requirements.

The Portfolio Holder stated that the CSCI Inspection had highlighted a number of positives in this area but there were a number of challenges as well that needed to be addressed. The key issue was managing the transition from childhood to adulthood and the issue of reluctance to share data. In addition, Harrow had its own challenges to meet and engage with its diverse communities, the black and ethnic minorities (BME) and the young people through to their adulthood. Abuse of vulnerable people was a key factor in this regard.

The Corporate Director of Adults and Housing thanked the Committee for the opportunity to address this matter, and briefed Members on the Project Plan for the delivery of Actions from the 2007 Annual Report and the CSCI. The Inspection had praised the frontline services; however the strategic work needed improving. Providing choice and ensuring safety were the key aspects of safeguarding the vulnerable. The Corporate Director stated that his Directorate would be evaluating existing systems to enhance services and take a 'measured' approach towards their achievement.

An officer expanded on aspects of the CSCI report and the Project Plan, and outlined areas which were likely to challenge Harrow in terms of delivery. The challenges related to choice, safeguarding and communication where robust practices would be required. Local authorities would need to be proactive, provide adequate training and enhance communication levels. For Harrow, transition arrangements would require improving together with a degree of consistency across the Council.

In response to questions from Members, the Portfolio Holder and the Corporate Director stated that:-

- in relation to self-directed care and the infrastructure and capacity of Harrow to offer real choice, a pilot system had been set up for the purposes of administering this matter and that social workers were closely involved at each stage of the process. Evaluation was carried out and the Local Area Agreement (LAA) had set an ambitious target of 1,700 users which the Council would be aiming to achieve;
- the Local Safeguarding Adults Board included representation from the Council's Partners, such as the Primary Care Trust (PCT), Voluntary Sector, Police and Acute Trusts and contractors;
- the annual audit had been carried out but not published yet due to a change in personnel;
- a multi-agency approach was taken in delivering the service to vulnerable adults;
- since the CSCI, a visible improvement in relationships between the various partners was evident and the representation on the Board was symbolic and showed visible leadership which hadn't existed previously. CSCI too had been invited to serve on the Board. The contracting and monitoring process were working effectively. Representation on the Board was determined by the make-up of the organisations and BME communities were represented on the Board. Consideration would be given to enhancing BME representation on the Board. However, the profile of service users in Adult Care was representative of the population and services were accessible to all. Furthermore, the Board was committed to targeting communities and analysing the data received;
- complaints would initially be submitted to the personnel for Safeguarding Adults and would be referred to Care Management where abuse was an issue. Clear demarcation between complaints and safeguarding processes would be ensured;
- robust mechanisms were in place when monitoring the providers of home care and independent surveys were carried out. A complaints process had been established. Monitoring was also carried out on specific measures through the Home Care Policy. Multi-tier processing and safeguarding were part of the process;
- close liaison work with the police on safeguarding adults was carried out, including work with Safer Neighbourhood Teams. Direct work with vulnerable adults was also carried out to ensure their safety on matters such as distraction burglaries where older people were normally the target. Awareness Days with the police were also held in the Town Centre. A Member encouraged the

establishment of a two-way process with Trading Standards with a view to safeguarding adults who were normally the target for deception;

- scrutiny could examine issues around the transition phase from childhood to adulthood. The silo working between adults and children services was also an issue. In addition, an annual review of this area by scrutiny would be beneficial including a role in challenging the Council's partners/departments with a view to creative services being established for the benefit of the vulnerable people of our society. A Member suggested some initial work on these issues by the Scrutiny Lead Members for Adult Health and Social Care;
- Criminal records Bureau (CRB) checks normally took 4-6 weeks to clear and the organisation was meeting its target rate. It was for the employer to put in safeguards until the checks had been carried out. Difficulties were encountered when workers came from countries where record keeping was lacking. In such instances, safest possible practices ought to be applied. No system of record keeping was 100% and where records were missing, employees needed to ensure good review cases. Publicity to ensure the safety of the vulnerable had to be continuous and a refresh was essential at various intervals;
- whilst self-directed support had a risk element attached, it would also bring about a better quality of life and opportunity for the needy.

The Chairman thanked the Portfolio Holder and Officers for their attendance at the meeting.

**RESOLVED:** That (1) the Council's duties around safeguarding be noted;

(2) the views on the Safeguarding Plan as set out in the preamble above be noted;

(3) the progress on implementation be noted;

(4) scrutiny examine the transition phase from childhood to adulthood.

(See also Minute 340).

349. **Local Involvement Networks (LINKs):**

An officer introduced the report of the Assistant Chief Executive, which set out the requirements for the establishment of a Local Involvement Network (LINK) in each local area, including one in Harrow, as required by the Local Government and Public Involvement in Health Act 2007. A LINK was a wide network of voluntary and community groups and interested individuals who would represent the views of patients and the public on health and social care issues. She outlined the local arrangements proposed for providing LINKs in Harrow.

The Committee noted the transitional arrangements that had been put in place until June 2008 when Parkwood Healthcare, the Host organisation appointed by Harrow, would take over and provide support to the LINK. Parkwood Healthcare would establish, maintain and provide ongoing support to the LINK. The Host would be accountable to the LINK. The role of the Overview and Scrutiny Committee in relation to LINKs, including the responsibility of the Committee in responding to referrals from the LINK within 20 working days of receipt, was noted by Members.

A representative from the Harrow Association of Voluntary Services (HAVS) was also present at the meeting and sought responses to how the voluntary and community sector could successfully procure contracts in Harrow. An officer agreed to liaise with him on this matter. The Chairman suggested that the review of delivering a strengthened voluntary and community sector could consider the general lessons that could be learned from the LINKs process.

Representatives from Parkwood Healthcare were present at the meeting and responded to questions from the Committee on the number of staff that would be employed, the organisation's experience in other boroughs and where they would be based in Harrow. It was noted that two full-time staff would occupy a site near Harrow on the Hill Station in order to ensure presence in the vicinity of the Town Centre. A robust interview process would be undertaken from the 20-25 applicants anticipated. A structure that was suitable to Harrow would be established and existing expertise and historical knowledge of the outgoing patient and public involvement networks would be harnessed through meetings and direct contact.

In response to additional questions, the representatives from Parkwood Healthcare replied as follows:-

- a balance in the consideration of health and social care issues would be struck by acting as a reference group. LINK would be representative, it would help the vulnerable and the Host would work in partnership with the Primary Care Trust (PCT), the Council and the voluntary and community sector;
- the LINK would work closely with the Patient Advice and Liaison Service (PALS) and pass appropriate information to it. It would hold meetings with user groups, post information on its website. However it would be for the LINK network to decide its procedures and it was envisaged that a number of working parties and interested groups would feed into a central governance structure. Views of the mental health organisations, the young and the elderly would be heard through these various channels. A close relationship with the Overview and Scrutiny Committee would also be established;
- communication would be a key element. Staff employed would be expected to work in the community with a view to ensuring that members of the public were aware of the LINK and kept informed of its work.

The Chairman thanked the representatives for their contributions.

**RESOLVED:** That (1) the report be noted;

(2) the progress made in setting up LINKs in Harrow be noted;

(3) it be noted that a contract would be awarded for a three-year period to commence on 1 July 2008 at a cost within the funding for LINKs provided by the Department of Health;

(4) the Assistant Chief Executive be authorised to award the contract;

(5) it be noted that 10% of the Department of Health Grant was retained to fund the additional Council responsibilities associated with LINKs;

(6) the development of working relationships between scrutiny and Harrow LINKs be built in to the scrutiny Work Programme 2008/09;

(7) the matter of the potential for successful voluntary sector procurement be referred to the scrutiny review of delivering a strengthened voluntary and community sector for inclusion in the work plan for Phase 2 of the review.

350. **Scrutiny Review - Delivering a Strengthened Voluntary and Community Sector - Interim Report:**

The Committee considered the report of the Project Sponsors - Corporate Director of Finance, Harrow Council, and the Chief Executive of Harrow Association of Voluntary Services - which set out the interim findings of the Scrutiny Review on Delivering a Strengthened Voluntary and Community Sector. The report set out the progress made and provided the Committee with an opportunity to contribute to the second phase of the Project.

The Chairman of the Review Group commended the manner in which the Review was conducted and stated that it was intended to report the outcome of Phase 1 of the Review to Cabinet on 17 July 2008 with a view to moving to Phase 2. It was noted that the purpose of reporting this matter to Cabinet, at this early stage, was to keep them informed of the progress made.

A Member stated that the Review had facilitated communication between the Council and the Voluntary Sector and he hoped that the conclusions of the Review would be equally effective. The Review was considered to be of value.

Another Member congratulated the scrutiny officer on the presentation of the report and commended the review where the voluntary sector was seen as an equal partner. He raised the issue of The Compact, a working agreement between the Council/Harrow Strategic Partnership and the Voluntary Sector, and how it 'fitted' in the review. He added that it was important to ensure that the grant giving process was transparent and fair. It was essential that the Council was seen as beyond reproach in this regard. The Member also referred to the Council's assets policy where some of the Council's assets could be put to good use by the voluntary groups. There was also a need for the

Council and the voluntary sector to tap into external funding opportunities that were available.

The Chairman added that the Voluntary Sector was pleased with the progress made on the Review, and he was pleased to report that the Service Level Agreement issue had been resolved.

A Member referred to the consultation events held in the previous week and enquired whether there would be opportunities for the Voluntary Sector to consult further with its wider membership, such as trustees. The scrutiny officer advised that the Review Group would be meeting on 21 July 2008 to develop the scope for the second phase of the Review and it was envisaged that, subject to the agreement of the Group, further consultation would be planned to seek input on the development of future possible models.

**RESOLVED:** That (1) the interim findings of the scrutiny review, set out at Appendix A to the report, be noted together with the comments set out in the preamble above;

(2) it be agreed that the findings of the Review so far were a fair reflection of the current climate, and that the findings be used to inform the second phase of the Review and any consequent recommendations;

(3) the request from the Review Group that the final report be produced by Christmas 2008 be agreed;

(4) the changes to the membership of the Review Group, Appendix B to the report, be agreed;

(5) the scope for the second stage of the Review be considered at the Overview and Scrutiny Committee to be held on 29 July 2008;

(6) the report be referred to Cabinet for consideration.

351. **New Local Area Agreement - Progress Report:**

An officer introduced the report, which set out the content of the Local Area Agreement (LAA) negotiated between the government and the Harrow Strategic Partnership. He outlined the details of the Agreement, and requested the Committee to identify any monitoring arrangements. He added that the Performance and Finance Scrutiny Committee would receive exception reports in this regard on a periodic basis.

The officer responded to question from a Member and highlighted the importance of base lines for the purposes of forecasting. He stated that domestic violence had not been prioritised this year and was now deferred until 2009. An annual refresh of the LAA would be carried out in January/February 2009 and at that time targets would be amended. The officer stated that it was important to realise that some targets could not be achieved.

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

352. **Draft Scope for the Review of the Future for Harrow's Town and District Centres:**

The Committee considered the report of the Assistant Chief Executive, which proposed a revised scope for the Scrutiny Review of 'The Future for Harrow's Town and District Centres' and outlined reasons for the changes to the scope that had previously been agreed.

The Chairman of the Review Group explained the reasons behind the proposed change in the scope and the focus of the Review, which in his opinion, would add value to the redevelopment proposals in the Town Centre. However, the timescales were tight and due to the lack of participation in the Review, it was inappropriate to take the Review forward. He was disappointed that scrutiny would not have any input into the Local Development Framework (LDF), a policy document that would help shape Harrow's future.

A Member stated that he was disappointed that the Review was likely to be suspended as the redevelopment of the Town Centre was a 'burning' issue for residents. He was of the view that the proposed changes to the scope had been presented as a 'fait accompli' and had compromised the autonomy of scrutiny as an independent Member-led process. Another Member agreed with this comment.

The Chairman of the Review Group moved that the Review be discontinued and this was seconded.

**RESOLVED:** That the Review be discontinued.

353. **Update on Challenge Panels:**

The Scrutiny Manager introduced the report, which provided an update on the Council Improvement Programme Challenge Panel and requested consideration of holding such a Panel for the Council's Place Survey.

It was noted that the Place Survey would measure improvement in outcomes for people and places. Scrutiny could take the opportunity of including discretionary questions in the Survey and that the proposed Challenge Panel could take this matter forward.

The Chairman of the Performance and Finance Scrutiny Sub-Committee proposed that, as no meetings would be held during the August recess, the Challenge Panel be held on 14 July 2008 from 4.00-6.00 pm in order to meet the deadline of 22 September 2008. Councillors Versallion and Jane Mote agreed to serve on the Challenge Panel. Councillor Mitzi Green also expressed an interest depending on the date identified. It was noted that other volunteers would be sought by emailing Members and a final conclusion on the best date for members be determined.

**RESOLVED:** That (1) the report of the Council Improvement Programme Challenge Panel, Appendix 1 to the report, be endorsed;

(2) the Performance and Finance Scrutiny Sub-Committee be authorised to hold a Challenge Panel to consider the Council's Place Survey;

(3) the scope for the Place Survey Challenge Panel, Appendix 2 to the report, be agreed.

354. **Scrutiny Annual Report 2007/08:**

Further to Recommendation I, the Scrutiny Manager responded to questions on the Annual Scrutiny Survey, which had included a question on the effectiveness of scrutiny since the reconfiguration. She informed the Committee that the survey had been sent to all Councillors and senior managers and the annual report provided a flavour of their views. She acknowledged that the survey was not hugely representative and that there was a need to keep the reconfiguration under review.

The Vice-Chairman referred to a view she understood had been expressed by some Executive Members and senior managers regarding the understanding amongst scrutiny Councillors of the issue being considered by scrutiny. She emphasised her belief that the level of briefing currently provided was a key area to be addressed.

A Member also alluded to the need to address the perception of the impact of scrutiny among other Members generally.

**RESOLVED:** That the scrutiny reconfiguration be kept under review.

(See also Recommendation I).

355. **Any Other Business:**

**Members' Interests**

The Chairman and the Vice-Chairman requested that the Director of legal and Governance Services provide clarification on declarations of interests, particularly where Members had been involved in work within the remit of the Executive.

(Note: The meeting, having commenced at 7.33 pm, closed at 10.24 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman