

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

22 SEPTEMBER 2011

Chairman:	* Councillor Jerry Miles	
Councillors:	* Sue Anderson * Kam Chana * Ann Gate * Barry Macleod-Cullinane	* Paul Osborn * Sachin Shah * Victoria Silver * Stephen Wright
Voting Co-opted:	(Voluntary Aided) * Mrs J Rammelt Reverend P Reece	(Parent Governors) 2 vacancies
In attendance: (Councillors)	Margaret Davine	Minute 183

* Denotes Member present

175. Attendance by Reserve Members

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

176. Chairman's Announcement - Academies

The Chairman reported that it had been agreed at the Cabinet Briefing meeting that the letter to the Department for Education on Harrow's academies experience should be sent out in the names of Councillors Brian Gate, Paul Osborn and Sue Anderson. Cabinet Members believed that it was not necessary for the letter to obtain Cabinet approval as the Overview and

Scrutiny Committee could send it out in its own right and it had additionally already been signed up to by the relevant Portfolio Holder. The Chair advised that, as a result it would not appear on the next Cabinet agenda.

A Member expressed surprise and concern that, given level of change to schools, this matter would not be considered by Cabinet.

The Chairman sought and gained Members agreement to the consideration of the urgent items included on the supplemental and second supplemental agendas for the reasons stated. Members also agreed that the Portfolio Holder for Adult Social Care, Health and Well-being be permitted to speak on item 9, Adults Services Complaints Annual Report (Social Care only) 2010/11.

177. Appointment of Parent Governor (Secondary Sector) Co-opted Member of the Overview and Scrutiny Committee

Members considered the nomination and questioned the requirements of parent governors and sought clarification on their speaking and voting rights at Committee.

An officer advised that Governing services had identified Mrs Khan in accordance with their election processes and this was their nomination.

RESOLVED: That Mrs Aamirah Khan be appointed as Parent Governor (Secondary Sector) Co-opted Member of the Committee for a four year period.

178. Declarations of Interest

RESOLVED: To note that the following interests were declared during the course of the meeting:

Agenda Item 9 – Adults Services complaints Annual report (social care only) 2010/11

Councillor Barry Macleod-Cullinane declared a personal interest in that he was the former Portfolio Holder for Adults and Housing. He would remain in the room whilst the matter was considered and voted upon.

Councillor Victoria Silver declared a personal interest in that she was the Portfolio Holder Assistant for social care. She would remain in the room whilst the matter was considered and voted upon.

Agenda Item 16 – Scrutiny Lead Members Report

Councillor Sue Anderson declared a personal interest in that she was employed by NHS Harrow. She would remain in the room whilst the matter was considered and voted upon.

179. Minutes

A Member expressed concern that he was yet to receive the information requested in terms of examples of good Equality Impact Assessments in the previous 2 Cabinet agendas.

The Chair of the Health and Social Care Scrutiny Sub-Committee advised that, having spoken to the Chief Executive of the Primary Care Trust and the Borough Director, she could confirm that they were both satisfied with the position in terms of the Council's decision on PCT funding.

RESOLVED: That the minutes of the meeting held on 20 July 2011, be taken as read and signed as a correct record.

180. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B of the Constitution) respectively.

RESOLVED ITEMS

181. Response to the Standing Scrutiny Review of the Better Deal for Residents Programme - Interim Report, Project Management

Members considered the response from Cabinet on the Standing Scrutiny Review of the Better Deal for Residents Programme – Interim Report, Project Management.

A Member expressed concern at the way scrutiny reports were received at Cabinet meetings and indicated that Members of the Overview and Scrutiny Committee should receive a formal invite to attend and speak. He referred to the Chair of the Panel having to request to speak on this particular review. The Member suggested that a protocol be put in place.

RESOLVED: That the response be noted.

182. Response to the implications of the HAVS Investigation Challenge Panel Report

Members considered the response from Cabinet to the Implications of the HAVS Investigation Challenge Panel report.

RESOLVED: That the response be noted.

183. Adults Services Complaints Annual Report (Social Care only) 2010-11

Members received a report of the Corporate Director of Adults and Housing which set out the statutory Adults Services complaints Annual report (social care) 2010/11.

An officer outlined the headlines of the report advising that in the last six years there had been 85 local settlements and of those only 5 related to Adults Services. This seemed to indicate that things were working well. Whilst the officer indicated that he had no major concerns, he would like to see timescales improve.

Members indicated that it was a good report and questioned and challenged its contents. Members' concerns and queries were responded to as follows:

- The officer confirmed that there was no evidence of a rise in complaints, rather that the figures remained steady, since the restructure.
- A Member commented that benchmarking with other authorities may be useful to enable comparison of the level of complaints. The officer stated that whilst benchmarking was done, the current year data was received too late for inclusion. He could, however, include the previous year's data.
- An executive summary would be beneficial in such a detailed report.
- A Member questioned the level of independence at stage 2 and 3 of a complaint if stage 3 was signed off by a Corporate Director. He expressed surprise that the Chief Executive did not monitor such complaints before they were referred to the Ombudsman. The officer advised that this was in line with government guidance and whilst the ultimate responsibility lay with the Chief Executive, it could be delegated.
- In terms of staff attitude complaints, the officer advised that considerable work was being done around raising awareness and accessibility of the complaints procedure.
- The officer confirmed that the most recent mystery shopper exercise had been carried out approximately 10 months ago and that he attended the customer services working group.
- A Member questioned how MP and Councillor complaints were captured. The officer stated that in terms of MPs, a letter was usually received. In terms of councillors, he felt that levels were low and if Members had concerns they should contact the complaints team.
- In response to a Member's question as to corrective actions for complaints over time, the officer advised that there were corrective actions and an annual quality assurance report. The Member suggested that a summary would be helpful.
- A Member challenged the figures in terms of the number of stage 1 complaints made by Councillors, commenting that the Performance and Finance Scrutiny Sub-Committee had carried out a check and a complaint made to test the system had not been logged. The officer acknowledged the issue and that it seemed that some complaints were not logged on to the corporate system. The Member responded that the breakdown gave a bad impression and that it might be better to state that the information was not available.

- A Member stated that some cultures needed to receive reassurance that they could complain without issue/reprisal. The Officer advised that Council literature referred to comments rather than complaints and whilst the system could be made as accessible as possible, some communities did not wish to complain.
- A Member expressed the view that more compliments were received than were reported.

The Portfolio Holder for Adults and Social Care welcomed the report and the fact that the Council was having a lot of activity in this area, which highlighted whether the service was better or not. It was pleasing to see a reduction in the number of occupational therapy complaints, an indication that the Council was resolving the issues with adaptations. The introduction of reablement had been a significant issue for the service. In summing up, the Portfolio Holder stated that the report was encouraging.

RESOLVED: That the report be noted.

184. Children's Services Complaints Annual Report 2010-11

Members received a report of the Corporate Director of Children's Services which set out the statutory Children's Services complaints annual report for 2010/11. The officer advised that of the 85 local settlements in the last six years, only 2 related to Children's Services. There was good complaint resolution and work was being done on timescales. There appeared to be a trend in terms of staff attitude complaints and the officer advised that he had attended the Children's Services Management team to see if this could be addressed.

A Member expressed concern at the increase in the number of safeguarding complaints and stated that it would be helpful to see the position of Harrow compared to other boroughs. The officer advised that, of the 42 safeguarding complaints, not one was upheld. This was an indication that the team were good at identifying fault and taking robust action. Often those areas with the highest level of stage 1 complaints performed the best. In terms of other boroughs, Harrow was in the middle and the steady rise of stage 1 complaints since 2003 indicated that the system was more accessible. There had not been an increase in the escalation of complaints to stage 2.

The request for an executive summary was made for this report and the Member also suggested that perhaps the Council could be 'smarter' in terms of the ethnic origin of service user information. The officer advised that this had been raised as an issue corporately but that he would report Members comments.

In terms of the nature of complaints, a Member questioned whether the increase in staff attitude complaints could be linked with a reduction in staff numbers. The officer advised that following the baby P case, there had been a virtual doubling of workload. The easiest issue to complain about was staff attitude if a child was taken in to care. In terms of resolution and or supporting staff, this issue had been highlighted to the Children's Services

management and the safeguarding team who had undertaken to incorporate training on attitude in their training.

A Member challenged the figures on attitude complaints in relation to Children's Services, questioning whether all complaints had been captured. The officer expressed the view that the figures were a little high. Another Member stated that Children's Services often stated that they had seen a 3 fold increase in referrals since baby P but that, in his view, depended on the starting point.

The officer concluded that he and his team should be viewed as the main contact for complaints. If an officer in a department could not resolve a complaint informally with the service user it would be referred to the complaints team. The team would then draw up a complaints plan with a view to resolving the issue.

Members thanked the officer for the report and responses.

RESOLVED: That the report be noted.

185. Heart of Harrow Area Action Plan - Spatial Vision

Members received a report of the Corporate Director of Place Shaping which updated the Committee on the Issues and Options consultation for the Harrow and Wealdstone Area Action Plan (AAP) and presented a draft Spatial Vision for the Heart of Harrow and key supporting documents that would form the preferred option for the AAP. An officer advised that the draft document was still being prepared and outlined the deadlines.

Members asked questions and made comments which were responded to as follows:

- A Member questioned whether there was a declining response rate after the number of consultations as individuals had already expressed their views. The officer advised that residents wanted to know what was planned for specific sites and now that more detailed proposals were being drawn up, he hoped that there would be increased engagement.
- Responding to a query in relation to the Community Infrastructure Levy (CIL), the officer advised that this was a key way of raising funds for private development and in Harrow was expected to raise £15-30m over the life of the plan. The mayoral CIL may stifle employment development. The Harrow CIL was likely to be set at £115 per square metre per residential development but there would also be a £35 per square metre Mayoral CIL. The viability study had shown that B1 (office) buildings were not viable in Harrow whilst industrial development could carry a tariff of £10 per square metre. The total infrastructure bill was likely to be in the region of £50m for the Intensification Area and would be met by the Council, service providers, developers and other sources. This bill was fairly modest in terms of London and the Council would be lobbying Transport for

London for funds to upgrade Harrow on the Hill station and the Bus Station.

- In terms of the evening economy, the officer advised that this was likely to be located along College Road. Officers could try to advance the evening opening of St Ann's Centre but it was a commercial decision, not a planning matter.
- In response to a Member's question about the detailed plans, the officer advised that they would be included in the planning applications submitted on individual sites. The developers would work up the detail. An application was expected for the Lyon Road site within the next 2 months. In terms of the AAP, the Council would provide the design principles and set the standards for development. East Architecture, the Council's lead consultants, would provide guidance on future urban form and design matters on the sites.
- A Member questioned whether any developers had expressed an interest in site 3, Harrow on the Hill car park west. The officer advised that TfL had expressed an interest in selling the site but until it had been allocated, uncertainty would remain.
- Members expressed concern about Station Road being used as a thoroughfare and traffic flows generally. The officer reassured Members that these issues are being thought through and that transport work was being done with Alan Baxter Associates. In addition to a Boris Bikes scheme, cycle parking would still be required on each development site.
- A Member questioned the likely height of the developments and was advised that work was being done on design in conjunction with the views assessment. There would be a policy framework for tall buildings. In terms of the Dandara site, the Secretary of State had indicated that height had not been an issue with the previous application. It was likely that there would be a 19 storey building in the town centre on this site.
- The officer confirmed that compulsory purchase orders would be used, if necessary, to assemble sites in the town centre in order that its development could be dealt with on a comprehensive basis.

In concluding, the officer advised that there would be sessions on the infrastructure to which Members would be invited to attend.

RESOLVED: That

- (1) the results of the public consultation on the Issues and Options stage of the Harrow and Wealdstone AAP be noted;
- (2) the comments made be referred to Cabinet for consideration.

186. Snow Clearance Challenge Panel - Final Report

Members received a report of the Overview and Scrutiny Snow Clearance challenge panel which outlined their findings. The Chair of the Panel outlined the recommendations arising.

Referring to recommendation 1, a Member questioned what was meant by further investment and the extent of the engagement with Enterprise Mouchel. On the initial point, the Chair of the Panel advised that this could be scrutinised following the commissioning panel/budget process as officers were vague on this aspect.

A Member expressed support for the idea that information be placed on refuse bins as he was unsure how successful communication via Harrow People and the Council's website was. The Chair of the Panel stated that Harrow People was a significant source of information and consideration had also been given to emailing information to neighbourhood champions. Access Harrow was also a key channel. The Member expressed concern at the gradual increase in responsibilities being placed on neighbourhood champions, particularly as some may not be able to clear snow.

Members welcomed the report and it was

RESOLVED: That the report of the Snow Clearance Challenge Panel be referred to Cabinet for consideration.

187. Project Scope - Engaging Young People

Members received a report of the Divisional Director of Partnership Development and Performance which outlined the scope for the scrutiny review on engaging with young people. The Chair of the review group advised that the scope was quite broad and that it was hoped to hold meetings with young people in the coming weeks to fine tune the terms of reference for the review. It was hoped that any recommendations arising would be jointly owned by the young people.

Members questioned how young people were being defined and whether those likely to get into trouble would be targeted. The Chair of the review group welcomed Member input as to the definition and advised that a number of voluntary sector groups would be represented. She welcomed the suggestion that the scouts be invited to participate.

RESOLVED: That the scope for the scrutiny review of engaging with young people be agreed.

188. Report of the Performance and Finance Scrutiny Sub-Committee Chair

Members received a report of the Performance and Finance Scrutiny Sub-Committee Chair which outlined a summary of the issues to be taken forward by the Sub-Committee.

A Member expressed concern at the time period of the figures available in that it was now the end of quarter 2 and the updates related to quarter 3. Both the Chair and Vice Chair of the Sub-Committee stated their concerns at the availability of information and the Chair undertook to take the matter up as part of the performance review. It was also suggested that a monthly rather than quarterly update would be beneficial.

RESOLVED: That the report be noted.

189. Scrutiny Work Programme Update

Members received an update on the progress of the 2011/12 work programme. An officer outlined the content of the report.

A Member suggested that there be a challenge panel established to consider the final engineering contract as was the case when Enterprise Mouchel were awarded the last contract. Members supported this addition to the work programme.

RESOLVED: That report be noted and action being taken approved.

190. Scrutiny Lead Member Report

The Committee received a number of reports from Lead Members.

Comments from Members included the following:

- There was work to be done in terms of reablement given the sizeable savings to be found.
- Some of the reports were prepared some time ago and, for example, this had not given a good basis on which to question the Borough Commander when he had attended the Committee.
- A Member questioned the position in terms of the transition plan with the NHS and was advised that a report would now be submitted to the Health and Social Care Sub-Committee in October. Members expressed concern at the lateness of information being received by the Committee.

RESOLVED: That the reports be noted and the actions proposed agreed.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.59 pm).

(Signed) COUNCILLOR JERRY MILES
Chairman