# OVERVIEW AND SCRUTINY COMMITTEE

**Monday, 3rd June, 2019, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE**

**Members**: Councillors Lucia das Neves (Chair), Pippa Connor (Vice-Chair), Erdal Dogan, Adam Jogee and Khaled Moyeed

**Co-optees/Non Voting Members**: Mark Chapman (Parent Governor representative), Luci Davin (Parent Governor representative) and Yvonne Denny (Co-opted Member - Church Representative (CofE))

Quorum: 3

1.   **FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2.   **APOLOGIES FOR ABSENCE**

3.   **URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item below).

Haringey
LONDON

4.    **DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5.    **DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6.    **MINUTES  (PAGES 1 - 8)**

To agree the minutes of the meeting from 30<sup>th</sup> April 2019 as a correct record.

7.    **MINUTES OF SCRUTINY PANEL MEETINGS  (PAGES 9 - 26)**

To receive and note the minutes of the following Scrutiny Panels and to approve any recommendations contained within:

Housing and Regeneration – 14<sup>th</sup> March 2019
Environment and Community Safety – 8<sup>th</sup> April 2019

8.    **TERMS OF REFERENCE AND MEMBERSHIPS  (PAGES 27 - 68)**

9.    **LEADER'S UPDATE ON COUNCIL PRIORITIES**

Verbal update

10.    **PERFORMANCE UPDATE  (PAGES 69 - 76)**

11.    **OVERVIEW AND SCRUTINY ANNUAL REPORT 2018-19**

To follow

**12.** **FURTHER DEVELOPMENT OF OVERVIEW AND SCRUTINY - RESPONSE TO NEW STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY AND SCRUTINY STOCKTAKE (PAGES 77 - 118)**

**13.** **SCRUTINY PANEL REVIEW ON CARE HOME COMMISSIONING (PAGES 119 - 134)**

**14.** **SCRUTINY PANEL REVIEW ON DAY CARE OPPORTUNITIES**

To follow

**15.** **OVERVIEW AND SCRUTINY COMMITTEE AND SCRUTINY PANEL WORK PROGRAMME (PAGES 135 - 168)**

**16.** **NEW ITEMS OF URGENT BUSINESS**

**17.** **FUTURE MEETINGS**

22 July 2019
1 October 2019
25 November 2019
14 January 2020 (Priority X)
23 January 2020 (Budget Scrutiny)
12 March 2020

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Thursday, 23 May 2019

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# MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON TUESDAY 30TH APRIL 2019

**PRESENT:**

**Councillors: Lucia das Neves (Chair), Pippa Connor (Vice-Chair), Mahir Demir, Ruth Gordon and Adam Jogee**

**Co-opted Members: Mark Chapman (Parent Governor representative), Luci Davin (Parent Governor representative) and Yvonne Denny (Church representative)**

**1.    FILMING AT MEETINGS**

The Chair referred Members present to item 1 on the agenda in respect of filming at this meeting.  Members noted the information contained therein.

**2.    APOLOGIES FOR ABSENCE**

None.

**3.    URGENT BUSINESS**

None.

**4.    DECLARATIONS OF INTEREST**

None.

**5.    DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS**

None.

**6.    MINUTES**

The following comments were made in respect of the minutes:
- Page 6, point j:  The Chair clarified that the Committee had suggested that the categorisation of "general information/service" be changed as this was too broad to be meaningful;
- Page 8, point l:  The Chair stated that the action that was agreed was that consideration be given to how the commercial portfolio could be kept and performance monitored.

**RESOLVED:**

That, subject to the above mentioned comments, the minutes of the meeting of 25 March 2019 be approved.

**Haringey**
LONDON

**7. MINUTES OF SCRUTINY PANEL MEETINGS**

The Chair of the Children and Young People's Scrutiny Panel reported that, during the joint meeting of his panel and the Adults and Health Scrutiny Panel to consider the Transitions Project, concern had been expressed at the potential involvement of Ingeus. This had not been reflected in the minutes of the meeting. Rob Mack, Principal Scrutiny Officer, agreed to seek clarification on the role of Ingeus from relevant officers and report back to the panels.

**RESOLVED:**

1. That the minutes of the following Scrutiny Panels were received and noted and the recommendations contained therein approved:
   - Environment and Community Safety – 11th March 2019; and
   - Adults and Health (joint meeting with Children and Young People's Scrutiny Panel) – 19th March 2019;

2. That clarification be provided to members of the Children and Young People's Scrutiny Panel and the Adults and Health Scrutiny Panel on the role of Ingeus in the Transitions Project.

**8. FRONT OFFICE, BACK OFFICE TRANSFORMATION PROGRAMME**

Councillor Tucker, Cabinet Member for Corporate Services and Insourcing, reported that the Front Office, Back Office project (FOBO) had focussed on rationalising how the Council communicated with the public, service users and local businesses. The prime objective was to improve the way that the Council worked rather than to cut services. There was nevertheless the potential to make significant savings, particularly through the intelligent use of Information Technology (IT). The intention was to create the capacity to increase the number of direct interactions with service users and particularly those who were vulnerable or had difficulty dealing with IT.

The savings were to be made from a reduction in staffing and he was therefore glad that the trade union representatives were present at the meeting and therefore in a position to express any concerns. The intention was to maximise retention of the number of staff that wished to stay. Substantial savings could be delivered from not filling vacancies and reducing the number of temporary and agency staff. Consultation was taking place with staff and their representatives and preserving quality jobs and staff welfare were clear priorities.

Andy Briggs, Assistant Director for Corporate and Customer Services and Libraries, reported that the project involved merging front and back office functions. The aim was to make interactions easier so more attention could be focussed on those in greatest need of support, such as people in debt or living in poverty. The objectives of the programme were explicit in the new Borough Plan. These were that people should be able to access the advice that they needed first time and that it was easy to interact with the Council. It was planned that the programme would not only deliver savings identified within the MTFS but also provide a better service to customers. It would take two years and involved three phases. 100 opportunities had been identified and these had now been distilled down to six key projects. Significant

improvements had already been achieved since January. This had included a telephone queue call back system and decision trees on the Council's website, helping residents access information in a much easier way.

Belinda Black, the Programme Director, reported that the opportunities identified had come from staff. They had looked at the whole of the customer journey and focussed on the needs of the 90% of customers that were able to access services on-line. The aim was to create spare capacity that could be used to assist those who were less able to self-serve. £250k of savings had been achieved so far in 2018-19 with no staff cuts. In 2019-20, there would be reductions in staffing levels but half of these would come from vacant posts. Some of the cuts in staffing would be at the higher levels.

Gerard McGrath, Joint UNISON Branch Secretary, reported that many staff affected had been adversely affected by the previous restructuring of libraries and customer services. Although the new proposals aimed to be more balanced in their approach, there were still some concerns. UNISON was seeking to protect jobs and terms and conditions. They also wished to ensure the welfare of those who would be staying. Maggie Griffin, UNISON Joint Central Services Convenor, stated that there was "change fatigue" within the service, with staff constantly anxious about where the next round of cuts were likely to be. There had been an increase in stress levels since the last restructuring and this had been reflected in higher sickness absences. There was a lack of confidence in the ability of the IT structure to deliver the support needed by proposed changes. Current IT systems were unable to communicate with each other. She would welcome the opportunity to see the overall plan for where jobs would be lost. If agency staff were to leave, somebody would still have to cover their workload. It was likely that some staff would choose to leave.

Mr McGrath stated that there had been positive discussions with Mr Briggs regarding culture and management style at the Contact Centre. He felt that the current work environment was toxic in nature and there were now plans to address this. It was not a pleasant place to work and the screens separating staff could result in them feeling isolated. It was agreed that the Committee would visit the Contact Centre and that this would be scheduled to take place before the change programme was implemented.

In answer to a question, Mr Briggs stated that lessons had been learnt from the last restructuring. The current process had been led by staff with a limited amount of external support. There would be no reductions in staffing levels until the new systems were embedded and functioning to plan. He stated that the concerns regarding IT systems were understandable. Services had a lot of legacy IT systems and the change programme cut across many of these. A key part of the programme was the development of a new digital platform. He commented that not all of the savings were based on reductions in staffing. For example, a large amount of money was spent on printing and it was now intended to become paperless. Consideration was being given to making savings from changing the way the service worked in the first instance with reductions in front line staffing only being looked at when all other options had been exhausted.

Ms Black reported that staff had been engaged in workshops but she was not aware of the exact number who had been involved. Staff had also been engaged in work to design the new services. All had been given an opportunity to be involved. In answer to a question regarding assistance in accessing services for people whose first language was not English, Mr Briggs agreed to consider the matter further and report back.

Mr McGrath stated that he hoped that staff would be supported during the implementation of the changes. Some staff had not experienced a job interview for a long time and were likely to find such processes challenging. In addition, UNISON also wished to ensure that those who want to stay were supported.

Ms Black reported that the programme aimed to save £1.5 million in 2019/20. However, savings other than those from not filling vacancies were not required to be made until October. Services involved had approximately 500 staff in total. Reductions of 20-25% in staff had originally been envisaged but this had now been revised down to 62 full time equivalent in total. A significant number of staff did not work full time. It was therefore not possible to be exact regarding the number of people affected. However, temporary and agency staff would be the first to go. Offers of reduced hours were being discussed with staff who had expressed an interest. The Council's Human Resources team were looking at what the implications of this might be for individual staff.

The Cabinet Member commented that staff had stated that they would like the routine side of their jobs reduced so that they could spend more quality time with clients and finding solutions. Restructurings had not always been managed in the best way and staff needed to have confidence in the current plans. Engagement with the trade unions was key to this.

In answer to a question, Ms Black stated that the new roles had been created to reflect what staff were doing rather than the need to make savings. There would be a greater emphasis on work that "added value". There would be new job descriptions and these would be evaluated. It was intended to make savings in a way that improved both services and the working life of staff. She was open to suggestions on additional ways that staff could be involved in the process.

Mr Briggs reported that the intended savings of £4.2 million was set in the Medium Term Financial Strategy of two years ago. Many areas of improvement did not involve any savings being made. Improvements to communications was an example of this. If the projected savings were delivered, it would help to protect other vulnerable services from cuts. It was likely that there would be elements of the new arrangements that would not work well and, if so, they were happy to revisit them and exercise flexibility. Ms Black commented that they had been relatively conservative in the savings that were projected. Some initiatives were likely to over deliver.

Ms Griffin stated that she was not against progress but there would still be a need for some work to be done manually, such as preventing fraud. IT could not deliver all of the services. If the number of staff were reduced, the work would still need to be covered.

**RESOLVED:**

1. That a further report be made to the Committee in July and that this include:
   - Details of engagement with the trade unions and how staff were informing the process;
   - Support provided to staff who wished to remain;
   - Lessons learnt from previous reorganisations;
   - Arrangements for providing assistance in accessing services for people whose first language is not English; and
   - Clarity on the number of staff required to cover workloads.

2. That a visit be arranged to the Council's Contact Centre and that this be arranged to take place before the proposed changes have been implemented.

**9.   MEMBER ENQUIRES**

Elaine Prado, Head of Business Change, reported that the number of Member enquiries had risen in the past year.  The accompanying e-mails had increased as well.  Performance levels had improved despite this, with 93% being dealt with within the ten day target.  Benchmarking had been undertaken with other boroughs and Haringey was one of ten with a ten day target.  However, it was important that Members were also satisfied with the response that they received.  The ten day time limit allowed scope for matters raised to be investigated if required.  It was anticipated that the FOBO programme would facilitate improvements.  The team was working at full capacity though.  They nevertheless wish to have sufficient capacity to be able to gain learning from the issues that were raised.

Committee Members commented that the ten day target seemed too long.  However, they had been unaware that there were only three staff involved in preparing responses and we appreciative of their efforts.  The felt that levels of satisfaction could also be monitored and used as an additional benchmark for performance.   Residents had often been passed around different parts of the Council before contacting Councillors.

Mr Briggs commented that it was important to bear in mind that the process was about local constituents.  He acknowledged that the Council did not always do itself justice in the responses that were made and there was a need to change the culture.  However, achieving a 93% response rate within ten days was good and they were committed to hitting the target of 95%.  The target was the maximum number of days though and significant numbers could be dealt with more quickly.

Ms Prado stated that they worked closely with Homes for Haringey (HfH) and there was a joint post.  In addition, officers from HfH had come to sit with the Member Inquiry team.  Enquiries regarding housing benefit could be fast tracked if need be.  The service was looking to invest in improved IT.  In addition, training was being arranged with responding officers and action taken to raise the profile of the service. Councillor Amin, the Cabinet Member for Civic Services, commented that some services were very good at responding quickly but some took much longer. Mr Briggs stated that if the acknowledgement of receipt could be automated, the possibility of reducing the target time could be explored.

The Committee raised the issue of the quality of responses, which could vary considerably.  It was felt that better quality responses was likely to reduce workload in the longer term.  It also appeared that not all respondents understood the role of Councillors.  The adequacy of current staffing levels was also queried.  They thanked current staff for responding effectively to the increase in enquiries.   They felt that the current IT system was outdated and in need of updating.

The Cabinet Member stated that improved performances from services reduced the pressure on officers who dealt with enquiries.  Ms Prado stated that the improved IT system would improve efficiency.  This would release staffing resources to spend more time looking at quality and performance.  Complaints and Member Enquiries were received because services had failed to deliver though and it was important that work was done to focus greater attention on the needs of customers.

The Cabinet Member stated that the service was under enormous pressure.  It had nevertheless striven to maintain the quality of the service.  There was a need for learning to be incorporated from enquiries.  There was also a need for Member learning including managing the expectations of residents.  In addition, it was important that a shared understanding of what was urgent was developed.

## 10.    UPDATE ON THE FAIRNESS COMMISSION

The Cabinet Member for Civic Services reported that the Fairness Commission had been launched last summer with the aim of developing a fairer borough.  There had been an extensive engagement process with a range of meetings where residents were able to give their views.  A report had been put together summarising the feedback that had been given and five areas identified as priorities. These were:
- Engagement with Public Services;
- Housing;
- Children and Young People;
- Communities and Neighbourhoods; and
- Communities and Neighbourhoods.

Further work would be undertaken on how these would be taken forward. Commissioners would be leading on specific area and a work plan would be developed.  Recommendations would also be made on how improvements could be made in each area.

In answer to a question, the Cabinet Member stated that health and social care had not been mentioned as much as other areas.  There was also a review of adult care taking place which would consider how to address issues relating to it and they did not wish not to replicate this process.  The Committee felt that there gaps that had been identified such as respite care and fair and equitable access and these needed to be addressed.  In addition, they also suggested that engagement with residents could take place on line.

Joanna Sumner, Assistant Director for Strategy and Communications, reported that a key consideration on taking issues forward was whether the Council was in a position to respond.  The work plan that was produced would highlight how this would be done.

The Fairness Commission constituted a different way of engaging with the community. The aim of the communication process was to bring stories to life so that they could be acted upon. The Cabinet Member commented that the feedback constituted a very powerful document and contained a good mix of experiences. In answer to a question, she stated that Special Educational Needs and Disability had come up and they had met with sendPACT.

## 11. WORK PROGRAMME UPDATE

The Committee noted the matters that had been raised during the recent "Scrutiny Stocktake" event and suggested as areas for further action by Ann Reeder, the external adviser who had facilitated the event. Theses included:

- The need to promote greater understanding amongst Members and officers of the role and value of scrutiny. This could be facilitated by the development of a new protocol;
- Discussing with Cabinet colleagues how scrutiny could work best with them;
- Prioritising the areas where scrutiny could add the most value and ensuring that agendas did not become too cluttered with standing and/or information items;
- Developing a more iterative approach to performance management and budget scrutiny;
- Undertaking more work outside of formal meetings; and
- Improving communications.

A report would be made to the next meeting of the Committee on how this would be taken forward.

The Committee also noted that work on the review on Access to Parking for Disabled People and Blue Badges would begin shortly.

**RESOLVED**

1. That the work programmes for the main Committee and Scrutiny Panels be noted;

2. That the outline recommendations arising from the "Scrutiny Stocktake" regarding the development of working methods for Overview and Scrutiny be noted and a full report be submitted to the next meeting; and

3. That the draft scope and terms of reference for the review by the Environment and Community Safety Scrutiny Panel on Supporting Better Access to Parking for Disabled People and Blue Badges be approved.

## 12. VOTE OF THANKS

It being the last meeting of the Committee for the current Municipal Year, the Chair was thanked by the Committee for her work as Chair. The Chair thanked Members and officers for their kind assistance and co-operation.


CHAIR: Councillor Lucia das Neves

Signed by Chair …………………………..

Date ………………………………
This had included a telephone queue call back system and decision trees on our website helping residents access information in a much easier way.

# MINUTES OF THE MEETING OF THE HOUSING AND REGENERATION SCRUTINY PANEL HELD ON THURSDAY 14TH MARCH 2019, 6.30 - 9.15 pm

## PRESENT:

**Councillors: Ruth Gordon (Chair), Dawn Barnes, Isidoros Diakides, Bob Hare, Yvonne Say, Daniel Stone and Sarah Williams**

## 55. FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

## 56. APOLOGIES FOR ABSENCE

None.

## 57. URGENT BUSINESS

None.

## 58. DECLARATIONS OF INTEREST

None.

## 59. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

A deputation request had been received from Faruk Tepeyurt on behalf of the Peacock Industrial Estate regarding the High Road West regeneration scheme. This request was not valid as it had been received on the day of the meeting and not at least five working days previously as required. Under the discretion of the Chair it was determined that the request be allowed to proceed nevertheless.

Mr Tepeyurt said that he is the elected spokesperson for the Peacock Industrial Estate where he runs a business, and was also speaking on behalf of the Tottenham business group. He said that the majority of the business community on the Estate are on record from a 2013 consultation that they do not object to regeneration but they do want to be a part of it and remain where they are. In November 2013 a petition with 4,000 signatures was submitted to Haringey Council against the Compulsory

Purchase Order (CPO) and what they regarded as a flawed consultation process but Mr Tepeyurt said that this was ignored.

Under the proposals Lendlease would be given a 250-year long term lease impacting on the 50 business entities on the Estate which currently employ around 250 people. Mr Tepeyurt said that the Council doesn't want to protect the existing employment opportunities. The Peacock Industrial Estate businesses want to have their own planning initiative and regenerate the area jointly. A pre-planning application has been submitted to the Council. However, Mr Tepeyurt said that Lendlease just wants the taxpayer to buy up the Estate's units at cheap rates and then transfer the assets to them. Existing businesses owners would become leaseholders instead of freeholders. Mr Tepeyurt said that a special scrutiny meeting should be held to discuss the problems of the Peacock Industrial Estate businesses regarding this regeneration scheme.

In response to questions from the Panel, Mr Tepeyurt said:

- That business owners were being asked to downgrade their ownership status from freeholder to leaseholder. As leaseholders they would have to pay ground rent and service charges which they don't have to do currently. This would be justified on the basis of the quality of the new units but the current units are good quality.
- The Peacock Industrial Estate's preferred option would be to remain in place but with better landscaping of the Estate to make it more welcoming. A second-choice option would be a mixed use development with industrial units, residential homes and green spaces from their own land. But Lendlease and the Council would also need to allocate space from their own land.
- Asked about problems with noisy industrial units operating near residential buildings, Mr Tepeyurt said that the proposals include plans for coffee shops, retail units and workshops but some businesses wouldn't be able to operate from the new workshops. If these businesses are going to be removed they should be relocated within a one-mile radius but there are no suitable locations. There is no plan for where these businesses and jobs will be going.

Cllr Gordon thanked Mr Tepeyurt for his presentation and acknowledged that this is an issue on which the Panel has a lot of questions. The High Road West regeneration is included in the Panel's 2019/20 work programme and would be scheduled after the Panel's current scrutiny review had been concluded.

## 60. MINUTES

The scrutiny officer to the Panel advised that some minor amends had been made to item 49 in the minutes of the previous meeting held on 21st Feb 2019 which related to a deputation on the issue of Wards Corner. The amendments were to add details of the occupations/roles of the people who spoke to the Panel and to add emphasis to make it clearer that comments made were from the deputation and not from the Panel

Members. With these minor amends added the minutes were agreed as an accurate record.

The action points from the previous meeting were then discussed. Following a deputation on child yield figures used for new housing developments at the Panel's meeting on 15th January 2019, the Chair of the Panel had written to the Leader of the Council recommending that the new figures be adopted by Haringey Council. In his response letter to the Chair of the Panel, the Leader of the Council had stated that the Council will be commencing a Local Plan review in October and that as part of this Haringey will be carrying out research along similar lines to Merton Council to establish a 'Haringey Child Yield'. A timetable for this work would be confirmed in due course.

In response to a question from the Panel, Dan Hawthorn, Director of Housing, Regeneration & Planning said that Merton Council has carried out their own local research in order to set an evidence-based local policy, otherwise the default position would be to use the GLA calculator. Haringey is proposing to replicate this method of research to establish the local conditions on which future calculations should be based.

Asked how long it would take to establish this policy using new calculations and hearing concerns from Panel Members that the process could take as long as three or four years, Dan Hawthorn acknowledged that changes to planning policy can take a long time due to the need to establish that there is a sound evidence base but that four years is over pessimistic and that two years may be more realistic. It isn't always necessary to wait until the end of that process before the new calculations can be used because the policy gains more weight the further it gets through the process. A more detailed response could be obtained from Emma Williamson, Assistant Director for Planning, who was not present at the meeting. (ACTION) Cllr Williams suggested that a political steer would also be needed from the Cabinet Member for Planning.

There had also been a number of other action points from the previous meeting on 21st February 2019:

- The Panel asked to receive the minutes that the meeting between Grainger and the Wards Corner market traders on 12th February 2019. The minutes had now been obtained and circulated along with a letter from Grainger to the market traders dated 29th January 2019. These documents would be considered as part of the Panel's scrutiny review on Wards Corner.
- The Panel had asked to receive written responses to questions from the Cabinet Member Questions agenda item that there had not been time to ask. A full list of answers had now been received and would be circulated to Panel Members.
- The terms of reference for the Tottenham landowners group and the Wood Green landowners group had been circulated to Panel Members as requested. Cllr Gordon expressed concern that paragraph 3.2 of the Wood Green group's terms of reference stated that the minutes of each meeting should be ratified at the following meeting and then published online, commenting that this would lead to a delay and that draft minutes ought to be published prior to the next

meeting in order to improve transparency. Peter O'Brien, Assistant Director for Regeneration, said that he would take this away as a suggestion for the group when the group reconvenes. The group as it is not currently holding meetings as the Wood Green Area Action Plan (AAP) is currently on hold and no date has been set for the next meeting. Asked why Ward Councillors were not being involved in the Wood Green landowners forum, Peter O'Brien said that this was the position taken by Members at the Housing & Regeneration sub-group of Cab. Cllr Gordon proposed that the suggestion that Ward Councillors should be involved should be raised with the Housing & Regeneration sub-group of Cab. (ACTION)

- A report including details of the timetable for the 16-month process required to change the Community Infrastructure Levy (CIL) rate, initially published in the Panel's agenda pack in January, had been recirculated.
- Further information had been requested on the review of the management process of CIL and the single integrated plan for the future of the Broadwater Farm estate but neither of these were available yet.

**AGREED: That the minutes of the meeting held on 21st February 2019 be approved as an accurate record.**

**AGREED: That a further response on the timetable for implementation of a new policy on child yield calculations be obtained for discussion at the Panel's next meeting in June 2019.**

61. **HIGH ROAD WEST UPDATE**

Peter O'Brien, Assistant Director for Regeneration, introduced the report on this item. In September 2017 the Cabinet approved Lendlease as the preferred bidder for the High Road West regeneration scheme. As part of the agreement the Council agreed to acquire 145 social rented homes and 46 shared equity homes. Benefits of the scheme are set out in paragraph 1.3 of the report including a library and learning centre, improved public realm and a significant amount of business space.

A significant recent change has been the new condition for a ballot of residents recently introduced by the Mayor which will shape how the High Road West scheme proceeds. The new administration has set a major priority on the delivery of Council rented homes and has set officers the ambition to achieve a step change in the amount of Council rented homes in this scheme. This is critically important as shifting the mix of housing in the scheme impacts fundamentally on its financial viability so the Council is working with Lendlease and the GLA to bring additional resources into the scheme so that these ambitions can be delivered.

The ballot of residents will be accompanied by a 'Landlord Offer' which is the package of documents that the Council will put forward as part of the ballot including a local lettings policy which will set out how the new Council homes will be allocated. The quantum of additional Council homes in the scheme will enable more people to be taken off the housing register in the Borough and also addresses other forms of need

such as Temporary Housing residents. The Landlord Offer will also include a leaseholder offer and a document which sets out the broad vision of the High Road West scheme.

The Council made a number of commitments to local businesses in 2014 through the Business Charter and these are set out in paragraph 3.1 of the report. There are around 60 businesses in the High Road West area which are very varied and total around 200,000 sq/ft of floorspace. The proposals for the High Road West scheme include at least 200,000 sq/ft of non-residential space, including retail, business and leisure. Every effort will be made to re-accommodate as many of the existing businesses as possible but, given the fundamental change in the character of area, it is very challenging to envisage all businesses being re-accommodated. There are detailed discussions to be had with each business about their business requirements and aspirations which will take some time.

In terms of community engagement, a Resident Charter was created in 2014 which set out the residents' priority for development in the area and further input from residents was gathered through a residents' design panel set up in 2016. Further continuing resident engagement measures are set out in paragraph 4.2 of the report.

A dedicated rehousing team to facilitate the rehousing of Love Lane Estate residents has been established at The Grange which is the community centre opposite the Estate. The numbers of the various types of tenants has changed significantly since 2014 and the detail of this is set out in paragraph 5.3 of the report. A socio-economic programme is in the process of being established as part of the scheme, the major improvement works to White Hart Lane station are expected to be completed in autumn 2019 and the road surfacing work is expected to be completed in April 2019.

Cllr Say commented that the report had only reported only positive aspects but as had been heard through the deputation earlier in the meeting not everything was positive.

In response to questions from the Panel, Peter O'Brien and Dan Hawthorn said:

- On a planning application by Tottenham Hotspur Football Club for the Goods Yard site, which the Council was itself trying to acquire according to paragraph 3.5 of the report, he said that he was limited in what he could say about this but that parties often take a set of positions in relation to land in complex development sites. The Council has to focus on establishing the viability of the scheme and the right offer for residents after which they would be in a strong position to negotiate with third parties on any subsequent land deals.
- Asked whether the commitments to local businesses set out in the Business Charter, most notably Commitment 1 (opportunities to participate in regeneration) and Commitment 3 (valuation and compensation), actually match the offer to the Peacock Industrial Estate businesses, particularly given the shift from freehold to leasehold, the conversations with businesses are still at a very early stage and the question of the viability of the scheme is still to be resolved so this stage has not yet been reached.
- Asked about the thinking regarding the described change of character to the floor space and the potential for losing high quality jobs to be replaced with

semi-skilled or unskilled jobs, he said that the wider context had to be considered. Pressures that the Borough is trying to address include housing as a major priority and most remaining sites in London are complex and difficult. Employment generating space is another factor and many of the jobs on the Peacock Industrial Estate are relatively low density jobs and in a mixed use scheme there would be higher job density. Not all of the new jobs will be in the retail/leisure sector, there will also be a significant number of jobs in other areas.

- On the shift in the quantum of social housing in the scheme the Council is looking to at least double the numbers but, because of the scale of this, conversations will need to continue on achieving viability. It is currently difficult to answer questions about the amount or proportion of social housing while the conversations with Lendlease and the GLA are ongoing.

- On the socio-economic programme referred to in the report, the £10m commitment is a contribution from Lendlease as part of the agreement and this sum of money will come in over a 10-year period. A more detailed update about the nature of this programme could be circulated to the Panel. (ACTION)

- On why, according to the report, the number of resident leaseholders on the Love Lane Estate have decreased from 49 to 35 since 2014, this is because some properties have been acquired by the Council.

- On the demolition of the existing Council housing, it is clear from the consultation that the majority of the residents supported demolition of the blocks for reasons such as the quality of the housing. The judgment made at the time was that the uplift in the number of affordable homes would be worthwhile and that the existing residents would have the right to an equivalent home on equivalent terms. The new direction of this administration that wants 'direct replacement and more' leads us to the current position.

- Residents eligible to vote in the ballot will be all secure tenants, all temporary accommodation tenants who have been on the Council's housing waiting list for a year or more and all resident leaseholders. If the result of the ballot was 'no' then the GLA funding, on which the scheme depends, would not be provided. The options at this point would then be either not to proceed with the scheme or to make a revised offer to residents and then hold another ballot. If the result of the ballot was 'yes' then it could be another year to get through the planning process as this is a particularly large scheme and there is a wide range of stakeholders to engage with. The building itself would be a phased development over a period of approximately 10 years.

- On maintaining high quality jobs in the borough, the Borough Plan had been adopted the previous month which includes a commitment to quality jobs that give opportunities to local people as part of the wider local economy. Arrangements are also being put in place for the Council's economic development strategy. Some kinds of jobs, including light industrial, office and retail use, can co-exist with housing but some heavy industrial uses require segregation. Where those can't be accommodated in the High Road West scheme the Council will seek to find suitable alternative premises as close as possible.

- The new administration's commitment to build 1,000 new council homes is a net figure so those replacing demolished council housing will not count towards this target. Building homes ourselves is preferable but hitting this target, which involves a very large increase in the number of council houses being built, requires a mix of options and working with partners.

Cllr Diakides requested a briefing note on what public sector subsidies had been provided towards the scheme and also asked whether the Development Agreement could be made available to the Panel. (ACTION)

Cllr Gordon highlighted the Overview & Scrutiny Committee's ongoing scrutiny review into small businesses which fits in with the conversations on this scheme about the possible loss of high quality jobs so she would raise this with the Overview & Scrutiny Committee. The Panel is also concerned about the possible overall loss of Council rented homes.

The Panel moved on to questions about issues at the Love Lane Estate including the tenancies of the residents and as well as anti-social behaviour and repairs. Denise Gandy, Executive Director of Housing Demand at Homes for Haringey (HFH), reported that the Estates Watch scheme, which involves using CCTV and an intercom system in partnership with the Police, is being piloted including at Love Lane. This has enabled the gathering of evidence to support police action and the prevention of some people from gaining unauthorised access to the blocks. A detailed update from Astrid Kjellberg-Obst, Executive Director of Operations at HfH, could be provided in writing. (ACTION) A further update on the repairs issue could be provided by Chris Liffen, Executive Director for Property Services at HfH. (ACTION)

On the issue of the tenancies at Love Lane, Dan Hawthorn, Director of Housing, Regeneration & Planning, said that there is an important question when allocating housing about the fairest way of balancing the aspirations of the current Love Lane residents with others on the housing waiting list who may have been waiting longer. The proposed approach to striking that balance would need to be included in the Landlord Offer ahead of the residents' ballot.

62. **SOCIAL HOUSING - SCRUTINY REVIEW UPDATE**

The Panel asked questions about the updates provided in the report to the recommendations of the Scrutiny Review on Social Housing that was originally published in March 2018.

Recommendation 3c – Cllr Diakides asked why there was still no change to the position as reported in July 2018 of a 40% borough-wide affordability target rather than a 50% target as recommended. Cllr Emine Ibrahim, Cabinet Member for Housing & Estate Renewal, said that this was predominantly a planning issue and so a response would be required from the Leader of the Council who leads on planning.

Alan Benson, Head of Housing Strategy & Commissioning, said that there were two issues in recommendation 3c, firstly the proportion of affordable housing required and

secondly the definition of affordability within this. On the definition, the Affordable Rent product referred to in the report is no longer being funded by the Mayor of London so there will be no more of that coming forward. In the revised appendix to the Housing Strategy which is going to Cabinet shortly that the Council's preferred option is social rented housing although some housing associations may still bring forward London Affordable Rent. There is a plan to bring forward a new Local Plan and a 50% target but that does take some time. Cllr Gordon suggested that a fuller discussion about the Local Plan should be scheduled at a future meeting. (ACTION)

Recommendation 4 – Cllr Barnes asked about the St Anns development site. Dan Hawthorn and Cllr Ibrahim said that the GLA is the landowner now and will be responsible for the procurement process. Haringey Council is involved in discussions as the planning authority and as a potential buyer of Council homes on the site.

Recommendation 9 – Cllr Say asked what could be done to ensure resident involvement of new social housing when it is not known who the future residents will be. Cllr Ibrahim and Alan Benson said that Homes for Haringey has a Resident Scrutiny Panel which could potentially be widened. Also there is a commitment that a design guide will be produced and put out for public consultation which will set out in detail what sort of buildings and the quality of homes that will be built in the future.

Recommendation 13 – Cllr Say asked for a timeframe on the fitting of sprinklers to high-rise blocks. Alan Benson said that the Government's recommendations on fire safety were still being awaited and this is important as it is not clear that sprinklers are the best solution in all situations so clarity is required from the Government as to what it expects the Council to deliver. However, funding has been set aside in the Housing Revenue Account budget to deliver fire safety works when required. Cllr Gordon reminded the Panel about the Overview & Scrutiny Committee's current ongoing fire safety scrutiny review and Cllr Ibrahim said that a lot of other work has been done on fire safety including with fire doors on Broadwater Farm.

Recommendation 16 – Cllr Say asked how long the "root and branch review" of estate service standards, that the report says is being carried out, will take. Denise Gandy said that she would obtain an update on this from Sean McLaughlin and share this with the Panel. (ACTION) Cllr Williams asked why Council tenants are having to pay service charges for street sweeping in addition to council tax. Cllr Ibrahim said that she had previously made enquiries about this issue as well and had been told that this is for communal areas only. A full response would be obtained from Sean McLaughlin. (ACTION)

63. **Q&A - CABINET MEMBER FOR HOUSING & ESTATE RENEWAL**

This item was curtailed due to time. Cllr Gordon said that this would have included questions on the review of housing management and housing demand services and on extending the Council's existing contact for the provision of information, advice and guidance services. Cllr Ibrahim said that housing review will be on whether using an Arms Length Management Organisation (ALMO) is the right way to continue delivering

housing services as some boroughs have brought these back in-house. This would be brought to Cabinet in April. The question on information services was about community organisations that the Council funds with which the contracts have come up for renewal.

Cllr Barnes asked for an update on the decant of Broadwater Farm and Cllr Ibrahim agreed to circulate an update in writing. (ACTION)

## 64. NEW ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Ruth Gordon

Signed by Chair ………………………………..

Date …………………………………

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# MINUTES OF THE MEETING OF THE ENVIRONMENT AND COMMUNITY SAFETY SCRUTINY PANEL HELD ON MONDAY, 8TH APRIL, 2019, 6.30 pm

**PRESENT:**

**Councillors:  Eldridge Culverwell, Adam Jogee (Chair), Julia Ogiehor, Matt White and Barbara Blake.**

**Also Present: Ian Sygrave**

### 63.    FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

### 64.    APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Rice and Cllr Emery.

### 65.    ITEMS OF URGENT BUSINESS

None

### 66.    DECLARATIONS OF INTEREST

Cllr Culverwell declared that he was a member of the Friends of Finsbury Park.

### 67.    DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None

### 68.    MINUTES

The minutes of the meeting on 11$^{th}$ March were agreed as a correct record.

### 69.    BOROUGH PLAN PERFORMANCE FRAMEWORK - PRIORITY DASHBOARDS

The Panel received a copy of the Borough Plan Performance Framework Priority Dashboards for noting. Officers gave an overview of the new performance framework which was being implemented as part of the Borough Plan. The Panel noted that the first progress update against the new outcomes was due in June.

Haringey LONDON

**RESOLVED**

Noted.

70.  **PARKS IMPROVEMENT PLAN UPDATE**

The Panel received a presentation around the future of parks and the Parks Transformation Plan. The presentation was given by Simon Farrow, Commissioning Manager  Public Realm. The following was noted in discussion of the presentation:

a.  Officers commented that the development of a New Parks and Green Space Strategy was an ongoing process that would likely take around 12 months, culminating in a Cabinet report. This provided ample opportunity for the panel to get involved in the development of the service offer and officers welcomed the scrutiny panel's input.

b.  The Chair reminded the Panel that at its previous meeting it agreed that it would adopt a three pronged approach in support of this project; site visits, evidence gathering and engagement with stakeholder groups. The Panel agreed that they were happy with, and continued to endorse this approach.

c.  In response to a question around timescales for scrutiny involvement in this work, officers advised that they would welcome involvement as-and–when the Panel were able. Officers commented that consultation documents on Finsbury Park were due to go out soon, so the Panel's involvement would be timely. Officers also set out that they had put the proposals to Keep Britain Tidy, who were supportive of the collaborative approach taken.

d.  Officers set out that there had been no reduction in the budget for Parks in the MTFS agreed in by Cabinet in February. This project gave scrutiny the chance to be part of the conversation of what the future of our parks would look like. One aspect put forward was around the engagement programme and agreeing what the priorities should be for the Parks service.

e.  The Chair agreed that he would discuss dates with the clerk and would agree to set up some evidence gathering session with officers and the Cabinet Member. **(Action: Chair).**

f.  In response to a question around some of the photographic examples used in the presentation and whether they were examples of private-sector partnership arrangements, officers advised that the examples used were just to demonstrate a range of different horticultural spaces. Officers reassured members that there were no plans to involve private sector partners in the transformation plan for parks.

g.  The Panel raised concerns about proposals to hold the NFL tailgate event in Bruce Castle Park and questioned why if no decision had been formally taken on the event it was included in a public document. In response, the Cabinet Member advised that no decision to hold this event had been taken and that the NFL had not yet submitted dates for the event, as it was dependent upon the fixture list being finalised.

h.  In response to a question around consultation and engagement, the Cabinet Member advised that she had held discussions with Ward Members and was due to meet with stakeholder groups in a couple of weeks' time. The Cabinet Member outlined that some of the key considerations were; ensuring that the event was safe and was also inclusive to all, the level of damage that could be

caused to the park as well as consideration of the income from the hiring of the park, given that the park was in need of improvements.

i.  The Committee sought clarification that money raised through events was ring-fenced for that particular park and suggested that this had some implication for smaller parks who could hold events. In response officers acknowledged that all events income would be ring-fenced to that particular park and also acknowledged the implications for smaller parks and green spaces.

j.  Some Members who were in attendance welcomed the Cabinet Member's reassurance that no decision had been taken on the NFL tailgate. Members outlined that Bruce Castle was a Grade One Listed Building and suggested that restoration of the park following such an event would be very difficult, especially if the event required barriers and fencing to be erected. Members sought assurances around whether organisations such as Historic England had been consulted. In response, officers advised that conversations had been held with the relevant authorities to ascertain what other authorities had done in similar circumstances. Officers reiterated that no decision had been taken on this issue but cautioned that it would be remiss of officers not to undertake some of the exploratory and feasibility work in advance of any decision being taken.

k.  Officers and the Cabinet Member reassured the Panel that they were very much aware of the historic significance and value of Bruce Castle. Officers advised that any the proposed event would also require a License as well as planning permission before it could be held.

l.  Members suggested that any additional income for Bruce Castle Park needed to be considered strategically, given the need for investment to Bruce Castle itself and  the likely unfavourability with which the Heritage Lottery Fund would view any erection of metal railings or damage to the park.

m.  In response to a query around the proposed route for Cycle Superhighway 2, the Panel suggested that this could be an agenda item for one of its meetings next year.


71.  **WASTE AND STREET CLEANSING UPDATE: FLY TIPPING, GREEN WASTE CHARGES AND BULKY WASTE COLLECTION**

The Panel received a report and presentation which outlined the Flytipping Strategy that was presented to Cabinet on 2<sup>nd</sup> April and provided an update on waste collection efficiency measures. The presentation was introduced by Ian Kershaw, Client and Commissioning Manager for Community Safety, Waste and Enforcement. The following was noted in discussion of the presentation:

a.  In response to a question around the level of income generated through green waste charges, officers advised that the income targets for year one was £375k and £750k in years two onwards.

b.  In response to a question about how to build civic pride, officers acknowledged that this was a key consideration and that it was important that residents felt a sense of community and pride in their local area. Officers commented that in order to bring about behaviour change, it was important to understand the reasons why people fly-tipped in the first place. Officers highlighted the example of the Great British Spring Clean event that took place the previous weekend.

c. The Panel sought assurance about the cost of dealing with fly-tipping and how this could be better publicised to residents. In response, officers highlighted that there was no financial incentive to Veolia for higher levels of fly-tipping and dumped rubbish. Instead, Veolia had clear timescales to respond within and financial penalties for failing to meet those timescales. Officers set out that the cost of collecting fly-tipping and other dumped rubbish was around £3m but cautioned that it was spread across a number of waste service budgets and that if there was suddenly no fly-tipping, this would not automatically correspond to a £3m saving.

d. The Panel commented that one of the main problems was with private landlords and HMO's and suggested that they would like to see tougher enforcement action taken, with landlords having their licence revoked for egregious breaches. In response, officers advised that they had taken significant enforcement action with landlords over the years and that lessons had been learned over the time that the HMO licensing scheme had been in operation. Officers agreed to provide details on the HMO licensing scheme and how this would help tackle rogue landlords. **(Action: Ian Kershaw).**

e. The Panel sought assurances about how officers were ensuring that landlords were communicating waste collection arrangements to their tenants. Officers advised that they had written to every landlord in the borough to advertise the bulky waste collection service. In addition, the Client and Commissioning Manager for Community Safety, Waste and Enforcement advised that he was due to attend the next Landlord's Forum to set out their responsibilities around waste and how to comply.

f. In response to the enforcement taskforce set up by LB Newham, as set out in the presentation, the panel sought further information about how much the authority saved as a result of its £1m investment. Officers agreed to come back to Members. **(Action: Ian Kershaw).**

g. In addition to the three strands of the Flytipping Strategy set out in the presentation, the panel suggested that there should be a further strand around enablement, to provide easy and simple solutions for residents to do the right thing. The Panel queried whether current arrangements with Veolia could be seen as a disincentive to finding creative solutions due to the cost involved. In response, officers advised that a significant part of the strategy was to improve public perception, as well as tackling actual fly-tipping, and that they would be failing in public perception if they allowed flytipping to go unchallenged.

h. Members elaborated that they were querying whether having an outsourced waste contract and the financial make-up thereof, actually provided an incentive to residents to dump rubbish as they knew that it would be collected anyway and that in many circumstances this could be the easiest way of disposing of bulky waste. Officers advised that there had been a lot of money taken out of the Veolia contract over the last four or five years and that despite this the officers maintained a very positive relationship with Veolia. In partnership with Veolia, the Council was able to ensure a flexible and responsive approach to waste management.

i. The Panel acknowledged that there were no easy and obvious solutions to flytipping and noted that in previous years when the Council had a free bulky waste collection service, around a third of appointments were missed as there was no financial incentive to keep them.

j. Members suggested that a resident steering group should be set up around waste and flytipping. The Chair welcomed this suggestion and agreed to consider how to best to take this forward. **(Action: Chair).**

k. Members enquired whether the Council could use capital funding to set up a waste enforcement task force and suggested that perhaps officers from Newham could be invited to come and talk to the Panel.

**RESOLVED**

l. That the Panel noted the new strategy, associated performance measures and progress on waste transformation savings and efficiencies.

72. **PARKING ISSUES - DISABLED BAYS AND BLUE BADGES**

The Panel received a verbal update from officers about work that was being undertaken to examine the processes involved with disabled parking bays and blue badge applications. The Cabinet Member suggested that there was a definite role for scrutiny to play in examining these processes and welcomed comments from the panel. The following was noted during the discussion of this agenda item:

a. The Chair proposed undertaking a format of 'scrutiny in a day' over two sessions to look at this issue. Panel Members agreed this approach.

b. The Cabinet Member advised that there were some aspects of blue badge policy that could be changed and that there were some elements that were set by central government that consequently could not be changed. One area that was suggested for discussion was around whether the Council should offer designated disabled bays.

c. Members commented on the issue of theft of blue badges from motor vehicles and suggested that this was fairly prevalent in some parts of the Borough, particularly around the Ladders. Members set out that the process of getting a replacement blue badge was a very long and bureaucratic process. Similar concerns were expressed about getting a companion blue badge, as well as the cost involved. The Cabinet Member acknowledged these concerns and advised that the Council was limited in what it could do about the process as it was administered by the Department for Transport.

d. Members suggested that one area to examine could be around whether the Council could administer temporary replacement blue badges.

e. Members sought assurances that the Council monitored the validity of blue badge use and suggested that there was anecdotal evidence of potential misuse during Spurs match days. In response, officers advised that they received regular updates on blue badge misuse which were taken very seriously by officers and each case was followed up. Officers agreed to pick up the issue around match days and pass that on to the relevant officers. **(Action: David Murray).**

f. Officers advised that they were looking into upgrading the IT system used as part of the Parking Transformation Strategy, but that this was not due to take place until April 2020.

g. The Panel noted that Customer Services needed to be involved as part of the scrutiny process as they were responsible for the frontline administration of this service.

h. Councillors in attendance at the meeting suggested that one of the problems was around the written response that some people received as part of the blue

badge and disabled bay application process, suggesting that they could be rather unhelpful. Councillors emphasised the importance of blue badges and characterised them as being life-changing to some residents.

  i. The Chair agreed that he would speak to officers and the clerk to determine how best to take this scrutiny project forward. The Chair emphasised that he was looking to get this project up and running ASAP. **(Action: Chair).**

## 73. CABINET MEMBER Q&A SESSION WITH CABINET MEMBER FOR ENVIRONMENT

The Panel undertook a question and answer session with the Cabinet Member for Environment. The following arose in response to this item:

  a. The Panel requested that stakeholders had an opportunity to contribute to the Cycling and Walking Action Plan before this went to Cabinet. The Cabinet Member agreed that there would be scope for stakeholder engagement and that officers were waiting for TfL to confirm the LIP funding available. **(Action: Cllr Hearn).**

  b. The Panel sought further clarification about the NFL Tailgate event that was proposed for Bruce Castle Park and enquired, in light of the Council's Major Events Policy, whether an application in-principle had been received. In response, officers confirmed that the requisite 9-month notice period had been given and that this was designated as an application in-principle. Officers advised that they would double check and come back to Members with an update on exactly what had been received to date, from the NFL. **(Action: David Murray).**

  c. The Panel sought reassurance about whether the proposed event would be refused on the grounds that it was detrimental to the local amenity. The Panel also sought reassurance about whether there was any risk to the Council of a legal challenge if the event went ahead. Officers agreed to come back to Members on these two points. **(Action: David Murray).**

  d. The Panel questioned the Cabinet Member about whether she was satisfied with levels of cleanliness in the Borough and what reduction in fly-tipping she thought was feasible. In response, the Cabinet Member acknowledged that officers were working hard to improve cleanliness standards and that the aim set out in the Flytipping Strategy was to half the number of fly-tips.

  e. In response to a question around her biggest concern, the Cabinet Member set out that she was most concerned with the level of resident dissatisfaction with some services within her portfolio.

  f. In response to a question around her biggest achievement this year, the Cabinet Member advised that it was the Climate Change declaration.

  g. Members enquired whether a conversation had been had with NFL to offer alternative sites, that did not contain Grade One listed buildings. Officers responded that they would of course consider other sites but cautioned that they were limited by the need for proximity to Spurs as well as a large enough site to hold the required capacity. The other option was to hold the event on Tottenham High Road but this would require a 12 hour road closure and significant traffic disruption.

  h. Members raised concerns around match day parking. In particular it was suggested that it was not clear how many permits were required for a match day and the time of day that they were required. In response, the Cabinet

Member advised that she would pick this as part of an existing Member Enquiry that had been submitted by Cllr Brabazon and that officers would share this response to the Panel Members. **(Action: David Murray).**

74.     **WORK PROGRAMME**

**RESOLVED**

The Panel noted the Work Programme and the changes contained therein.

75.     **NEW ITEMS OF URGENT BUSINESS**

N/A

76.     **DATES OF FUTURE MEETINGS**

There were no more meetings scheduled for the 2018/19 municipal year.

The Chair thanked the Panel members and officers present for their contributions this year.

CHAIR: Councillor Adam Jogee

Signed by Chair ………………………………..

Date …………………………………

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**Report for:** Overview and Scrutiny Committee, 3rd June 2018

**Title:** Overview & Scrutiny Committee and Scrutiny Panels - Membership and Terms of Reference

**Report authorised by:** Ayshe Simsek, Acting Democratic Services and Scrutiny Manager

**Lead Officer:** Robert Mack, Principal Scrutiny Support Officer
Tel: 020 8489 2921, E-mail: rob.mack@haringey.gov.uk

**Ward(s) affected:** N/A

**Report for Key/ Non Key Decision:** N/A

## 1. Describe the issue under consideration

1.1 The Overview and Scrutiny Committee is asked to establish the Scrutiny panels and agree their memberships.

1.2 The Committee is also asked to consider the appointment of two Haringey representatives to the North Central London Joint Health Overview and Scrutiny Committee.

## 2. Recommendations

2.1 The Committee is asked to:

(a) Note the terms of reference (Appendix A), Protocol (Appendix B) and Call-in Procedure (Appendix C) for the Overview and Scrutiny Committee.

(b) Establish the following Scrutiny Panels for 2019/20:
- Adults and Health
- Children and Young People
- Environment and Community Safety
- Housing and Regeneration

(c) Approve the terms of reference/policy areas and membership for each Scrutiny Panel for 2018/19 (Appendix D)

(d) Appoint Councillors Connor and Das Neves as the two Haringey representatives to the North Central London Joint Health Overview and Scrutiny Committee for 2019/20.

## 3. Reasons for decision

3.1 The terms of reference and membership of the scrutiny panels above need to

be confirmed at the first meeting of each municipal year.

3.2     The power to appoint Haringey's representatives to the North Central London Joint Health Overview and Scrutiny Committee (JHOSC) was delegated to the OSC by Council at its meeting on 22 March 2010.

## 4.     Overview and Scrutiny Committee

4.1     As agreed by Annual Council on 20 May, the membership of the Overview and Scrutiny Committee for 2018/19 is:
- Cllr Lucia Das Neves (Chair);
- Cllr Pippa Connor (Vice-Chair);
- Cllr Erdal Dogan;
- Cllr Adam Jogee; and
- Cllr Khaled Moyeed

4.2     The Committee will also include statutory education representatives, who shall have voting rights solely on education matters.

4.3     The terms of reference and role of the OSC is set out in Part Two (Article 6), Part Three (Section B) and Part Four (Section G) of the Council's Constitution. Together, these specify key responsibilities for the Committee. This information is provided in full at Appendix A.     There is also a Protocol, outside the Constitution and provided at Appendix B, that sets out how the OSC is to operate.   The Call-In Procedure is provided at Appendix C.

## 5.     Scrutiny Panels

5.1     Article 6 of the Constitution states the OSC shall appoint Scrutiny Panels in order to discharge the Overview and Scrutiny role.

5.2     The specific functions for any Scrutiny Panels established is outlined in Article 6 of the Constitution at 6.3 (b) and 6.3 (c). The procedure by which this operates is detailed in the Scrutiny Protocol:
-    The OSC shall establish four standing Scrutiny Panels, to examine designated public services;
-    The OSC shall determine the terms of reference for each Scrutiny Panel;
-    If there is any overlap between the business of the Panels, it is the responsibility of the OSC to resolve the issue;
-    Areas which are not covered by the four standing Scrutiny Panels shall be the responsibility of the main OSC;
-    The Chair of each Scrutiny Panel shall be a member of the OSC, as determined by the OSC at its first meeting;
-    It is intended that each Scrutiny Panel shall be comprised of between 3 and 7 backbench or opposition members, and be politically propionate as far as possible;

- Each Scrutiny Panel shall be entitled to appoint up to three non-voting co-optees. The Children and Young People's Scrutiny Panel membership will include the statutory education representatives of OSC.

5.3    The suggested 2019/20 membership for the four Scrutiny Panels is listed below.

| Scrutiny Panel | Membership |
|---|---|
| Adults and Health | Cllrs Connor (Chair), Da Costa plus TBA |
| Children and Young People | Cllrs Dogan (Chair), Dixon, Palmer plus TBA |
| Environment and Community Safety | Cllr Jogee (Chair), Emery, Ogiehor plus TBA |
| Housing and Regeneration | Cllr Moyeed (Chair), Barnes, Hare plus TBA |
| All Councillors (except Members of the Cabinet) may be members of the Overview and Scrutiny Committee and the Scrutiny Review Panels. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved. | |

5.4    The policy areas to be covered by the four existing Scrutiny Panels are attached at Appendix D, together with the relevant Portfolio holders for each scrutiny body.

5.5    There are two areas where there may be scope for some overlap between the Panels:
- CAMHS; This was previously within the remit of the Children and Young People's Scrutiny Panel as it was within the portfolio of Cabinet Member for Children and Families. It has been moved to Adults and Health Scrutiny Panel as it is now within the portfolio of the Cabinet Member of Adults and Health. However, the issue is still relevant to the Children and Young People's Scrutiny Panel, particularly areas as work with schools;
- Youth Justice; Youth Offending Services and Youth Services come under the remit of the Children and Young People's Scrutiny Panel. However, many issues arising from this are also relevant to the work undertaken by the Environment and Community Safety Scrutiny Panel as they relate to Community Safety and Police Engagement.

5.6    Overlaps should not necessarily be an issue provided that duplication is avoided. There should also be scope for collaboration between panels, such as that carried out by the Adults and Health and the Children and Young People's Scrutiny Panels on the Transition Project.

5.7    In addition to responsibility for CAMHS moving to the Adults and Health Scrutiny Panel, it has also gained responsibility for Violence Against Women and Girls from the Environment and Community Safety Scrutiny Panel.

**6.    North Central London Joint Health Overview and Scrutiny Committee**

6.1     Haringey is a member of the North Central London Joint Health Overview and Scrutiny Committee (JHOSC), along with Barnet, Camden, Enfield and Islington.

6.2     The revised terms of reference, agreed by the JHOSC at its meeting on 29 January 2016, and by Haringey Council on 16 May 2016, are as follows:
- To engage with relevant NHS bodies on strategic area wide issues in respect of the co-ordination, commissioning and provision of NHS health services across the whole of the area of Barnet, Camden, Enfield, Haringey and Islington;
- To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each of the participating boroughs;
- To respond to any formal consultations on proposals for substantial developments or variations in health services across affecting the area of Barnet, Camden, Enfield, Haringey and Islington;
- The joint committee will work independently of both the Cabinet and health overview and scrutiny committees (HOSCs) of its parent authorities, although evidence collected by individual HOSCs may be submitted as evidence to the joint committee and considered at its discretion;
- The joint committee will seek to promote joint working where it may provide more effective use of health scrutiny and NHS resources and will endeavour to avoid duplicating the work of individual HOSCs.  As part of this, the joint committee may establish sub and working groups as appropriate to consider issues of mutual concern provided that this does not duplicate work by individual HOSCs; and
- The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.

6.4     Haringey's OSC is entitled to appoint two representatives to the JHOSC. The power to make this appointment was delegated to OSC by Council at its meeting on 22 March 2010.

## 7.     Contribution to strategic outcomes

7.1     The contribution scrutiny can make to strategic outcomes will be considered as part of its routine work.

## 8.     Statutory Officers Comments

### Finance and Procurement

8.1     The Chief Finance Officer has confirmed the Haringey representatives on the JHOSC are not entitled to any remuneration. As a result, there are no direct financial implications arising from the recommendations set out in this report.

8.2     Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications then these will be highlighted at that time.

**Legal**

8.3     The Assistant Director for Corporate Governance has been consulted on the contents of this report.

8.4     Under Section 21 (6) of the Local Government Act 2000, an Overview and Scrutiny Committee has the power to appoint one or more sub-committee to discharge any of its functions. The establishment of Scrutiny Panels by the Committee falls within this power and is in accordance with the requirements of the Council's Constitution.

8.5     Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the OSC. Such reports can then be referred to Cabinet or Council under agreed protocols.

8.6     The OSC can appoint two representatives to the North Central London Joint Health Overview and Scrutiny Committee. This is in accordance with the decision made by full Council on 22 March 2010 that the making of nominations to the Joint Health Committee be delegated to the Committee.

**Equality**

8.7     The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;

- Advance equality of opportunity between people who share those protected characteristics and people who do not;

- Foster good relations between people who share those characteristics and people who do not.

8.8     The proposals outlined in this report relate to the membership and terms of reference for the OSC and carry no direct implications for the Council's general equality duty. However, the Committee should ensure that it addresses these duties by considering them within its work programme and those of its panels, as well as individual pieces of work.  This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;

- Whether the impact on particular groups is fair and proportionate;

- Whether there is equality of access to services and fair representation of all groups within Haringey;

- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

8.9 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

## 9. Use of Appendices

Appendix A  Part Two (Article 6), Part Three (Section B), and Part Four (Section G) of the Constitution of the London Borough of Haringey.
Appendix B  Scrutiny Protocol
Appendix C  Call-In Procedure Rules
Appendix D Overview & Scrutiny Remits and Membership 2019/20

## 10. Local Government (Access to Information) Act 1985

**PART TWO – ARTICLES OF THE CONSTITUTION**
Last updated 24 July 2017

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### Article 6 - Overview and Scrutiny

#### 6.01  Terms of reference

The Council will appoint an Overview and Scrutiny Committee to discharge the functions conferred by section 9F of the Local Government Act 2000, the Health & Social Care Act 2001 and the NHS Reform & Health Professionals Act 2002.

#### 6.02. General role

Within its terms of reference, the Overview and Scrutiny Committee may:

(a)  Exercise an overview of the forward plan;
(b)  Review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
(c)  Make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;
(d)  Make reports or recommendations on matters affecting the area or its inhabitants;
(e)  Exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Executive;
(f)  Receive the reports and recommendations of its commissioned Scrutiny Review Panels; and
(g)  In accordance with statutory regulations to review and scrutinise matters relating to the health service within the Authority's area and to make reports and recommendations thereon to local NHS bodies;
(h)  Enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

#### 6.03  Specific functions

##### (a)  Scrutiny Review Panels.

The Overview and Scrutiny Committee shall appoint Scrutiny Review Panels in order to discharge the Overview and Scrutiny role for designated public services and will co-ordinate their respective roles.

**(b) Policy development and review.**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish may:

(i)  Assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;

(ii)  Conduct research, community and other consultation in the analysis of policy issues and possible options;

(iii)  Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;

(iv)  Question members of the Cabinet and chief officers about their views on issues and proposals affecting the area; and

(v)  Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

**(c) Scrutiny.**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish may:

(i)  Review and scrutinise the decisions made by and performance of the Cabinet and Council officers both in relation to individual decisions and over time;

(ii)  Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

(iii)  Question members of the Cabinet and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;

(iv)  Make recommendations to the Cabinet or relevant non-executive Committee arising from the outcome of the scrutiny process;

(v)  Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and

(vi)  Question and gather evidence from any person (with their consent).

**(d) Finance**

Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them.

**(e) Annual report.**

Overview and Scrutiny Committee must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

**6.04    Proceedings of Overview and Scrutiny Committee**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

**6.05        Votes of No Confidence**

The Chair of the Overview and Scrutiny Committee or the Chair of a Scrutiny Review Panel shall cease to hold that office as a Scrutiny member if a vote of no confidence, of which notice appears on the agenda, is carried at the meeting of the relevant body. The responsibilities of that member shall be carried out by the relevant Vice-Chair until such time as a subsequent meeting of that body has been notified of the appointment of a replacement or the reappointment of the member concerned. In the event of all members of the Overview and Scrutiny Committee having been removed from office in this way at any time, Scrutiny functions shall in the interim be carried out by full Council.

**PART THREE – RESPONSIBILITY FOR FUNCTIONS**
**SECTION B**
Last updated 24 July 2017

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### SECTION 2 – COMMITTEES

The following shall be committees of the Council and they shall have the membership as described in the Appointments of Committees, Sub-Committees, Panels, etc (as approved by the Annual Meeting):

1. **The Corporate Committee**

2. **Combined Pensions Committee and Board**

3. **Staffing and Remuneration Committee**

4. **Overview and Scrutiny Committee**

5. **Standards Committee**

6. **Alexandra Palace and Park Board**

7. **The Regulatory Committee**

8. **The Health and Wellbeing Board**
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4. **Overview and Scrutiny Committee**

The Overview and Scrutiny Committee may:

(a)   exercise an overview of the forward plan;

(b)   review or scrutinise decisions made or actions taken in connection    with    the discharge of any of the Cabinet's or Council's functions;

(c)   make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;

(d)   make reports or recommendations on matters affecting the area or its inhabitants;

(e)   exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Cabinet;

(f)   receive the reports and recommendations of its Scrutiny Review Panels;

(g)   in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's

area and to make reports and recommendations thereon to local NHS and NHS funded bodies;

(h) enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;

(i) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;

(j) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;

(k) make arrangements which enable any councillor who is not a Committee member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and

(l) make arrangements which enable any councillor who is not a Committee member to refer to the Committee any local government matter which is relevant to the functions of the Committee under the Councillor Call for Action procedure.

(m) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

(o) to appoint two representatives to the standing Joint Health Overview and Scrutiny Committee for North Central London. (Since this appointment is for only two members to the Joint Committee, the "political proportionality" rules in the Local Government and Housing Act 1989 do not apply.)

## SECTION 3 - SUB-COMMITTEES AND PANELS

The following bodies shall be created as Sub-Committees of the relevant Committee of the Council under which they are listed. Bodies described as "Panels" are Sub-Committees unless otherwise stated. Sub-Committees shall report to their parent bodies and they shall have the membership as described in the Appointments of Non-Executive Committees, Sub-Committees, Panels, etc as approved by the Annual Meeting.

2. **Under Overview and Scrutiny Committee**

**2.1 Scrutiny Review Panels**

(a) To carry out scrutiny processes relevant to particular services as determined by Overview and Scrutiny Committee and within the parameters, protocols and procedures agreed by Overview and Scrutiny Committee for all Scrutiny Review Panels.

(b) Within these scrutiny processes to request and receive submissions, information and answers to questions from Cabinet Members, officers and other senior employees of the Council, service users, external experts and relevant members of the public.

(c) To refer the findings/recommendations in the form of a written report, with the approval of the Overview and Scrutiny Committee, to The Cabinet and/or the Council as appropriate.

**PART FOUR – RULES OF PROCEDURE**
**SECTION G – OVERVIEW & SCRUTINY PROCEDURE RULES**
Last updated 21 July 2014

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## 1. The arrangements for Overview and Scrutiny

1.1 The Council will have one Overview and Scrutiny Committee, which will have responsibility for all overview and scrutiny functions on behalf of the Council.

1.2 The terms of reference of the Overview and Scrutiny Committee will be:

(i) The performance of all overview and scrutiny functions on behalf of the Council.

(ii) The appointment of Scrutiny Review Panels, with membership that reflects the political balance of the Council.

(iii) To determine the terms of reference of all Scrutiny Review Panels.

(iv) To receive reports from local National Health Service bodies on the state of health services and public health in the borough area.

(v) To enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

(vi) To monitor the effectiveness of the Council's Forward Plan.

(vii) To receive all appropriate performance management and budget monitoring information.

(viii) To approve a programme of future overview and scrutiny work so as to ensure that the Overview and Scrutiny Committee's and Scrutiny Review Panels' time is effectively and efficiently utilised;

(ixi) To consider all requests for call-in and decide whether to call-in a key decision, how it should be considered and whether to refer the decision to the Cabinet or to Council.

(x) To monitor the effectiveness of the Call-in procedure.

(xi) To review and scrutinise action taken by partner authorities in discharge of crime and disorder functions and to make reports and recommendations to Cabinet and Council on these.

(xii) To make arrangements which enable any Councillor who is not a Committee Member to refer any local government matter, or any crime and disorder matter, to the Committee under the Councillor Call for Action Procedure.

(xiii) To ensure that referrals from Overview and Scrutiny Committee to the Cabinet either by way of report or call-in are managed efficiently, and

(xiv) To ensure community and voluntary sector organisations, users of services and others are appropriately involved in giving evidence to the Overview and Scrutiny Committee or relevant Scrutiny Review Panel.

1.3 The Overview and Scrutiny Committee may establish a number of Scrutiny Review Panels:

(i) Scrutiny Reviews Panels are appointed to examine designated Council services. Scrutiny Review Panels will refer their findings/ recommendations in the form of a written report, with the approval of the Overview and Scrutiny Committee, to the Cabinet and/or the Council as appropriate.

(ii) Scrutiny Review Panels will analyse submissions, request and analyse any additional information, and question the Cabinet Member(s), relevant Council officers, local stakeholders, and where relevant officers and/or board members of local NHS bodies or NHS funded bodies.

(iii) Subject to the approval of the Overview and Scrutiny Committee, Scrutiny Review Panels will be able to appoint external advisors and/or to commission specific pieces of research if this is deemed necessary.

(iv) Scrutiny Review Panels should make every effort to work by consensus; however, in exceptional circumstances Members may submit minority reports.

(v) Prior to publication, draft reports will be sent to the relevant chief officers or where relevant officers of the National Health Service for checking for inaccuracies and the presence of exempt and/or confidential information; Scrutiny Review Panel members will revisit any conclusions drawn from disputed information;

(vi) Following approval by the Overview and Scrutiny Committee, final reports and recommendations will be presented to the next available Cabinet meeting together with an officer report where appropriate. The Cabinet will consider the reports and formally agree their decisions.

(vii) Following approval by the Overview and Scrutiny Committee, reports on NHS, non-executive or regulatory matters will be copied to the Cabinet for information.

(viii)   At the Cabinet meeting to receive the final report and recommendations, the Chair of the Overview and Scrutiny Committee or the Chair of the Scrutiny Review Panel may attend and speak.

(ix)   After an appropriate period, post implementation, Overview and Scrutiny Committee will carry out a follow up review to determine if the recommendations had the intended outcomes and to measure any improvements.

1.4   When Scrutiny Review Panels report on non-executive or regulatory functions the above rules apply, except the references to The Cabinet shall be taken as reference to the relevant non-executive body.

1.5   The Overview and Scrutiny Committee shall undertake scrutiny of the Council's budget through a Budget Scrutiny process. The procedure by which this operates is detailed in the Protocol covering the Overview and Scrutiny Committee.

1.6   All Overview and Scrutiny meetings shall take place in public (except where exempt or confidential matters are considered).

1.7   The Overview and Scrutiny function should not be seen as an alternative to established disciplinary, audit or complaints mechanisms and should not interfere with or pre-empt their work.

## 2.   Membership of the Overview and Scrutiny Committee and Scrutiny Review Panels

2.1   All Councillors (except Members of the Cabinet) may be members of the Overview and Scrutiny Committee and the Scrutiny Review Panels.  However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

2.2   The membership of the Overview and Scrutiny Committee and Scrutiny Review Panels shall, as far as is practicable, be in proportion to the representation of different political groups on the Council.

## 3.   Co-optees

3.1   Each Scrutiny Review Panel shall be entitled to appoint up to three people as non-voting co-optees.

3.2   Statutory voting non-Councillor members of Overview and Scrutiny Committee will be paid an allowance in accordance with the Members' Allowances Scheme in Part 6 of this Constitution.

## 4.   Education representatives

4.1   The Overview and Scrutiny Committee and the Scrutiny Review Panel whose terms of reference relate to education functions that are the responsibility of the Cabinet, shall include in its membership the following representatives:

(i)     At least one Church of England diocesan representative (voting).

(ii)    At least one Roman Catholic diocesan representative (voting).

(iii)   2 parent governor representatives (voting).

These voting representatives will be entitled to vote where the Overview and Scrutiny Committee or the Scrutiny Review Panel is considering matters that relate to relevant education functions.   If the Overview and Scrutiny Committee or Scrutiny Review Panel is dealing with other matters, these representatives shall not vote on those matters though they may stay in the meeting and speak at the discretion of the Chair.  The Overview and Scrutiny Committee and Scrutiny Review Panel will attempt to organise its meetings so that relevant education matters are grouped together.

**5.    Meetings of the Overview and Scrutiny Committee and Scrutiny Review Panels**

5.1    In addition to ordinary meetings of the Overview and Scrutiny Committee, extraordinary meetings may be called from time to time as and when appropriate.  An Overview and Scrutiny Committee meeting may be called by the Chair of the Overview and Scrutiny Committee after consultation with the Chief Executive, by any two Members of the Committee or by the proper officer if he/she considers it necessary or appropriate.

5.2    In addition to ordinary meetings of the Scrutiny Review Panels, extraordinary meetings may be called from time to time as and when appropriate.  A Scrutiny Review Panel meeting may be called by the Chair of the Panel after consultation with the Chief Executive, by any two Members of the Committee or by the proper officer if he/she considers it necessary or appropriate.

**6.    Quorum**

The quorum for the Overview Scrutiny Committee and for each Scrutiny Review Panel shall be at least one quarter of its membership and not less than 3 voting members.

**7.    Chair of the Overview and Scrutiny Committee and Scrutiny Review Panels**

7.1    The Chair of the Overview and Scrutiny Committee will be appointed by the Council.

7.2    The Chair of the Overview and Scrutiny Committee shall resign with immediate effect if a vote of no confidence is passed by the Overview and Scrutiny Committee.

7.3    Chairs of Scrutiny Review Panels will be drawn from among the Councillors sitting on the Overview and Scrutiny Committee.  Subject to this requirement,

the Overview and Scrutiny Committee may appoint any person as it considers appropriate as Chair having regard to the objective of cross-party chairing in proportion to the political balance of the Council. The Scrutiny Review Panels shall not be able to change the appointed Chair unless there is a vote of no confidence as outlined in Article 6.5 in this Constitution.

7.4    The Chair of the Budget Scrutiny Review process will be drawn from among the opposition party Councillors sitting on the Overview and Scrutiny Committee. The Overview and Scrutiny Committee shall not be able to change the appointed Chair unless there is a vote of no confidence as outlined in Article 6.5 in this Constitution.

## 8.    Work programme

Overview and Scrutiny Committee will determine the future scrutiny work programme and will establish Scrutiny Review Panels to assist it to perform its functions. The Committee will appoint a Chair for each Scrutiny Review Panel.

## 9.    Agenda items for the Overview and Scrutiny Committee

9.1    Any member of the Overview and Scrutiny Committee shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda.

9.2    The Overview and Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and, if it considers it appropriate, from the Cabinet to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Cabinet within an agreed timescale.

## 10.   Policy review and development

10.1   The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in the Budget and Policy Framework Procedure Rules in Part 4 of this constitution.

10.2   In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Overview and Scrutiny Committee and its Scrutiny Review Panels may make proposals to the Cabinet for developments insofar as they relate to matters within their terms of reference. The Scrutiny Review Panels must do so via the Overview and Scrutiny Committee.

## 11.   Reports from the Overview and Scrutiny Committee

Following endorsement by the Overview and Scrutiny Committee, final reports and recommendations will be presented to the next available Cabinet meeting. The procedure to be followed is set out in paragraphs 1.3 or 1.4 above.

## 12. Making sure that overview and scrutiny reports are considered by the Cabinet

12.1 The agenda for Cabinet meetings shall include an item entitled 'Issues arising from Scrutiny'. Reports of the Overview and Scrutiny Committee referred to the Cabinet shall be included at this point in the agenda unless either they have been considered in the context of the Cabinet's deliberations on a substantive item on the agenda or the Cabinet gives reasons why they cannot be included and states when they will be considered.

12.2 Where the Overview and Scrutiny Committee prepares a report for consideration by the Cabinet in relation to a matter where decision making power has been delegated to an individual Cabinet Member, a Committee of the Cabinet, an Area Committee, or an Officer, or under Joint Arrangements, then the Overview and Scrutiny Committee will also submit a copy of their report to that body or individual for consideration, and a copy to the proper officer. If the Member, committee, or officer with delegated decision making power does not accept the recommendations of the Overview and Scrutiny Committee, then the body/he/she must then refer the matter to the next appropriate meeting of the Cabinet for debate before making a decision.

## 13. Rights and powers of Overview and Scrutiny Committee members

### 13.1 Rights to documents

(i) In addition to their rights as Councillors, members of the Overview and Scrutiny Committee and Scrutiny Review Panels have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

(ii) Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committee and Scrutiny Review Panels as appropriate depending on the particular matter under consideration.

### 13.2 Powers to conduct enquiries

The Overview and Scrutiny Committee and Scrutiny Review Panels may hold enquiries into past performance and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in these processes. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations, within available resources. They may ask witnesses to attend to address them on any matter under consideration and may pay any

advisers, assessors and witnesses a reasonable fee and expenses for doing so. Scrutiny Review Panels require the support of the Overview and Scrutiny Committee to do so.

### 13.3    Power to require Members and officers to give account

(i)      The Overview and Scrutiny Committee and Scrutiny Review Panels may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions (Scrutiny Review Panels will keep to issues that fall within their terms of reference). As well as reviewing documentation, in fulfilling the scrutiny role, it may require any Member of the Cabinet, the Head of Paid Service and/or any senior officer (at second or third tier), and chief officers of the local National Health Service to attend before it to explain in relation to matters within their remit:

(a)      any particular decision or series of decisions;
(b)      the extent to which the actions taken implement Council policy (or NHS policy, where appropriate); and
(c)      their performance.

It is the duty of those persons to attend if so required.  At the discretion of their Director, council officers below third tier may attend, usually accompanied by a senior manager.  At the discretion of the relevant Chief Executive, other NHS officers may also attend overview and scrutiny meetings.

(ii)     Where any Member or officer is required to attend the Overview and Scrutiny Committee or Scrutiny Review Panel under this provision, the Chair of that body will inform the Member or proper officer.  The proper officer shall inform the Member or officer in writing giving at least 10 working days notice of the meeting at which he/she is required to attend.  The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Overview and Scrutiny Committee or Scrutiny Review Panel.  Where the account to be given to Overview and Scrutiny Committee or Scrutiny Review Panel will require the production of a report, then the Member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

(iii)    Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee or Scrutiny Review Panel shall in consultation with the Member or officer arrange an alternative date for attendance, to take place within a maximum of 10 days from the date of the original request.

## 14.    Attendance by others

The Overview and Scrutiny Committee or Scrutiny Review Panel may invite people other than those people referred to in paragraph 13 above to address it, discuss issues of local concern and/or answer questions.  It may for example wish to hear from residents, stakeholders and Members and officers in other parts of the public sector and may invite such people to attend. Attendance is optional.

**15.     Call-in**

The call-in procedure is dealt with separately at Part 4 Section H of the Constitution, immediately following these Overview and Scrutiny Procedure Rules.

**16.     Councillor Call for Action (CCfA)**

The Council has adopted a Protocol for handling requests by non-Committee Members that the Committee should consider any local government matter which is a matter of significant community concern.  This procedure should only be a last resort once the other usual methods for resolving local concerns have failed.  Certain matters such as individual complaints and planning or licensing decisions are excluded.

Requests for a CCfA referral should be made to the Democratic Services Manager.  who will check with the Monitoring Officer that the request falls within the Protocol.  The Councillor making the referral will be able to attend the relevant meeting of the Committee to explain the matter.  Among other actions, the Committee may: (i) make recommendations to the Cabinet, Directors or partner agencies, (ii) ask officers for a further report, (iii) ask for further evidence from the Councillor making the referral, or (iv) decide to take no further action on the referral.

The Protocol is not included within this Constitution but will be subject to regular review by the Committee.

**17.     Procedure at Overview and Scrutiny Committee meetings and meetings of the Scrutiny Review Panels.**

(a)     The Overview and Scrutiny Committee shall consider the following business as appropriate:

(i)      apologies for absence;

(ii)     urgent business;

(iii)    declarations of interest;

(iv)    minutes of the last meeting;

(v)     deputations and petitions;

(vi) consideration of any matter referred to the Committee for a decision in relation to call-in of a key decision;

(vii) responses of the Cabinet to reports of the Committee;

(viii) business arising from Area Committees;

(ix) the business otherwise set out on the agenda for the meeting.

(b) A Scrutiny Review Panel shall consider the following business as appropriate:

(i) minutes of the last meeting;

(ii) declarations of interest;

(iii) the business otherwise set out on the agenda for the meeting.

(c) Where the Overview and Scrutiny Committee or Scrutiny Review Panel has asked people to attend to give evidence at meetings, these are to be conducted in accordance with the following principles:

(i) that the investigation be conducted fairly and all members of the Overview and Scrutiny Committee and Scrutiny Review Panels be given the opportunity to ask questions of attendees, to contribute and to speak;

(ii) that those assisting the Overview and Scrutiny Committee or Scrutiny Review Panel by giving evidence be treated with respect and courtesy;

(iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis; and

(iv) that reasonable effort be made to provide appropriate assistance with translation or alternative methods of communication to assist those giving evidence.

(d) Following any investigation or review, the Overview and Scrutiny Committee or Scrutiny Review Panel shall prepare a report, for submission to the Cabinet and shall make its report and findings public.

## 17A. Declarations Of Interest Of Members

(a) If a member of the Overview and Scrutiny Committee or Scrutiny Review Panel has a disclosable pecuniary interest or a prejudicial interest as referred to in Members' Code of Conduct in any matter under consideration, then the member shall declare his or her interest at the start of the meeting or as soon as the interest becomes apparent.  The member may not participate or participate further in any

discussion of the matter or participate in any vote or further vote taken on the matter at the meeting and must withdraw from the meeting until discussion of the relevant matter is concluded unless that member has obtained a dispensation form the Council's Standards Committee.

(b)     If a member of the Overview and Scrutiny Committee or Scrutiny Review Panel has a personal interest which is not a  disclosable pecuniary interest nor a prejudicial interest, the member is under no obligation to make a disclosure at the meeting but may do so if he/she wishes.

## 18.    The Party Whip

Scrutiny is intended to operate outside the party whip system.  However, when considering any matter in respect of which a Member of scrutiny is subject to a party whip the Member must declare the existence of the whip and the nature of it before the commencement of the Committee/Panel's deliberations on the matter.  The Declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

The expression "party whip" can be taken to mean: "Any instruction given by or on behalf of a political group to any Councillor who is a Member of that group as to how that Councillor shall speak or vote on any matter before the Council or any committee or sub-committee, or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner."

## 19.    Matters within the remit of more than one Scrutiny Review Panel

Should there be any overlap between the business of any Scrutiny Review Panels, the Overview and Scrutiny Committee is empowered to resolve the issue.

**Appendix B**

**PROTOCOL COVERING OVERVIEW AND SCRUTINY COMMITTEE (OSC)**

## 1. INTRODUCTION

1.1 A key objective of Haringey's Governance Review 2010/11 was to ensure that the Overview and Scrutiny function can help the Council to make key decisions and develop policy in a useful and effective manner.

1.2 The Terms of Reference for the OSC is stated in the Council's Constitution (Part 3 Section C). The purpose of this protocol is to set out in detail the process by which the OSC will function.

1.3 This document will be subject to regular review along with other governance arrangements, to ensure that it remains updated in the light of experience.

## 2. AIMS OF THE OVERVIEW AND SCRUTINY COMMITTEE

2.1 To provide a framework within which the work of the Council can be scrutinised in a constructive way that adds value to the Council's performance.

2.2 To help the Council to achieve its objectives by identifying areas for achieving excellence, and to carry out a scrutiny which identifies what needs to be done to improve the situation.

2.3 Not to duplicate work carried out by the Council, but provide an objective view of what needs to be done to improve the quality and cost effectiveness of services provided to local people.

## 3. RESPONSIBILITIES

3.1 The OSC can scrutinise any matter which affects the authority's area or its residents' wellbeing.

3.2 The Local Government Act 2000, the Health and Social Care Act 2001, the Local Government & Public Involvement in Health Act 2007, and the Police and Justice Act 2006 give the OSC the power to:

    (i)     Review and scrutinise decisions made or actions taken in connection with the discharge of any of the functions of the Executive or Full Council;

    (ii)    Review and scrutinise local NHS-funded services, and to make recommendations to reduce health inequalities in the local community;

    (iii)   Review and scrutinise Crime Reduction Partnerships;[1]

    (iv)   Make reports and recommendations on any issue affecting the authority's area, to the Full Council, its Committees or Sub-Committees, the Executive, or other appropriate external body;

    (v)    "Call In" for reconsideration a decision made by the Executive;

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[1] Section 19 of the Police and Justice Act 2006

(vi)   Require information from relevant partner authorities;[2]

(vii)  Give notice to a relevant partner authority that they must have regard to scrutiny reports and recommendations on any local improvement targets.[3]

3.3  Scrutiny recommendations shall be responded to by the appropriate body within 2 months of receiving the recommendations.[4] Where a response is requested from NHS-funded bodies, the response shall be made within 28 days.[5]

3.4  The OSC shall be responsible for scrutinising the draft Treasury Management Strategy Statement (TMSS) annually before its adoption by full Council, in accordance with the Council's Constitution (Part 4 Section I).

3.5  The OSC shall respond to a Councillor Call for Action (CCfA) referral, which will be handled in accordance with the Council's Constitution (Part 4 Section G).

Scrutiny Review Panels

3.6  The Overview and Scrutiny Committee shall establish 4 standing Scrutiny Review Panels, to examine designated public services.

3.7  The Overview and Scrutiny Committee shall determine the terms of reference of each Scrutiny Review Panel. If there is any overlap between the business of the Panels, it is the responsibility of the Overview and Scrutiny Committee to resolve this issue.

3.8  Areas which are not covered by the 4 standing Scrutiny Review Panels shall be the responsibility of the main Overview and Scrutiny Committee.

## 4.  MEMBERSHIP AND CHAIR

4.1  The Overview and Scrutiny Committee shall comprise 5 members, and be politically proportionate as far as possible. The Committee shall also comprise statutory education representatives, who shall have voting rights solely on education matters. The membership shall be agreed by the Group Leaders, Chief Executive and Monitoring Officer, and ratified each year at the Annual Council Meeting.

4.2  The chair of the OSC shall be a member of the majority group. The vice-chair shall be a member of the largest minority group. These appointments shall be ratified each year at the Annual Council Meeting.

Scrutiny Review Panels

4.3  The chair of each Scrutiny Review Panel shall be a member of the OSC, and shall be determined by the OSC at their first meeting.

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[2] Section 121 of the Local Government and Public Involvement in Health Act 2007
[3] Section 122(21C) of the Local Government and Public Involvement in Health Act
[4] Ibid section 122 (21B)
[5] Regulation 3 of Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002

4.4 It is intended that each Scrutiny Review Panel shall be comprised of between 3 and 7 members, and be politically proportionate as far as possible. It is intended that other than the chair, the other members are non-executive members who do not sit on the OSC.

4.5 Each Scrutiny Review Panel shall be entitled to appoint up to three non-voting co-optees.

4.6 If there is a Children and Young People's Scrutiny Review Panel, the membership shall include the statutory education representatives of OSC. It is intended that the education representatives would also attend the Overview and Scrutiny Committee meetings where reports from a relevant Scrutiny Review Panel are considered.

## 5. MEETING FREQUENCY AND FORMAT

5.1 The intention is that OSC shall hold 6 scheduled meetings each year. One meeting, at the start of the civic year, shall agree the annual work programme of the OSC. One meeting, in January, shall consider the budget scrutiny reports from each Scrutiny Review Panel. The remaining meetings shall undertake the work programme and consider the reports from the Scrutiny Review Panels.

5.2 An extraordinary meeting of the OSC may be called in accordance with the Council's Constitution (Part 4 Section G).

5.3 The agenda and papers for OSC shall be circulated to all members and relevant partners at least 5 clear days before the meeting.

5.4 There shall be a standing item on OSC meeting agendas to receive feedback from Area Committees. Area Committee Chairs shall be able to attend OSC meetings, and ask questions.

5.5 Members of the Council may Call In a decision of the Executive, or any Key Decision made under delegated powers, within 5 working days of the decision being made. The full procedure is given in the Council's Constitution (Part 4 Section H).

5.6 Pre-decision scrutiny on forthcoming Cabinet decisions shall only be undertaken at scheduled OSC meetings, in adherence with the Council's Forward Plan.

Scrutiny Review Panels

5.7 It is intended that each Scrutiny Review Panel shall hold 4 scheduled meetings each year.

5.8 An extraordinary meeting of a Scrutiny Review Panel may be called in accordance with the Council's Constitution (Part 4 Section G).

5.9 The agenda and papers for Scrutiny Review Panels shall be circulated to all members and relevant partners at least 5 clear days before the meeting.

## 6. PROCESS FOR CABINET INVOLVEMENT

6.1 The OSC shall develop recommendations for arrangements to focus its resources and time available on effective scrutiny of the Cabinet, within the guidance of this protocol. It is not intended that this will include submitting written questions to Cabinet members, in advance of an OSC meeting. The recommended arrangements shall be jointly discussed with the Cabinet prior to the first meeting of OSC.

6.2 The Leader of the Council and Chief Executive shall be invited to OSC once a year, at the meeting when the Committee's work programme is set. This shall be an opportunity to jointly discuss the Council's priorities for the next year.

6.3 The Leader/ Cabinet Member attending an OSC or Scrutiny Review Panel meeting may be accompanied and assisted by any service officers they consider necessary. The Member may invite an officer attending to answer a question on their behalf.

## 7. THE OSC WORK PROGRAMME

7.1 The Council's Policy, Intelligence and Partnerships Unit shall coordinate the work programme of the OSC at the beginning of each civic year.

7.2 Any partner, member or service user may suggest an item for scrutiny. The OSC shall have regard to all such suggestions when they decide their work programme.

7.3 The OSC and Scrutiny Review Panels are able to request reports from the following areas to enable its scrutiny role, which shall be identified in the OSC's work programme:

(i) **Performance Reports;**
(ii) **One off reports** on matters of national or local interest or concern;
(iii) Issues arising out of **internal and external assessment**;
(iv) Issues on which the Cabinet or officers would like **the Committee's views or support**;
(v) Reports on **strategies and policies** under development;
(vi) **Progress reports** on implementing previous scrutiny recommendations accepted by the Cabinet or appropriate Executive body.

7.4 In deciding their work programme for the year, the OSC and Scrutiny Review Panels shall determine how partnership bodies shall be scrutinised within the boundaries of scheduled meetings.

## 8. BUDGET SCRUTINY REVIEW

8.1 The budget shall be scrutinised by each Scrutiny Review Panel, in their respective areas. Their reports shall go to the OSC for approval. The areas of the budget which are not covered by the Scrutiny Review Panels shall be considered by the main OSC.

8.2 A lead OSC member from the largest opposition group shall be responsible for the co-ordination of the Budget Scrutiny process and recommendations made by respective Scrutiny Review Panels relating to the budget.

8.3 To allow the OSC to scrutinise the budget in advance of it formally being set and convey those recommendations to the Cabinet, the following timescale is suggested:

- **Scrutiny Review Panel Meetings: May to November**
  Each Scrutiny Review Panel shall undertake budget scrutiny in their respective areas, to be overseen by the lead member referred to in paragraph 9.2. Between May and November, this shall involve scrutinising the 3-year Medium Term Financial Plan approved at the budget-setting full Council meeting in February.

- **Cabinet report on the new 3-year Medium Term Financial Plan to members of the OSC: December**
  The Cabinet shall release their report on the new 3-year Medium Term Financial Plan to members of the OSC, following their meeting to agree the proposals in December.

- **Scrutiny Review Panel Meetings: January**
  Overseen by the lead member referred to in paragraph 9.2, each Scrutiny Review Panel shall hold a meeting following the release of the December Cabinet report on the new 3-year Medium Term Financial Plan. Each Panel shall consider the proposals in this report, for their respective areas, in addition to their budget scrutiny already carried out. The Scrutiny Review Panels may request that the Cabinet Member for Finance and Sustainability and/or Senior Officers attend these meetings to answer questions.

- **OSC Meeting: January**
  Each Scrutiny Review Panel shall submit their final budget scrutiny report to the OSC meeting in January containing their recommendations/proposal in respect of the budget for ratification by the OSC.

- **Cabinet Meeting: February**
  The recommendations from the Budget Scrutiny process, ratified by the OSC, shall be fed back to Cabinet. As part of the budget setting process, the Cabinet will clearly set out its response to the recommendations/ proposals made by the OSC in relation to the budget.

# Part Four, Section H
# Call-In Procedure Rules

1. When a key decision is made by the Executive (that is, the Leader, Individual Cabinet Members or the Cabinet) or a committee of the Cabinet, the decision shall be published and shall be available for inspection at the Civic Centre and on the Council's website, normally within 2 working days of being made. The right to Call-In does not apply to a decision by way of an appeal hearing or a quasi-judicial procedure.

2. The notice of the key decision will be dated and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless a valid request has been received objecting to the decision and asking for it to be called-in. This does not apply to "urgent" decisions.

3. The Monitoring Officer will deem valid a request that fulfils all of the following 6 criteria:

    (a) it is submitted by any five Members of the Council.

    (b) it is received by the Democratic Services Manager by 10am on the fifth day following publication.

    (c) it specifies the decision to which it objects.

    (d) it specifies whether the decision is claimed to be outside the policy or budget framework.

    (e) it gives reasons for the call-in and outlines an alternative course of action.

    (f) it is not made in relation to a decision taken in accordance with the urgency procedures in paragraph 18 below.

4. The Democratic Services Manager will forward all timely and proper call-in requests, once deemed valid by the Monitoring Officer, to the Chair of the Overview and Scrutiny Committee and the Overview and Scrutiny Manager and will notify all Cabinet Members including the decision maker and the relevant Chief Officer.

5. A key decision will be implemented immediately after a call-in request is deemed invalid by the Monitoring Officer or after the expiry of ten working days following the receipt of a valid call-in request by the Chair of the Overview and Scrutiny Committee, unless a meeting of the

Overview and Scrutiny Committee takes place during the 10-day period.

6.   If a call-in request is deemed valid, the Democratic Services Manager will forward the call-in request to the Monitoring Officer and/or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall inside or outside the policy or budget framework.

7.   Unless a key decision is designated "urgent" pursuant to paragraph 18, when it shall be implemented immediately, no action shall be taken to implement the decision until 5 working days have elapsed after the date of the publication of the decision.  In the event that a call-in request has been received, no action shall be taken until the Monitoring Officer has determined the validity of the request.

8.   Subject to paragraph 5, when a request for call-in is deemed valid, all action to implement the key decision is suspended until the Overview and Scrutiny Committee has met to decide what action to take.  The Committee must meet no later than 10 working days after the Chair has received a valid call-in request.

9.   Discussion of any called-in decisions shall precede all other substantive items on the agenda of the Overview and Scrutiny Committee.  Any reports of the Monitoring Officer and Chief Financial Officer shall be part of that agenda.

10.  The Committee shall consider any report of the Monitoring Officer / Chief Finance Officer as to whether a called-in decision is inside or outside the policy / budget framework.  The Overview and Scrutiny Committee shall have regard to that report and any advice but Members shall determine whether the decision is inside or outside the policy / budget framework.  If the Overview and Scrutiny Committee determine that the decision was within the policy / budget framework, the Committee has three options:

(a)  The Overview and Scrutiny Committee may decide not to take any further action, in which case the key decision is implemented immediately.

(b)  The Overview and Scrutiny Committee may decide to refer the decision back to the decision maker, in which case the decision maker has 5 working days to reconsider the key decision before taking a final decision.

(c)  The Overview and Scrutiny Committee may decide to refer the decision to Full Council.

11.  When the Overview and Scrutiny Committee refers a decision to Council (when the decision is deemed to fall within the policy / budget

framework), any Council meeting must be held within 10 working days (with an extraordinary meeting being called if necessary) of the date of the Overview and Scrutiny Committee's referral.

12. When considering a called-in decision (when this decision is deemed to fall within the policy / budget framework) the Council has two options:

   (a) The Council may decide not to take any further action, in which case the decision is implemented immediately.

   (b) The Council may refer the decision back to the decision maker, in which case the decision maker has 5 working days to reconsider the decision before taking a final decision.

13. Once a final decision has been made there is no further right of call-in. This decision or any other key decision having the same effect may not be called-in again for a period of six months following the date at which the final decision was taken.

14. If the Overview and Scrutiny Committee determines that the decision is outside the policy / budget framework, the Committee shall refer the decision to the decision maker and with a request to reconsider it on the grounds that it is incompatible with the policy / budget framework. The decision maker shall have 5 working days in which to reconsider the decision.

15. The decision maker has two options:

   (a) Amend the decision in line with the Overview and Scrutiny Committee's determination, in which case the decision is implemented immediately.

   (b) Reaffirm the original decision, in which case the decision goes to a Council meeting which must convene within 10 working days of the reaffirmation of the original decision.

16. When considering a called-in decision where a decision maker fails to amend a decision in line with the Overview and Scrutiny Committee's determination, that it falls outside the policy / budget framework, the Council has two options:

   (a) Amend the policy / budget framework to accommodate the called-in decision, in which case the decision is implemented immediately.

   (b) Require the decision maker to reconsider the decision again and refer it to a meeting of the Cabinet to be held within 5 working days of the Council meeting. The Cabinet's decision is final.

**17.  Abuse of Call-in**

(a) Members are expected to ensure that call-in is not abused, or causes unreasonable delay to the functioning of the Cabinet.

(b) The call-in procedure is to be reviewed annually (see paragraph 18 g), if such a review leads to the conclusion that the call-in procedure is being abused, the Constitution may be amended to include greater limitations.

## 18. Call-In and Urgency

(a) The call-in procedure set out above shall not apply when the action being taken is urgent or time-critical in terms of (b) below.

(b) A key decision will be urgent if any delay in implementation likely to be caused by the call-in procedure would seriously prejudice the Council's or the public's interests.

(c) A key decision which has not been given the requisite publicity for a key decision or a private meeting and which the Chair of Overview and Scrutiny Committee has agreed is 'urgent and cannot reasonably be deferred' is not regarded as urgent for the purposes of call-in unless it fulfils the criteria of paragraph (b) above.

(d) If a key decision is urgent and therefore not subject to call-in, this will be stated on the record.

(e) In order for a key decision to be deemed urgent, the Chair of the Overview and Scrutiny Committee must agree that the decision is both reasonable in all circumstances and that it should be treated as a matter of urgency. In the absence or unavailability of the Chair the consent of the Mayor is required. In the absence of both, the consent of the Deputy Mayor shall be required.

(f) Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

(g) The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.
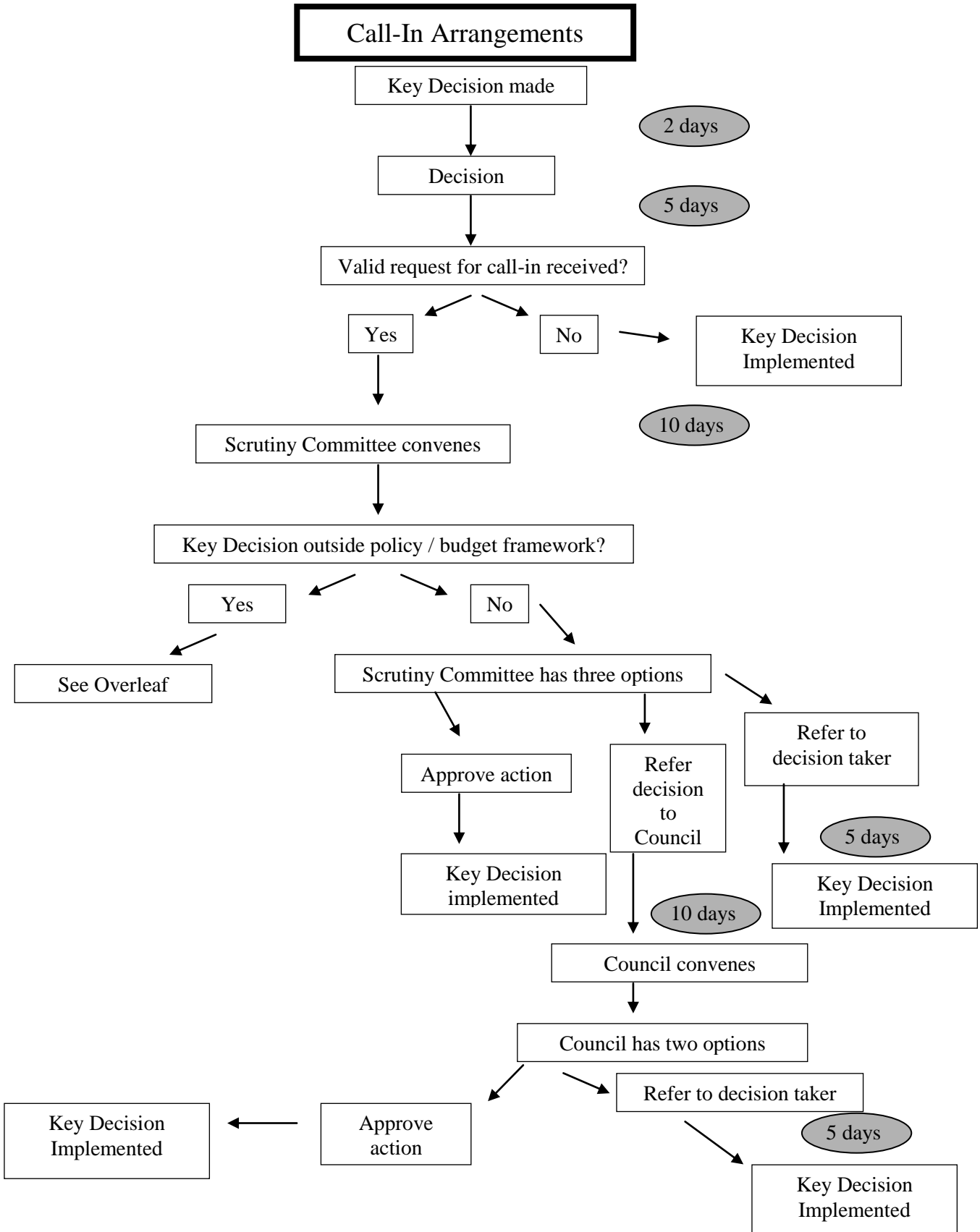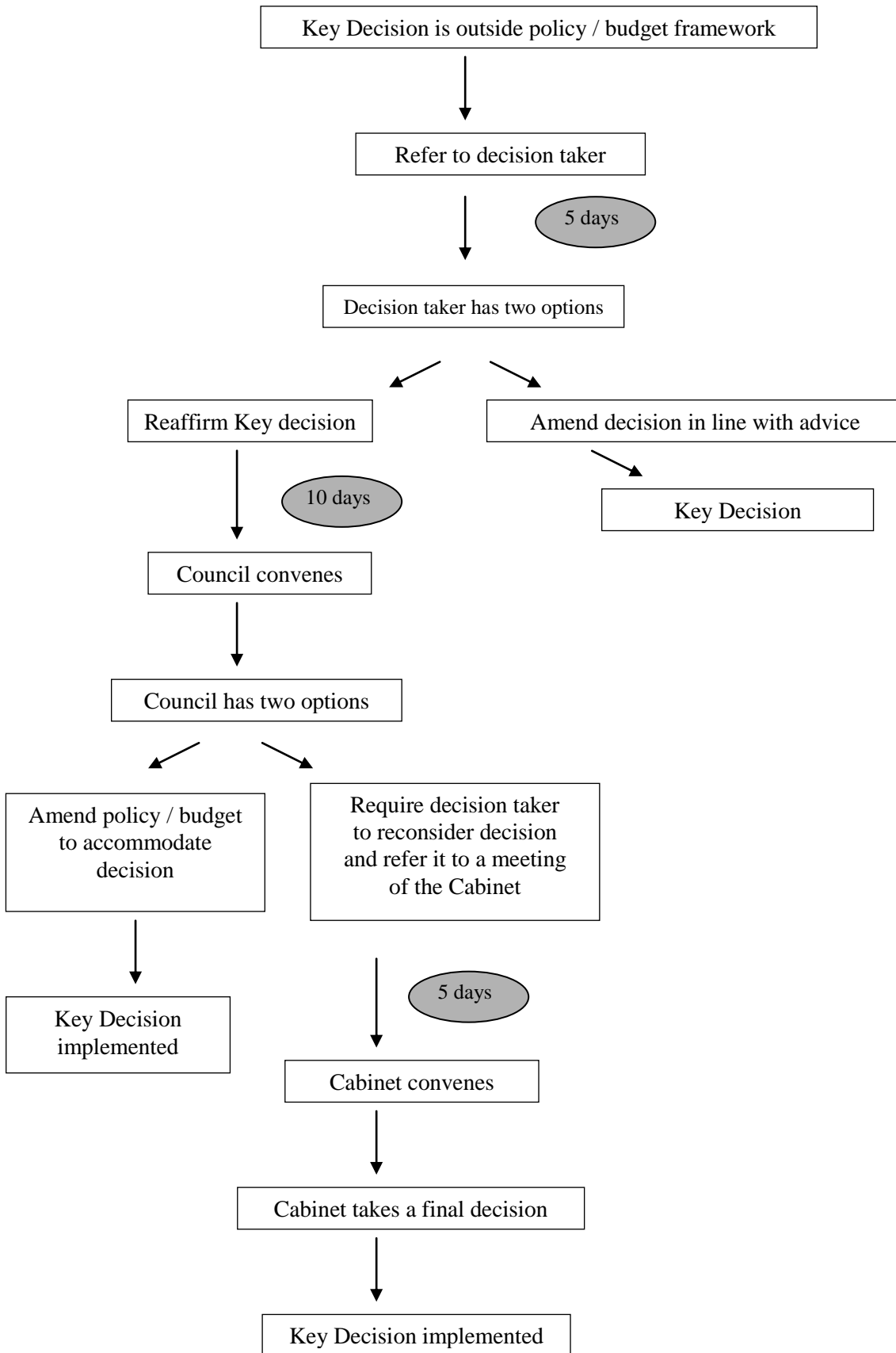
## 19. Call-In and the Forward Plan

(a) The Overview and Scrutiny Committee should consider the Forward Plan as its chief source of information regarding forthcoming Cabinet decisions.

(b) The Overview and Scrutiny Committee may select a forthcoming decision and examine the issues around it.

(c) In order not to obstruct the Council in its business, the Overview and Scrutiny Committee may call-in a key decision in advance of its actually being taken. In such a situation all the time-limits apply as above, except that a key decision cannot actually be implemented any sooner than it would have been had the Overview and Scrutiny Committee not called it in.

(d) Where the Overview and Scrutiny Committee has called-in a key decision from the Forward Plan before it due date, the decision cannot be called-in again after the final decision has been taken.

## 20. Monitoring Arrangements

The operation of the provisions relating to call-in and urgency shall be monitored by the Democratic Services Manager, and a report submitted to Council annually with proposals for review if necessary.

**Call-In Arrangements**

Key Decision made

2 days

Decision

5 days

Valid request for call-in received?

Yes → No → Key Decision Implemented

10 days

Scrutiny Committee convenes

Key Decision outside policy / budget framework?

Yes → See Overleaf

No → Scrutiny Committee has three options

- Approve action → Key Decision implemented
- Refer decision to Council
- Refer to decision taker → 5 days → Key Decision Implemented

10 days

Council convenes

Council has two options

- Approve action → Key Decision Implemented
- Refer to decision taker → 5 days → Key Decision Implemented

Key Decision is outside policy / budget framework

↓

Refer to decision taker

5 days

↓

Decision taker has two options

Reaffirm Key decision          Amend decision in line with advice

10 days                                              ↓

↓                                          Key Decision

Council convenes

↓

Council has two options

Amend policy / budget          Require decision taker
to accommodate                    to reconsider decision
decision                              and refer it to a meeting
                                          of the Cabinet

↓                                          5 days

Key Decision                          ↓
implemented
                                          Cabinet convenes

                                          ↓

                                          Cabinet takes a final decision

                                          ↓

                                          Key Decision implemented

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## APPENIX D: Overview & Scrutiny Remits and Membership 2019/20

| Scrutiny Body | Areas of Responsibility | Cabinet Links |
|---|---|---|
| **Overview & Scrutiny Committee** Cllrs Das Neves (Chair), Connor (Vice Chair), Dogan, Jogee, Moyeed<br><br>The Committee shall also comprise statutory education representatives, who shall have voting rights solely on education matters | Brexit Preparedness Communications; Commissioning Strategy; Corporate Governance; Corporate Policy and Strategy; Council Performance; External Partnerships; Insourcing Policy and Delivery | Cllr Ejiofor Leader of the Council |
| | Council HR and Staff Well-Being Culture (including Bruce Castle) Emergency Planning; Fairness Commission; Information Management; IT and Digital; Leisure; Libraries; Licensing, Regulatory Services and Enforcement | Cllr Amin Cabinet Member for Corporate and Civic Services |
| | Accommodation Strategy Council Budget and MTFS; Capital Strategy; Commercial Partnerships; Council Finances; Council Tax Reform Agenda; Property, including Commercial Portfolio | Cllr Adje Cabinet Member for Finance and Strategic Regeneration |
| | Community Buildings; Community Cohesion; Equalities; Voluntary and Community Sector | Cllr Mark Blake Cabinet Member for Communities and Equalities |
| | Adult Learning, Training and Skills | Cllr Gideon Bull |

| Scrutiny Body | Areas of Responsibility | Cabinet Links |
|---|---|---|
| | Business Engagement<br>Community Wealth Building<br>Growth and Inward Investment<br>Procurement<br>SME Business Development<br>Tackling Unemployment and Worklessness<br>Town Centre Management | Cabinet Member for Local Investment and Economic Growth |
| | Customer Services<br>Customer Transformation Programme | Cllr Seema Chandwani<br>Cabinet Member for Street Management and Neighbourhoods |
| | Cross cutting, significant or high profile issues;<br>Matters outside the remit of individual panels | To be determined according to issue |
| **Adults & Health Scrutiny Panel**<br>Cllrs Connor (Chair), Da Costa plus TBA | Adult Social Care;<br>Child and Adolescent Mental Health Services (CAMHS) (lead);<br>Connected Communities;<br>Health and Social Care Integration;<br>Mental Health and Well-Being;<br>Public Health;<br>Refugee and Migrant Support;<br>Health Devolution Pilots;<br>Safeguarding Adults;<br>Services for Adults with Disabilities and Additional Needs;<br>Violence Against Women and Girls (VAWG) Prevention;<br>Women's Equalities | Cllr James<br>Cabinet Member for Adults and Health |
| **Children & Young People Scrutiny Panel**<br>Cllrs Dogan (Chair), Dixon, Palmer plus TBA plus the statutory | Adoption and Fostering;<br>Children to Adult Social Care Transition;<br>Early Years and Child Care;<br>Looked-after Children and Care Leavers; | Cllr Brabazon,<br>Cabinet Member for Children and Families |

| Scrutiny Body | Areas of Responsibility | Cabinet Links |
|---|---|---|
| education representatives of OSC | Safeguarding Children;<br>Schools and Education;<br>Services for Children with Disabilities and Additional Needs;<br>16-19 Education | |
| | Youth Justice;<br>Youth Services | Cllr Mark Blake<br>Cabinet Member for Communities and Equalities |

| | | |
|---|---|---|
| **Environment & Community Safety Scrutiny Panel**<br>Cllr Jogee (Chair), Emery, Ogiehor plus TBA | Air Quality;<br>Biodiversity and Trees;<br>Carbon Management and Zero 50;<br>Liveable Neighbourhoods;<br>Parks and Open Spaces;<br>Renewable Energy;<br>Sustainability;<br>Strategic Transport | Cllr Hearn<br>Cabinet Member for Sustainability and Planning |
| | Fly Tipping and Civic Pride;<br>Highways;<br>Parking and Parking Transformation;<br>Recycling, Waste and Street Cleansing;<br>Enforcement issues relating to the above | Cllr Seema Chandwani<br>Cabinet Member for Street Management and Neighbourhoods |
| | Community Safety and Police Engagement;<br>Prevent Programme;<br>Tackling Anti-Social Behaviour; | Cllr Mark Blake<br>Cabinet Member for Communities and Equalities |
| **Housing & Regeneration Scrutiny Panel**<br>Cllr Moyeed (Chair), Barnes, Hare plus TBA | Building Regulations;<br>Estate Renewal and Resident Engagement;<br>Health and Safety Issues Related to Housing Stock (inc Hackitt Review);<br>Homelessness and Rough Sleeping;<br>Housing Investment Programme;<br>Housing Strategy and Development;<br>Landlord Licensing and Enforcement;<br>Partnerships with Homes for Haringey & Social Landlords;<br>Private Rented Sector Engagement | Cllr Ibrahim<br>Cabinet Member for Housing and Estate Renewal |
| | London Plan and NPPF Consultation;<br>Planning Enforcement;<br>Planning Policy and Delivery;<br>S106/CIL Policy | Cllr Hearn<br>Cabinet Member for Sustainability and Planning |
| | Tottenham Regeneration; | Cllr Adje |

| | Wood Green Regeneration | Cabinet Member for Strategic Regeneration |
|---|---|---|
| If there is any overlap between the business of the Panels, it is the responsibility of the OSC to resolve the issue. Areas which are not covered by the 4 standing Scrutiny Panels shall be the responsibility of the main OSC. | | |

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**Report for:**          **Overview and Scrutiny Committee**: 3rd June 2019

**Title:**               Corporate Plan 2015-18 Priority performance update and transition to new reporting arrangements for the Borough Plan

**Report authorised by:**  Charlotte Pomery, Assistant Director, Commissioning

**Lead Officer:**        Margaret Gallagher, Performance & Business Intelligence Manager
margaret.gallagher@haringey.gov.uk

**Ward(s) affected:**  All

**Report for Key/ Non Key Decision:** Non key

## 1.      Background

1.1.    When the Corporate Plan (predecessor to the Borough Plan) was first established, the Council introduced an approach to performance management, which allows residents and others to easily track the Council's performance against five core areas of the Corporate Plan and hold it to account.

1.2.    This report covers the thirteenth and final update relating to the Corporate Plan priority dashboards. The report reflects the latest data available as at March 2019 and so effectively closes the reporting against the Corporate Plan with an end of year report for 2018/19. It provides an overview of key performance trends and an assessment of progress against targets and objectives on an exception basis.

1.3.    The Overview and Scrutiny Committee and Panels use the updates as part of their role in scrutinising and supporting performance improvement and to inform the Overview and Scrutiny work programme. Scrutiny Panels have an opportunity to review performance using the latest data as published in the Priority dashboards.

1.4.    The timely publication of the priority dashboards on the Council's website has created greater transparency about the Council's performance, enabling accountability directly to residents.  This is one way of working with communities to make the borough an even better place to live.

1.5.    As part of the recently approved Borough Plan, there is a performance framework to track progress against the objectives and targets set out in the delivery plans.  Outcome measures and key performance indicators have been agreed for each Priority – and a number of them reflect existing outcomes and measures used to measure progress in the Corporate Plan. The agreed indicators form the basis of a monitoring framework for the Borough Plan (i.e. a new version of the performance outcome wheels) and will be the primary means

of measuring progress in delivering the impact of the new Borough priorities over the coming four years.

1.6.    Progress against the outcomes and measures set out in the new framework will start from a baseline, as at April 2019. The principles of the performance framework will be adopted in reporting on the measures set out in the Borough Plan. This means a continued role for the Overview and Scrutiny Committee to use the updates as part of their role in scrutinising and supporting performance improvement and in agreeing their work programmes. It also ensures the continuation of a transparent approach with the public in publishing data on progress and impact.

1.7.    A training session for all Scrutiny Panel Members on the use of activity and finance data to inform the effectiveness of the scrutiny process has been arranged for 24th June 2019. This aligns with the first progress update against Borough Plan Outcomes and Members will therefore be able to look at the latest data available pertaining to Quarter 1 reporting for 2019/20. The focus will be to enhance understanding about the different types of data available, to improve interpretation of the data contained in the Priority Dashboards, to clarify the role of Scrutiny in finance and ultimately to give Members confidence in applying evidence-based approaches.

## 2.    Recommendations

2.1    Overview and Scrutiny Committee is asked to:

- Note the progress made against the delivery of the priorities and targets of the Corporate Plan, Building a Stronger Haringey Together to close off reporting against the Corporate Plan before the transition to reporting against the Borough Plan outcomes for 2019/20 and beyond.

- Note that measuring progress against the new Borough Plan outcomes will start from a baseline set as at April 2019, with continued quarterly reporting to the Overview and Scrutiny Committee against the new measures via the creation of new Priority Dashboards which will be published on Haringey's website.

## 3.    Evidence based performance management

3.1.    Public organisations need reliable, accurate and timely information with which to manage services, keep residents well informed and account for spend and performance. Good quality data is an essential ingredient for reliable activity and financial information. Effective organisations measure their performance against priorities and targets in order to determine how well they are performing and to identify opportunities for improvement. Therefore, the data used to report on performance must be fit for the purpose, representing the Authority's activity in an accurate and timely manner.

3.2.    The Borough Plan and performance framework seek to address inequalities and focus on what people need to thrive. Data and insight, based on demographic and demand pressures, inform service strategies and improvement plans which may include building resilience, enabling earlier intervention and targeting to

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reach households before they reach crisis point. The State of the Borough profile is the Council's key document in this regard: https://www.haringey.gov.uk/local-democracy/about-council/state-of-the-borough and provides a comprehensive overview of Haringey in relation to a number of key themes including demographics, employment and skills, children and young people, vulnerable adults and health, place, crime and safety and housing. The most recent version, available on Haringey's website, has been updated with the most recently available data.

## 4. Performance Overview

4.1. Overall, this thirteenth update of the dashboards shows progress against the objectives set out in the Corporate Plan 2015-2018 as at March 2019. The evidence continues to illustrate a mixed picture across priorities and objectives with some areas where more needs to be done to achieve our ambitions.

4.2. The following areas are showing good progress and performance as illustrated by the indicators below:

- Priority 1 (Objective 1) – **Early Years Settings:** 100% of Children's Centres with childcare inspections, 96% of childminders and 92% of non-domestic (PVI) childcare are rated as good or outstanding. The target in the Borough Plan is to achieve 100% of settings rated good or outstanding including schools and to increase the proportion that are rated as outstanding to one third by 2022. Currently just over a fifth of settings are rated outstanding (22%).

- Priority 1 (Objective 5) **First Time Entrants (FTE) to youth justice system** had been increasing with a rate of 463 per 100,000 young people offending for the first time (April 2017 to March 2018) but this has reduced to 379 per 100,000 in the last quarter (rolling year to September 2018). There were 94 first time entrants in the last year compared to 120 in the previous year and 113 in 14/15.  This marks a decrease of 22% since last year and a decrease of 17% since 14/15. Whilst higher than the London average rate (306), it is below the family group comparator rate of 405 and the lowest it has been in many years.

- Priority 2 (Objective 4) – **The rate of Delayed Transfers of Care (DTOC)** has reduced and the Better Care Fund 11% reduction target has been achieved. Between April and March 2019, the rate of DTOC delayed days per 100,000 population was 2,629, a 20.7% reduction in the rate per 100,000 population compared to the same period in 2017/18.

- Priority 3 (Objective 2) – **Street and environmental cleanliness**. Latest data shows an improvement in cleanliness over the last 2 quarters to 3.8% of our land having unacceptable levels of litter as at Quarter 3, comfortably within the 11% target. Monitoring of street cleanliness through our Local Survey shows continued improvement over litter, detritus, graffiti and flyposting with all measures performing within target. Results from the latest Veolia Resident survey are also positive with:
  - Satisfaction with waste collections remaining strong at 72% (compared with 74% in 2017);

- Satisfaction with recycling collections remaining strong at 76% (compared to 77% last year) and

- Satisfaction with street cleansing remaining strong at 67% (compared to 66% last year)

Residents noticed significant improvements in the local tips/reuse & recycling centers as well as the bulky waste collection service resulting in increased satisfaction levels this year. For the remaining services including those mentioned above, satisfaction was high and consistent with 2017 results.

- Priority 3 (Objective 5) - To work with partners to prevent and reduce more serious crime, in particular youth crime and gang activity. There were 2,974 **Violence with injury offences (VWI)** in Haringey in the last 12 months which represents a 7% decrease (-208 offences) compared to a 1% increase in London. However, Haringey's rate of 10.97 offences per thousand population remains higher than the London rate of 8.82 and our Most Similar Group (MSG) comparator rate of 9.31 (Haringey has the highest rate in its MSG).

- Priority 4 (Objective 2)- **Support growth in business and jobs**. This objective translates into an ambition for a Borough with more quality jobs and opportunities for progression in the Borough Plan (outcome 15). In 2017/18 28.6% of Haringey's jobs were earning below the London living wage (LLW) against a London position of just over 20% albeit that the trend has been slightly positive with an average reduction of the percentage of jobs below LLW of approx. 1 percentage point per year since 2016.

- Priority 4 (Objective 1)- Haringey's performance on **processing planning applications** has remained within the top quartile for Major, Minor and Other applications, based on CLG London Borough comparison statistics. In the year to March 2019, 100% of major applications and 98% of minor and other applications have been processed within statutory timescales over a two-year period, well above DCLG thresholds. Statistics on quality of decisions for both Major and minor and other applications are also positive and comfortably within DCLG thresholds. These are measured by appeals allowed divided by total decisions and non-determined applications. Minor / Other applications overturned at appeal over a 2-year period was approximately 2% for the period July 16 to March 19. The same applies for major applications in the same period (c1%) with only 1 major planning application overturned.

- Priority 5 (Objective 3) – **Drive up the Quality of housing for all residents**: The Corporate Plan target of 81% decency for the end of the year was met, and the proportion of homes that met the decent homes standard increased to 83% in 2018/19.

4.3. Based on exceptions the following objectives may be worthy of further consideration as these present some current challenges:

- Priority 1 (Objective 5) Whilst the **rate of fixed term exclusions as a proportion of the secondary school population** has reduced to 9.16% below the national average of 9.4% and lower than statistical neighbours

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(9.51% in 2016/17), the target was to reduce exclusions to below the London average (7.5%) by 2018.

- Priority 1 (Objective 3)- **Excellent education and training opportunities for young people aged 16 plus, enabling all to develop the right skills and experience for good quality, sustainable employment** While the proportion of 16 and 17 year olds in Haringey who are Not in education, employment or training (NEET) at 1.9% as at March 2019, is in line with Statistical Neighbours (SN) and London (1.9%), Haringey has a larger proportion of Mixed Race and Black or Black British 16-17 year olds who are NEET compared to the SN and London averages. It is also worth noting that Haringey continues to have a larger proportion of 16-17-year olds whose activity is not known (7.6%, compared to 2.7% among SNs and 2.2% in London), suggesting there may be a larger proportion who are NEET in the borough. Currently 90% of young people in academic years 12 and 13 are participating in learning compared to 94% amongst our statistical neighbours and 95% across London. Our ambition in the corporate plan was to overtake both the national and London averages on this measure.

- Priority 2 (Objective 3) – **Permanent Residential and Nursing care admissions for 65+ population.** Between April and March 2019 there has been a 12% increase in the rate of permanent residential admissions, with 129 actual permanent residential admissions in the year to date. This is a 15% increase on the same period last year or 17 additional admissions. In the year to date 47% of admissions were to nursing care and 53% to Residential care.

- Priority 2- **Non elective admissions**. There have been 23,773 non-elective admissions between April and March 2019 on this Better Care fund measure. This is a 4.61% increase in actual non elective admissions compared to the same period in 2017/18 or 1,048 more admissions. The target was a 2.3% reduction in actual admissions. There have been 8,309 non elective admissions per 100,000 population. This is a 3.47% increase in the rate compared to the same period last year.

- Priority 2 (Objective 3)– **Proportion of patients discharged into reablement/rehabilitation services still at home 91 days following discharge.** Between October and December 2018 there were 189 service users who received reablement services in that period, 33 fewer than the same period in 2017/18 or a 15% decrease. 74.6% of service users were still at home 91 days following hospital discharge. This is 6% below the target figure of 80.9% and represents a 3.9% increase in the number of patients who were still independent and living at home 91 days after discharge.

- Priority 3 (Objective 2) – **Number of people killed and seriously injured (KSI) in road accidents**: London councils' data on the rate of KSI casualties on roads per 100,000 population over a 3-year rolling average period from 2015-2017 show that Haringey's rate of 33 is the 11th highest rate in London although only slightly above the average rate for London of 31.9. 92 people were killed or seriously injured in 2017, compared to 73 KSI casualties in 2016 The 92 KSI figure is the highest reported figure since 2011 after two consecutive years of reduction. Further information can be found at

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http://www.haringey.gov.uk/parking-roads-and-travel/roads-and-streets/road-safety

- Priority 3 (Objective 1) **Fear of crime in your local area** Data from the public attitude survey measuring attitudes towards policing that asks 'to what extent are you worried about crime in your area? is normally used to measure fear of crime and we know that results from that survey have shown a considerable increase in worry about crime. Data from a recent Veolia Residents survey seems to confirm that finding. The survey found that fewer residents report feeling safe after dark compared to 2017 (-8%) although more than half still feel safe (58%).
Overall, antisocial behaviour e.g. vandalism, drugs, drunk or rowdy behaviour is perceived to be a bigger problem in 2018 than in 2017.

- Priority 3 (objective 3)- **More people cycling, walking and using public transport**. The latest available data suggests a downturn in the proportion of people walking in London where the trip origin was in Haringey. Haringey's figure has been 36% for 3 years placing us amongst the top 8 boroughs in London so within the top quartile. However, the most recent data suggests that the proportion has dropped to 34%, moving in the wrong direction against our Corporate plan target of 40%. People travelling by bicycle also showed a downturn from 2.9% to 2% against a target 5% of people travelling by bicycle where the trip origin was in Haringey.

- Priority 3 (Objective 5) – **Robbery** continues to be high volume and high risk so responding to robbery and weapon enabled crime (including knives and firearms) remains a priority. There were 1,986 robberies in Haringey in the year to March 2019 which represents a 6% increase (+117 offences), similar to the 5% London increase. Haringey's rate of 7.32 offences per thousand population is significantly higher than the London rate of 3.90 and our Most Similar Group (MSG) rate of 4.10. Haringey has the highest rate in its MSG & the second highest rate in London after Westminster. Burglary figures have also increased significantly in Haringey (+37%), more than six times the increase of 6% in London.

- Priority 4 (Objective 3) – **Apprenticeship take-up**: At the end of the 3-year Corporate plan period 77 young people were supported into an apprenticeship against a target of 200. There is a Government target of 3 million apprentices by 2020 with all public bodies to contribute. For the Council, apprenticeship numbers should be 2.3% of staff headcount – this means 130 new apprenticeship starts based on a headcount of 2,208. The current position as at the end of 2018-19 is a total of 26 current apprenticeships, 16 are existing staff and 10 are new recruits. In respect of new recruits: Procurement, Revenue & Benefits, HR, Libraries, Parks, Housing, Economic Regeneration and Adults are looking at carving apprenticeship roles in restructures.

- Priority 5 (Objective 2) **Households in Temporary Accommodation (TA)**. There has been a steady decrease in households in TA since October and it now stands at 2,938 at the end of March 2019. This should decrease further once sources of new supply are in place, although further rehousing at Broadwater Farm needs to take place over the spring and summer 2019 which

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may have an impact. Haringey's rate of households in TA, despite being one of the highest in London has continued a downward trend overtime.

- Priority 5 (Objective 2) - **To reduce rough Sleeping in Haringey**. Quarter 4 saw an 11% decrease in rough sleeping from the previous period but a 6% increase in rough sleeping from the same period in 2017/18. In real terms Haringey saw an increase in 4 people rough sleeping on the same period in 2017/18. In quarter 4, 56% of all rough sleepers bedded down in Haringey were new to the streets.

## 5. Contribution to strategic outcomes

5.1. All Priorities including cross-cutting themes of: Prevention and early intervention, A fair and equal borough, Working together with Communities and Working in Partnership as well as Customer Focus and Value for Money.

## 6. Use of Appendices

6.1 Priority dashboards and performance packs

*http://www.haringey.gov.uk/local-democracy/policies-and-strategies/building-stronger-haringey-together*

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| **Report for:** | Overview and Scrutiny Committee – 3 June 2019 |
|---|---|

**Item number:**

| **Title:** | Further Development of Overview and Scrutiny – Response to new Statutory Guidance on Overview and Scrutiny and Scrutiny Stocktake |
|---|---|

| **Report authorised by:** | Cllr das Neves, Chair of Overview and Scrutiny Committee |
|---|---|

| **Lead Officer:** | Robert Mack, Principal Scrutiny Support Officer<br>Tel; 020 8489 2921 rob.mack@haringey.gov.uk |
|---|---|

**Ward(s) affected:** All

**Report for Key/<br>Non Key Decision:** N/A

## 1. Describe the issue under consideration

1.1 This report outlines the main issues arising from the new statutory guidance on Overview and Scrutiny. In addition, it also refers to the outcomes of the recent Scrutiny Stock Take.

## 2. Cabinet Member Introduction

2.1 N/A

## 3. Recommendations

3.1 That a revised Scrutiny Protocol be developed on the basis outlined in the report and addressing the issues highlighted, with this process initiated by an independently facilitated workshop of Scrutiny and Cabinet Members and senior officers;

3.2 That the changes in working methods for Committee and its panels outlined in the report be approved and in particular:
- More work to take place outside of meetings, particularly where the primary aim is information gathering;
- Avoidance of excessive numbers of standing items on agendas; and
- Consideration of how IT can be used to reduce reliance on formal meetings.

3.3 That the remits of the Committee and its four standing scrutiny panels be reviewed, with recommendations on any changes necessary made to the final meeting of the Committee in the current Municipal Year;

3.4 That the Committee consider further the arrangements for scrutiny of the budget with the aim of developing a more iterative process and that recommendations on this be submitted to the next meeting of the Committee;

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3.5    That regular briefings for Chairs on Performance, Finance and Risk to be set up once the new reporting framework for these has been finalised.

## 4.    Reasons for decision

4.1    To respond to the recent new statutory guidance for overview and scrutiny as well as the outcomes the recent Scrutiny Stock Take process.

## 5.    Alternative options considered

N/A

## 6.    Background information

6.1    The Ministry of Housing, Communities and Local Government has recently published new statutory guidance on Overview and Scrutiny, which is attached as Appendix A.

6.2    The guidance states that effective overview and scrutiny should:
- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services.

6.3    The guidance is comprehensive and includes chapters on the following:
- Culture;
- Resourcing;
- Selecting Committee Members;
- Power to Access Information
- Planning Work; and
- Evidence Sessions

6.4    The main issues raised closely mirror those highlighted within the recent Scrutiny Stocktake exercise that was undertaken by scrutiny chairs and facilitated by Ann Reeder, an independent adviser.  In the light of these, it is proposed that the arrangements for overview and scrutiny be updated.  This is not envisaged as entailing major changes to structures.  The actions proposed instead focus more on culture and relationships as well as further developing working methods so that overview and scrutiny is able to maximise its influence.

6.5    In undertaking this exercise, it would also be pertinent to draw on lessons from places where *ineffective* scrutiny has been deemed to have contributed to severe service failures, such as Mid Staffordshire and Rotherham.  The Centre for Public Scrutiny identified three key questions for scrutiny members arising from these:
- "How do I know that the Council will be aware when significant problems rear their head and do I have confidence that this information will be acted on?

- Does scrutiny itself have access to information which will allow me to confidently challenge, on the basis of evidence, the council's assertions about the quality of a service?
- Do council officers and officers from other agencies agree and accept that scrutiny has this role to play? "

*Culture*

6.7 The overriding message of the new guidance is the importance of developing a culture that supports scrutiny. It states that this can enable it to add real value through improved policy making and more efficient delivery of public services. Culture can be difficult to change though, particularly where it has become embedded.

6.8 The guidance nevertheless proposes a number of practical ways in which it considers a strong organisational culture for scrutiny can be established:
- Recognising scrutiny's legal and democratic legitimacy;
- Identifying a clear role and focus;
- Ensuring early and regular engagement between the executive and scrutiny;
- Managing disagreement;
- Providing the necessary support;
- Ensuring impartial advice from officers;
- Communicating scrutiny's role and purpose to the wider authority;
- Maintaining the interest of full Council in the work of the scrutiny committee;
- Communicating scrutiny's role to the public; and
- Ensuring scrutiny members are supported in having an independent mindset.

6.8 The guidance emphasises that the Executive should not try to exercise control over Scrutiny's work. This can be direct (e.g. by purporting to 'order' scrutiny to look at or not look at certain issues) or indirect (e.g. through the use of the whip or as a tool of political patronage).

*Protocol*

6.9 The guidance suggests the development of an executive-scrutiny protocol as a way of developing positive relationships and addressing the practical expectations of scrutiny members and the executive. It comments that the value of such a protocol lies in the dialogue that underpins its preparation. It also states that it is important that these protocols are reviewed on a regular basis.

6.10 The guidance further suggests that a protocol could include sections on the following:
- The way scrutiny will go about developing its work programme;
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings and in informal meetings;

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- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer and Monitoring Officer in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

6.11 The Stock Take process stated that there was a need for greater clarity in the role of scrutiny for the Executive and officers and, like the guidance, suggested that this might be assisted by the development of a protocol. It was felt that this could:

- Guide the relationship between scrutiny members, the executive and officers;
- Help to address any tensions; and
- Promote greater openness and capacity.

6.12 In addition to the issues referred to above, a protocol could also help to address a number of other issues raised within the Guidance and the Stock Take:

- Increasing awareness of scrutiny amongst all officers and Members;
- Ensuring that scrutiny has access to appropriate information on a timely manner; and
- Avoiding call-ins by early involvement of scrutiny.

6.13 Haringey already has a scrutiny protocol that was drafted in 2012 but practice has since diverged from this. It is therefore proposed that the Scrutiny Protocol be reviewed and updated. It is important that it is led and owned by Members and that this includes both those within the Cabinet and within Scrutiny, as stated in the guidance. A useful starting point might be the development of a shared vision of the role of scrutiny and what an effective scrutiny function might look like. The revised protocol could also address a number of additional issues that have either been highlighted in the either the guidance or the Stock Take or come to light in scrutiny activities in recent years.

6.14 To begin this process, it is proposed that a workshop be arranged of scrutiny members, senior officers and Cabinet Members. This could be facilitated by an external person in order to bring an independent perspective.

*Access to Information*

6.15 Scrutiny committees need access to relevant information and to receive this in good time if it is to be able to do its job effectively. Scrutiny committees have a statutory right to access information and this is in addition to other rights such as those under the Common Law and the Freedom of Information Act. However, in some local authorities scrutiny members have had to resort to Freedom of Information requests to access information.

6.16 The guidance states that "members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they

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provide, for reasons of party political or reputational expediency". It suggests that before an authority takes a decision not to share information, it should give serious consideration to whether the information can be shared in closed session. It also states that commercial confidentiality should not preclude the sharing of information as committees can meet in closed session.

6.16 Having closed sessions of scrutiny goes against its ethos of transparency and openness though. In addition, the guidance also states that the default position for meetings should be that they are held in public. Before such a course of action is followed, it may therefore be good practice to establish whether the information requested is absolutely necessary for the scrutiny body to fulfil its duties.

*Engagement with Stakeholders and the Community*

6.17 The guidance emphasises the fact the important role of scrutiny in amplifying the voices and concerns of the public. This builds on the report of the Communities and Local Government Select Committee on the "Effectiveness of local authority overview and scrutiny committees" which stated that members of the public and service users should have a fundamental role and participation encouraged.

6.18 There is no explicit recognition of the distinct role of scrutiny in engaging with the community in the Constitution or the current Scrutiny Protocol and therefore any person or organisation wishing to contribute is subject to the same procedures as any other Council body. Despite this, there have been a number of successful engagement exercises that have been carried out. Of particular note is the involvement of the community in developing the current work plan for the Committee and its panels.

6.19 Scrutiny has a broad role in respect of public services and need not be restricted to just those provided by the Council. The number of services that local authorities are directly responsible for has diminished and therefore just focussing on these may lead to limited effectiveness and an inability to influence the key concerns of the local community. A key consideration in involving partners and other stakeholders is the potential that there is to bear influence on them. The guidance emphasises the need to involve partners in scrutiny activity and suggests that this should not just be limited to evidence gathering as they can provide valuable insights on a range of issues.

*Evidence Sessions*

6.20 The Committee and its panels can currently undertake in-depth reviews on specific issues. These can be undertaken through specific "evidence sessions" which are not public meetings. However, there is no currently provision within the Council's Constitution for separate processes for scrutiny "evidence sessions".

6.21 Holding "evidence sessions" in private allows them to be more informal and flexible in nature. It has also been felt that holding them in public could inhibit witnesses in giving evidence. However, such evidence is used to inform review reports which are in the public domain and scrutiny bodies could find

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themselves in a difficult position in having to decide whether information provided in private can or should be published. Greater clarity would be helpful to witnesses so they are aware of the status of any evidence that they give.

6.22   Holding sessions that are not in public can appear contrary to the principles of transparency and openness. As previously mentioned, the default position should be that all scrutiny meetings are held in public. The Council's Constitution also states that "all Overview and Scrutiny meetings shall take place in public (except where exempt or confidential matters are considered)."

*Co-option and Technical Advice*

6.23   The guidance states that, whilst Members and support officers will often have significant local insight and an understanding of local needs, the provision of outside expertise can be invaluable. It suggest two ways in which this can be procured:

1.   Co-options. Haringey already allows each scrutiny body to co-opt up to three people. These are non voting, as specified in the relevant legislation However, it does not provide any additional guidance on the criterion for appointment, the appointment process and the term of office. In addition, the Council is required to appoint a number of statutory co-optees representing the church and parent governors to any scrutiny body responsible for education issues. These are able to vote in education issues. There are currently four statutory co-optees and they sit on the Children and Young People's Scrutiny Panel and the Committee; and

2.   Technical Advisers. These are described as independent local experts who might provide advice and assistance in evaluating evidence. In the past, external expert advisers have been appointed to assist on specific pieces of scrutiny work and have been of considerable assistance. However, such individuals normally require payment for their assistance and the Council has not been in a position to continue this practice due to budget constraints. The issue could nevertheless be re-visited as it may sometimes still be possible to involve such people provided that this is at no cost or very modest cost.

*Setting Priorities*

6.24   Scrutiny will always have limits on its capacity. It is therefore needs to use the time and resources available to greatest effect and in areas where there is the greatest scope to deliver outcomes. The requires effective prioritisation and is already a key part of the work planning process. In finalising their work plans, each scrutiny body considered the following:

- How best to take forward the issues identified to date;
- Other work that may be taking place within the Council on issues raised;
- Whether issues may have already been looked at recently; and
- Where impact is likely to be the greatest.

6.25   A number of additional ways of ensuring that space at formal meetings is prioritised for in-depth consideration of issues, where there is most scope for delivering outcomes, were suggested through the Stock Take process.

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- More work to take place outside of meetings, particularly where the primary aim is information gathering (e.g. "to note" reports);
- Avoiding excessive numbers of standing items on agendas; and
- Consideration of how IT can be used e.g. teleconferencing, Skype, to reduce reliance on meetings.

6.26 The terms of reference for the Committee and its standing panels have remained broadly similar since 2014-15. The current Protocol states that it is for the Committee to determine the terms of reference for the four standing scrutiny panels. It was felt at the Stock Take that they should be reviewed, particularly in the light of the Council's new Borough Plan. This is unlikely to create any additional capacity though but may provide a more balanced work load between scrutiny bodies.

6.27 There is a report elsewhere on the agenda for this meeting on terms of reference for scrutiny bodies for the current year. Some small changes are proposed to ensure better alignment with Cabinet portfolios. It is proposed that a more comprehensive review take place later in the year and that if it is felt that significant change is required, this be approved in preparation for the next Municipal Year.

*Performance, Finance and Risk*

6.28 As previously mentioned, a key consideration in undertaking scrutiny is to ensure that it has the necessary information to function effectively. Performance, finance and risk are particularly important areas and it is therefore proposed that regular briefings for Chairs to be set up once the new reporting framework has been finalised.

6.29 The Stock Take suggested that budget scrutiny is developed and starts earlier in the year. It is therefore proposed that this become more of an iterative process. In respect of scrutiny of the MTFS, it was felt that this should take place when both relevant finance and service officers were present so that Members could obtain a clear view of proposals and their implications. It is therefore proposed that the current arrangement whereby individual scrutiny panels undertake this role in respect of proposals relating to areas within their terms of reference continue.

## 7. Contribution to strategic outcomes

7.1 The contribution of scrutiny to the corporate priorities will be considered routinely as part of the Committee's work.

## 8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

**Finance**

*To follow*

**Procurement**

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N/A

**Legal**

8.1 In exercising its function, the Committee must have regard to the "Statutory Guidance on Overview and Scrutiny In Local and Combined Authorities" referred to in the report. The Committee should follow the Guidance unless there is a good reason not to in a particular case.

**Equality**

8.2 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;

- Advance equality of opportunity between people who share those protected characteristics and people who do not;

- Foster good relations between people who share those characteristics and people who do not.

8.3 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;

- Whether the impact on particular groups is fair and proportionate;

- Whether there is equality of access to services and fair representation of all groups within Haringey;

- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

8.4 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

**9. Use of Appendices**

Appendix A: Statutory Guidance on Overview and Scrutiny

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10.   **Local Government (Access to Information) Act 1985**

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Ministry of Housing,
Communities &
Local Government

# Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

**OGL**

# Contents

# Ministerial Foreword

The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership and service failure.

It is vital that councils and combined authorities know the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits it can bring. This guidance aims to increase understanding in all four areas.

In writing this guidance, my department has taken close note of the House of Commons Select Committee report of December 2017, as well as the written and oral evidence supplied to that Committee. We have also consulted individuals and organisations with practical involvement in conducting, researching and supporting scrutiny.

It is clear from speaking to these practitioners that local and combined authorities with effective overview and scrutiny arrangements in place share certain key traits, the most important being a strong organisational culture. Authorities who welcome challenge and recognise the value scrutiny can bring reap the benefits. But this depends on strong commitment from the top - from senior members as well as senior officials.

Crucially, this guidance recognises that authorities have democratic mandates and are ultimately accountable to their electorates, and that authorities themselves are best-placed to know which scrutiny arrangements are most appropriate for their own individual circumstances.

I would, however, strongly urge all councils to cast a critical eye over their existing arrangements and, above all, ensure they embed a culture that allows overview and scrutiny to flourish.



**Rishi Sunak MP**
**Minister for Local Government**

# About this Guidance

Who the guidance is for
This document is aimed at local authorities and combined authorities in England to help them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers.

Aim of the guidance
This guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

As such, it includes a number of policies and practices authorities should adopt or should consider adopting when deciding how to carry out their overview and scrutiny functions.

The guidance recognises that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another.

The hypothetical scenarios contained in the annexes to this guidance have been included for illustrative purposes, and are intended to provoke thought and discussion rather than serve as a 'best' way to approach the relevant issues.

While the guidance sets out some of the key legal requirements, it does not seek to replicate legislation.

Status of the guidance
This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities and combined authorities must have regard to it when exercising their functions. The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

Not every authority is required to appoint a scrutiny committee. This guidance applies to those authorities who have such a committee in place, whether they are required to or not.

This guidance has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this guidance. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

Terminology
Unless 'overview' is specifically mentioned, the term 'scrutiny' refers to both overview and scrutiny.[1]

Where the term 'authority' is used, it refers to both local authorities and combined authorities.

Where the term 'scrutiny committee' is used, it refers to an overview and scrutiny committee and any of its sub-committees. As the legislation refers throughout to powers conferred on scrutiny committees, that is the wording used in this guidance. However, the guidance should be seen as applying equally to work undertaken in informal task and finish groups, commissioned by formal committees.

Where the term 'executive' is used, it refers to executive members.

For combined authorities, references to the 'executive' or 'cabinet' should be interpreted as relating to the mayor (where applicable) and all the authority members.

For authorities operating committee rather than executive arrangements, references to the executive or Cabinet should be interpreted as relating to councillors in leadership positions.

Expiry or review date
This guidance will be kept under review and updated as necessary.

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[1] A distinction is often drawn between 'overview' which focuses on the development of policy, and 'scrutiny' which looks at decisions that have been made or are about to be made to ensure they are fit for purpose.

# 1. Introduction and Context

1. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.

2. Overview and scrutiny committees have statutory powers[2] to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.

> Effective overview and scrutiny should:
> - Provide constructive 'critical friend' challenge;
> - Amplify the voices and concerns of the public;
> - Be led by independent people who take responsibility for their role; and
> - Drive improvement in public services.

3. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.

4. The Localism Act 2011 amended the Local Government Act 2000 to allow councils to revert to a non-executive form of governance - the 'committee system'. Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish. The legislation has been strengthened and updated since 2000, most recently to reflect new governance arrangements with combined authorities. Requirements for combined authorities are set out in Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

5. Current overview and scrutiny legislation recognises that authorities are democratically-elected bodies who are best-placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.

6. In producing this guidance, the Government fully recognises both authorities' democratic mandate and that the nature of local government has changed in recent years, with, for example, the creation of combined authorities, and councils increasingly delivering key services in partnership with other organisations or outsourcing them entirely.

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[2] Section 9F of the Local Government Act 2000; paragraph 1 of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

# 2. Culture

7. The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.

8. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.

9. Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.

10. Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often considered by external bodies such as regulators and inspectors, and highlighted in public reports, including best value inspection reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.

<u>How to establish a strong organisational culture</u>
11. Authorities can establish a strong organisational culture by:

   a) **<u>Recognising scrutiny's legal and democratic legitimacy</u>** – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for <u>all</u> authorities operating executive arrangements and for combined authorities.

   Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

   b) **<u>Identifying a clear role and focus</u>** – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority (see chapter 6).

   Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role. The authority's section 151 officer should advise scrutiny on how to manage this dynamic.

While scrutiny has no role in the investigation or oversight of the authority's whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications. Members should always follow the authority's constitution and associated Monitoring Officer directions on the matter. Further guidance on whistleblowing can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf.

c) **Ensuring early and regular engagement between the executive and scrutiny** – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles:

> In particular:
>
> - The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to 'order' scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a 'critical friend' not a de facto 'opposition'. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee (see chapter 4); and
>
> - The chair of the scrutiny committee should determine the nature and extent of an executive member's participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting.

d) **Managing disagreement** – effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.

It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement.

One way in which this can be done is via an 'executive-scrutiny protocol' (see annex 1) which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often,

the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.

Scrutiny committees do have the power to 'call in' decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.

e) **Providing the necessary support** – while the level of resource allocated to scrutiny is for each authority to decide for itself, when determining resources an authority should consider the purpose of scrutiny as set out in legislation and the specific role and remit of the authority's own scrutiny committee(s), and the scrutiny function as a whole.

Support should also be given by members and senior officers to scrutiny committees and their support staff to access information held by the authority and facilitate discussions with representatives of external bodies (see chapter 5).

f) **Ensuring impartial advice from officers** – authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.

g) **Communicating scrutiny's role and purpose to the wider authority** – the scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority's wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.

h) **Maintaining the interest of full Council in the work of the scrutiny committee** – part of communicating scrutiny's role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council's work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.

One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner. Such

reports would supplement the annual report to full Council on scrutiny's activities and raise awareness of ongoing work.

In order to maintain awareness of scrutiny at the Combined Authority and provoke dialogue and discussion of its impact, the business of scrutiny should be reported to the Combined Authority board or to the chairs of the relevant scrutiny committees of constituent and non-constituent authorities, or both. At those chairs' discretion, particular Combined Authority scrutiny outcomes, and what they might mean for each individual area, could be either discussed by scrutiny in committee or referred to full Council of the constituent authorities.

i) **Communicating scrutiny's role to the public** – authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority's communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process (see chapter 6).

j) **Ensuring scrutiny members are supported in having an independent mindset** – formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers.

Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them (see paragraph 25).

Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.

Directly-elected mayoral systems

12. A strong organisational culture that supports scrutiny work is particularly important in authorities with a directly-elected mayor to ensure there are the checks and balances to maintain a robust democratic system. Mayoral systems offer the opportunity for greater public accountability and stronger governance, but there have also been incidents that highlight the importance of creating and maintaining a culture that puts scrutiny at the heart of its operations.

13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:
    - rights of access to documents by the press, public and councillors;
    - transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups;
    - delegated decisions by the Mayor;
    - whistleblowing protections for both staff and councillors; and
    - powers of Full Council, where applicable, to question and review.

14. Authorities with a directly-elected mayor should note that mayors are required by law to attend overview and scrutiny committee sessions when asked to do so (see paragraph 44).

# 3. Resourcing

15. The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.

16. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.

17. Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).

> When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:
> - Scrutiny's legal powers and responsibilities;
> - The particular role and remit scrutiny will play in the authority;
> - The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;
> - The need for ad hoc external support where expertise does not exist in the council;
> - Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and
> - Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Statutory scrutiny officers

18. Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer,[3] someone whose role is to:
    - promote the role of the authority's scrutiny committee;
    - provide support to the scrutiny committee and its members; and
    - provide support and guidance to members and officers relating to the functions of the scrutiny committee.

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[3] Section 9FB of the Local Government Act 2000; article 9 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

19. Authorities not required by law to appoint such an officer should consider whether doing so would be appropriate for their specific local needs.

Officer resource models

20. Authorities are free to decide for themselves which wider officer support model best suits their individual circumstances, though generally they adopt one or a mix of the following:

- Committee – officers are drawn from specific policy or service areas;
- Integrated – officers are drawn from the corporate centre and also service the executive; and
- Specialist – officers are dedicated to scrutiny.

21. Each model has its merits – the committee model provides service-specific expertise; the integrated model facilitates closer and earlier scrutiny involvement in policy formation and alignment of corporate work programmes; and the specialist model is structurally independent from those areas it scrutinises.

22. Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.

# 4. Selecting Committee Members

23. Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.

24. While there are proportionality requirements that must be met,[4] the selection of the chair and other committee members is for each authority to decide for itself. Guidance for combined authorities on this issue has been produced by the Centre for Public Scrutiny[5].

> Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.

25. Authorities are reminded that members of the executive cannot be members of a scrutiny committee.[6] Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate. Authorities should articulate in their constitutions how conflicts of interest, including familial links (see also paragraph 31), between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.

26. Members or substitute members of a combined authority must not be members of its overview and scrutiny committee.[7] This includes the Mayor in Mayoral Combined Authorities. It is advised that Deputy Mayors for Policing and Crime are also not members of the combined authority's overview and scrutiny committee.

Selecting individual committee members

27. When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.

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[4] See, for example, regulation 11 of the Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020) and article 4 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

[5] See pages 15-18 of 'Overview and scrutiny in combined authorities: a plain English guide': https://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf

[6] Section 9FA(3) of the Local Government Act 2000.

[7] 2(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009

28. Authorities should not take into account a member's perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality referred to in paragraph 24).

## Selecting a chair

29. The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.

30. The attributes authorities should and should not take into account when selecting individual committee members (see paragraphs 27 and 28) also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.

> Chairs should pay special attention to the need to guard the committee's independence. Importantly, however, they should take care to avoid the committee being, and being viewed as, a de facto opposition to the executive.

31. Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives[8]. Combined authorities should note the legal requirements that apply to them where the Chair is an independent person[9].

32. The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair[10].

## Training for committee members

33. Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.

34. When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.

## Co-option and technical advice

35. While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable.

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[8] A definition of 'relative' can be found at section 28(10) of the Localism Act 2011.

[9] See article 5(2) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

[10] Article 5(6) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

36. There are two principal ways to procure this:
    - Co-option – formal co-option is provided for in legislation[11]. Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and
    - Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence (see annex 2).

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[11] Section 9FA(4) Local Government Act 2000

# 5. Power to Access Information

37. A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.

38. This need is recognised in law, with members of scrutiny committees enjoying powers to access information[12]. In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

39. When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.

40. Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.

41. Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.

> While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

42. The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision[13]. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency.

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[12] Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.
[13] Regulation 17(4) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(4) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

> Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session.

43. Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member[14]. When agreeing to such requests, authorities should:
    - consider whether seeking clarification from the information requester could help better target the request; and
    - Ensure the information is supplied in a format appropriate to the recipient's needs.

44. Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions[15]. It is the duty of members and officers to comply with such requests.[16]

Seeking information from external organisations

45. Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations.

46. When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either (see annex 3), scrutiny committees should consider the following:

    a) **The need to explain the purpose of scrutiny** – the organisation being approached might have little or no awareness of the committee's work, or of an authority's scrutiny function more generally, and so might be reluctant to comply with any request;

    b) **The benefits of an informal approach** – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;

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[14] Regulation 17(2) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(2) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.
[15] Section 9FA(8) of the Local Government Act 2000; paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.
[16] Section 9FA(9) of the Local Government Act 2000; paragraph 2(7) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

c) **How to encourage compliance with the request** – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to 'set the record straight' in a public setting; and

d) **Who to approach** – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority's pre-existing relationship with it.

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Following 'the Council Pound'
Scrutiny committees will often have a keen interest in 'following the council pound', i.e. scrutinising organisations that receive public funding to deliver goods and services.

Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a *requirement* for them to supply information to or appear before scrutiny committees.

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# 6. Planning Work

47. Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.

48. Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees' work to make best use of the total resources available.

<u>Being clear about scrutiny's role</u>

49. Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.

50. Different overall roles could include having a focus on risk, the authority's finances, or on the way the authority works with its partners.

51. Applying this focus does not mean that certain subjects are 'off limits'. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny's further involvement could bring.

52. When thinking about scrutiny's focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.

<u>Who to speak to</u>

53. Evidence will need to be gathered to inform the work programming process. This will ensure that it looks at the right topics, in the right way and at the right time. Gathering evidence requires conversations with:

   - *The public* – it is likely that formal 'consultation' with the public on the scrutiny work programme will be ineffective. Asking individual scrutiny members to have conversations with individuals and groups in their own local areas can work better. Insights gained from the public through individual pieces of scrutiny work can be fed back into the work programming process. Listening to and participating in conversations in places where local people come together, including in online forums, can help authorities engage people on their own terms and yield more positive results.

Authorities should consider how their communications officers can help scrutiny engage with the public, and how wider internal expertise and local knowledge from both members and officers might make a contribution.

- *The authority's partners* – relationships with other partners should not be limited to evidence-gathering to support individual reviews or agenda items. A range of partners are likely to have insights that will prove useful:
    - Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);
    - Voluntary sector partners;
    - Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);
    - In parished areas, town, community and parish councils;
    - Neighbouring principal councils (both in two-tier and unitary areas);
    - Cross-authority bodies and organisations, such as Local Enterprise Partnerships[17]; and
    - Others with a stake and interest in the local area – large local employers, for example.

- *The executive* – a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny's work (see chapter 2), but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority's wider work.

Information sources
54. Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:
- Performance information from across the authority and its partners;
- Finance and risk information from across the authority and its partners;
- Corporate complaints information, and aggregated information from political groups about the subject matter of members' surgeries;
- Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre-decision scrutiny; and
- Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.

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[17] Authorities should ensure they have appropriate arrangements in place to ensure the effective democratic scrutiny of Local Enterprise Partnerships' investment decisions.

> As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public (see 2014 guidance on '*Open and accountable local government*':
> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf).

55. Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee 'to note', or to provide an update, as a matter of course.

Shortlisting topics

> Approaches to shortlisting topics should reflect scrutiny's overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:
> - Do we understand the benefits scrutiny would bring to this issue?
> - How could we best carry out work on this subject?
> - What would be the best outcome of this work?
> - How would this work engage with the activity of the executive and other decision-makers, including partners?

56. Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.

57. Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.

Carrying out work

58. Selected topics can be scrutinised in several ways, including:

a) **As a single item on a committee agenda** – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;

b) **At a single meeting** – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a

given subject, or to have a meeting at which evidence is taken from a number of witnesses;

c) **At a task and finish review of two or three meetings** – short, sharp scrutiny reviews are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;

d) **Via a longer-term task and finish review** – the 'traditional' task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and

e) **By establishing a 'standing panel'** – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.

# 7. Evidence Sessions

59. Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal 'task and finish' groups or at standalone sessions.

> Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.

How to plan

60. Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.

> Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.

61. As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.

62. Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.

63. After an evidence session, the committee might wish to hold a short 'wash-up' meeting to review whether their objectives were met and lessons could be learned for future sessions.

Developing recommendations

64. The development and agreement of recommendations is often an iterative process. It will usually be appropriate for this to be done only by members, assisted by co-optees where relevant. When deciding on recommendations, however, members should have due regard to advice received from officers, particularly the Monitoring Officer.

65. The drafting of reports is usually, but not always, carried out by officers, directed by members.

66. Authorities draft reports and recommendations in a number of ways, but there are normally three stages:

   i.    the development of a 'heads of report' – a document setting out general findings that members can then discuss as they consider the overall structure and focus of the report and its recommendations;

   ii.   the development of those findings, which will set out some areas on which recommendations might be made; and

   iii.  the drafting of the full report.

67. Recommendations should be evidence-based and SMART, i.e. specific, measurable, achievable, relevant and timed. Where appropriate, committees may wish to consider sharing them in draft with interested parties.

68. Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.

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Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check.

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# Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

# Annex 2: Illustrative Scenario – Engaging Independent Technical Advisers

This example demonstrates how one Council's executive and scrutiny committee worked together to scope a role and then appoint an independent adviser on transforming social care commissioning. Their considerations and process may be helpful and applicable in other similar scenarios.

Major care contracts were coming to an end and the Council took the opportunity to review whether to continue with its existing strategic commissioning framework, or take a different approach – potentially insourcing certain elements.

The relevant Director was concerned about the Council's reliance on a very small number of large providers. The Director therefore approached the Scrutiny and Governance Manager to talk through the potential role scrutiny could play as the Council considered these changes.

The Scrutiny Chair wanted to look at this issue in some depth, but recognised its complexity could make it difficult for her committee to engage – she was concerned it would not be able to do the issue justice. The Director offered support from his own officer team, but the Chair considered this approach to be beset by risks around the independence of the process.

She talked to the Director about securing independent advice. He was worried that an independent adviser could come with preconceived ideas and would not understand the Council's context and objectives. The Scrutiny Chair was concerned that independent advice could end up leading to scrutiny members being passive, relying on an adviser to do their thinking for them. They agreed that some form of independent assistance would be valuable, but that how it was provided and managed should be carefully thought out.

With the assistance of the Governance and Scrutiny Manager, the Scrutiny Chair approached local universities and Further Education institutions to identify an appropriate individual. The approach was clear – it set out the precise role expected of the adviser, and explained the scrutiny process itself. Because members wanted to focus on the risks of market failure, and felt more confident on substantive social care matters, the approach was directed at those with a specialism in economics and business administration. The Council's search was proactive – the assistance of the service department was drawn on to make direct approaches to particular individuals who could carry out this role.

It was agreed to make a small budget available to act as a 'per diem' to support an adviser; academics were approached in the first instance as the Council felt able to make a case that an educational institution would provide this support for free as part of its commitment to Corporate Social Responsibility.

Three individuals were identified from the Council's proactive search. The Chair and Vice-Chair of the committee had an informal discussion with each – not so much to establish their skills and expertise (which had already been assessed) but to give a sense about

their 'fit' with scrutiny's objectives and their political nous in understanding the environment in which they would operate, and to satisfy themselves that they will apply themselves even-handedly to the task. The Director sat in on this process but played no part in who was ultimately selected.

The independent advice provided by the selected individual gave the Scrutiny Committee a more comprehensive understanding of the issue and meant it was able to offer informed advice on the merits of putting in place a new strategic commissioning framework.

# Annex 3: Illustrative Scenario – Approaching an External Organisation to Appear before a Committee

This example shows how one council ensured a productive scrutiny meeting, involving a private company and the public. Lessons may be drawn and apply to other similar scenarios.

Concerns had been expressed by user groups, and the public at large, about the reliability of the local bus service. The Scrutiny Chair wanted to question the bus company in a public evidence session but knew that she had no power to compel it to attend. Previous attempts to engage it had been unsuccessful; the company was not hostile, but said it had its own ways of engaging the public.

The Monitoring Officer approached the company's regional PR manager, but he expressed concern that the session would end in a 'bunfight'. He also explained the company had put their improvement plan in the public domain, and felt a big council meeting would exacerbate tensions.

Other councillors had strong views about the company – one thought the committee should tell the company it would be empty-chaired if it refused to attend. The Scrutiny Chair was sympathetic to this, but thought such an approach would not lead to any improvements.

The Scrutiny Chair was keen to make progress, but it was difficult to find the right person to speak to at the company, so she asked council officers and local transport advocacy groups for advice. Speaking to those people also gave her a better sense of what scrutiny's role might be.

When she finally spoke to the company's network manager, she explained the situation and suggested they work together to consider how the meeting could be productive for the Council, the company and local people. In particular, this provided her with an opportunity to explain scrutiny and its role. The network manager remained sceptical but was reassured that they could work together to ensure that the meeting would not be an 'ambush'. He agreed in principle to attend and also provide information to support the Committee's work beforehand.

Discussions continued in the four weeks leading up to the Committee meeting. The Scrutiny Chair was conscious that while she had to work with the company to ensure that the meeting was constructive – and secure their attendance – it could not be a whitewash, and other members and the public would demand a hard edge to the discussions.

The scrutiny committee agreed that the meeting would provide a space for the company to provide context to the problems local people are experiencing, but that this would be preceded by a space on the agenda for the Chair, Vice-chair, and representatives from two local transport advocacy groups to set out their concerns. The company were sent in

advance a summary of the general areas on which members were likely to ask questions, to ensure that those questions could be addressed at the meeting.

Finally, provision was made for public questions and debate. Those attending the meeting were invited to discuss with each other the principal issues they wanted the meeting to cover. A short, facilitated discussion in the room led by the Chair highlighted the key issues, and the Chair then put those points to the company representatives.

At the end of the meeting, the public asked questions of the bus company representative in a 20-minute plenary item.

The meeting was fractious, but the planning carried out to prepare for this – by channelling issues through discussion and using the Chair to mediate the questioning – made things easier. Some attendees were initially frustrated by this structure, but the company representative was more open and less defensive than might otherwise have been the case.

The meeting also motivated the company to revise its communications plan to become more responsive to this kind of challenge, part of which involved a commitment to feed back to the scrutiny committee on the recommendations it made on the night.

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# Scrutiny Review - Care Home Commissioning

| A Review by the Adults & Health Scrutiny Panel – 2018/19 | |
|---|---|
| **Panel Membership** | Cllr Pippa Connor (Chair) |
| | Cllr Nick da Costa |
| | Cllr Eldridge Culverwell |
| | Cllr Mike Hakata |
| | Cllr Felicia Opoku |
| | Cllr Sheila Peacock |
| | Cllr Yvonne Say |
| | Helena Kania (Co-opted Member) |

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**CONTENTS**

**1.      Chair's Foreword**

1.1      This project was undertaken not to look at any individual care setting but gain a deeper understanding of the process and how as a local authority we are best placed to instigate change and improvements.

1.2      The aim of this project was always how to improve systems to directly enhance both the staffing offer and retention and the client experiencing the care alongside their Carer.

1.3      In identifying these key themes within each of the areas we hope that the following recommendations can assist not only in the development of a skilled and valued workforce within a recognised body encompassing pay, conditions and training, but also that the Providers will be supported both within their funding to remain a stable provision both within Haringey and surrounding boroughs.

1.4      By leading the way with innovative ideas, we can protect and enhance our care provision across all settings, with the end goal of improving our residents care whether it is within their own home or in a residential or Nursing Home setting.

1.5      Individual recommendations for clients and carers have been identified to support their choice and independence whilst ensuring they gain access to the best care.

**2.      Recommendations**

| | Developing a skilled and valued workforce |
|---|---|
| 1 | To set up a Body to recognise the role and job description of a care worker. This would include care workers within the Domiciliary, care home and nursing home setting. This body would regulate pay and conditions across the care sector. It would also ensure that there was scope for staff to progress in their careers. Whilst this would start at a local level, the aim would be to gain national recognition. |
| 2 | To ensure that all care workers receive a yearly appraisal, with pay review, based on an incremental system of pay within grades. |
| 3 | To provide accredited training for care workers, whilst ensuring there is a recognised difference of care workers within the care system, for example, frail elderly home care, learning disability care, mental health care. Training courses should be tailored to suit each speciality. |
| 4 | To set up a forum for care workers to meet any issues or ideas to improve care within their settings or working conditions. |
| 5 | To consider working with North Central London partners to develop actions from Recommendations 1-4 on a cross-borough basis. |
| | Improving care provision and support for service users and carers |
| 6 | To set up an Independent Advocate service which would provide information and support to service users and designated carers, particularly in relation to the first Social Worker review for care assessment. |
| 7 | To ensure that annual reviews of care provision / placements take place, in order to assess whether the services provided are still appropriate for the client. Establish a secure online portal to enable service users and carers (as well as Social Workers) to have easier and faster access to all assessment and review documents in order to a better understanding of any changes to the Service User's care plan. Enable Service Users and Carers to be able to comment directly via this portal with the Social Worker who undertook the assessment in relation to any queries around the care plan. This would allow changes in care to be tracked |

| | |
|---|---|
| | and rational behind any changes to be explained. |
| 8 | To request that Healthwatch carry out spot checks in every provider where there is a Haringey contract in place, and reports provided to the Local Authority and CCG. |
| 9 | To ensure that better information is provided to service users and carers in relation to community provision, via Community Asset Mapping, particularly before admission to a care or nursing home setting. Specific measures could include:<br>• Social workers putting service users and carers in touch with their local Community Care Navigators in appropriate circumstances so that they can get access to other local community groups or services that would be useful to them (e.g. in cases where the Service User accesses 'paid care' for less than 5 days a week due to budget limitations)<br>• To update the Haricare website page to ensure that information is presented in a way that is accessible and user-friendly.<br>• To provide service users and carers with a booklet at the first contact with the Social Care team that would include details about the assessment process, advice about the rights of service users and carers and useful contact numbers and addresses. |
| 10 | To ensure that Safeguarding information is provided to clients and carers (e.g. leaflet upon first contact on noticeboards at care homes) with clear contact numbers (if home care, then within the home care contract). |
| **The relationship between care providers and the local authority/CCG** | |
| 11 | To set up quarterly forums, attended by CCG and Council commissioners, for service providers to raise any issues or concerns that they have about funding. This forum should report the service providers' concerns and any identifiable solutions to the Cabinet Member to improve their understanding of the stress within the system and how the Council is working to address any problems within its remit. |
| 12 | To encourage a dialogue with providers in relation to recommendations 1 – 3, to ensure that there is consistency across the board. |
| 13 | To work with the CCG to address concerns around funding for local providers. |
| 14 | To embed Social Workers within the staff of the new GP hubs to enable better coordinated care delivered in a community setting. |

### 3.     Panel Membership

3.1     At the time that the Scrutiny Review was originally set up in the 2017/18 Municipal Year, the membership of the Panel was:

- Cllr Pippa Connor (Chair)
- Cllr Gina Adamou
- Cllr David Beacham
- Cllr Patrick Berryman
- Cllr Gideon Bull
- Cllr Eddie Griffith
- Cllr Ali Gul Ozbek
- Helena Kania (Co-opted Member)

This group oversaw the first and second evidence sessions and the site visits.

3.2     In May 2018, the membership of the Panel changed with six out of the seven Members being replaced and only the Chair, Cllr Pippa Connor, and the additional Co-opted Member,

Helena Kania, remaining in post. The membership of the Panel is the 2018/19 Municipal Year was:

- Cllr Pippa Connor (Chair)
- Cllr Nick da Costa
- Cllr Mike Hakata
- Cllr Sarah James (replaced in Jan 2019 by Cllr Eldridge Culverwell)
- Cllr Felicia Opoku
- Cllr Sheila Peacock
- Cllr Yvonne Say
- Helena Kania (Co-opted Member)

This group oversaw the third evidence session.

## 4. Background to Scrutiny Review

4.1 At its meeting on 21st November 2017, the Overview and Scrutiny Committee agreed the scoping document for a review of care home commissioning by the Adults and Health Scrutiny Panel.

4.2 The overarching aim of the project was to ensure residents in Haringey received high quality care in care home settings (residential and nursing) and that contracts incentivised care homes to provide high quality care. This would involve examination of Haringey's current care home offer, with consideration given to both the user / carer experience, and workforce support and planning.

## 5. Terms of Reference

5.1 The terms of reference for this review were to make recommendations on:

- Improving systems to directly enhance both the staffing offer and retention; and develop a skilled and valued workforce.
- Protect and enhance the care provision across all settings, with the end goal of improving residents' care, whether within their own homes, or within a residential or Nursing Home setting.

## 6. Evidence Gathering

First evidence gathering session

6.1 The Panel met with officers from the Haringey Commissioning Team who provided a background to care homes and care provision in the borough.

Site visits

6.2 Members of the Panel visited a number of Care Homes in the borough:

- Peregrine House
- Priscilla Wakefield House

- Morriss House
- Stamford Care Home

6.3 The Panel gained useful feedback from the visits, after speaking to staff, service users and carers/relatives. A list of the questions used during these visits is set out in full in **Appendix B**.

Second evidence gathering session

6.4 Members of the Panel met with an officer from the North London Councils Workforce Team. The team were working on a cross borough project with the aim of supporting providers to increase capacity and quality in key roles such as nursing and home care through improvements to recruitment, development and retention approaches, and to build a joined up and sustainable approach to workforce challenges in North London.

6.5 There were a number of aims that the project wanted to achieve: raising the profile and prestige of roles and careers within the care sector; increasing capacity by adjusting their recruitment and retention practices; improve the skills of the workforce to enable residents to live well at home and prevent unnecessary admissions; and to integrate social care agenda into local transformation infrastructure.

6.6 Members of the Panel were encouraged by the project and identified a number of areas where recommendations from the review could feed into this work.

Third evidence gathering session

6.7 The Panel invited witnesses from a number of key organisations to attend an evidence gathering session at the Civic Centre to explore in more detail the issues relating to the inspection of care homes and the representation and support for the workforce. The organisations represented at this session were:

- The Care Quality Commission (CQC)
- The Royal College of Nursing (RCN)
- The National Association of Care and Support Workers (NACAS)
- UNISON

6.8 A full list of review contributors is provided in **Appendix A**.

## 7. Issues Considered

7.1 In considering the evidence received, the Panel sought to make recommendations in three key areas:

- Developing a skilled and valued workforce
- Improving care provision and support for service users and carers
- The relationship between care providers and the local authority/CCG

## 8. Developing a skilled and valued workforce

8.1 Staffing at the homes that the Panel visited were a mix of registered nurses, care workers and bank staff to cover sickness. Some homes had volunteer support workers.

Pay, conditions and training

8.2     From the discussions about training at the site visits the Panel found that, on the whole, staff received the appropriate training and were able to attend training sessions in order to fulfil legal requirements. Some staff felt that there was career progression available, whilst others felt that there were no clear pathways to career progression. One staff member felt they were given appropriate study days to fulfil the companies legal requirement but nothing extra to enhance their carer pathway.

8.3     At one of the Panel's evidence sessions, Gloria Dowling, Inspection Manager from the CQC, said that inspectors talked to staff about the training that they had been provided with and their feedback was cross referenced with training records. The levels of training that were offered were variable.  In some cases, only the two day mandatory training and shadowing was provided.  Inspectors looked at the impact of the training and asked questions to see if staff had the requisite knowledge.

8.4     Mohammed Gbadamosi from NACAS told the Panel that training was not normally portable and workers could therefore often have to repeat it. Sometimes workers were asked to pay for training.  Providers were normally left to determine training needs.  Good care homes tended to be those with better training for staff as this helped provide a more skilled workforce.  Such providers were also better able to recruit and retain staff.  Care work was not for everyone though and some joined the sector without understanding what was required. Due to this, there was a high turnover of staff.  It was a skilled job which required high levels of inter personal skills.

8.5     Mohammed Gbadamosi also reported that NACAS was developing a competency programme for care workers in order to provide a focus for training. He felt that local authorities could require providers to offer specific training to staff by defining standards. This would also help ensure that care workers were paid better.  However, providers were limited in what they were able to do by funding levels.

8.6     Staff at the care homes visited by the Panel were generally paid at the National Minimum Wage level but there was one home where the London Living Wage was paid, and another where management were looking to increase pay to the National Living Wage (though this is lower than the London Living Wage). Staff commented that they were underpaid for the work that they do.

8.7     Sean Fox, Joint Branch Secretary and NEC Member for Greater London from UNISON, told the Panel that care workers were the forgotten part of the workforce and that the skilled work that care workers undertook needed to be recognised.  They were increasingly being required to administer medication and undertake care that was invasive.  However, pay was low and at National Minimum Wage levels in many cases.  There was often no sick pay and training was patchy. Zero hour contracts were also used within the sector.  He felt that there needed to be better regulation and minimum standards for pay and training.  Closer links with social care commissioners would assist in improving conditions. Commissioners

tended to adopt a light touch in their relations with providers and did not look at pay or training.

8.7 Mohammed Gbadamosi from NACAS pointed out that, in the past, care workers had not been allowed to deal with medication but they were now increasingly required to not only administer medication but also to provide diagnoses. Despite the increased level of responsibility, care workers were often poorly paid and were receiving less than the minimum wage in some cases.

Representation of the workforce

8.8 Sue Lister, Senior RCN Officer from the Royal College of Nursing (RCN) informed the Panel that the RCN had an "adopt a care home" scheme for staff in order to raise the profile of the sector as it was often the poor relative of the health and social care system. It was important that the voice of people working in care homes was heard. If they were able to voice opinions about levels of care, this would help to improve standards. It was often the case that wider issues only became known when there were safeguarding concerns and she felt that there was a need for better engagement.

8.9 As part of one of the evidence sessions the Panel explored the issue of better representation of care workers. Sue Lister explained that in order to be eligible for RCN membership, care workers needed to be managed by a nurse and their members therefore generally came from nursing rather than care homes. Care homes tended to be more numerous. There was an expectation that homes would not provide specific clinical input. However, care workers were increasingly being called upon to provide clinical support and were, in some cases, required to make clinical decisions.

8.10 Sean Fox reported that UNISON was now organising within the private sector and therefore covered nursing and care homes. His UNISON colleague Mr O'Donohue felt that commissioners should encourage care home providers to work with trade unions and to formally recognise them. Sean Fox said that he had concerns regarding any enforcement of registration of care workers as they were generally low paid and registration normally carried a fee. One option would be for employers to pay for registration. However, it was not a "magic bullet". On an overall basis, better training, support, pay and status were required.

8.11 Mohammed Gbadamosi told the Panel that on becoming a care worker, he had noticed that there was no association to provide a voice for them and that their views were always communicated via a third party and not directly. The National Association of Care and Support Workers (NACAS) was set up in 2016 to provide care workers with such a voice and aimed to become the professional body for care workers. They also wished to promote greater respect for the work force, who they said were often referred to as "just" care workers.

8.12    NACAS had developed a register of care workers who belonged to NACAS which they intended to maintain.  Re-validation was required every three years.  The register, which covered the whole of the United Kingdom, included information on how long individuals had worked as care workers, their qualifications and their DBS status. An application had been made to the Professional Standards Authority for accreditation.

8.13    As of October 2018, NACAS had around 400 members. They had achieved this number without any marketing or publicity.  They were unable to represent members directly but had an agreement with the Community Union who were able to provide this service for NACAS members for a small additional membership fee. Membership fees were kept low as it was recognised that most members were not well paid.

8.14    The reception that NACAS had received when approaching local authorities or other statutory organisations was mixed but they were sometimes listened to. They had recommended to another local authority that it should, as part of procurement practices, specify that it would be good practice for staff employed by providers to belong to a professional body, such as NACAS.  This had not been acted upon though.  Such a move would have recognised their existence, albeit on a voluntary basis. There was a tendency for local authorities to wait for direction from central government before acting.

8.15    In September 2018, NACAS produced a research report, *The Well-Being of Professional Care Workers*, based on questionnaires and interviews with people working in the care sector. The report concluded that this is *"a strong belief by those who work in care that their job is not considered as a profession"* and that there is a need to professionalise care work through measures such as entry requirements and a register of care workers as well as a standardised and accredited training programme.[1]

8.16    The report also proposed that care workers' pay should be structured by a new grading system which reflects the skill and responsibility of each grade under the new job title of Care Practitioner. Their proposed new structure is as follows:

| Job title | Examples of corresponding roles | Requirements |
|---|---|---|
| Care Practitioner Grade 1 | Assistant Care Worker; Support Worker. | New to the sector, working a probationary period or newly qualified members with less than one year's experience. |
| Care Practitioner Grade 2 | Care Worker; Care Assistant; Personal Assistant; Support Worker; Domiciliary Care Worker; Activities Worker. | Qualified care and support workers, and those with more than a year's experience. Achieved an accredited qualification. |
| Care Practitioner Grade 3 | Senior Care Worker; Senior Support Worker; Field | Members on this level have more advanced responsibility. |

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[1] p.26, The Well-Being of Professional Care Workers (4th Sep 2018), National Association of Care and Support Workers (NACAS) https://www.nacas.org.uk/research.html

| | Supervisor; Health Care Assistant; Enhanced Care Worker; Rehabilitation Worker; Recovery and Mental Health Support Worker. | Members in this role will have achieved additional competencies to carry out their role, for example: administering medication, specialist skill sets in areas such as Mental Health, Dementia, learning Disabilities etc. |
|---|---|---|
| Care Practitioner Grade 4 | Team Leader; Care Coordinator; Care Assessor; Deputy/Assistant. | Members on this level will have supervisory responsibilities in addition to their primary role. |
| Care Practitioner Grade 5 | Registered Manager; Commissioner; Service Manager. | Operational and Strategic Management Responsibilities. |

**Recommendation 1** - To set up a Body to recognise the role and job description of a care worker. This would include care workers within the Domiciliary, care home and nursing home setting. This body would regulate pay and conditions across the care sector. It would also ensure that there was scope for staff to progress in their careers. Whilst this would start at a local level, the aim would be to gain national recognition.

**Recommendation 2** - To ensure that all care workers receive a yearly appraisal, with pay review, based on an incremental system of pay within grades.

**Recommendation 3** - To provide accredited training for care workers, whilst ensuring there is a recognised difference of care workers within the care system, for example, frail elderly home care, learning disability care, mental health care. Training courses should be tailored to suit each speciality.

**Recommendation 4** - To set up a forum for care workers to meet any issues or ideas to improve care within their settings or working conditions.

**Recommendation 5** - To consider working with North Central London partners to develop actions from Recommendations 1-4 on a cross-borough basis.

**9.      Improving care provision and support for service users and carers**

9.1      From the conversations at the site visits by the Panel, residents were generally happy with the level of care provided, and with the staff at the homes. One mentioned their frustration at not being provided with the physiotherapy required to enable them to return home (although it was noted that this was an external physiotherapist). One resident spoke of a previous care home, where the level of care received by them had not been as good as their current home.

9.2      There was generally good feedback from families/carers about the staff at the homes, and the quality of care that residents received. There were some comments that there was a

need for more staff in some of the homes, particularly at times when residents required personal care, and there were no staff left in the day rooms.

9.3 Feedback indicated that there were also some occasions where communication was lacking, particularly in relation to the assessment process for residents, but also regarding everyday details of care. Easier access to assessment and review documents would help service users and carers to have a better understanding of the details and any changes relating to the care plan that affects them.

9.4 The Panel is aware of Haringey Council's advice booklet, *Preparing for Adulthood Pathway Guide 2019*[2], which provides information about transitioning from children's services to adult service. The Panel considers this to be a useful resource that could potentially be replicated to provide advice for service users and carers about adult social care services.

9.5 Transportation was an issue in some homes – requests had been made to have transport so that staff could take residents on trips, as the transport provided by Haringey Council was unreliable. This was echoed in another home, where free outings for clients were no longer possible.

9.6 There seemed to be a problem with supply of equipment at one of the homes, with only one hoist and a few wheelchairs, but staff were uncertain who had supplied the equipment and how to get more.

9.7 Staff at one home commented that management could provide better support to carers when a client died. Staff also reported problems where there was no next of kin for a resident. They had been advised to contact the Council, but often it was difficult to make contact.

9.8 Some additional support was provided by the CCG, particularly in relation to dementia nursing and the rapid response team. Support was also provided from the North Middlesex Palliative Care Team. However, there were some comments from staff that some placements were unsuitable, e.g. clients with alcohol issues; and instances where some clients care needs have increased following discharge from homes.

9.9 On the issue of inspections, Gloria Dowling, Inspection Manager from the CQC set out details to the Panel at an evidence session about the CQC's programme of inspections for care and nursing homes within the borough. The inspections process was described as robust and, amongst other things, looked at levels of risk and outcomes. Regular inspections took place on an annual basis but were six monthly for services that were rated as 'requiring improvement'. The CQC had a number of systems for collecting intelligence on homes and the inspection schedule was flexible to take into account any issues that might arise. Inspectors talked to residents and families as part of inspections and also took into account any other local intelligence that had been received.

**Recommendation 6 -** To set up an Independent Advocate service which would provide information and support to service users and designated carers, particularly in relation to the first Social Worker review for care assessment.

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[2] https://www.haringey.gov.uk/children-and-families/local-offer/preparing-adulthood

**Recommendation 7** - To ensure that annual reviews of care provision / placements take place, in order to assess whether the services provided are still appropriate for the client. Establish a secure online portal to enable service users and carers (as well as Social Workers) to have easier and faster access to all assessment and review documents in order to a better understanding of any changes to the Service User's care plan. Enable Service Users and Carers to be able to comment directly via this portal with the Social Worker who undertook the assessment in relation to any queries around the care plan. This would allow changes in care to be tracked and rational behind any changes to be explained.

**Recommendation 8 -** To request that Healthwatch carry out spot checks in every provider where there is a Haringey contract in place, and reports provided to the Local Authority and CCG.

**Recommendation 9 -** To ensure that better information is provided to service users and carers in relation to community provision, via Community Asset Mapping, particularly before admission to a care or nursing home setting. Specific measures could include:

- Social workers putting service users and carers in touch with their local Community Care Navigators in appropriate circumstances so that they can get access to other local community groups or services that would be useful to them (e.g. in cases where the Service User accesses 'paid care' for less than 5 days a week due to budget limitations)
- To update the Haricare website page to ensure that information is presented in a way that is accessible and user-friendly.
- To provide service users and carers with a booklet at the first contact with the Social Care team that would include details about the assessment process, advice about the rights of service users and carers and useful contact numbers and addresses.

**Recommendation 10** - To ensure that Safeguarding information is provided to clients and carers (e.g. leaflet upon first contact on noticeboards at care homes) with clear contact numbers (if home care, then within the home care contract).

**10.     The relationship between care providers and the local authority/CCG**

10.1     At the outset of the evidence gathering, Panel Members met with officers from the Haringey Commissioning Team Care to understand more about the commissioning process. Home placements are commissioned via Dynamic Purchasing Systems (DPS), with quality assurance managed by the CQC and within the Commissioning Team.  All homes must be either good or outstanding to join DPS.

10.2     One common challenge to all local authorities is difficulties sourcing bedded care, particularly nursing care.  Commissioners / managers from across the boroughs are largely in agreement that this is a supply issue, and there is evidence that this is driving local authorities to place residents in a wider geographical area.  Commissioning leads in Enfield consider challenges with nursing bed availability as principally a product of inter-authority competition and price variance, and a lack of clinical capacity in care homes to manage the acuity of patients.

10.3     Demand for residential care with or without nursing is set to increase by 56% by 2035.

10.4    To address issues of supply, NCL boroughs have agreed to explore: understanding the specific nature of supply gaps, and scoping out what an appropriate model of nursing care is; and to scope out an approach to shared capital investment / market development.

10.5    Some quick wins / short term recommendations have been identified:

- Undertake a detailed review of the following to understand what the NCL 'supply gap' is:
  - o   Local Authority demand
  - o   Care Home available supply
  - o   Delayed Transfer of Care (DTOC) reasons
- Evaluate enhanced health in care homes models and costs / savings / cost avoidance for local authorities and across the Health and Social Care system.
- Present supply gap to STP Urgent Care Workstream and make case for joint CCG / Local Authority sector investment / intervention.

10.6    The Commissioning Team has also identified some longer term recommendations:

- Agree joint MPS across 5 boroughs for bedded care.
- Collectively agree model of nursing care to be adopted.
- Engage care marketplace jointly to manage supply gaps.
- Agree a shared capital investment plan / approach (across the 5 boroughs) for supply.

10.7    The Panel also explored commissioning issues as part of the conversations on the site visits. 70% of residents at one home were local authority funded, which was a factor in the viability of the home.  There were concerns raised regarding the future of the home, as the maximum capacity had been lowered due to health and safety concerns about using certain areas of the home.

10.8    Haringey Council did not fund day-care for those in residential care, but it was felt that the activities provided on site were not always appropriate for all residents.

10.9    At an evidence gathering session, Sue Lister, Senior Officer from the RCN said that social care was desperately underfunded and there was little access to NHS funding.  However, the setting up of Sustainability and Transformation plans (STPs) had necessitated collaboration between health and social care services and could provide a way forward.  The RCN was part of the Local Workforce Action Board, which sought to address the staffing challenges that health, and social care services were facing.

10.10   Sue Lister also commented that there was an expectation that the London Living Wage would be paid by homes but it was often only the National Minimum Wage that staff received. She stated that she would like to see closer monitoring of contracts by local authorities.

**Recommendation 11 -** To set up quarterly forums, attended by CCG and Council commissioners, for service providers to raise any issues or concerns that they have about funding. This forum should report the service providers' concerns and any identifiable solutions to the Cabinet Member to

improve their understanding of the stress within the system and how the Council is working to address any problems within its remit.

**Recommendation 12** - To encourage a dialogue with providers in relation to recommendations 1 – 3, to ensure that there is consistency across the board.

**Recommendation 13** - To work with the CCG to address concerns around funding for local providers.

**Recommendation 14** - To embed Social Workers within the staff of the new GP hubs to enable better coordinated care delivered in a community setting.

**Appendix A**

**Review contributors**

The Committee interviewed the following witnesses as part of their evidence gathering

– in order of their appearance before the group

| Name | Job Title / Role | Organisation |
|---|---|---|
| **Scoping** | | |
| Charlotte Pomery | Assistant Director of Commissioning | Haringey Council |
| **Evidence session 1** | | |
| Farzad Fazilat | Commissioning Manager | Haringey Council |
| Sujesh Sundarraj | Commissioning & Safeguarding Officer | Haringey Council |
| **Site visits** | | |
| Clients, relatives & staff | | Peregrine House |
| Clients, relatives & staff | | Priscilla Wakefield House |
| Clients, relatives & staff | | Morriss House |
| Clients, relatives & staff | | Stamford Care Home |
| **Evidence session 2** | | |
| Anne-Marie Gray | Project Officer | North London Councils Workforce Team |
| **Evidence session 3** | | |
| Gloria Dowling | Inspection Manager | Care Quality Commission (CQC) |
| Sue Lister | Senior RCN Officer | Royal College of Nursing (RCN) |
| Mohammed Gbadamosi | Chair of the Board | National Association of Care and Support Workers (NACAS) |
| Sean Fox | Joint Branch Secretary and NEC Member for Greater London | UNISON |
| Liam O'Donohue | Recruitment & Representation Officer | UNISON |

**Appendix B**

**Questions used for care home site visits**

<u>Residents</u>

- Did you get all the help/support you needed from Haringey when you were deciding to come into a care home?
- Looking back, could the social worker have given you any more/different information that would have helped you?
- Thinking about the care you receive now, is there anything that could be done to improve your care?
- Would you like to have access to different services like physio, nail cutting, exercise classes or external trips in the community?

<u>Carers</u>

- When you first thought about accessing care in a home, was there any information you wish you had been given?
- During the decision process were you offered any support services for yourself?
- Were you given enough support in filling out the forms/choosing the right care home?
- Now your loved one is in the care home; do you have access to any support in the community?
- What would you like to see change to help others before they start this process?

<u>Staff</u>

- Do you feel you have enough support to care for your clients in the best way?
- Do you have enough information if relatives ask about other services such as podiatry or exercise classes?
- Are you supported?
- What other support would you like to help you develop in your career?
- Do you feel that you could ask for any study time if you wanted to attend a course?
- How many courses have you been on in the last year i.e. safeguarding or patient handling?

**Report for:** Overview and Scrutiny Committee – 4 June  2019

**Title:** Overview and Scrutiny Committee and Scrutiny Panel Work Programme

**Report authorised by:** Ayshe Simsek, Acting Democratic Services and Scrutiny Manager

**Lead Officer:** Rob Mack, Principal Scrutiny Support Officer
Tel: 020 8489 2921, E-mail: rob.mack@haringey.gov.uk

**Ward(s) affected:** N/A

**Report for Key/
Non Key Decision:** N/A

## 1.    Describe the issue under consideration

1.1    This report seeks approval of the work plans for the remainder 2018-20 for the Committee and its Panels.

## 2.    Recommendations

2.1    To note the work programmes for the main Committee and Scrutiny Panels at Appendix A and agree any amendments, as appropriate.

2.2    That the Committee agree to transfer the Wards Corner review from the work plan of the Housing and Regeneration Panel to that of the parent committee, Overview and Scrutiny Committee.

## 3.    Reasons for decision

3.1    The Overview and Scrutiny Committee (OSC) is responsible for developing an overall work plan, including work for its standing scrutiny panels. In putting this together, the Committee will need to have regard to their capacity to deliver the programme and officers' capacity to support them in this task.

## 4.    Background

4.1    An updated copy of the work plan for the Overview and Scrutiny Committee is attached as Appendix "A".   The current work plans for all of the other scrutiny panels are also attached.  Further development of the plans will take place with Chairs and the outcomes of these discussions will be reported to the next round of meetings.   Some small changes may be required to work plans the light of changes to Panel remits and Cabinet portfolios, which are reported elsewhere on the agenda.

*Wards Corner Review*

4.2 The evidence gathering for the Housing and Regeneration Scrutiny Panel Review of Wards Corner is now complete and there is over 30 hours of information to consider and extract key themes that will inform the Scrutiny Panel report and recommendations. There are a

further 3 sessions required to consider a draft report, agree the key themes and final recommendations. This is order to inform a final Scrutiny Panel report for consideration at Overview and Scrutiny Committee on the 22nd of July, and Cabinet on the 10th of September. However, with the new 2019/20 council municipal year, the Housing and Regeneration Scrutiny Panel membership is likely to change. This would affect the Panel's completion of the Wards Corner review. It is important that Overview and Scrutiny Committee, as the parent committee, enable and facilitate the completion of the review.

4.3 Therefore, it is recommended that the work undertaken by the 2018/19 Housing and Regeneration Scrutiny Panel review of Wards Corner and any further task be transferred to the Overview and Scrutiny Committee and for the Overview and Scrutiny Committee to arrange meetings with the 2018/19 Scrutiny Panel membership to finalise the review report and its recommendations. This will preserve the work of the Panel completed on this review thus far and ensure that the council continues to meet local community expectations on an outcome for this review.

If this proposal is agreed, the Overview and Scrutiny Committee will hold a further three evidence sessions between mid-June to early July, inviting the Housing and Regeneration Scrutiny Panel membership of 2018-19 to actively review a draft report, propose the key themes and recommendations. Although the final review will be authored by the main Overview and Scrutiny Committee, the recommendations will be evidence led and it is hoped that this proposal will provide confidence to the community that the information already shared in the review will not be disregarded.

To emphasise that the Overview and Scrutiny Committee members will be acting in a facilitative role and maintaining oversight of this review in the outlined evidence gathering sessions.

This proposal is in keeping with the responsibilities of the Overview and Scrutiny Committee for the work programme which encompasses the main committee and 4 panels.

The Overview and Scrutiny Committee appoints panels to discharge the Overview and Scrutiny role as set out in article 6 .03 [a] of the Council Constitution and given the circumstances can intervene to ensure that the review is completed and overall Scrutiny work programme objectives achieved.

*Forward Plan*

4.4.1 Since the implementation of the Local Government Act and the introduction of the Council's Forward Plan, scrutiny members have found the Plan to be a useful tool in planning the overview and scrutiny work programme. The Forward Plan is updated each month but sets out key decisions for a 3-month period.

4.5 To ensure the information provided to the Committee is up to date, a copy of the most recent Forward Plan can be viewed via the link below:

http://www.minutes.haringey.gov.uk/mgListPlans.aspx?RP=110&RD=0&J=1

4.6     The Committee may want to consider the Forward Plan and discuss whether any of these items require further investigation or monitoring via scrutiny.

## 5.     Contribution to strategic outcomes

5.1     The contribution of scrutiny to the corporate priorities will be considered routinely as part of the OSC's work.

## 6.     Statutory Officers comments

### Finance and Procurement

6.1     There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications these will be highlighted at that time.

### Legal

6.2     There are no immediate legal implications arising from the report.

6.3     In accordance with the Council's Constitution, the approval of the future scrutiny work programme falls within the remit of the OSC.

6.4     Under Section 21 (6) of the Local Government Act 2000, an OSC has the power to appoint one or more sub-committees to discharge any of its functions. In accordance with the Constitution, the appointment of Scrutiny Panels (to assist the scrutiny function) falls within the remit of the OSC.

6.5     Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the Overview and Scrutiny Committee. Such reports can then be referred to Cabinet or Council under agreed protocols.

### Equality

6.6     The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;

- Advance equality of opportunity between people who share those protected characteristics and people who do not;

- Foster good relations between people who share those characteristics and people who do not.

6.7 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;

- Whether the impact on particular groups is fair and proportionate;

- Whether there is equality of access to services and fair representation of all groups within Haringey;

- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

6.8 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

## 7. Use of Appendices

Appendix A: Work Plans for the Committee and the scrutiny panels.

## 8. Local Government (Access to Information) Act 1985

N/A

**APPENDIX A**

**Overview and Scrutiny Committee**

**Work Plan 2018-20**

<table>
<tr><td colspan="3">1. <strong>Scrutiny review projects;</strong> These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.</td></tr>
</table>

<table>
<tr><th>Project</th><th>Comments</th><th>Priority</th></tr>
<tr><td>Local Business, Employment and Growth</td><td>Review to focus on procurement and the local supply chain. Scope and terms of reference to be approved by the Committee meeting on 25 March 2019.</td><td>1.</td></tr>
<tr><td>Communicating with the Council</td><td>Review to consider how to improve communication between residents and Council services</td><td>2.</td></tr>
<tr><td>Working with the voluntary and community</td><td><ul><li>Working together with local voluntary/community sector, strengthening their capacity and working with them to attract external investment in the borough;</li><li>Building on examples of good co-operation and joint working between Council services and volunteers, such as within parks, which could be replicated more widely;</li><li>Involving and supporting voluntary organisations to bid for services.</li></ul></td><td>3.</td></tr>
</table>

| | | |
|---|---|---|
| Child Poverty | • Issues in schools highlight food poverty, poor housing and increasing mental health needs. | |
| Fairness Commission | • Possible outcomes | |

2. **"One-off" Items;** These will be dealt with at scheduled meetings of the Committee. The following are suggestions for when particular items may be scheduled.

| Date | Potential Items | Lead Officer/Witnesses |
|---|---|---|
| **4 June 2018** | Terms of Reference | Scrutiny Support Officer |
| | Work Plan | Scrutiny Support Officer |
| **23 July 2018** | Leader's Update on Council Priorities | Leader and Chief Executive |
| | Q1  Performance report | Performance Manager |
| | 2017/18 Provisional Outturn report | Head of Finance Operations |

| | | |
|---|---|---|
| | Overview and Scrutiny Committee and Scrutiny Panel Work Programme | Scrutiny Support Officer |
| | Review on Fire Safety in High Rise Blocks – Update | Scrutiny Support Officer |
| **2 October 2018** | Budget Monitoring – Q1 | Chief Finance Officer |
| | Review on Fire Safety in High Rise Blocks - Update | Scrutiny Support Officer |
| | Overview and Scrutiny Committee and Scrutiny Panel Work Programme | Scrutiny Support Officer |
| **19 November 2018** | Budget Monitoring – Q2 | Chief Finance Officer |
| | Budget setting process; To set out the budget scrutiny process and context for the remainder of the year | Chief Finance Officer |
| | Cabinet Member Questions;<br>1. Finance<br>2. Corporate Services and Insourcing | Cabinet Member - Finance<br>Chief Finance Officer<br>Cabinet Member – Corporate Services and Insourcing |
| | | |

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|---|---|---|
| | Performance update – Q2; To monitor performance against priority targets | Performance Manager |
| | Local Business, Employment and Growth | Assistant Director, Economic Development and Growth |
| | Review on Fire Safety in High Rise Blocks | Scrutiny Support Officer |
| | Work Plan | Scrutiny Support Officer |
| **14 January 2019** | Priority X Budget Scrutiny (Deputy Chair in the Chair); To undertake scrutiny of the "enabling" priority. | Chief Finance Officer/Principal Accountant, Financial Planning |
| | Brexit – Implications for Borough | Head of Policy and Cabinet Support |
| | Consultation and Engagement | Assistant Director for Strategy and Communications |
| | Cabinet Member Questions - Strategic Regeneration | Cabinet Member for Strategic Regeneration and officers |
| **28 January 2019** | Budget Scrutiny; Panel feedback and recommendations. To consider panel's draft | |

| | recommendations and agree input into Cabinet's final budget proposal discussions (Deputy Chair in the Chair) | Deputy Chair (in the Chair) |
|---|---|---|
| | Treasury Management Statement | Head of Pensions |
| | Cabinet Member Questions - Civic Services | Cabinet Member for Civic Services and officers |
| **25 March 2019** | Borough Plan | Head of Policy and Cabinet Support |
| | Cabinet Member Questions – Communities, Safety and Engagement (Voluntary Sector/Equalities issues) | Cabinet Member – Communities, Safety and Engagement |
| | Budget Monitoring – Q3 | Chief Finance Officer |
| | Performance update – Q3 | Performance Manager |
| | Complaints Annual Report | Assistant Director (Corporate Governance) |
| | | |

| | Review on Fire Safety in High Rise Blocks – Interim Report | Principal Scrutiny Support Officer |
|---|---|---|
| **30 April 2018** | Fairness Commission Update | Assistant Director for Strategy and Communications |
| | Scrutiny Function | Principal Scrutiny Support Officer |
| | FOBO | Director of Customers, Transformation and Resources |
| | Member inquiries | Director of Customers, Transformation and Resources |
| | Draft Scrutiny Review reports | Scrutiny Panel Chairs |
| ***2019-20*** | | |
| **3 June 2019** | Leader's Update on Council Priorities | Leader and Chief Executive |
| | Q1  Performance report | Performance Manager |

| | | |
|---|---|---|
| | | |
| | Further Development of Overview and Scrutiny – Response to new Statutory Guidance on Overview and Scrutiny and Scrutiny Stocktake | Scrutiny Support Officer |
| | Terms of Reference and Memberships | Scrutiny Support Officer |
| | Overview and Scrutiny Committee and Scrutiny Panel Work Programme | Scrutiny Support Officer |
| | Overview and Scrutiny Annual Report 2018-19 | Scrutiny Support Officer |
| **22 July 2019** | Cabinet Member Questions: Finance and Strategic Regeneration | Cabinet Member for Finance and Strategic Regeneration and officers |
| | 2017/18 Provisional Outturn Report | Head of Finance Operations |
| | FOBO – Engagement and Communication | Director of Customers, Transformation and Resources |
| | Libraries | Director of Customers, Transformation and Resources |

| | Universal Credit | Director of Customers, Transformation and Resources |
|---|---|---|
| **1 October 2019** | Cabinet Member Questions – Local Investment and Economic Growth | Cabinet Member Local Investment and Economic Growth and officers |
| | Budget Monitoring – Q1 | Chief Finance Officer |
| | Housing Benefit Overpayments | Director of Customers, Transformation and Resources |
| | Complaints Annual Report | Assistant Director (Corporate Governance) |
| | FOBO  - Technological Issues/Successes so Far | Director of Customers, Transformation and Resources |
| **25 November 2019** | Performance Report – Q2 | Performance Manager |

| | | |
|---|---|---|
| | Budget Monitoring – Q2 | Chief Finance Officer |
| | Budget setting process; To set out the budget scrutiny process and context for the remainder of the year | Chief Finance Officer |
| | Cabinet Member Questions – Corporate and Civic Services | Cabinet Member – Corporate and Civic Services |
| **14 January 2020** | Priority X Budget Scrutiny (Deputy Chair in the Chair); To undertake scrutiny of the "enabling" priority. | |
| | Cabinet Member Questions – Communities and Equalities (Voluntary Sector/Equalities issues) | Cabinet Member for Communities and Equalities |
| **23 January 2020 (Budget Scrutiny)** | Budget Scrutiny; Panel feedback and recommendations. To consider panel's draft recommendations and agree input into Cabinet's final budget proposal discussions (Deputy Chair in the Chair) | Deputy Chair (in the Chair) |
| | Treasury Management Statement | Head of Pensions |
| | | |

| 12 March 2020 | Race Equality | Head of Policy and Cabinet Support |
|---|---|---|
| | Cabinet Member Questions – Finance and Strategic Regeneration | Cabinet Member – Finance and Strategic Regeneration and officers |
| | Budget Monitoring – Q3 | Cabinet Member - Finance Chief Finance Officer |
| | Performance update – Q3 | Performance Manager |

TBA:

Social Value Rent

Consultation and Engagement

Capital Programme for Schools

Insourcing

**Children and Young People's Scrutiny Panel**

**Work Plan 2018 - 20**

> 1. **Scrutiny review projects;** These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.

| Project | Comments | Priority |
|---|---|---|
| Special Educational Needs | <ul><li>SEND children are growing in numbers. They can often find difficulty in accessing services due to stretched Council budgets or lack of clarity on how parents can access services;</li><li>Families can find it a struggle to obtain a formal diagnosis for their children, which is often a prerequisite in getting extra support at school and/or at home;</li><li>Some groups of SEND children have an increased risk of exclusion from school and there can also be poor outcomes in the classroom, which can have a detrimental impact on families struggling to cope;</li><li>Early intervention, including diagnosis, is key in order to put relevant support measures in place so that children with SEND can have fulfilling lives with good educational outcomes.</li></ul><br>The review will examine and review the role and the effectiveness of the current service children with Social, Emotional and Mental Health (SEMH) issues and autism receive. It will aim to establish;<ul><li>Looking in particular at their interaction with the Council and schools, what are the experiences of parents with SEMH and autistic children in trying to access support for their children?</li><li>What are the waiting times for parents requesting an assessment, obtaining a diagnosis and</li></ul> | 1. |

| | receiving the extra support required? |  |
|---|---|---|
| | • What are the outcomes of children with SEMH and autism in relation to their diagnoses? | |
| | • As local authorities move away from statements to Education Health and Care (EHC) plans, what are the challenges parents face in obtaining EHC plans? How many children currently have a statement or EHC plan and how many apply for it? What are the rejection rates of children trying to obtain an EHC plan and what are the reasons? | |
| Alternative Provision | The review will look at Alternative Provision (AP) services provided to students who no longer attend mainstream education for reasons such as exclusion, behavioural issues, school refusal, short/long term illnesses as well as any other reasons.  The main areas of focus will be:<br>• What are the reasons why children in Haringey enter AP?<br>• Once entering alternative provision, what are their outcomes and attainment levels when compared to mainstream schools?<br>• How many children going through the AP route later enter the youth justice system?<br>• How many children enter alternative provision as a result of SEND needs and how many have a statement or a EHCP plan?<br>• The demographics of children entering AP including ethnicity, gender, areas of the borough where children in AP are drawn from and levels of children receiving free school meals prior to entering AP;<br>• What are the challenges schools and local authorities face and what can we do better to meet the needs of children so as to avoid AP altogether?<br>• Are the outcomes from AP providers uniform within Haringey?<br>• How cost effective is AP. | |

2.  **"One-off" Items; These** will be dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.

| Date | Potential Items |
|---|---|
| **6 September 2018** | <ul><li>Terms of Reference</li><li>Service Overview and Performance Update</li><li>Cabinet Member Questions; Children and Families and Communities (to cover areas within the Panel's terms of reference that are within their portfolios).</li><li>Work Planning; To agree items for the work plan for the Panel for this year.</li></ul> |
| **8 November 2018** | <ul><li>Cabinet Member Questions – Children and Families.</li><li>New Safeguarding Arrangements.</li><li>Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 1.</li><li>Joint Targeted Area Action Plan – Update.</li></ul> |
| **18 December 2018** | <ul><li>Budget Scrutiny</li><li>Cabinet Member Questions – Communities</li></ul> |

| | |
|---|---|
| **4 February 2019** | • Educational Attainment Performance; To report on educational attainment and performance for different groups, including children with SENDs.  Data on performance broken down into different groups, including children with SENDs, as well as ethnicity, age, household income etc.  To include reference to any under achieving groups.<br><br>• School Exclusions; To consider an overview of current action to address school exclusions and, in particular, the outcome of the detailed analysis of fixed term exclusions.<br><br>• Chair of LSCB & Annual Report.<br><br>• Review on Support to Children from Refugee Families (N.B. including NRPF):  Update on Implementation of Recommendations |
| **19 March 2019** | • Transition (to be jointly considered with the Adults and Health Panel).<br><br>• Cabinet Member Questions – Children and Families<br><br>• Ofsted Inspection – Action Plan<br><br>• Services to Schools<br><br>• Review on Child Friendly Haringey:  Update on Implementation of Recommendations |
| **2019 - 2020** | |
| **13 June 2019** | • Terms of Reference |

| | |
|---|---|
| | • Work Planning; To agree items for the work plan for the Panel for year.<br><br>• Cabinet Member Questions – Communities (Mop up any questions from Scrutiny Café)<br><br>• Youth Services<br><br>• Review on Restorative Justice:  Update on Implementation of Recommendations<br><br>• Apprenticeships<br><br>• Review on SEND - Update |
| **19 September 2019** | • Cabinet Member Questions – Children and Families<br><br>• Chair of LSCB & Annual Report/New Safeguarding Arrangements<br><br>• OFSTED Action Plan – Progress<br><br>• The Role of the LADO<br><br>• Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 1<br><br>• Alternative Provision |
| **7 November 2019** | • Cabinet Member Questions – Communities<br><br>• Childhood Obesity |

| | |
|---|---|
| | • Mental health services for teenagers and young people (CAMHS)<br><br>• Educational Attainment Performance; To report on educational attainment and performance for different groups, including children with SENDs.  Data on performance broken down into different groups, including children with SENDs, as well as ethnicity, age, household income etc.  To include reference to any under achieving groups. |
| **19 December 2019 (Budget Meeting)** | Budget scrutiny |
| **2 March 2020** | • Cabinet Member Questions – Children and Families<br><br>• Play and leisure<br><br>• Unregistered schools<br><br>• Home schooling and safeguarding |

TBA:

Joint meeting on Transitions

**Adults and Health Scrutiny Panel - Draft Work Plan 2018-20**

| | |
|---|---|
| **1. Scrutiny review projects;** These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels. | |

| Project | Comments |
|---|---|
| Care Home Commissioning | • Interim report published March 2018.<br>• Further evidence session held October 2018.<br>• To be completed. |
| Day Opportunities | • Review to run from November 2018 to March 2019. Report currently being prepared.<br>• Draft objective of review:<br>   o To review Haringey's Day Opportunities provision and what services are currently offered in order to learn from the past to improve care in the future for residents.<br>• Draft sub-headings:<br>   o Looking at services from a residents' perspective, what has happened to service users and their carers since the day care closure?<br>   o Has the move from day centre based care to community settings made overall financial savings?<br>   o Where are our residents currently being cared for?<br>   o What is the evidence from external witnesses? |

2. **"One-off" Items;** These will be dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.

| Date | Potential Items |
|---|---|
| **4 September 2018** | • Terms of Reference<br><br>• Appointment of Non-Voting Co-opted Member<br><br>• Performance Update<br><br>• Cabinet Member Questions; Adults and Health<br><br>• Community Well-Being Framework |
| **4 October 2018** | • Care Homes Review – Evidence Session |
| **1 November 2018** | • Haringey Safeguarding Adults Board Annual Report 2017-18<br><br>• Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priority 2.<br><br>• Suicide Prevention |
| **13 December 2018** | • Budget Scrutiny |

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| **29 January 2019** | • Cabinet Member Questions; Adults and Health<br><br>• Mental Health |
| **4 March 2019** | • Physical Activity for Older People – update<br><br>• Improving Primary Care in Haringey |
| **20 June 2019** | • Cabinet Member Questions<br><br>• Budget overview<br><br>• Locality working in North Tottenham<br><br>• Suicide Prevention update |
| **5 September 2019** | • Budget overview<br><br>• Osborne Grove update<br><br>• Community well-being update |
| **14 November 2019** | • Cabinet Member Questions<br><br>• Budget overview |

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| | • Adult safeguarding update<br><br>• CQC update |
| **12 December 2019** | • Budget Scrutiny |
| **25 February 2020** | • Budget overview<br><br>• Canning Crescent update |

**Environment and Community Safety Scrutiny Panel - Work Plan 2018-19**

<table>
<tr><td colspan="3">

1. **Scrutiny review projects;** These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits.  Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel.  These issues will be subject to further development and scoping.  It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.

</td></tr>
<tr><td>**Project**</td><td>**Comments**</td><td>**Priority**</td></tr>
<tr>
<td>Supporting Better Access to Parking for Disabled People and Blue Badges</td>
<td>

The review will examine the barriers faced by disabled people in getting and using a blue badge. The review will also try to examine how they find accessing parking services and where could improvements be made to this service (that sit within the remit of the Council). In doing this it will consider:

- What are residents' experiences of accessing and using a Blue Badge;
- How can the process of issuing Blue Badges and replacement Blue Badges be improved? What, if any, are the delays involved in the process? Is there scope for issuing temporary Blue Badges;
- What do disability organisations say about our Blue Badge and disabled parking services? How accessible is our parking services interface;
- How helpful is our written correspondence to residents around Blue Badges.

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<tr>
<td>Reducing the amount of plastic/developing a plastic free policy.</td>
<td>

Examining the Council's recycling performance around plastic waste and seeing what more could be done to reduce the use of plastics. What could the Council do to lead by example in this area.

- Examine the Council's current position in relation to plastic waste and what other boroughs are doing around this issue. In order to do this, the Panel will look at the Council's current recycling policy in relation to different types of plastic.

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| | • Examine how the Council could reduce plastic waste and increase its recycling performance, looking at innovative ideas from across the sector.<br><br>• Examine how the Council could interact with the young people within our borough to positively change behaviour. What could be done to assist schools to reduce the amount of plastic waste? Is there scope for the Council to develop a plastic free pledge for schools to sign up to?<br><br>• Examine the how the Council can develop a plastic-free policy and what other measures the Council could undertake to lead by example. | |

| Date of meeting | Potential Items |
|---|---|
| 13<sup>th</sup> September 2018 | • Cabinet Member Questions; Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio).<br><br>• Membership & Terms of Reference.<br><br>• Appointment of Non-Voting Co-opted Member.<br><br>• Service Overview and Waste, recycling and street cleansing data.<br><br>• Work Programme: To agree items for the work plan for the Panel for this year.<br><br>• Review of Fear of Crime: Update on implementation of recommendations. |

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| | • Knife Crime and MOPAC performance Overview. |
| 16<sup>th</sup> October 2018 | • Police Priorities in Haringey. Will include an update on Stop and Search and Lethal Firearm Discharges as requested by the Panel.<br><br>• Financial Monitoring: To receive an update on the financial performance relating to Corporate Plan Priority 3.<br><br>• Cabinet Member Q&A – Environment: To question the Cabinet Member for Environment on current issues and plans arising for her portfolio.<br><br>• Waste, recycling and street cleansing data<br><br>• Work Plan update – The Panel to agree its work plan for OSC to formally approve on 19<sup>th</sup> November. |
| **Budget Scrutiny**<br><br>18<sup>th</sup> December 2018 | • Budget Scrutiny.<br><br>• Air Quality.<br><br>• 18 month follow-up on the recommendations to the Scrutiny Review on Cycling.<br><br>• Green flags.<br><br>• Work Programme and scoping document for Scrutiny Review into plastic waste. |
| 11<sup>th</sup> March 2019 | • Green Flags in parks – An update on the red and amber ratings awarded in parks. Cllr Hearn to attend.<br><br>• Update around the Gangs Matrix. |

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| | • Reducing Criminalisation of Children.<br><br>• Cabinet Member Q&A –Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio). |
| 8<sup>th</sup> April 2019 | • Green Waste charges, Fly–tipping strategy and bulky waste collection<br><br>• Update on Parks Transformation<br><br>• Parking issues  - disabled bays and blue badges<br><br>• Cabinet Member Q&A – Environment:  To question the Cabinet Member for Environment on current issues and plans arising from her portfolio. |

**2019-2020**

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| **11 June** | • Membership & Terms of Reference.<br><br>• Appointment of Non-Voting Co-opted Member.<br><br>• Community Safety Strategy<br><br>• Update on Youth at Risk Strategy.<br><br>• Work Programme |

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| | • Cabinet Member Questions; Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio). |
| **3rd October** | • Cabinet Member Q&A – Environment: To question the Cabinet Member for Environment on current issues and plans arising for her portfolio.<br><br>• Financial Monitoring: To receive an update on the Q1 financial performance relating to Corporate Plan Priority 3.<br><br>• Veolia Performance - Waste, recycling and street cleansing data. |
| **5th November** | • Cabinet Member Q&A –Communities, Safety and Engagement (to cover areas within the Panel's terms of reference that are within that portfolio).<br><br>• Community Safety Partnership; To invite comments from the Panel on current performance issues and priorities for the borough's Community Safety Partnership.  To include the following:<br>  ▪ Crime Performance Statistics - Update on performance in respect of the MOPAC priority areas plus commentary on emerging issues; and<br>  ▪ Statistics on hate crime.<br><br>• SNT Policing model and the impact of the merging of Haringey and Enfield SNTs.<br>• VAWG |
| **17th December (Budget Scrutiny)** | • Budget Scrutiny |

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| **2<sup>nd</sup> March** | • Cabinet Member Q&A - Environment; To question the Cabinet Member for Communities on current issues and plans arising for her portfolio.<br><br>• Waste, recycling and street cleansing data<br><br>• Performance update – Q3<br><br>• Budget Monitoring Q3 |

**Housing and Regeneration Scrutiny Panel - Draft Work Plan 2018-20**

<table>
<tr><td colspan="2"><strong>1. Scrutiny review projects;</strong> These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits.  Should there not be sufficient capacity to cover all of these issues through in-depth pieces of work, they could instead be addressed through a "one-off" item at a scheduled meeting of the Panel.  These issues will be subject to further development and scoping.  It is proposed that the Committee consider issues that are "cross cutting" in nature for review by itself i.e. ones that cover the terms of reference of more than one of the panels.</td></tr>
<tr><td><strong>Projects</strong></td><td><strong>Comments</strong></td></tr>
<tr><td>Wards Corner</td><td>Underway.</td></tr>
<tr><td>CIL/S106</td><td>To take place in 2019/20.</td></tr>
<tr><td>High Road West</td><td>To take place in 2019/20.</td></tr>
<tr><td>Wood Green Area Action Plan (AAP)</td><td>To take place in 2019/20.</td></tr>
</table>

<table>
<tr><td colspan="2"><strong>2. "One off" Items;</strong> These are dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.</td></tr>
<tr><td><strong>Date</strong></td><td><strong>Items</strong></td></tr>
<tr><td><strong>17 September 2018</strong></td><td><ul><li>Terms of Reference</li><li>Service Overview and Performance Update</li><li>Cabinet Member Questions;</li></ul></td></tr>
</table>

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| | <ul><li>○ Housing and Estate Renewal; and</li><li>○ Strategic Regeneration</li></ul><br><ul><li>Work Planning; To agree items for the work plan for the Panel for this year.</li></ul> |
| **15 November 2018** | <ul><li>Financial Monitoring; To receive an update on the financial performance relating to Corporate Plan Priorities 4 & 5.</li><li>Cabinet Member Questions - Strategic Regeneration</li><li>Wood Green/Tottenham landowner forums</li><li>GLA Grant Allocation</li></ul> |
| **17 December 2018** | <ul><li>Budget Scrutiny</li></ul> |
| **15 January 2019** | <ul><li>Cabinet Member Questions – Housing and Estate Renewal</li><li>Additional scrutiny on capital budget</li><li>Community Infrastructure Levy (CIL) overview</li></ul> |
| **21 February 2019** | <ul><li>Cabinet Member Questions - Strategic Regeneration</li><li>Wood Green/Tottenham landowner forums</li></ul> |
| **14 March 2019** | <ul><li>Cabinet Member Questions - Housing and Estate Renewal</li><li>High Road West - update</li><li>Review on Social Housing:  Update on Implementation of Recommendations</li></ul> |

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| **10 June 2019** | • Cabinet Member Questions - Housing and Estate Renewal<br>• Temporary Accommodation<br>• Child yield calculator and segregation issues in planning |
| **12 September 2019** | • Cabinet Member Questions - Strategic Regeneration |
| **4 November 2019** | • Cabinet Member Questions - Housing and Estate Renewal<br>• Housing Strategy<br>• Broadwater Farm<br>• Council Housing Team capacity building |
| **16 December 2019** | • Budget Scrutiny |
| **3 March 2020** | • Cabinet Member Questions - Strategic Regeneration |

Other possible agenda items to be added to 2019/20 panel meeting schedule:

1. Local Plan
2. Council rents and service charges
3. Housing and mental health
4. Housing and planning leaders' briefing for H&RSP
5. Council Housing on infill sites
6. Homelessness strategy update
7. Housing delivery update
8. Homes for Haringey – Leadership, management & governance

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