



Community and Wellbeing Scrutiny Committee Supplementary

Tuesday 4 February 2020 at 6.00 pm

Boardrooms 3-5 - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ketan Sheth (Chair)
Colwill (Vice-Chair)
Afzal
Ethapemi
Hector
Knight
Shahzad
Stephens
Thakkar

Substitute Members

Councillors:

Aden, S Butt, S Choudhary, Gbajumo, Gill, Johnson,
Kabir, Kelcher, Mashari and Nerva

Councillors:

Kansagra and Maurice

Co-opted Members

Helen Askwith, Church of England Schools
Dinah Walker, Parent Governor Representative
Simon Goulden, Jewish Faith Schools
Sayed Jaffar Milani, Muslim Faith Schools
Alloysius Frederick, Roman Catholic Diocese Schools

Observers

Brent Youth Parliament
Brent Teachers Association - John Roche, Jenny Cooper & Azra Haque

For further information contact: Hannah O'Brien, Governance Officer
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www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;

a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest

Agenda

Introductions, if appropriate.

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To approve the minutes of the previous meetings as a correct record:

- 26 November 2019

Date of the next meeting: Monday 16 March 2020



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- The meeting room is accessible by lift and seats will be provided for members of the public.

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Brent

MINUTES OF THE COMMUNITY AND WELLBEING SCRUTINY COMMITTEE Tuesday 26 November 2019 at 5.00 pm

PRESENT: Councillor Ketan Sheth (Chair), Councillor Colwill (Vice-Chair) and Councillors Ethapemi, Shahzad, Thakkar, and co-opted members Rev. Helen Askwith and Mr Simon Goulden

Also Present: Councillors Farah, Patel and McLennan

1. Apologies for absence and clarification of alternate members

Apologies for absence were received as follows:

- Councillor Knight
- Councillor Stephens
- Councillor Hector
- Co-opted member Mr Alloysius Frederick

2. Declarations of interests

Interests were declared as follows:

- Councillor Ketan Sheth – Lead Governor, Central and North West London NHS Foundation Trust, board member of St Joseph's Infant and Junior School and Harrow and Uxbridge College.
- Councillor Colwill – Governor at St Gregory's School.
- Councillor Shahzad – Spouse employed by the NHS.
- Councillor Thakkar – Employed as Care Navigator.
- Rev. Helen Askwith – Governor at Wembley Primary School.

3. Deputations (if any)

There were no deputations received.

4. Minutes of the previous meeting

RESOLVED:-

That the minutes of the previous meetings held on 4 September 2019, 2 October 2019 and 24 October 2019 be approved as an accurate record of the meeting, subject to the following amendments:

- 4 September 2019: Change the record of Councillor Thakkar's Declaration of Interest to 'care navigator'
- 24 October 2019 additional meeting: That Councillors McLennan, Hylton, Perrin, Dixon and Chappell be recorded as present.

5. **Matters arising (if any)**

There were no matters arising.

6. **Order of Business**

RESOLVED: that the order of business be amended as recorded below:

Agenda item 9, Brent Safeguarding Adults Board Annual Report to be taken before **Agenda item 8, Brent Adult Safeguarding Peer Review**.

7. **Brent Local Safeguarding Children Board Closing Report**

Mike Howard (Independent Chair, Brent LSCB) introduced the report, which covered an extra 6 months due to the changes made to children's safeguarding arrangements. He explained that the government had changed legislation meaning that Local Safeguarding Children's Boards (LSCB) were to be replaced with Multiagency Safeguarding Partner arrangements. Mike Howard expressed that it had been ensured the Safeguarding arrangements in Brent continued as they had before, with strong relationships developed with schools and the Metropolitan Police. A statutory responsibility of the board was to ensure all agencies had policies that focussed on children at greatest risk of harm, which he was confident continued with the new arrangements.

Looking to the key points within the Closing Report, Mike Howard felt that a big improvement had been the number of people receiving training. A new software to book training, had been purchased and was being built upon. Mike Howard thanked Pam Stewart, the Co-Chair of the Learning and Development Advisory Group, for the work done on training and for the community BBQ organised to raise awareness of safeguarding in the community. He felt that an achievement of the board was the development of stronger relationships with schools in the Borough, with 2 Brent Safer School's Officers receiving recognition for their work from the Metropolitan Police following his recommendation. Mike Howard also drew the committee's attention to the Safeguarding Survey that was jointly commissioned by the LSCB and Safeguarding Adults Board. It focused on the application of safeguarding knowledge. The BMG, who had conducted the survey, had produced a dashboard of the results which would allow for easy interrogation of the data, which Mike Howard hoped would take place over the following 3 months. He informed the committee that 2-3 schools had excelled in the survey.

The committee were informed that the definition of serious harm had been broadened Mike Howard explained that as a result of the widened definition, the number of rapid reviews were likely to increase, and had increased, which had resulted in a strain in the resources of the board and, going forward, the forum. He highlighted the tight timescales of rapid reviews (15 working days from a notification to the convening of a review), explaining that he was often flexible with those timescales to ensure he was sourcing the right people to make decisions. He informed the committee that he had recently commissioned another case review.

Mike Howard had been asked to continue the role of independent convenor for the new arrangements throughout the transition period until May. He was of the opinion that he had progressed the board in his time, enabling better engagement and awareness of the board and making a difference to the children in Brent.

The Chair thanked Mike Howard for his introduction and invited members of the committee to ask questions. The following issues were raised:

- In response to requests for reassurance that there was a smooth transition period, Mike Howard explained that over the year he had attended meetings with the statutory partners to keep them informed of what the Safeguarding Board was doing. He felt that there had been a seamless transition, and the priorities for the next year would be discussed at the next meeting. The statutory partners would set those priorities and it would no longer be the responsibility of the Safeguarding Forum, but Mike Howard believed that the forum would be able to influence those priorities. He felt that there could be a closer relationship between the 2 Safeguarding Boards, and they had already worked on a transitional safeguarding workshop together. He felt that children's safeguarding needed to do work on contextual safeguarding and believed that work would lead to closer collaboration between the 2 safeguarding boards.
- Regarding how the forum and partners were working together, Mike Howard answered that it was early days and arrangements were happening in tandem with the old arrangements. There would need to be discussion with the safeguarding partners regarding arrangements for the commissioning of case reviews, which would be the responsibility of the statutory partners going forward.
- Answering requests for Mike Howard to return in a years' time to report on the new arrangements, Gail Tolley (Strategic Director Children & Young People) confirmed that Carolyn Downs (CE Brent Council), Barry Loader (Detective Superintendent, Head of Safeguarding, North West Basic Command Unit), and a CCG representative would present such a report, as they were now accountable for safeguarding arrangements.
- Mike Howard answered committee concerns regarding how disputes might be resolved between the independent convenor and partners with regard to the flexibility Mike Howard had allowed for rapid review timescales. He explained that he had received no criticism for those decisions. He felt that disputes would not be an area of concern as the purpose of meetings regarding case reviews was to gather collective wisdom, experience and knowledge. Mike Howard highlighted the view that if an issue arose, the strong relationship that had been built would allow partners to hold constructive conversations around it, and that they would work in the spirit of co-operation. Mike Howard confirmed that his role would be to prioritise what cases to review.
- It was agreed that to ensure the report was more robust, pertinent aspects of the governance structure could be recorded within the document, such as reporting mechanisms.
- In response to questions regarding prioritising transitional v contextual safeguarding, Mike Howard told the committee that, under the current definitions, transitional safeguarding was the responsibility of adult

safeguarding, however felt that they would attempt to hold a more realistic view regarding safeguarding needs for young people, who would be likely to have safeguarding needs into adulthood. Gail Tolley added that the 3 new statutory partners of the multiagency arrangements were at the transitional safeguarding workshop held in early November.

As no further questions were raised, the Chair thanked the committee for the questions and the presenting Officers for their responses and invited the committee to make any recommendations.

The following recommendations were unanimously agreed:

- i) To ensure that the Multiagency Statutory Partners for Safeguarding prioritise Transitional Safeguarding within the new arrangements, with a particular focus on young people aged between 18-25 years old.
- ii) To note the contents of the Closing report.

8. Multiagency Arrangements for Safeguarding Children in Brent

Councillor Mili Patel (Lead Member for Children's Safeguarding) introduced the report to the new Multiagency arrangements for safeguarding children in Brent. She drew the committee's attention to section 3.5, which detailed the membership of the new arrangements and the appendix of the report, which included details of the full arrangements. She also drew the committee's attention to section 4 of the report detailing financial implications, which included information regarding how much funding each partner was contributing.

Gail Tolley (Strategic Director Children & Young People) added that the arrangements were being delivered due to statute and were written with the view of continuity. They were ministerially approved for implementation in June. Meetings were underway with rotating locations. She confirmed that a different statutory partner set the agenda for each meeting, and that the independent convenor of the Safeguarding forum attended those meetings, which provided a direct link between the forum and the multiagency partners.

Barry Loader (Detective Superintendent, Head of Safeguarding, North West Basic Command Unit) echoed Gail Tolley, and felt that the relationships within the new arrangements were strong. He told the committee that policing had changed to a basic command unit where they locally managed child abuse investigations, serious sexual offenses and domestic abuse under one umbrella. He added that there were new crime types that as partners they did not yet fully understand, so it was an emerging area of business where the arrangements would develop as more was understood.

The Chair thanked the presenting officers for their updates, and invited the committee to ask questions. The following points were raised:

- In response to queries regarding the balance of funding, Gail Tolley confirmed that Brent Council were making the largest contribution, and highlighted that this was normal for shared partnerships of this type. She felt that the funding of £5,000 from the Metropolitan police was an issue, and had been told it was unlikely to increase under the current constraints. Gail

Tolley highlighted that during meetings they had conversations as equal partners, but if one were to look at the funding, the Council would be viewed as the lead partner. She also stated that Ofsted would view the Council as the lead partner due to its statutory responsibilities. Barry Loader shared Gail Tolley's frustration with the funding, and confirmed that the Chief Operating Commissioner was lobbying MOPAC to increase the funding arrangements.

- Further clarification regarding the figures quoted in section 4.1 of the report was given. Mike Howard (Independent Chair, Brent LSCB) explained that the figures only included the contribution of the 3 statutory partners, and the contributions from other partners was mentioned in section 4.2. Gail Tolley explained that the figures represented the 12-month cash equivalent that would go to the partnership arrangements from each contributor, and that the government had identified the key health contributor as the CCG, in comparison to previous arrangements where other health providers also gave cash contributions.
- In response to how the executive group would hold the safeguarding forum to account, Gail Tolley responded that a standing item on every agenda would be the Safeguarding Forum, where the Independent Convenor would report on the work of the forum and receive challenge.
- With regard to how the sharing of information between partner agencies would be managed and how priorities would be set, Gail Tolley told the committee that priorities would not be set in isolation of the Safeguarding Forum. She explained that there would be a representative from each of the partners on the Safeguarding Forum to allow cross-discussion of priorities, which could then be escalated up.
- Gail Tolley explained that Mike Howard would finish his role as independent Convenor in May due to a strong recommendation from the DfE that, as a result of strong relationships built, there was a risk independence could be compromised. Gail Tolley added that safeguarding was a heavily inspected area of the council with the next major inspection due in 2021, therefore felt that a new post holder should be sought with sufficient time to allow for them to gain the knowledge necessary to ensure safeguarding would be operating effectively.
- Regarding the role of independent scrutineer, Gail Tolley confirmed that Mike Howard held the role currently, as the element of legislation relating to the role was not nationally being pursued. The situation was being monitored by PAN London, as well as senior police and Chief Execs.

As no further questions were raised, the Chair invited the committee to make recommendations. The committee subsequently **RESOLVED**:

- i) To note the report.

9. Brent Safeguarding Adults Board Annual Report

Michael Preston-Shoot (Independent Chair, Brent Safeguarding Adults Board) introduced the annual report, which covered April 2018 to March 2019. He noted that there was concern across safeguarding adults in London regarding funding from the NHS and MOPAC, and in Brent the Council makes the substantial contribution towards the cost of the Board including the business manager and training officer. There were ongoing conversations with NHS England. Michael Preston-Shoot confirmed that Transitional Safeguarding would be a priority going forward, following the transitional Safeguarding workshop, and added that he would report on the progress made in the next annual report. He pointed out the 4 Safeguarding Adult Reviews (SARs) that were included in the annual report, and explained that learning from Adult C and D was being implemented, and Adult E's SAR was ongoing. Adult B's case had been scrutinised by the Community and Wellbeing Scrutiny Committee on 11 June 2019.

Councillor Farah (Lead Member for Adult Social Care), in co-presenting the annual report, informed the committee that the formal notification of the outcome of the Coroner's Inquest into Adult E's case should be known in the following month. The council had written to the family to share an apology and reassure them that the whole Council had learned lessons from the inquest and would do everything they could to ensure it did not happen again. In concluding, Councillor Farah confirmed that once the formal notification was received the SAR could be concluded and they would be able to bring the full report back to scrutiny once received.

The Chair thanked the Presenting Officers for their introduction and invited members of the committee to comment. The following issues were raised:

- In response to whether there was any relationship between the reported underspend and the case of Adult D, Michael Preston-Shoot highlighted that the reason for the underspend was that it was known the board would have 3 reviews to pay for, and it was prudent to assume they would be conducting at least 1 review each year. He confirmed that the accounts had been settled for adult C and D, and that he was in the early stages of commissioning a SAR for adults F and G. When a concern was received regarding a specific case that did not trigger the threshold for a section 44 SAR, the practice was to pass the information on to the Operational Director for Social Care, Helen Woodland, who was responsible under the Council's duty of care.
- Michael Preston-Shoot was of the opinion the Multiagency Safeguarding Partnership had been challenging with the reorganisation of the Metropolitan Police. He felt the reorganisation had impacted strategically on all Safeguarding Boards in London and predicted that the upcoming reorganisation of CCGs would also impact the arrangements.
- In response to reassurance that learning was implemented, Michael Preston-Shoot informed the committee that information sharing and learning was done through exchange during SARs, workshops and training, dissemination events, lunch and learn seminars and other events. Michael Preston-Shoot was also undertaking audits to satisfy himself that learning was implemented. He felt he could see where the lessons had been learned through written records and implementation of changes, such as changes to the policy and procedure for commissioning arrangements as a response to adult B's SAR. Further explaining his confidence that learning was

happening, he explained that he had regular conversations with team members to reassure quality of practice, and where he was not reassured would ask for further reassurance.

- In responding to the same question regarding reassurance of learning implementation, Councillor Farah added that he had confidence in the actions that were put in place following the Adult E case. He reassured himself with visits to commissioning partners and seeing case reviews with lead officers.
- The committee queried how the safeguarding board felt about the percentage of section 42 enquiries received, and whether as a result of the lower numbers they felt they had done enough to publicise how to raise enquiries. Michael Preston-Shoot explained a multi-agency review has been commissioned nationally on section 42 enquiries because of wide variation across the country. The Board also wanted to reassure themselves that triage for section 42 was being done appropriately in Brent. Results showed that Brent was in the upper middle range across London for number of referrals. An audit took place in Brent earlier in the year and the independent auditor was positive about the quality of enquiries conducted and that triage undertaken by the adult team was appropriate, and gave recommendations for moving forward. Georgina Diba (Head of Safeguarding and Transformation, Brent Council) would take the lead taking the recommendations forward. Michael Preston-Shoot added that they were using human stories to underpin the numbers, doing roadshows to raise awareness of how to raise enquiries and what to do in the event of a safeguarding concern.
- Regarding queries concerning whether improvements to monitoring care providers had been made, Michael Preston-Shoot told the committee he felt reassured by the changes made to the commissioning arrangements within Adult Social Care, which allowed for a more rigorous scrutiny and challenge of how care providers were meeting their responsibilities. Phil Porter (Strategic Director Community and Wellbeing) expanded that there were now teams who focused on individual care markets, and members of each market team were now allocated to specific services, meaning those officers were seeing individuals regularly in particular homes. He expressed that this allowed for stronger knowledge of individuals and the services, stronger quality assurance and stronger quality improvement.
- Regarding the methods by which care providers were monitored, Helen Woodland (Operational Director Social Care) explained that the community and prevention commissioning team did home care checks on individuals, unannounced inspections, and observed care being delivered. She confirmed that the home care task group was recommissioning all home care to ensure care providers were within geographical patches. The procurement process was ongoing.
- The committee queried awareness and training for care workers. Helen Woodland confirmed that they focussed training towards helping care workers identify different types of abuse, particularly financial abuse which

she felt may not be as obvious, and that they were working on the quality of feedback to care workers to ensure they were kept informed on notifications of concern.

- Michael Preston-Shoot confirmed that the Brent Safeguarding Adults Board had not yet given detailed consideration to the issue of online abuse, but highlighted that the board were pursuing the development of policy and procedures in relation to newer forms of abuse, including self-neglect, slavery and county lines. Michael Preston-Shoot recalled that Lewisham had considered online abuse and so Brent could import some learning from that.

10. **Brent Adult Safeguarding Peer Review**

Phil Porter (Strategic Director Community Wellbeing) introduced the Brent Adult Safeguarding Peer Review. It was being brought to the Community and Wellbeing Scrutiny Committee as it was itself a process of external challenge, which should provide a level of assurance. He explained that the peer review was undertaken by a team of 6 ASC practitioners, who were led by a serving DASS, and the team included a Principal Social Worker. The Council did a detailed self-assessment, submitted over 100 documents and organised 20 meetings with Safeguarding stakeholders for the Peer Review team. Phil Porter was of the opinion that the outcome was of reasonable reassurance, but there were things that could be improved. The review was positive regarding the core processes of adult safeguarding and how concerns were dealt with, including section 42 enquiries. Areas for improvement focused on making the individual more central to the process, as well as providing more feedback to the referrer. There were also challenges regarding self-neglect, and Phil Porter confirmed that the Safeguarding Adults Board would agree self-neglect procedures in January 2020.

The Chair thanked Phil Porter for his introduction and invited the committee to ask questions. The following issues were raised:

- The committee wanted reassurance that there was a uniform procedure for commissioning care. Helen Woodland (Operational Director for Social Care) responded, informing the committee that the majority of care was regulated by the CQC and the Council's procurement of care was governed by procurement regulations. She informed members that CQC was the national regulation body that set out care for all providers, and they conducted inspections regularly to ensure they were meeting statutory regulations. There was also a subgroup of the Safeguarding Board (Establishment Concerns Group) which brought together the relevant partners that had a stake in social care provision to ensure there was a joined up response to poor quality social care provision. Phil Porter added that all providers would be expected to have a Safeguarding Policy, and that multiple processes were in place, for example provider forums were held regularly, to allow providers to raise issues and to enable joint working. Due to staff turnover in providers, it was felt necessary to raise awareness and training every 3 years.
- Regarding how the areas for consideration formed part of the safeguarding action plan, Helen Woodland referred to the action plan in appendix 2, which demonstrated the priority areas. She explained one of the action plans

related specifically to actions outlined in the peer review and how they would be addressed. They would work in conjunction with partners to complete actions. Michael Preston-Shoot (Independent Chair, Brent Safeguarding Adults Board) added that a discussion regarding the outcomes of the peer review was held at the board development day, with the recommendation to refresh the strategy. They had used the findings of the peer review to do that. The new strategy would be signed off in January, and some of it would focus on self-neglect, and a renewed focus on analysis report data.

- The committee drew attention to element 7 of the peer review regarding developing a strong culture for professional curiosity, and asked what the challenge was between professional curiosity and working to a standard procedure. Michael Preston-Shoot responded that professional curiosity was a regularly occurring theme in Safeguarding Adult Reviews (SARs), and the board tried to raise awareness of the importance of 'thinking the unthinkable'. He was of the opinion that if professional curiosity required more time than operational procedures allowed, then professional curiosity should come first, and organisational flexibility should be allowed. He felt that, in relation to Adult Social Care, that was the message going out, and the message he gave at every safeguarding event he attended. Georgina Diba (Head of Safeguarding and Transformation, Brent Council) added that they were empowering care providers by focusing on a culture led approach to transformational change. They were striving to ensure staff were supported to have that time for curiosity and did not feel the need to ask for that time.
- Barry Loader (Detective Superintendent, Head of Safeguarding, North West Basic Command Unit) explained that Adult Safeguarding was a growing area of business for the police. He explained that as they delivered more training more cultural awareness was raised, and issues were better understood. The messages were needed to be rotated often due to the young work force, but Barry Loader felt that the processes and exchange of information was there. Regular audits were conducted, and daily audits of all crimes reported were conducted to monitor risk at a supervisor level.
- Phil Porter was of the opinion that adult and children's safeguarding was a focus for all community wellbeing teams.
- Committee members suggested that it would be useful for the report to include the checks and balances of the procurement process to ensure safeguarding was covered by the care provider. The colleagues agreed to take this on board.
- Regarding the safe delivery of care for people living in their own homes with cognitive impairments such as dementia, Georgina Diba explained that where the care provider questioned whether someone could undertake a mental capacity assessment, an independent mental capacity advocate was offered. She highlighted that care providers should also look at who was around the individual, such as family members, their link with the GP and their wider social circle, to pick up concerns.

- Committee members expressed concern that those who lacked mental capacity may experience an incident they were not able to express. It was requested that the adult social care team brought back to Scrutiny a plan to ensure individuals who lacked mental capacity were a priority of the adult social care team to ensure serious incidents did not go unnoticed. Phil Porter highlighted that the Adult Social Care Transformation Process was looking at this particular issue.
- Committee members queried the processes used by the police force regarding vulnerable adults subject to fraud and other financial crimes. Barry Loader explained that if they were a victim of fraud, for example, there were processes in place to record it as a crime but also make a referral to notify Adult Social Care if there were particular concerns that the individual was vulnerable. For other concerns, there would be a strategy meeting to arrange an approach between all agencies to safeguard the individual.
- Michael Preston-Shoot was assured that the improvements proposed in the action plan arising from the peer review would be significant and beneficial.

As there were no further questions, the Chair thanked everyone for their contributions and the Committee then **RESOLVED**:

- i) To note the report

11. **Community and Wellbeing Scrutiny Committee Work Programme 2019/20 Update**

RESOLVED that the contents of the Update on the Committee's Work Programme 2019-20 report, be noted.

12. **Any other urgent business**

None.

The meeting closed at 7:22pm

Councillor Ketan Sheth
Chair