



MINUTES OF THE SCRUTINY COMMITTEE
Thursday 30 April 2015 at 7.00 pm

PRESENT: Councillor A Choudry (Chair), Councillor Colwill (Vice-Chair) and Councillors Allie, Daly, W Mitchell Murray, Shahzad and Southwood, together with Ms Christine Cargill, Mr Alloysius Frederick and Dr J Levison, and appointed observer, Lesley Gouldbourne

Also Present: Councillors Butt, Crane, Filson, Mahmood and Perrin

Apologies were received from: Councillor Oladapo and appointed observers Jenny Cooper and Chrissy Jolinon

1. Declarations of interests

None declared.

2. Deputations

The Chair advised that a request to speak had been received from Mr Grant with respect to the Equalities and HR Policies and Practices Review and draft Action Plan. The committee was informed that in line with advice provided by Brent's Chief Legal Officer, it would not be appropriate to discuss an ongoing legal case. Mr Grant advised that he would not be able to make his deputation under these terms. The committee subsequently agreed not to receive the deputation. Councillor Allie expressed the view that the deputation should be heard.

RESOLVED:

That permission to address the committee be not granted, in accordance with legal advice provided.

[This minute was amended by the following meeting held on 16 June 2015]

3. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 11 March 2015 be approved as an accurate record of the meeting.

4. Matters arising

None.

5. **Order of Business**

RESOLVED:

That the order of business be amended as set out below.

6. **Environmental Sustainability Agenda**

Chris Whyte (Operational Director Community services) presented a report to the committee summarising the work undertaken across key service areas to address the issue of sustainability. It was explained that sustainability was a key factor in the development and provision of all services, though there was no longer a single co-ordinating team or strategy. Five key areas were addressed in the report: transport and travel; air quality; in-house carbon management; street lighting and parking; public realm and waste; and parks and biodiversity.

David Thrale (Head of Regulatory Services) addressed the action being taken in Brent regarding air quality. Members heard that Brent had levels of air pollution that occasionally breached the National Air Quality Standards and that this was an issue of importance nationally. The council's Air Quality Action Plan was currently being reviewed and an updated plan would be presented to Cabinet in autumn 2015. It was emphasised that scientific understanding of air quality had significantly improved since the existing action plan had been produced; the impact on health and the types of places and activities that exposed people to pollution was now better understood. The new action plan would therefore have a twin focus on reducing emissions of pollutants and helping individuals and communities better understand how the the risk of exposure could be reduced.

In the subsequent discussion, the committee queried the ways in which the council could effect behavioural change regarding waste and recycling amongst residents and businesses. The committee also questioned how retailers could be encouraged to reduce packaging and the financial benefit for the council of improved recycling rates. Members sought further details regarding relationships with partner agencies, such as TFL and Northwest London Hospitals Trust. With regard to the former, it was queried what work had been done to identify pollution hotspots in the borough, whether there was any correlation with bus routes and how active reporting could be encouraged when buses were left running whilst parked. The committee raised several queries regarding air pollutants and the use of diesel fuel, seeking information on when TFL would be introducing non-diesel buses, how the council would encourage the use of non-diesel private and commercial vehicles, how traffic flow could be improved across the borough and the number of charging points provided in Brent for electric vehicles. Further information was sought regarding the work done with property developers across the borough, in recognition of the challenges for the existing infrastructure of increased road users. Officers were also asked to comment on whether consideration had been given to seeking an extension of the Mayor of London's bike hire scheme. Members requested details of the number of staff responsible for addressing issues of sustainability and whether these were sufficient to support progress in this area.

In response to the queries raised, Chris Whyte advised that a specific team of officers focussed on improving recycling rates and engaging with residents on a day-to-day basis. Businesses were also encouraged to operate sustainably and as

of April 2014, the council had made a recycling service available to all Brent businesses. A further example of the work undertaken in this area was the council's joint lobbying of the packaging industry with other local authorities, which had helped to encourage a significant reduction in the weight of packaging over the past 15 years. Improved recycling rates were realised as a reduction in waste contract costs for the council. Councillor Crane (Lead Member for Environment) added that work was also underway with other local authorities to better understand behaviour around fly-tipping.

Chris Whyte advised that the most polluting form of transport in Brent was rail transport due to the use of diesel fuel. With regard to pollutants from TFL buses, the committee heard from Councillor Crane that he had expressed his concerns regarding the age of the fleet in Brent at recent meeting with TFL Senior Management and had sought the early introduction of the new Routemaster vehicles. This was a desired outcome for all boroughs, though urgent action was being sought for the Kilburn area and the council would continue to press for progress. TFL were experimenting with electric vehicles but it would be a number of years before these were in general use. David Thrale advised that the idling of engines was an offence and fixed penalty notices could be issued.

David Thrale further explained that it was important to continue to encourage the use of petrol, hybrid or electric vehicles and information on the number of electric charging points across the borough could be provided to the committee. However, it was acknowledged that any change over to non-diesel vehicles amongst businesses and the general public was likely to be gradual and it was important to encourage other forms of active travel. A lot of work was undertaken with new developments in Brent, including measures such as car free designations and use of parking permits. Businesses were also supported in developing travel plans with an emphasis on sustainability. Councillor Crane advised that the results of a recent consultation on the cycle strategy would be published in a few month's time and the council was exploring a bike hire scheme along with a number of other boroughs. It was understood that there were no current plans to extend the Mayor of London's scheme but the council might wish to pursue this.

Addressing members' queries regarding staffing, David Thrale advised the number of staff who measured air quality and co-ordinated the Air Quality action plan equated to one person and one third full time equivalent manager. However, the number of staff tackling the issue via work with new developments or by exploring active transport amounted to double figures.

The Chair thanked the officers for their presentation to the committee.

RESOLVED:

That an update be provided to the committee regarding the environmental sustainability agenda in six month's time.

7. Future Commissioning intentions of Brent Clinical Commissioning Group

Sarah Mansuralli (Chief Operating Officer, Brent Clinical Commissioning Group) introduced the report on the commissioning intentions of the Brent Clinical Commissioning Group for 2015/16, which would contribute to achieving improved

patient care and patient experience of care across community, secondary and acute health care services. The committee was informed that the commissioning intentions, set out in detail in the report, encompassed four key categories; working with acute providers to ensure that national performance standards were met; investing in out-of-hospital services with a focus on integration with other services and social care; working with partners and providers to reduce hospital admissions; and, proactive work to improve mental health provision for children and adults. It was explained that the intentions had been informed by significant engagement via the health partners forum, and community and voluntary groups. The commissioning intentions had also been discussed at the Brent Health and Wellbeing Board. It was emphasised that there had been no significant change between the commissioning intentions for 2014/15 and 2015/16.

Members' attention was drawn to section three of the report which set out the evidence base underpinning the commissioning intentions. This drew specifically on the Joint Strategic Needs Assessment and the Brent Better Care Fund Plan. Highlighting key challenges that had been identified, Sarah Mansuralli noted that whilst Brent had a relatively young population, it was expected that the population of those aged 65 and above would grow more rapidly than the rest of the population generally. In addition, the Brent CCG medium term financial modelling indicated that the Brent CCG's allocation would not keep pace with the predicted higher demand for services and population growth. The commissioning intentions and their successful delivery was therefore instrumental in ensuring that these challenges were met.

The committee raised several queries in the subsequent discussion. Members questioned the quality of engagement with community groups, emphasised the failure to meet national performance standards in the previous year, questioned what was being done differently to address these issues and sought specific timescales for achieving improvements. It was queried what action was being taken to raise awareness of dementia amongst different communities, including the provision of materials in a variety of languages. A member sought clarity regarding Brent CCG spending for 2014/15, noting that having accounted for commissioning for acute and community care there remained approximately a further £80m unaccounted for. A further query was raised regarding the 2014/15 spending on enhanced GP services and the work undertaken to evaluate their success.

Sarah Mansuralli advised that Brent CVS had been instrumental in supporting the CCG's engagement with different communities and had helped community groups to organise workshops around the proposals. Addressing concerns around national performance standards, Rob Larkman (Accountable Officer) explained that significant investment had been made to support the North West London Hospitals Trust in achieving these standards and there was an agreement between commissioner and provider for those standards to be delivered in the current financial year. Sarah Mansuralli clarified that though the strategic focus of the commissioning intentions had not significantly changed from 2014/15, the detail of the proposals had been amended to reflect lessons learnt, including closer working with providers and earlier intervention to agree remedial action if required. With regard to the operational standard for Referral to Treatment (RTT), it was expected that the 18 week target would be met in the current year, following additional investment in the previous and current years. Trajectory for this target was being monitored, the results of which were awaited. In response to a query regarding

access to GP appointments, Rob Larkman explained that though the CCG did not commission GP services, Brent CCG had been working with NHSE and had invested outside of the GP contract to create GP Hubs throughout the borough. Work was currently underway to achieve a co-commissioning arrangement with NHSE which would enable Brent CCG to have a greater input regarding GP services in the borough. It was clarified that the funds spent on enhanced GP services accounted for out of hours access to primary care and the provision of enhanced services within GP practices to ensure that patients did not have to be referred elsewhere. Addressing concerns regarding CCG spending for 2014/15, Sarah Mansuralli advised there were many areas outside of acute and community care for which the CCG provided funding including services for people with learning disabilities, continuing healthcare and carer support. The committee was subsequently referred to the report available on the Brent CCG website detailing the full approved budget for 2015/16. Turning to the question on dementia services, Sarah Mansuralli acknowledged that work regarding dementia had focussed on enabling earlier diagnosis which could improve quality of life for those affected and ensure the right care plans were put in place but it was agreed that a specific community focus could be beneficial.

Councillor Daly expressed the view that the committee had been given insufficient time to scrutinise the issue. The Chair advised that a task group report on health would be available in June 2015.

RESOLVED:

That an update be provided to a future meeting of the committee.

8. Use of Pupil Premium Grant Scrutiny Task group

Councillor Southwood (Task Group Chair) presented the report of the Task Group on the Use of the Pupil Premium Grant (PPG), highlighted the key findings and drew the committee's attention to the sixteen recommendations detailed in the report. It was explained that the task group had been requested by Scrutiny Committee members in response to the borough priority to improve attainment for disadvantaged pupils. The task group had focussed on analysing the current use of the PPG, understanding attainment gaps, identifying outcomes achieved against national performance and exploring how best practice was shared amongst Brent Schools. Councillor Southwood emphasised that usage of PPG had varied from school to school and it had been recognised that there was no uniform usage that was appropriate for all schools and circumstances. In particular, the Task Group had found a number of innovative and creative usages of the PPG, some of which focussed on non-academic activities and which had instead sought to build confidence or improve social skills. The Task Group had not therefore attempted to specify how PPG should be used but instead had sought to ensure that there was robust decision making being applied and that best practice could be shared. The recommendations of the task group envisioned a key role for the council and the Brent Schools Partnership in aiding the development of a borough-wide, proactive approach to the use PPG, supported by co-ordinated efforts of Brent's community of schools and Early Years Settings, including children's centres. In concluding her presentation, Councillor Southwood reiterated her thanks to the organisations and individuals that had contributed to the work undertaken by the Task Group, including children and young people, schools and officers of the council.

The committee congratulated the Task Group on the work undertaken and the detailed report produced. During the discussion, further information was sought regarding the use of PPG and whether schools were using it to its best advantage. It was queried whether the scope of the task group had encompassed all of Brent's schools, including academies and how the efforts of the task group had been received by those schools. A member asked whether the opinions of parents and foster carers had been sought. A view was expressed that Brent's schools were failing to address the attainment gaps and the potential contribution that could be made by supplementary schools was highlighted; it was subsequently questioned whether supplementary schools received the PPG.

Councillor Southwood explained that the range of initiatives funded using the PPG had been impressive and the task group had sought to understand how schools were identifying attainment gaps and measuring outcomes and how that had fed into robust decision making. A key issue that had been highlighted by young people who had provided their views to the task group was that of career advice. Students had felt that there needed to be more career advice and guidance available and that this should include specific information on qualifications needed and employment opportunities available. All of Brent's schools had been supportive of the work undertaken by the task group. Brent's children's centres had also been approached and the opportunity had been taken at this point to engage with parents. When exploring issues concerning Looked After Children, the task group had worked with the council as the corporate parent and liaised directly with the Virtual Head. It was explained that supplementary schools did not receive the PPG and rather this was a grant that followed a pupil through their main schooling, including in alternative provision. Councillor Southwood agreed that it was important that the use of PPG in Brent result in more than good examples and that she was confident that the recommendations proposed by the task group would help to create more consistent approach and that this would be reflected in attainment.

The committee thanked Councillor Southwood for her presentation and emphasised the importance of ensuring that appropriate timescales were set for the implementation of the task group's recommendations, subject to their approval by the Cabinet.

RESOLVED:

- (i) that the recommendations of the Pupil Premium Task Group be endorsed;
- (ii) that subject to Cabinet approval, the committee receive an update on the implementation of the Task Group's recommendations at a future meeting of the committee.

9. **Scrutiny Annual Report 2014/15**

Cathy Tyson (Head of Policy and Scrutiny) advised that the Annual Scrutiny Report before the committee had been drafted for members' consideration. The report provided a summary of the work conducted by the Scrutiny function throughout the year, including task group work, issues raised by the committee and the recommendations and suggestions of the committee. The 2014-15 report also included an update on the impact made by the scrutiny task groups in the previous

and current year. Committee members were invited to submit feedback on the draft report which would be finalised for the end of May 2015.

RESOLVED:

that the draft Annual Scrutiny Report 2014/15 be noted.

10. **Equalities and HR Policies and Practices Review and draft Action Plan**

A report on the Review of Equalities and HR policies and Practices, conducted between October 2014 and January 2015 by the Deputy Leader of the Council, was introduced to the committee by Christine Gilbert (Chief Executive). The review had been wide ranging and had encompassed scrutiny of staffing matters and HR policies and practices within the council. Highlighting the key areas of learning arising from the review, Christine Gilbert advised that there needed to be greater consistency in the application of policy across the council and more BME representation in the council's senior management. It was emphasised that both issues had previously been identified and were included within the council's Equalities Action Plan and Corporate Plan; however, the review had provided additional focus on these issues. Members' attention was subsequently drawn to a draft action plan detailing how the council would address and implement the findings of the review. Members' comments on the draft action plan were invited and it was explained that once finalised, the Corporate Management Team (CMT) would oversee its implementation, with each director undertaking responsibility for a specific strand of work. It was clarified that the delivery of the action plan would be monitored by the new member committee due to be established by the Council at the annual meeting in May 2015. This committee would also be responsible for overseeing progress made towards achieving Excellence in the Equalities Standard for Local Government.

Members welcomed the review. During the subsequent discussion concerns were raised regarding the number of staff failing to receive supervisory appraisals, the implications this had for staff progression and whether managers were using the appraisals as an effective tool to support staff. It was noted that the review reported that more than half of staff members attending two focus groups had not seen a plan for their team or service area and it was queried what action would be taken to address this. The committee further noted that 94 per cent of staff were yet to complete their equalities data on the council's Oracle system. A member emphasised that the recommendations of the action plan needed to be specific and indicate appropriate timescales and budgets to ensure effective delivery. It was queried whether staff had had the opportunity to comment on the draft action plan and whether managers and staff had expressed confidence that the issues identified would be addressed. Clarity was sought on the policy for medical appointments and assurance was requested that this was not considered a reasonable adjustment for disabled employees. The issue of unconscious bias was raised and it was strongly suggested that this form a core element of any training provided around recruitment. Further details were requested regarding the training and support provided to members appointed to the Senior Staff Appointments Sub Committee.

With regard to BME representation at senior management, a member queried how the council compared to other boroughs and whether there was an opportunity to

learn from the practices of other local authorities. At the invitation of the Chair, a member of the public queried what action was being taken by the council to improve BME representation in senior management. The committee subsequently queried how the council reached out to and publicised opportunities to BME communities in Brent and whether the new Chief Executive who was shortly due to be appointed would be set a target deadline to ensure this issue was addressed. Councillor Filson, with the permission of the Chair, emphasised that all applicants, irrespective of race, gender or disability, had to feel confident that they would be recruited based on merit and that it would be unlawful for the council to implement quotas.

Responding to the issues raised, Christine Gilbert advised that Brent's monitoring of staff appraisals was very good and the figures highlighted in the review did not reflect current levels. It was likely that as the review had been completed mid-year, a number of staff would not have yet had their appraisals conducted; however, further investigation of this was in process and the outcome would be reported back to the committee. Members further heard that a key priority for the council over the past few years had been to improve planning across the council; the Borough Plan had been developed into a living document, influencing the work of individual teams, and the public had been engaged in the process as never before. The council's Corporate Plan reflected the Borough Plan and was now being translated into the aims and objectives for individual teams and staff members across the organisation. With regard to the completion of equalities data by staff, Cara Davani (Director of HR) advised that the information previously recorded by staff had not transferred across to the council's new Oracle System. A campaign was underway to encourage staff to complete the information, including daily engagement activities; however, staff members were not obliged to disclose this information if they did not wish to. Cara Davani assured the committee that good progress was being made and noted that a similar campaign run in previous years had been very successful.

Christine Gilbert further advised that the every activity on the draft action plan should have a deadline and reiterated that CMT would lead on the delivery. No budgets had been specified as the plan would be implemented within existing staff resources. The committee was assured that there had been significant levels of staff engagement across the council. Equality had been a high priority for the council prior to the review, as reflected in the work undertaken to work towards the Equalities Standard for Local Government and the Investor In People awards. Councillor Butt (Leader of the Council) highlighted that as of 2012 the council had also undertaken to review all HR Policies and Procedures. Such work evidenced the value placed on staff and on ensuring there were appropriate opportunities for progression within the organisation. Cara Davani explained that though it had not been recorded in the action plan, an additional piece of training for all managers had been prepared regarding unconscious bias. It was proposed that this training be delivered by 1 June 2015 and the action plan would be updated to reflect this. It was further clarified that as a result of the review, the council had identified that medical appointments related to a person's disability should not be recorded as sickness. This was distinct from any actions that would be taken by the council to implement reasonable adjustments for an employee with a disability. It was emphasised that a more proactive approach was now in place regarding identifying if a new employee required any reasonable adjustments to be made to ensure that they could be in place at the very start of a person's employment with the council.

Addressing the query raised regarding the support provided to members appointed to the Senior Staff Appointments Sub Committee, Councillor Butt advised that all members and alternates of the sub committee had received extensive training.

Christine Gilbert informed the committee that Brent was in the top quartile for BME representation in senior management amongst London boroughs. The action plan included several proposals to improve the level of representation in Brent, including a graduate programme aimed at Brent residents. Councillor Butt reiterated that it was important to ensure that staff were sufficiently supported to access opportunities for career progression within the council and noted that the action plan included the creation of an innovative mentoring programme to support the development of underrepresented groups. It would take time, however, for improvements to be made and any suggestions by members would be welcome. Councillor Butt confirmed that the recruitment pack for the Chief Executive's position had referred explicitly to Brent's diverse community.

The Chair highlighted the importance of ensuring that there was robust monitoring of the action plan and the committee agreed that an update should be provided on the progress achieved in six month's time.

RESOLVED:

that an update on the implementation of the action plan be provided to the committee in six month's time.

11. **Scrutiny Forward Plan**

The committee was informed that all members would be contacted regarding the forward plan for 2015/16 and a session to prioritise items would be held following the annual council meeting scheduled for May 2015.

Councillor Daly expressed the view that the committee should meet formally to discuss the forward plan for 2015/16 and emphasised her frustration regarding the time allotted to scrutinise Health related items.

12. **Any other urgent business**

None.

The meeting closed at 9:35pm

COUNCILLOR CHOUDRY
Chair