

# LONDON BOROUGH OF BRENT

## SCRUTINY COMMITTEE ANNUAL REPORT 2003/04

### Introduction

From October 1999 to May 2002 the scrutiny arrangements in Brent were based on service area committees whose work programmes were largely led by the business of the then pilot Cabinet. The constitutional working group in its report to Council on 13<sup>th</sup> June 2001, recognised that the overview and scrutiny functions were the least well developed part of the new decision-making arrangements. The working group put forward proposals to establish an Overview Committee to influence strategy and Executive decision making and a Scrutiny Committee to hold the Executive publicly to account. It was also recommended that both Overview and Scrutiny Committees would establish standing panels and time limited task groups to undertake various roles. The working group felt there needed to be a move away from the exercise of call-in dominating scrutiny and therefore recommended that a relatively high threshold be set for the number of members required to trigger a call-in.

The new arrangements were introduced in May 2002 and it was immediately clear that scrutiny faced considerable challenges in making the arrangements work given the significant change in approach. This then is the first annual report of scrutiny.

### Early Issues

Following Council agreeing proposals for the operation of scrutiny, discussions immediately took place on the exact threshold for the number of members able to call in a decision of the Executive and the manner in which this had to be done. The Scrutiny Committee, at a special meeting on 26<sup>th</sup> June 2002 agreed to recommend that the constitution should be amended so that 40% of all *non*-Executive members or six members of the committee should be able to call in an item and that this should be possible by any written means. The Council on 23<sup>rd</sup> September 2002 received recommendations from the Constitutional Monitoring Group and agreed that 40% of all non-Executive members or 40% of the members of the Scrutiny Committee were required to call in an Executive decision by submitting notice in any written format.

It was clear early on that for scrutiny to be effective it needed dedicated resources to support it. Additional funding was made available but unfortunately there were difficulties in recruiting and for the most part of the year support for scrutiny was limited from within existing resources.

Early consideration of a work programme for scrutiny showed that members had a broad range of issues they wished to pursue and given the limited resources available there was a limit on the number could be dealt with. It had already been decided by full Council that a children's standing panel should be established and this was set up in September 2002. In October it was agreed that a task group on Housing Management by Registered Social Landlords and a task group on Roads/Use of Road Space should be established.

During the course of the year it became clear that the size of the Scrutiny Committee was going to make effective scrutiny of an issue by the committee difficult. This issue was picked up by the Constitutional Monitoring Group when it began to review the operation of the Overview and Scrutiny functions.

### **Major/Key Items Considered**

At the first meeting of the new Scrutiny Committee on 26<sup>th</sup> June 2002 members considered the relocation of the Kilburn One Stop Shop following concern that local Ward Councillors had not been involved in developing the proposal. The decisions of the Executive were endorsed but it was agreed that a small group of members should be involved in developing longer term options for providing customer services in Kilburn.

Later in the year the Committee received information on the performance of EDS prior to the Council taking over responsibility for the provision of housing benefit, customer services and the cashiers' service on 1<sup>st</sup> October 2002. Whilst it was recognised that bringing the service back in-house was not a solution in itself, the Committee was reassured by the clear understanding of what the Council wanted to achieve. However, there were still areas of concern and the Committee requested more information in order for members to be able to effectively challenge the level of service being provided and review how best the Council could assist vulnerable people to fill in the necessary forms.

Then in April 2003, the Committee received a report on the transfer of the Benefits Service. It acknowledged the good progress made but recognised the considerable work still to be done, particularly around rebuilding staff morale. Members were keen to see joint Revenues and Benefits monitoring reports continue to be submitted to the appropriate scrutiny body in future. It also asked that the old system of named liaison officers for members to contact about benefits issues be re-introduced.

In September 2002 the Executive, in light of the significant public interest and concerns from a wide number of councillors, asked the Scrutiny Committee to consider the decisions it had made on car parking on Gibbons Recreation Ground. The Committee put forward an alternative option but the Executive subsequently confirmed its original decision.

Also in September, the Executive and full Council considered the revenue budget position with particular reference to Social Services' expenditure. Full

Council asked that Scrutiny Committee consider the position in more detail and it did so at its meeting on 30<sup>th</sup> October 2002. The Leader, Deputy Leader and Lead Member for Health and Social Care along with officers were present to answer detailed questions on the level of overspend in Social Services, the actions being taken within Social Services to try to rectify the position and the likelihood that such actions would meet the targets set. The Committee were satisfied with what it heard but recognised the risks involved and the need to balance these against the Council's duty of care.

At its meeting on 13<sup>th</sup> November 2002 the Scrutiny Committee received a deputation against a controlled parking zone in the Cricklewood area. Concern was expressed by members at the poor response rates to the public consultation. The Scrutiny Committee heard from the Lead Member for Environment and Planning who pointed out that such response rates were generally not very high. The Committee asked that further efforts be made to improve methods of consultation. This matter was later picked up by the Roads task group (*see report below*).

The Committee considered the Annual Complaints Report and questioned the Corporate Complaints Officer over it. Emerging from discussion on this was the request that the Director of Housing attend a future meeting to be questioned over the level of complaints received about the Housing Service. The Director of Housing and the Managing Director of Brent Housing Partnership (BHP) attended a subsequent meeting. The issues to emerge were:

- that the proportion of complaints relating to Housing Services against those received across the Council were consistent with other boroughs largely due to the excess demand over supply of accommodation;
- although the perception was that the repairs service was often the subject of complaint only 8% of complaints received related to the failure of the contractor to carry out repairs; and
- that arrangements were needed to allow proper scrutiny of BHP's performance.

The Committee asked that more information on performance and on the actions being taken to improve this be communicated to tenants.

The last meeting of the Scrutiny Committee on 30<sup>th</sup> April 2003 reviewed the first six months' performance of BHP. The Lead Member for Housing, the Managing Director of BHP and senior officers from the Housing Service were present. The performance indicators showed that good progress was being made but there remained the concern that tenants' perceptions of the service remained low. The inspection of the organisation was going to be critical in levering in the resources required to meet the objectives of BHP. The Committee recognised that continued scrutiny of BHP performance was very important and needed to be picked up within the new arrangements for scrutiny.

At the meeting on 18<sup>th</sup> December 2002 the Scrutiny Committee considered the evaluation of the Education Development Plan and the Education Standards Annual Report for 2001/2. This allowed the Education co-opted members to contribute fully to the discussions. The need to engaging the co-opted members more effectively in Education issues was borne in mind when discussing the new arrangements for scrutiny. The outcome of the joint review of Social Services was also considered and the monitoring of the action plan was flagged up for inclusion in future scrutiny arrangements. The idea of bringing in outside representatives/service users was raised as a possible way of better scrutinising the action plan.

Earlier this year the Scrutiny Committee heard from a resident of the Cricklewood area affected by flooding on 7<sup>th</sup> August 2002. Members heard from a representative of Thames Water as well as from the Council's Director of Highways and Emergency Operations. The Committee was disappointed that after having indicated that it would send a representative no one from the Environment Agency was able to attend the meeting. Whilst noting that the weather conditions had been extreme, concern was expressed that local residents had not been informed of what was happening after the event. The Committee asked Thames Water to take action to address this. Unfortunately to date there has not been a response from Thames Water.

At a special meeting in February 2003 the Scrutiny Committee considered the Executive's budget proposals. This afforded members of the Committee the opportunity to ask detailed questions of Executive Members and officers prior to the proposals being submitted to Full Council for approval.

Following the issue being raised by a member of the Committee, the Chief Executive attended a meeting to answer a number detailed questions on how the pay review of chief officers/Hay graded staff had been undertaken. This matter had previously been considered by a meeting of the General Purposes Committee. One issue to emerge was the importance of ad hoc meetings of the General Purposes Committee being held at times as convenient as possible to all members and that there was more information available on what was being reported to such meetings.

The options for regeneration of the Barham Park Estate were considered on 2<sup>nd</sup> April 2003 and the Lead Member for Housing was present to explain the Executive's approach to formulating and agreeing proposals for redevelopment of the estate. The Committee asked the Executive to ensure the process was as speedy as possible to avoid further delays.

### **Called-in Items**

#### *Council's Response to the Mayor of London's Draft London Plan*

The Scrutiny Committee recommended to the Executive that a number of additional points should be added to the Council's response. These covered transport, redevelopment, house building and crematoria facilities. The Executive did not accept the points made by the Scrutiny Committee.

### *Fairer Charger Policies for Home Care and Other Non Residential Services*

The Scrutiny Committee discussed this item at length and a number of alternative proposals were discussed by the Committee but were not agreed upon. The Committee finally accepted the decisions of the Executive.

### *Maintenance of Highway Trees in Brent in 2003/4*

Having considered the item and heard proposals from Members to amend the decisions of the Executive, which were not agreed, the decisions of the Executive were endorsed. Additionally, it was requested that the outcome of the proposed survey should be reported back to Scrutiny Committee and that more consultation should take place before further policy on the maintenance of trees in the future was agreed.

### ***Standing Panels/Task Groups***

The Standing Panel on Children's Social Services met on three occasions during the year. At the first meeting there was a series of very informative presentations from each service area within Children's Social Services. The Panel also received reports on Quality Protects and Educational Attainments of Children Looked After by Brent. At its second meeting, the Panel considered a report from the Director of Social Services outlining the findings of the Laming Report into the death of Victoria Climbié. The Panel also considered:

- A quarterly report of the Brent Area Child Protection Committee
- A brief note on Admission to School of Looked After Children in Brent
- Budget Proposals for 2003/4

At the third meeting, the Panel considered the arrangements for Social Services Inspectorate put in place to check compliance of Social Services departments with the practice recommendations made by Lord Laming and the Council's response to these arrangements. The Panel were satisfied that the actions being taken by the Social Services Department would ensure compliance with the SSI recommendations. The Panel also considered Children's Social Workers' recruitment and retention issues and arrangements for induction and training for Children's Services' staff.

#### *Membership of Standing Panel*

*Councillor Jones (Chair)*  
*Councillor Mrs Fernandes*  
*Councillor Lemmon*  
*Councillor Nerva*  
*Councillor C J Patel*

### ***Housing Management by Registered Social Landlords (RSLs) Task Group***

The task group was established in order to scrutinise aspects of the Council's work with RSLs and the Housing Corporation. It was agreed that the review would be carried out over approximately three months, which culminated in the task group reporting to Scrutiny Committee on 30<sup>th</sup> April 2003. The task group met on five occasions, the first being a planning session to agree the process of the review. At subsequent meetings representatives of the Housing Corporation and RSLs, as well as the Council's own officers were questioned. Particular thanks has been extended to the representatives of the Council's partner organisations who contributed their valuable time and expertise. A number of recommendations were made which have been endorsed by the Scrutiny Committee and passed to the Executive for attention. One recommendation is to establish a further task group to consider the role of RSLs in development of new housing and this will be considered as part of the new scrutiny work programme.

Membership of Task Group

*Councillor Harrod (Chair)*

*Councillor Arnold*

*Councillor Jones*

*Councillor Duffin*

**Roads/Use of Road Space Task Group**

The task group was established to consider issues concerning roads but at the first meeting of the task group it was quickly recognised that the review would have to be targeted to certain aspects of road use in order to allow it to focus its work and produce quicker results. It was therefore decided to look at parking bays for the disabled and CPZ enforcement and design. The task group has met five times and is in the process of finalising its report back. At an earlier meeting it heard from a representative of the Brent Association for Disabled People and an officer from Camden's transportation unit. The task group was grateful for the time given by these people and the very useful contribution by them.

Given that the task group has yet to conclude its work, the Scrutiny Committee on 30<sup>th</sup> April agreed that it should continue for a short while in order that it could complete its task. The task group now comes under the Quality of Life Scrutiny Panel.

Membership of Task Group

*Councillor Fiegel (Chair)*

*Councillor D Brown*

*Councillor Davies*

*Councillor Lyon* (Councillor Lyon has now resigned from the task group following his appointment to the Executive)

**Achievements**

As has been mentioned elsewhere in this report there is no doubt that the Scrutiny Committee faced considerable difficulties during the year in

developing the scrutiny function, getting members actively involved in scrutiny work and through a lack of resources.

Nevertheless the Scrutiny Committee did manage a number of achievements. In recognising the difficulties of scrutinising issues within a large committee, a pre-meeting of members was instituted immediately before the Committee starting so that some agreement could be reached on which members would lead in developing a line of questioning on each of the items before it. Members of the Committee were very responsive to this and it helped the Committee to work in a more collaborative way.

Despite the lack of resources, as reported above, the Standing Panel on Children's Social Services was established and met during the year and two task groups were established, one of which has concluded its work and the other is shortly to do so.

A number of key issues were considered by the Scrutiny Committee including Revenues and Benefits, BHP performance, Gibbons Recreation Ground, flooding in the Cricklewood area and the budget.

As the Constitutional Monitoring Group began to look at the structure of scrutiny, it engaged the Chair and Vice-Chair of the Scrutiny Committee in preliminary discussions. Proposals were then worked up by the Monitoring Group and reported back to the Scrutiny Committee for consideration and endorsement. This ensured that those members involved in the scrutiny process were fully aware of how it was proposed the new structure would work. Their experience will now help get the best out of the new arrangements. There are a number of items that have been considered by the Scrutiny Committee that need to be subject to continued scrutiny under the new arrangements and these will be fed into the discussions on the work programmes for each of the select committees and scrutiny panels.

Councillor Tom Taylor  
Chair,  
Scrutiny Committee

Councilor Mary Arnold  
Vice-Chair,  
Scrutiny Committee