



MINUTES OF THE SCRUTINY COMMITTEE

Wednesday 1 October 2014 at 7.00 pm

PRESENT: Councillor A Choudry (Chair), Councillor Colwill (Vice Chair) and Councillors Allie, Daly, W Mitchell Murray, Oladapo, R Patel (substitute for Councillor Van Kalwala) and Southwood, together with Ms Christine Cargill, Mr Alloysius Frederick and Dr J Levison

Also Present: Councillors Butt, Filson, Harrison, Hector, Mashari, Pavey and Perrin

Apologies were received from: Councillor Van Kalwala, co-opted Member Mrs Hawra Imane and appointed observers Jenny Cooper, Chrissy Jolinon and Lesley Gouldbourne

1. Declarations of interests

None declared.

2. Minutes of the previous meeting held on 9 September 2014

RESOLVED:

that the minutes of the previous meeting held on 9 September 2014 be approved as an accurate record of the meeting.

Councillor Daly commented that her question regarding duty of candour and the response to it in respect of item 5, 'Closure of A&E at Central Middlesex Hospital', had not been recorded, however she would raise the same question at this meeting.

3. Matters arising

None.

4. North West London Hospitals Trust Care Quality Commission inspection compliance action plan

Chris Pocklington (Deputy Chief Executive, North West London Hospitals Trust) presented the report which set out the action plan that had been produced as a result of the Care Quality Commission's (CQC) inspection in May 2014. Members heard that a Quality Summit at Northwick Park Hospital (NPH) had taken place in August 2014 between the Trust and partner organisations and had been chaired by the CQC in order to identify what suitable measures should be included in the action plan. The action plan had been presented to the Trust's Board the previous week and had been approved. Against each recommendation made by the CQC, details of the action to address this were included and with a deadline for

completion. Chris Pockington advised that progress on the action plan would be regularly reported to the Board and it was anticipated that there would be a follow up inspection from the CQC to see what action had been taken to address the issues raised in the first inspection.

During discussion by members, it was queried whether a more detailed report on the action plan would be produced in future. A member expressed concern about risks to the health of local residents and asked whether there had been a reduction in the number of nurses at NPH when the inspection had taken place in May. She sought confirmation as to whether there had been a freeze in staffing numbers at the Accident and Emergency Unit (A&E) at NPH and if so for what length of time. The current number of nurses and GPs in A&E at NPH and the vacancy rate was requested. The member referred to a £3 million reduction in staff budgeting for doctors in nurses and the impact in terms of safety this would have in respect of the CQC inspection report. The member sought clarification that there were in fact ten less beds overall within the North West London Hospitals Trust (NWLHT) than there were a month ago. She also referred to the duty of candour the Trust was required to provide to the committee in respect of members being told that the modelling for patient numbers for NPH after the A&E closure at CMH was apparently inaccurate and she emphasised the need for the committee to receive accurate information.

A member referred to the action plan and asked what steps were being explored in helping to retain existing staff and had the reasons for staff leaving been identified. He also enquired whether retention of staff was a performance indicator for NPH. Another member remarked that waiting times at NPH had risen to crisis levels since the closure of the A&E at CMH and asked what measures were planned to address this, particularly as winter would shortly arrive. A member asked for further information on plans in respect of major emergencies and emphasised the importance of ensuring key roads were open as this had been an issue, for example, during the 7 July 2005 London bombing incidents. He also asked whether the planned additional beds at NPH had happened and if so how many. The committee sort views with regard to the progress made since the CQC inspection and how confident was the Trust that the action plan would achieve the objectives and within the timescales set.

With the approval of the Chair, Councillor Hector addressed the committee. Councillor Hector stated that she had been provided with conflicting information on the number of beds at NPH and she asked that the number be clarified.

In reply to the issues raised, Chris Pockington informed members that a more detailed report on the action plan would be reported to the Trust's Board in October and this could also be provided to the committee. He stated that he would seek information on numbers of staff at NPH, including its A&E, since the closure of the A&E at CMH, however he confirmed that the number of nurse vacancies at NPH had reduced significantly. He was unaware of any decision to freeze the number of staff at NPH A&E and of a £3 million reduction in budget for doctors and nurses and there had been ongoing recruitment at the NPH, including its A&E, since the CMH A&E closure. Members heard that the Board's Trust regularly reviewed the rate of staff turnover and a high rate was one of the challenges the NPH faced and it indicated that not all was as it should be. Chris Pockington stated that increasing the number of established staff would make it more attractive for them to remain and there had also been a recent successful recruitment drive for appointing full

time medical consultants. He confirmed that staff turnover was a performance indicator and the Board was provided information on this as part of the employment data that they regularly received.

Chris Pockington advised that the Board was fully aware of issues regarding patient waiting times at NPH. He informed members that this was attributable to a number of reasons, including the fact that there were more ambulances visiting NPH since the A&E closure at CMH than the modelling exercise had anticipated. NPH was also not able to discharge patients as quickly as would be desirable and there were also less staff available for diagnosis at weekends, although the Trust would be taking steps to address this. NPH faced additional pressures in the growing number of older people in the population and patients who required greater attention. However, steps were being taken to address these issues and changes to the system in respect of ambulance arrivals had produced noticeable improvements in the last four days, with less arrivals and a reduction in the number of delayed transfers. Senior staff were involved in daily conference calls to discuss solutions to the problems identified and a concerted effort was being made by all staff to put together actions to address the issues identified. Chris Pockington added that NPH did not currently have sufficient beds to deal with the volume of patients it was receiving and a business case was being put together for increasing capacity in acute wards by autumn 2015. Once this could be achieved, NPH would be able to operate at a lower level of occupation and would be better equipped to provide services. Chris Pockington confirmed that 20 new beds had opened at NPH on 10 September and there were now a total of 760 beds occupied at 94% rate, whilst beds in the A&E department were close to 100% occupancy. Patient capacity outside of hospitals was similarly important and would help facilitate a more effective and efficient system of healthcare. Chris Pockington stated that he could not clarify whether there were less beds overall within the Trust than had been the month before, however patients at CMH tended to stay longer than others within the Trust and the hospital had seen a net increase of 20 beds. He advised that the issue of bed capacity was complex and could not be based purely on numbers, however he indicated that he could present the modelling in respect of bed provision to members. He added that whilst he would be happy to provide a greater level of detail to members on particular issues at future meetings providing he was sent substantive queries in advance of the meeting.

Professor Ursula Gallagher (Brent Clinical Commissioning Group) confirmed that all but two of the nurses who had worked at CMH A&E were now at NPH, with the other two remaining at CMH and there had been little external recruitment to protect existing staff who had worked at CMH A&E. She explained that the purpose of expanding the healthcare hubs was to ensure appropriate community provision and overall there were more beds now than there were within the Trust the previous year. Professor Ursula Gallagher emphasised the need for rigorous decision-making to ensure patients were dealt with promptly. In respect of major emergencies, she advised that the CCG's System Resilience Group were responsible for creating a system resilience plan. All hospitals trusts in London were working hard to ensure there was appropriate flexibility and capacity in major emergencies. In addition, NHS England coordinates plans for wide scale emergencies and undertook 'dry runs' using various scenarios and a multi-agency approach was taken to manage such situations.

Dr Ethie Kong (Chair, Brent CCG) added that organisations working in isolation was not the answer to responding to major emergencies and this is why the System Resilience Group involved both acute, primary and community healthcare providers and London ambulances. She was also confident that targets in the action plan would be achieved in the timescales set.

Councillor Daly emphasised that all Brent CCG papers for Scrutiny Committee members should be publically available and she requested that a representative from the Care Quality Commission be in attendance the next time this item was discussed.

The Chair requested that a report be presented to the committee in about two months' time updating them on progress with the action plan, including whether the measures listed were on target to be achieved within deadlines set. In addition, any members who had questions requiring specific details were to submit these to Cathy Tyson (Head of Policy and Scrutiny, Assistant Chief Executive Service) who coordinate responses from NWLHT.

5. Local Safeguarding Children Board annual report

Chris Spencer (Independent Chair, Brent Local Safeguarding Children Board) presented the annual report and advised that the Brent Local Safeguarding Children Board (LSCB) consisted of statutory partners, such as health representatives, the police and the council, and other non-statutory organisations, such as those from the voluntary sector and schools. The LSCB met approximately every six weeks and considered reports on a range of issues identified in its business plan based on priorities agreed as a result of local and national drivers influenced by the key safeguarding priorities of partner agencies. This involved creating a number of work streams and sub-groups to address these priorities and Chris Spencer drew members' attention to the seven sub-groups as set out in the report.

During members' discussion, further details of the background of the Chair of the LSCB were sought. A member commented that the report did not provide a particularly clear picture of child wellbeing and welfare and safety in Brent. She felt the report lacked comparative statistics with other London boroughs and information on the pressure on school places in Brent. She also stated that there was no information on child suicides, the growing use of food bags and the number of children at risk in the borough and she hoped for more detail in future reports. Another member enquired how effective was Brent at early intervention compared to other boroughs and she sought views on what level of support young people who had been placed outside the borough received. A number of children in Brent also lived in poverty and she enquired how the LSCB oversaw a multi-agency approach in addressing this. A member sought further information regarding unexpected deaths including the causes and what steps were being taken to address this. He felt that this was an issue worthy of further scrutiny and the next report should provide more detail on this.

Another member asked whether the LSCB's role extended to analysing whether there was a sufficient budget to undertake all the priorities that had been agreed. In view of the need for savings to be made and the resulting pressures this would create, such as social worker caseloads, he asked whether safeguarding measures

were robust enough. A member emphasised the importance of early intervention where children were not doing well at school, for example in identifying dyslexia, in order to ensure they had a good education which was vital to their future. A member sought clarification that the LSCB currently had a vacancy for the position of second lay member and in respect of an apparent dispute over payments between the LSCB and the NWLHT. She also asked whether she could be provided with a copy of the Section 11 audit report in respect of NPH. Another member enquired what steps were being taken to combat trafficked children in the borough.

With the approval of the Chair, Anna Tulley addressed the committee. Anna Tulley advised that she worked for a disabled childcare charity and stated that she was aware of a case regarding safeguarding issues where finding help proved fruitless. She sought further information in respect of the Task and Finish group for safeguarding disabled children as mentioned in the report.

In reply to the issues raised, Chris Spencer informed members that he had been a director of education and children's services since 2000, including holding two substantive posts and an interim role with another London borough. Since 2011, he had chaired two West Midlands Improvement Boards and also advised the Home Office. In respect of the detail in the report, Chris Spencer advised that the LSBC's role was to support and challenge the work of the partner organisations and the LSBC received all the specific data on issues such as child suicides, school places and use of food bags in order to undertake analysis. The results of the analysis would help steer the direction in providing a strategic oversight. The committee heard that the services offered in the borough were crucial to the process of managing risk for children and Chris Spencer emphasised how crucial the role of early intervention was. He advised that a recent review on early intervention had been reported to the LSBC and it had been identified that there was room to develop services, however the role of non-statutory organisations and budget pressures needed to be resolved in order for this to happen. There was a strong argument and evidence for early intervention measures being of particular importance in the borough and it was thought that through commissioning, such services could be improved. Chris Spencer advised that the trend was not to place young vulnerable people far from Brent. At present, approximately 20 were currently outside of the borough and in such circumstances these children needed to be visited frequently by Children's Services. However, he added that sometimes there were very sound reasons to place children outside of Brent. With regard to tackling child poverty, Chris Spencer commented that the situation in Brent was highly complex, with a wide range of vulnerabilities and this enhanced the level of poverty. He felt that the most reliable way of preventing poverty was good education and early intervention and the children's centres played a vital role in achieving this.

Chris Spencer advised that the Child Death Overview Panel, a sub-group of the LSBC, investigated causes of child death and measures to prevent this and a report was provided separately to the Health and Wellbeing Board, although this could also be provided to the committee. Members noted that child deaths were not necessarily due to abuse. Chris Spencer advised that the LSBC did consider budget and their potential effects on capacity and in a recent serious case review, a shortfall in frontline staff practice had been identified. As well as a lack of capacity,

such problems may be attributable to lack of training or the right messages being communicated clearly enough. In his view, Chris Spencer felt that although capacity was stretched, there was no evidence to suggest that this presented unacceptable risks, although caseloads for social workers were higher overall compared to most London boroughs. He added that in some situations the number of caseloads may be artificially inflated if they had not been formally closed when they should have been and this has been an issue in Brent, although action was being taken to address this and there had been some progress. Members noted that in order to get a good inspection outcome, the number of caseloads needed to be reduced.

Chris Spencer stated that Brent schools faced challenging circumstances, however good head teachers and teaching would help overcome this and there was considerable effort being made to raise educational standards. He confirmed that the second lay position on the LSBC had been filled on 20 January 2014 and that NPH had been informed that they were not making a sufficient financial contribution to the Board, but this had since been rectified. The committee also heard that a Section 11 audit had identified some shortcomings around safeguarding for the NPH and an action plan to address these had been produced and Chris Spencer was to check if this could be provided to members. The committee heard that the Vulnerable Groups sub-group looked at priorities in respect of vulnerable children and trafficked children would be included in next year's plan, with bespoke training courses being provided for staff of relevant partner organisations. Chris Spencer advised that the safeguarding of disabled children was high on the LSCB's agenda as they were a particularly vulnerable group. In respect of the Task and Finish group, he clarified that the Child to Adult Services covered this area.

Gail Tolley (Strategic Director of Children and Young People) added that a Scrutiny Committee task group had been set up in respect of the Pupil Premium which through engagement with the Brent Schools Partnership was contributing to schools with a good or outstanding rating increasing.

The Chair stated that a briefing note updating the work of the task group on the Pupil Premium would be provided to members. He emphasised the importance of safeguarding children and welcomed the report.

6. Draft school places strategy

Sara Williams (Operational Director – Early Help and Education, Children and Young People) gave a presentation on the draft school places strategy. She began by stating that consultation on the strategy had started in March 2014. The strategy needed to take into account a number of challenges that the borough faced, such as the rise in demand for school places, including a 38% increase in under five year olds in the last ten years, increasing population density and limited supply of land and changing composition of the borough. Members noted the aspirations for Brent schools and school expansion would only take place with good or outstanding schools where leadership was secure. The council was to establish a joint body with schools to oversee school place planning and school organisation. An initiative in helping pupils stay close to home was also proposed both for primary and secondary schools. Admission policies for secondary schools were to be reconsidered and the creation of free schools would also help reduce pressure on school places. There would also be efforts made to ensure the community

benefitted from school facilities and there would be better consultation and engagement with local communities on new schemes, building inclusive provision into expansion of new schools and improve accessibility for all pupils, especially at secondary level. Sara Williams added that better contingency arrangements would also be in place, such as early opening of classes in expanded primary schools rather than 'filling from the bottom' and keeping temporary accommodation modules on standby. Members noted the projections and demand for both primary and secondary schools.

During members' discussion, it was enquired if there were currently any children living in the borough who did not have a school place and how was performance compared to the previous year. In noting the ambitiousness of the Schools Capital Programme, it was asked whether achieving its targets were realistic. In respect of helping pupils to stay close to home, a member asked if a limit on distance had been determined as to when it would become unacceptable. The member felt that details of pupils' distance from their home to school should be closely monitored and situations where parents were having to coordinate transport of pupils to different schools should be an exception, particularly if they had made their applications on time. Another member suggested that it would be useful to receive figures regarding pupil distance from the school they attended. In addition, details of pupil access to the schools should also be included, as for example, if a pupil needed to get two buses to school as this would impact upon the time taken and also on the family's finances. She added that a report providing more details would have been beneficial and allowed members to properly scrutinise the matter. Another member, whilst appreciating the opportunity the presentation gave for pre-scrutiny prior to a report going to Cabinet, enquired whether officers were confident that primary schools could maintain educational standards as they got larger. She also asked whether placing Special Educational Needs (SEN) pupils was relatively trouble free. A question was raised as to whether schools in the north of the borough were taking more pupils than those in the south and where could details be found of pupil numbers throughout the borough. Another member asked whether school expansion posed risks in terms of whether there was sufficient infrastructure in place.

Councillor Hector then addressed the committee. Councillor Hector referred to an example she was aware of in her ward where a pupil with a disability and with social and medical needs who had been refused admission to his nearest school probably on the basis that his faith was different to the school's. She felt that this was unfair given the circumstances and sought comments on this.

In reply to the issues raised, Sara Williams confirmed that presently there no children without school places, however years 5 and 6 were extremely full. She advised that the placing of pupils this year had been an improvement from the previous two years and added that it was important that all pupils were placed by 3 October as this was when the school census figures were taken. She felt that the Capital Schools Programme was achievable financially, although there were some logistical challenges to overcome. Additional reception classes were being established ahead of the rest of the Capital Schools Programme in order to accommodate any subsequent slippage in delivering the programme. Sara Williams added that quality and value for money of additional school buildings was a London-wide issue and the importance of the procurement exercise in securing these was emphasised. The committee noted that 'close to home' guidelines had outlined that pupils up to and including eight year olds schools should be less than

two miles from their homes, and above eight year olds should be less than three miles. In reality, most pupils lived considerably closer than these distances and Sara Williams acknowledged that it was impractical for parents to be expected to take one child to one school, then another child in a completely different direction to another school and the Fair Access Protocol would be applied to address this. She stated that pupils would be placed in their nearest schools at reception class level, although this may be more difficult to achieve for in-year applications.

Sara Williams advised that primary schools were becoming larger both at London and national level, however the most important factors in ensuring quality education were good leadership and management. In addition, larger primary schools were able to resource subjects such as foreign languages, be more financially resilient and offer a greater career structure for teachers. In respect of SEN pupils, Sara Williams emphasised the importance of ensuring they were given the right provision and providing this in existing schools had been successful. The number of SEN pupils going to non-Brent schools had fallen significantly in recent years and this had reduced the strain on the SEN budget. Sara Williams advised that there was a larger demand for pupil places in the north of the borough, including a number of 'hotspots' such as Wembley, Kingsbury and Queensbury and along the Cricklewood corridor. As such, it was likely that there would be more pupils coming from the north of the borough to schools in the south, however schools were being expanded across the whole borough. The committee noted that the October school census would show where pupils were located. Sara Williams informed members that checks were undertaken to ensure there was the sufficient infrastructure where permanent expansion was planned and that in this respect, Brent schools were faring better than a number of other London boroughs. Sara Williams stated that she was aware of the case that Councillor Hector had referred to and stated that such situation were rare, however voluntary aided schools had their own admissions criteria.

Christine Gilbert (Chief Executive) advised that a report on the draft school places strategy was due to go to Cabinet on 13 October. However, it was felt that providing the Scrutiny Committee with a presentation on the item prior to the publication of the Cabinet report would be useful for members and allow them to undertake pre-scrutiny of a Cabinet item and provide views and feedback to Cabinet.

The Chair concluded discussion by acknowledging the large interest from members and other councillors on this item and in noting the improvement in placing pupils in the last two years. However, he emphasised the need to sustain progress and requested that school places be considered at a Scrutiny Committee meeting in around two months' time.

7. Children's centres

Sara Williams introduced the report that went to Cabinet on 21 July outlining proposals to extend childcare at Treetops, Barham Park and St Raphael's Children's Centres. She advised that children's centres were used as an early intervention vehicle and it had been agreed by Cabinet that it was both viable and offer value for money to extend the three centres identified. The changes at the centres were in the process of being implemented and involved cooperation across a number of council service areas.

During discussion by committee, a member suggested that the children centres were concentrated in a particular area and neglected the north of the borough. Another member sought advice on what members should be focusing on in view of the fact that the report had already been approved by Cabinet. A member sought clarity that the children's centres provided for those children up to and including four years of age. In noting that children were entitled to nursery places between two to three years of age, she sought further reasons for how children's centres were being used. In respect of the Barham Park building, she noted that there were proposals for a nursery to be included, however she sought clarity on this matter as Barham Park Trust had stipulated that the building was for community use only and the lack of consultation on this proposal had also angered residents.

Councillor Harrison then addressed the committee and stated that children's centres were for the community and they delivered a wide range of services and it was also beneficial to bring services into children's centres.

In reply, Sara Williams advised that children's centres were located across the borough, however the ones proposed for extended childcare were located where the most disadvantaged communities were and these proposals were only part of a wider strategy for children's centres. She confirmed that children's centres were for children up to and including four years of age. The purpose of children's centres compared to nurseries was that they also provided services to the children's family and examples included paediatric first aid training for fathers and cooking courses. Sara Williams confirmed that the advice of the council's Legal and Procurement department was that nursery use in the Barham Park building was in accordance with the Barham Park Trust.

Cathy Tyson confirmed that the Cabinet report on children's centres had been requested to be looked at by the committee.

The Chair commented that the long term future of the children's centres would be clearer in around four months time and he requested that an update be provided to the committee at around that time.

8. Scrutiny Committee forward plan

The Chair referred to the forward plan and noted the committee's requests at the meeting for further updates on the NWLHT CQC inspection compliance plan, school places strategy and children's centres. In addition, an item on the PREVENT programme was to be added to the forward plan. Councillor Daly stated that she would like an item on what plans NPH were making to cope with additional demand in the winter months and on GP waiting lists. She added that residents had expressed dissatisfaction about the week of action in Sudbury ward and she asked how this could be discussed at a future meeting.

The Chair then stated that Cathy Tyson would circulate the draft forward plan to members with the additional items of interest that had been raised and inviting members to make any further suggestions. The timing of when these items could be put to the committee would then be considered.

9. **Any other urgent business**

None.

The meeting closed at 9.40 pm

A CHOUDRY
Chair