

# Overview & Scrutiny

Annual Report 2016-2017



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# Foreword

Scrutiny is about holding the decision makers to account and helping develop policy. This is through in-depth reviews, evidence sessions on a topic or questions to service providers, the Cabinet members or the Mayor.

Reviews this year included “Unregistered educational settings”, “Council services for vulnerable migrants”, “End of life care”, “Air quality”, and “Commercialisation and income generation”.

The scrutiny commissions need to react to events and to a changing environment. Living in Hackney scrutinised the aftermath of flooding caused by Thames Water, Health in Hackney examined the proposals for the Homerton pathology laboratory services, Children and Young People looked at the readiness to support the new childcare entitlement and with the Governance and Resources Commission looked at temporary accommodation.

The importance of planning policy and the formal planning process was recognised. On employment both Children and Young People and Community Safety and Social Inclusion Commissions examined how planning policy could be used to create job opportunities. Health in Hackney asked how the planning process could be used to update or create new health facilities and Living in Hackney explored how the Council ensures that air quality considerations play a full part in individual planning decisions.

This year we also asked questions of ourselves and received the results of an external review of our scrutiny function. Changes were agreed for 2017/18. We will retain the Children and Young People and Health in Hackney Commissions. Living in Hackney is also retained but takes on the community safety function. A new commission called Working in Hackney has been created with a remit of prosperity of the borough and development, in particular economic development, employment and large-scale schemes.

I would like to thank all the commission members for their work and the officers who supported them.

I would also like to thank all those who generously gave their time to give evidence or to host a site visit, without which it wouldn't be possible for scrutiny to do its work.

**Cllr Ann Munn**

Chair of The Scrutiny Chairs' Group for 2016/17

# Holding the Executive to account

The Cabinet, led by the Mayor, is responsible for making sure that people receive the services that Council has agreed. Scrutiny is responsible for ensuring the Cabinet and the Mayor do their job. The main way we do this is through the five themed Scrutiny Commissions.

These are:

1. Children and Young People (CYP)
2. Community Safety and Social Inclusion (CSSI)
3. Governance and Resources (G & R)
4. Health in Hackney (HiH)
5. Living in Hackney LiH)

The structure of the Commissions will change from 2017/18 but this report is a look back on the year 2016/17.

The Commissions look at how the Council and its partner organisations can improve the services that they provide to the people of Hackney. They are made up of Councillors who are not members of the Cabinet. Their role is to review performance and examine the decisions of the Executive from a non party-political perspective, and to conduct in-depth investigations into key issues for Hackney. They also provide advice and guidance to inform Executive decisions.

Commissions conduct investigations into areas of policy, taking into consideration the views of local people, and experts in an area. They can then recommend changes if they think that there are better ways of doing things.

Unlike the decision-making bodies, such as Cabinet and Council, Scrutiny Commissions cannot enforce their policy recommendations. Instead they help shape Executive decisions through undertaking in-depth analysis and providing clear guidance on relevant issues.

## Statutory Framework for Scrutiny

Local government scrutiny was formally introduced in the Local Government Act 2000, however law affecting scrutiny goes back to the Local Government Act 1972, which established modern local government. The 2000 Act of course radically altered the way in which councils operate. The remit of local scrutiny was soon expanded to include local health care in 2001, with PCTs (now CCGs) and local hospitals being expected to engage in the process. Hackney has benefited from very positive engagement from the outset by health partners.

Between 1972 and 2000 came other Acts that are relevant to the operation of scrutiny committees including: the Local Government (Access to Information) Act 1985, Local Government and Housing Act 1989 and Data Protection Act 1998 or which are relevant to the function such as the Freedom of Information Act 2000.

Since 2000, there has been a slew of Acts, often accompanied by secondary legislation, which have gradually strengthened the powers of scrutiny, albeit in a haphazard way. The Health and Social Care Act 2001, Local Government Act 2003, Police and Justice Act 2006, the NHS Act 2006, the Local Democracy, Economic Development and Construction Act 2009 and the Health and Social Care Act 2012 have all made changes to the scrutiny process. Local Government and Public Involvement in Health Act 2007 enhanced Partnership Scrutiny powers as it increased the list of partner organisations who are required to engage with scrutiny. The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 govern how joint scrutiny is now carried out. Generally speaking however the view in Hackney has been that if a Commission has to rely on legislation to get partners to the table then the relationship has already failed.

## Who decides what a Commission reviews?

Reviews may arise as a response to public interest or concern, national or local changes, or an area of service delivery that requires improvement. The Commissions consider areas for review and twice a year the Chairs and Vice Chairs of the 5 Commissions meet as The Scrutiny Chairs Group to ensure there are no overlaps in work programmes and that best practice is shared. At the beginning of the year the Scrutiny Chairs meet with Cabinet to discuss planned work programmes.

## How does a Commission conduct a review?

At the start of a review we gather evidence, taking into account the views of expert witnesses, service users and other key stakeholders. Members usually visit service users or residents affected by the issue under investigation. Recommendations based on this evidence are negotiated with Cabinet Members and then the Commission agrees its Report. This is sent to Cabinet who are required to formally respond. This Executive Response is presented to a Cabinet meeting. For a selection of the reviews the report and the response are debated at Full Council.

Each Commission re-visits its reviews six months after completion in order to check progress on the implementation of the recommendations. This ensures that pressure is brought to bear on driving improvements, that scrutiny can be sure that its work has added value, and possibly identify topics for further inquiry.

The final reports of each review can be downloaded from [www.hackney.gov.uk/scrutiny](http://www.hackney.gov.uk/scrutiny) - or obtained from the Scrutiny Team.

The sections in this report for each Scrutiny Commission briefly summarise the reviews that have been carried out this municipal year. It is important to note that Commissions have other duties which form part of the routine business of their meetings. Health in Hackney for example receives regular updates from each

of the local NHS bodies and the Council's Adult Social Care and Public Health departments and has to respond to local health issues which arise. CSSI has a duty to scrutinise updates to the Community Safety Plan and the effectiveness of the local Community Safety Partnership and CYP monitors the statutory plans in its area. Both HiH and CYP receive formal updates on the work of the Adult and Children's Safeguarding Boards respectively.

While the effectiveness of scrutiny can be measured by how many of its suggestions and recommendations get implemented it also has a broader and ongoing impact, in that often ideas first developed in scrutiny can prompt policy developments down the line. Also by casting a spotlight on particular areas Scrutiny often acts as a catalyst for change both within the Council and its partner organisations. In this way, while Scrutiny has no executive power it has influence.

## Cabinet Question Time

Following the format in central government of ministerial appearances before Select Committees, the Mayor and each Cabinet Member take it in turns to appear before the relevant Scrutiny Commission. To make it manageable it is arranged that the questioning focuses on key areas within their portfolio, which would be agreed with them in advance.

The aim here is to provide a 'critical friend' challenge to services, addressing issues of public concern and any deteriorations in performance and to enable the Mayor and Cabinet Members to demonstrate transparency and accountability in public for the performance of services within their portfolios.

This approach allows performance and budget data and other insight to be used to hold the portfolio holder to account whilst all the time focusing on the bigger picture. Cabinet Question Time with the Mayor is carried out by the Scrutiny Chairs Group twice a year. There will be a revised format for this in the new structure.

## Budget Scrutiny

Scrutiny of the Council's budget and financial planning has been done up to now by a mixture of Governance and Resources Scrutiny Commission and various themed Budget Scrutiny Panels allowing backbencher input on a regular basis to the budget planning cycle.

## Community Safety and CYP Scrutiny

The Council has a statutory duty to scrutinise the local Community Safety Plan. In Hackney that Plan is the responsibility of the Community

Safety Partnership and the scrutiny of it is delegated to CSSI Scrutiny Commission.

Children and Young People Scrutiny Commission also has a statutory duty to include on it voting co-optees from the Church of England, the Roman Catholic Church and two Parent Governor representatives. In addition, Hackney itself has decided to also have non-voting co-optees from the Orthodox Jewish, Muslim, and Free Churches' faith groups, as well as a representative from the Hackney School Governors Association and up to 5 representatives from the Hackney Youth Parliament.

## CALLING TO ACCOUNT

### **Call-In**

'Call-in' is a tool to temporarily freeze a decision that has been taken by the Cabinet but not yet implemented, to allow for further consideration. To do this, **five** councillors have to sign a request that a decision be called in, if they believe it does not meet the Council's 'Principles of decision-making' as set out in the Constitution. The relevant Scrutiny Commission then holds a special hearing to decide whether the decision should be referred back to Cabinet, discussed further at Full Council, or upheld. The two most recent uses of this power were in 2008 and 2010.

### **Councillor Call for Action**

CCfA enables any Member to ask Overview and Scrutiny to investigate an issue affecting their ward, particularly issues that remain unresolved despite all efforts to get them fixed. Overview and Scrutiny can then choose to take-up the issue, investigate it thoroughly, and make recommendations to the relevant decision-makers. This was introduced because some councils were obviously not considered to be sufficiently responsive. In Hackney it hasn't been used to date as existing mechanisms have enabled issues to be raised by members of the public through ward

members or at a scrutiny commission. CCfAs are generally a last resort mechanism if other avenues, such as the Member Enquiry process, have been exhausted.

### **Petitions**

The Council's constitution includes various powers in relation to residents running petitions. These include opportunities for groups of local people to trigger 'Petitions for Debate' at Full Council, or to hold an Officer to account. The former requires **750** signatures from across the borough. Alternatively, if a petition has received **250** signatures from a single ward, it could be scheduled for debate at the relevant Ward Forum.

A 'Petition to hold an officer to account' would trigger an open meeting of the Scrutiny Commission at which a named senior officer would be called to answer questions about the subject of the petition. **500** signatures are needed for this process. Scrutiny Members would ask the questions at this meeting, but petitioners could suggest questions to the Chair by contacting them or the Overview and Scrutiny team up to three working days before the meeting.

## General Exception and Special Urgency

The key executive decisions in the Council are usually taken at the monthly meetings of Cabinet or its Cabinet Procurement Committee. To ensure the decision taken is lawful at least 28 days before the decision is to be taken details must be listed in the 'Executive Meetings and Key Decisions Notice' which is published monthly. Where this has not been possible a **General Exception Notice** must be

issued and the Chair of the relevant Scrutiny Commission notified. Additionally if the agenda has been published and a decision must be taken which has not been notified and cannot wait until the next meeting this will require the publication of a **Special Urgency Notice** and the approval of the Scrutiny Commission Chair. The Mayor is required to report to full Council on a quarterly basis any use of the Special Urgency Procedure.

## Lifecycle of a Review – a brief guide

Our Scrutiny Reviews generally follow the following format:

### Suggesting the topic

Suggestions come from a variety of sources such as: Members own areas of interest, residents' surveys, performance data, ideas from Hackney Youth Parliament and suggestions from the Cabinet & Corporate Directors. The scrutiny officer will advise on the Commission's capacity and the scale of work which can be tackled.

### Drafting the Terms of Reference

This uses comments from the first scoping meeting, desk research by the scrutiny officer and suggestions by the relevant Cabinet Members, Directors and stakeholders.

### Gathering evidence

Information is sought from as wide a variety of stakeholders as is possible in order to ensure a wide range of perspectives. This often includes site visits, which are suggested at the scoping stage. Importantly, not all evidence is discussed at commission meetings but it will be referenced or linked to in the final report.





## Agreeing recommendations

By their very nature proposals can arise throughout the course of the review. These are recorded and the scrutiny officer will research their viability. The Commission will usually agree the broad recommendation at the review's final meeting and these are then refined whilst the report is produced.

## Drafting the report

The report draws together the findings and the officer makes sure that all perspectives that were shared are included. The Chair and scrutiny officer then meet with the relevant Cabinet Member/Director to discuss what will be in the report. This helps to provide reassurance that the recommendations are feasible, but it usually does not alter the main thrust of the recommendations which the Members wish to make.

## Final report

The evidence used to support the findings and recommendations is summarised but for brevity all evidence taken is not repeated again in the report. Links are added to the relevant agendas and minutes for the source material.

## Agreeing the report

The draft report is published in an agenda when it first goes in the public domain. This is formally agreed and the report is sent to Cabinet for an 'Executive Response'. Within 1 to 3 months the response, in the name of the relevant Lead Cabinet Member, is produced and agreed at Cabinet. This returns to the Commission where comments can be made and for some reviews, the Report and the Response are discussed as an item at a meeting of Full Council.

## 6 month update

At an appropriate stage, usually about 6 months after the recommendations and response have been discussed at Cabinet, the Commission receives an update about the implementation of the recommendations and they can then take a variety of actions if they are dissatisfied with the progress.

# Children and Young People Scrutiny Commission



Chair  
**Councillor  
Christopher  
Kennedy**



Vice Chair  
**Councillor  
Margaret  
Gordon**

## Unregistered educational settings

For some time the Commission has had concerns about unregistered educational settings in the borough. These are the yeshivas to which the Charedi community traditionally send their teenage boys. The crux of the issue is around the definition of a school and of parents' long established rights to home schooling versus the legal duties placed on the Council in relation to safeguarding etc.

This issue attracted national media attention when The Independent newspaper ran stories about what they described as "ultra-Orthodox Jewish faith schools at which boys are placed from the age of 13, and where they receive no education beyond studying religious texts". They also expressed concern that a number of pupils left these schools with little or no ability to speak English and few qualifications or skills which would equip them to work, or live independently. Estimates of the numbers involved suggested 29-35 unregistered settings involving up to 1500 pupils.

The Council has a responsibility to safeguard all children in the borough, however it has limited powers in that it alone cannot regulate and enforce safeguarding standards in unregistered educational settings. Its role is to identify such settings and refer these to the DfE who in turn have the power to instruct Ofsted to carry out an investigation. The Council also has a legal

duty to establish the identities of children in their area who are not registered pupils at a school and who are not receiving suitable education.

We heard from Children's Services in the Council, the City and Hackney Safeguarding Children's Board, Hackney Learning Trust, Ofsted, Hackney Fire Service, the LBH Planning Service, the Interlink Foundation, representatives of Charedi schools as well as senior Rabbis and community leaders. Our aim was to explore what solutions might be possible in order to resolve the current impasse between the various educational authorities, regulators and our local Charedi community.

We sought to address the loopholes and limitations of the current powers as they impact on safeguarding, planning and fire services and whether the co-ordination of inspection and enforcement between these agencies is sufficient. We looked at how the Stamford Hill Local Area Action Plan might have some currency here because of its focus not just on planning but on youth employment and skills. We looked at the potential of arranging apprenticeships at local colleges to enhance the educational offer to boys at unregistered settings and we examined best practice elsewhere such as a registered Yeshiva in Gateshead for over 16s which seems to have settled some of these issues.

At the time of going to print our recommendations are going through the process of being agreed.

## Childcare – 30 hour free entitlement

At the end of the year we returned to a format we had previously used called Scrutiny in a Day. This is when we focus our evidence gathering and visits for a focussed review of a topic which we complete over one, very full, day.

We decided to focus on the introduction of the 30 hour free childcare entitlement for 3 and 4 year olds, which is due to be implemented in September 2017. The aim was to assess the

London Authority (GLA). This also allowed us to gain an overview of the national policy framework and the statutory requirements and duties of local authorities in the provision of childcare and to identify key challenges for the delivery of the 30 hour free childcare offer.

We also visited Clapton Park Children’s Centre, Belz Nursery School and Tyssen Primary School and ended the day with an evening meeting at Urswick School to decide on conclusions and recommendations.

In our recommendations we suggested that as a priority, the Council should renew its focus on increasing uptake of the free 15 hour entitlement to disadvantaged 2 year olds. It



nature and level of childcare provided in Hackney, and readiness of the Council and local childcare sector to support the introduction of the free 30 hour entitlement.

We wanted to assess the impact of the 30 hour free entitlement in relation to take up, sufficiency, quality, cost and access. We took evidence on local policy and practice from Hackney Learning Trust, private, voluntary and independent (PVI) childcare providers, Children’s Centres and childminders.

We looked at best practice elsewhere with the help of the National Day Nurseries Association, The Family and Childcare Trust and the Greater

should work with the GLA and other partners to assist in this aim. As the introduction of the 30 hour free entitlement may impact on the financial viability of some childcare settings, in both the short and medium term, we’re suggesting the Council should also extend business modelling support to help maintain stability in the sector.

Given that the introduction of the free 30 hour entitlement may also adversely impact the level and range of childcare services locally, we think the Council should continue to support Local Childcare Partnerships that can help maintain and improve local childcare offer to

parents. We suggest that the Council should also undertake further assessments on the sufficiency of local provision, ideally before the end of April 2018, as it feels that assessed capacity in the system may not actually result in additional places being added to meet demands for 30 hour free childcare. We asked that an Annual Childcare Sufficiency Assessment should be brought to scrutiny alongside the school places planning data.

Finally, we're asking that the way that children with SEN are supported in early years and childcare settings should be reviewed to develop more timely access to support services.

## Careers guidance advice and information

Responsibility for this has moved from the local authority to individual schools and so we examined how the Council supports schools in this role. Whilst schools continue to provide careers education, careers guidance is now commissioned centrally and provided through Prospects, who provide careers guidance interviews as well as more specialist careers advice and support.

We learnt that the Hackney Learning Trust has established a Hackney Careers Collaborative, which currently comprises 11 secondary schools and supports them with such things as Career Open Days and training days. The Collaborative also supports dedicated careers guidance teachers in each school. They are working towards including all secondary schools in this initiative.

We examined current practice on work placements and support for children and parents in finding placements. We heard that whilst there is no longer a statutory duty for schools to provide a work placement in Year 10, it's a compulsory part of the study programme for 16-19 year olds. We noted that there are now a number of varying formats for work placements rather than the traditional 2 week placement, and these include shorter weekly placements, visits to the school by employers and summer placements

We concluded that whilst schools were responsible for careers education, the local authority still had a vital role in identifying and prioritising work and training opportunities available to young people as schools did not always have the capacity or expertise to undertake this.

## Other work

As part of our regular duties we kept an eye on **school attainments and performance**. We considered **the annual update on school admissions, the Children's Social Care Bi-Annual Report** and the **annual update from City and Hackney Safeguarding Children Board**.

We also had a full **Cabinet Question Time** session with Cllr Bramble holding her to account on the possible formation of a Hackney Multi-Academy Trust and on Looked After Children leaving care. We questioned her about the new funding challenges thrown up by government policy and how it may lead to the fragmentation of the local schools sector and restrict the role of the local authority in ensuring that all young people continue to have access to best learning and educational opportunities available.

We learned that there are between 350-375 children in the care of the Council and just under 50 young men and women known to the leaving care team had become parents. We learnt that the Children's Social Care team operate a number of projects to support young people leaving care and to enable them to form healthy and positive relationships. The Family Nurse Partnership and Anna Freud Centre have seen good outcomes in their work in supporting young mothers who have left the care of the authority.



## Members of Children and Young People Scrutiny Commission 2016/17

Members: Cllr Christopher Kennedy (Chair), Cllr Margaret Gordon (Vice-Chair), Cllr Sophie Conway, Cllr Tom Ebbutt, Cllr Abraham Jacobson, Cllr Yvonne Maxwell, Cllr Patrick Moûle, Cllr Emma Plouviez, Cllr Tom Rahilly and Cllr M Can Ozsen

Co-optees:

Rabbi Judah Baumgarten *Orthodox Jewish faith representative*

Richard Brown *Church of England faith representative*

Jane Heffernan *Roman Catholic Westminster Diocesan Schools Commission faith representative*

Jo Macleod *Hackney School Governors Association representative*

Sevdie Sali Ali *Parent Governor representative*

Shuja Shaikh *North London Muslim Community Centre faith representative*

Ernell Watson *Free Churches Group faith representative*

The co-opted members from Hackney Youth Parliament for the year were: Louis Comach, Skye Fitzgerald McShane, Kairi Weekes-Sanderson and Maryam Mohammed

*In June Cllr Jon Burke and Cllr Caroline Selman were appointed to the Commission. Following a reshuffle after the Mayoral election both joined the Cabinet in October and Cllrs Maxwell and Plouviez joined the Commission to fill the vacancies. Cllrs Coban and Peters also left the Commission during the year*

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# Community Safety and Social Inclusion Scrutiny Commission



Chair  
Councillor  
Sade  
Etti



Vice Chair  
Councillor  
Richard  
Lufkin

## Council services for vulnerable migrants

For our main review this year we decided to look at a very cross cutting and therefore easy to overlook issue – the accessibility, visibility and reach of Council services for vulnerable migrants.

We took Scrutiny out into the community, with Commission Members hearing evidence at community settings such as HCVS, Alevi Centre and heard evidence from representatives from a neighbouring borough.

We started by hearing the perspectives of the community groups that work with vulnerable migrants through a roundtable discussion, and also heard directly from vulnerable migrants before inviting services to present evidence. This allowed the review to be framed and led by the lived experience of vulnerable migrants, rather than being framed by the way Council services are set up or structured.

There are recommendations for the way the Council works, for example revisiting the way we work in partnership with community



A volunteer at Hackney Migrant Centre working with clients. Photo: Hackney Migrant Centre

organisations, the way we reach and engage vulnerable migrants and training for Council staff. There are also specific recommendations relating to language barriers for some residents who have lived in the borough for over 25 years.

During the course of the review, Government launched a new programme to support migrants; although it is called the Controlling Migration Fund the focus of the funding is on integration and Hackney was successful in attracting funding in the first round of bidding. The Commission's recommendations will therefore directly inform and influence the new ways of reaching, engaging and supporting migrants which will be developed through this funded programme.

## Budget Scrutiny – demand led services and promoting channel shift

As part of the Commission's budget scrutiny work we considered over two meetings briefings about how the council is promoting 'channel shift' in its demand led services i.e. encouraging customers to switch to online services, the migration of services online being a key factor in meeting cost savings targets. We looked at Parking as an example of a service that has seen a marked increase in the take up of online services since it was made much easier to access online. We also considered how the new single portal for residents called 'One Account' operates. We explored with senior officers how digital engagement was progressing and the digital solutions now being offered across a range of services. We recommended that lessons be learned from successful online migration elsewhere and that the focus must be on the customer journey. We were reassured that the strategy sought to encourage as many people who were able to use online service to switch to digital channels, freeing up customer service time for those with greater access needs, such as language barriers, older residents and the disabled. The speed of channel shift is also an issue that requires greater attention.

## Cabinet Member Question Times

There were two Cabinet Member Question Time sessions.

We questioned Cllr Williams about the Council's new approach to **employment support** discussing the new Apprenticeship Scheme and quality and progression, especially in programmes such as 'Ways into Work'. We explored how the quality of jobs might be improved and how programmes might better meet clients' aspirations and we looked at how Planning policy can be better used to offer the correct mix of job opportunities and how the local community can benefit from regeneration schemes such as the Fashion Hub.

We questioned Cllr Selman on: **how recent increases in crime were being managed; protocols for tackling the problems caused by street based sex workers and the reorganisation of ASB Services** as well as the increased burden for licensing of Temporary Events Notices. Hackney has the 3rd largest volume in the country.

## Policing and Crime

We questioned the **Borough Commander of Hackney Police on the latest crime figures**. Hackney now has the 3rd lowest crime rates in London and we were pleased that the volume of knife crime is down 13% with Stop and Search activity and weapon sweeps by the police taking a lot of knives off the streets. We also discussed concerns regarding the impact of changes to management of re-offenders and the national increase in hate crime. We discussed the challenges of policing the Night Time Economy when Hackney Police has had to manage a reduction of 15% on its overtime budget and we debated the broader issue of whether the systems for recording crime give a truly accurate picture of crime in an area.

We held a session focusing on the **Safer Neighbourhood Board**. SNBs were set up in 2014 by the (London) Mayor's Office for Policing and Crime (MOPAC) as a community engagement vehicle. The SNB's support officer



Photo: Community Policing

described how it operates and we discussed its current areas of work: the rollout of police body cameras, Community Payback, refreshing Neighbourhood Watch, rolling out anti burglary projects in Victoria and London Fields and engagement events including one with Shomrim in Stamford Hill. We noted that Hackney's SNB is very well supported by the local police.

We had a session with the Council's Prevent Co-ordinator providing an update on the **Prevent Programme in Hackney**. The Home Office provides funding for some local authorities to have a Prevent Coordinator if they are deemed Tier 1 or Tier 2 (out of 4) in terms of need. Hackney does not have a high number of Prevent-related cases but is classified as Tier 2 nevertheless because of its location.

We learned about the 'Channel Panel' which provides support to people who might be on a path to radicalisation. They work with the NHS, CYP Services, Probation, Social Care and other

professionals depending on the individual's needs. 6 individuals were supported last year after agreeing to take part. Cases received support on signposting, support within the home, mentoring in schools or being mentored by other organisations. Whilst Hackney's number of referrals is low there remains a high threshold of risk. We learned about two projects which Prevent is running locally 'EqualiTeach' and 'Families Against Suffering' Trauma Workshops.

### Other work

We also considered a number of issues as single items including a review of **free cash points (ATMs)** in the borough and learned that the Council is now better able to influence the future placing of these ATMs as a result of this item.

We also heard from the Human Trafficking Foundation about a new project **improving awareness in local government about**



**human trafficking.** This has helped show that a corporate whole-organisation approach is needed. It includes identifying and supporting victims, in light of the new Modern Slavery Act and Care Act and the new statutory responsibilities in this area.

Shelter presented their recent research into the ways that **ASB laws are being used to impact homeless people** and the effect this is having. Cabinet Members for Community

Safety and Homelessness were present to hear the findings and to think about how this should inform the Anti-Social Behaviour (ASB) Enforcement Strategy which the Council is currently developing. That Strategy review will explore how the Council deals with ASB enforcement issues, best practice elsewhere and finding a balance between enforcement action and addressing the underlying issues.

## Members of Community Safety and Social Inclusion Scrutiny Commission for 2016/17

Members: Cllr Sade Etti (Chair), Cllr Richard Lufkin (Vice-Chair), Cllr Kam Adams, Cllr Soraya Adejare, Cllr Sophie Cameron and Cllr Mete Coban.

1 Conservative vacancy

*In June Cllr Carole Williams was elected Chair and Cllr Sem Moema was appointed a Member. Following a reshuffle after the Mayoral election both joined the Cabinet in October and Cllrs Adejare and Coban joined the Commission to replace them. Cllr Etti was elected Chair.*

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# Governance and Resources Scrutiny Commission



Chair  
**Councillor  
Anna Joy  
Rickard**



Vice Chair  
**Councillor  
Susan Fajana  
Thomas**

## Devolution – the prospects for Hackney

The UK's is one of the most centralized governments in Europe but the tide is turning and devolution looks set to be a trend that will continue.

Our overarching question was: What are the implications of London wide devolution for Hackney and how can the borough make the most of these opportunities? We wanted to explore what it would mean for the emerging governance landscape in London (pan London,

sub regional, borough level) and to learn what joint working arrangements are currently in place and what Hackney's response was to this emerging picture.

We heard from the thinktanks Metro Dynamics and New Local Government Network, as well as the Institute of Education, LSE, London Councils and Centre for Public Scrutiny, who all have contributed to the devolution discussions.

Our concern was that devolved powers could be followed by cuts in budgets as councils take on the bigger responsibilities. Devolution of



responsibility without the allied devolution of the necessary budgets could expose council budgets to additional pressures and so could pose a risk to existing council services.

This review highlighted that devolution discussions are still very fluid and that councils need to respond in an agile way to the proposals and requests, as they emerge. Our view was that the Council needs to have a plan that sets out its principles which will serve as a guide going into any negotiations. We cautioned that it was also important not to look at services in isolation as the various proposals were advancing at differing paces.

We also suggested that devolution proposals be considered as a whole and not just each area in isolation and that it was important to put local public engagement at the heart of the process.

We explored the Council's approach to income generation across the organisation and considered its potential beyond merely increasing fees and charges.

On fees and charges we noted that powers to charge for services were limited and the operation concerned could not, for example, run a deficit for more than 3 consecutive years. In relation to trading and the creation of trading arms e.g. Hackney Learning Trust, there were also limitations but we looked at experiences in other councils such as Essex and Swindon which were quite ahead.

We started by looking at the definition of 'commercialisation' and what the Council wanted to achieve with its commercial activity. The key issue we identified was the legislative limitations on councils to undertake such activity. While the main purpose of commercial



## Commercialisation and Income Generation

This topic emerged from our Budget Scrutiny work. Councils have experienced reductions in funding from central government every year since 2010 and in this short review we looked at the potential for councils to undertake commercial activity and the opportunities for income generation.

activity is to make a profit, this was not always possible for some parts of the Council's business operations. Nevertheless if public sector bodies are going to explore this area further, organisations need to adopt the right mind-set and develop an approach that enables managers in the organisation to think commercially when setting up and reviewing contracts.

One of the Council's approaches to date has been to take on the role of a developer in order to maximise the land value for local residents and retain ownership of the land. We looked in particular at recent examples of income generation from using development schemes at Tiger Way and Nile St. We commended the approach to date and recognised the knowledge and expertise the Council has built up. In terms of commercial thinking we were of the view that the Council needs to look at its niche skills and develop these. We concluded that achieving a culture change in the organisation will be fundamental to developing this area of activity.

We stressed that there needed to be more consultation with ward councillors on the development of any major plans for commercialisation and we agreed to ask the new Scrutiny Panel to take forward our work on income generation. We asked that they note the following: that municipal enterprise needs to go well beyond fees and charges and generate much higher levels of income; that Council should concentrate on what it is good at and put in place the resources and encourage the growth of the right culture to succeed; this route would involve having to take on more risk and there would be a need for greater scrutiny of activity when it was carried out through joint boards.

## Temporary Accommodation

Following a trend of a large volume of cases coming to Councillors on Temporary Accommodation, we decided to get together with the Children and Young People Scrutiny Commission to hold a joint session on the subject of Temporary Accommodation. The purpose was to gather information from officers and residents on the impact on children and families

We learned that homelessness in Hackney is increasing rapidly, driven largely by a buoyant housing market and the impact of cuts to welfare benefits. Temporary Accommodation has become a real area of challenge for local authorities in London and putting in place the

right policies to address this is a key strategic priority for Hackney Council.

The number of families with older children becoming homeless is increasing and this adds to the considerations associated with finding suitable temporary accommodation close to schools. 38% of households in temporary accommodation in Hackney have at least one working person in the household and this indicates that Hackney is increasingly becoming an unaffordable place in which to live.

We heard from local residents about their experiences of living in Hackney's homeless hostels or temporary accommodation and from officers on the availability of such places. We looked at how the current system operates and the budget pressures involved e.g. increasing demand for discretionary housing payments.

A key message from the residents' experience was about the need for the visitors' policy for hostels to be more flexible, as the length of time people were spending in hostels had increased. We also heard concerns about the increasing rents and the conditions of the hostels. The session highlighted that residents wanted a consistent approach to reporting problems with the service and would like to be consulted more about the quality and experience of their accommodation, so that improvements might be made.

## Performance Review – Finding the right approach to conducting performance review in scrutiny

The aim of this review was to establish how performance information is used in the Council by senior officers and Cabinet Member to identify risks, to meet service users' needs and carry out service improvement.

We selected a small number of service areas for this practical investigation. In addition to the performance information available on the 'Covalent' IT system we asked the relevant Cabinet Member and Group Director to answer the following questions: What information the

Council holds about the performance of this service area? How does the Cabinet Member assess the risks and what information is used to identify potential performance issues from the monitoring information available? What information is used by the service area to improve the performance of the service?

This approach helped to identify the soft tools used by senior management that informed them about service change requirements and pressure points for the staff and the service area. From this process we identified key indicators that could be kept under review for each service area.

We have asked that this work should continue and we have passed our information to the Audit Committee with a request that they progress this further. We are also recommending that our colleagues on the other scrutiny commissions use this approach in their own scrutiny work when carrying out performance review. This would help to provide reassurance about the performance monitoring process when, for example, holding the Cabinet Member to account.

## Elections Review Update

After a number of high profile errors with the operation of the 2015 UK Parliamentary Elections in Hackney, a full review of how elections were organised and delivered was conducted to understand the shortcomings exposed and the issues that need fixing. This review was not a scrutiny review but rather one led by the Chief Executive as part of his duties as the Borough's Returning Officer. G&R kept this investigation under observation and monitored the progress of the actions being implemented. Members of the Commission received further information about the problems experienced with voter registration and postal votes for the London Mayoral election in 2016.

The investigation into the performance of the Elections Service highlighted problems with the performance of their IT system and issues with team management. A new team structure was implemented and a new IT system put in place,

with all staff being fully trained on it. The lessons learnt were carefully analysed and changes were implemented to deal with the shortcomings identified. We received updates on the implementation of the plan and considered how the Elections Team coped with the sheer volume of work in 2016 when there were 7 different elections, 3 of which were borough wide.



Apart from allowance for human error, all aspects of the new system, the processes, the plans and the risk management put in place held up to testing in 2016. Our session helped to provide assurance that robust processes are now in place for the running of a successful elections operation.

## Other work

We held a Cabinet Question Time session with Cllr Taylor where we questioned him on the **Council Tax Reduction Scheme**, on the **use of bailiffs**, on **Council Tax arrears**, on the performance of the **Pension Fund**, on the likely **impact on the Council of 100% Business Rates Retention** and on Procurement issues including the quality of the Council's **Concierge services** on housing estates currently provided by G4S.

We considered a briefing on the **impact of Brexit for local authorities** such as which aspects of EU legislation will be or already is transposed into UK legislation, the impact of the loss of structural funds and from the European Investment Bank, the impact on energy efficiency targets, trading standards,

procurement rules and the impact on the construction industry, housing and investment. These are issues which will need to be revisited as March 2019 approaches.

We considered the annual report on **Complaints and Members Enquiries** and we received updates on the **Council Restructure of Senior Management** and on the **Cross Cutting Programmes**.

## Members of Governance and Resources Scrutiny Commission 2016/17

Members: Cllr Anna-Joy Rickard (Chair), Cllr Susan Fajana Thomas (Vice Chair), Cllr Ned Hercock, Cllr Deniz Oguzkanli, Cllr James Peters and Cllr Nick Sharman.

Plus 1 Conservative vacancy

*In June Cllr Rennison was elected Chair. Following a reshuffle in October after the Mayoral election Cllr Rennison was appointed a Cabinet Adviser. Cllr Rickard was then elected Chair and Cllr Fajana Thomas was elected Vice Chair. Cllr Peters joined the Commission to fill the vacancy.*

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# Health in Hackney Scrutiny Commission



Chair  
**Councillor**  
**Ann**  
**Munn**



Vice Chair  
**Councillor**  
**Ben**  
**Hayhurst**

## End of Life Care



Photo: St Joseph's Hospice

End of life care has been much discussed in the news because of the changing age profile within the UK and concern as to how health services are managing this change. Within London the population aged 65+ is expected to rise by over 1.5 million by 2041. Hackney has a younger profile, nevertheless the number of residents aged 85 or over is projected to grow significantly. We were conscious with this review also to include end of life care issues affecting younger age groups and children.

We made site visits to St Joseph's Hospice, Richard House Children's Hospice, Beis Pinchas nursing home, Acorn Lodge Care Centre and attended a Death Café event. This was where over 100 people attended an informal

community tea party engaging in group discussions around attitudes to death and dying. We took evidence in formal scrutiny meetings from the Homerton Hospital, the CCG, Marie Curie care, Age UK, the Older People's Reference Group, Interlink Foundation and the Conscious Aging Trust.

Our recommendations encompassed: how to make the new integration plan work; driving up the use of Co-ordinate My Care (an electronic care plan which is accessible to all the care professionals); improving nurses' training; better alignment of transfers of care especially for elderly and frail patients who are suddenly transferred to acute hospitals; how to improve communication between medical practitioners



Photo: St Joseph's Hospice

and families, in particular in relation to having those difficult but necessary conversations around death and dying; raising awareness of



local hospice and other services; how the local community and voluntary sector might play a bigger role in supporting those caring for those at end of life; improving culturally appropriate services and the specific needs of children who are at end of life.

### **Integrated commissioning of health and social care**

A standing item throughout the year was the development of the new One Hackney and City plan for the integration of health and social care. Previously this was called the 'Hackney Devolution Pilot'. This is the most significant change to the local health economy in a generation because it will see the pooling of a significant proportion of the CCGs health budget with the Council's social care and public health budgets under a new governance arrangement. Some budgets in both organisations cannot, by law, be pooled and will have to remain as is. A new Integrated

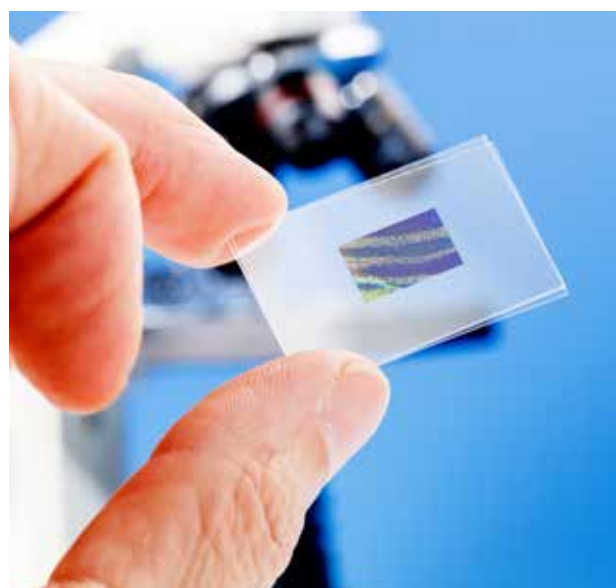
Commissioning Board comprising three Cabinet members and three Governing Body members from the CCG will oversee it all and make the commissioning decisions. The potential for smarter working and important cost savings are obvious and in Hackney it builds on a solid history of successful partnership working.

Throughout the year we had a number of updates as the plan evolved and the new system went live on 1 April. We raised concerns about governance, accountability and transparency and we will pay close attention to this as more detail becomes available.

Underneath the ICB is a Transformation Board chaired by the Council Chief Executive and underneath that are 4 Workstreams: Planned Care, Unplanned Care, Prevention and Children and Young People which will deliver the work. There is also full engagement at senior level from all the providers, most importantly the Homerton and ELFT. Both the CCG and the Council are implementing significant organisational and culture changes to make this a success.

### **Future of the Homerton's pathology lab**

We examined local concerns about plans to reduce the level of on-site provision of pathology services at the Homerton Hospital and we questioned the Chief Executive twice





on the issue. The Homerton's Board had engaged external consultants to produce a report on the future of the service and it had also concluded that a full public consultation was unnecessary as a service would still remain. We raised concerns about outsourcing and the potential downgrading of the current well regarded service.

We expressed concerns about specialist pathology services being at risk (the Trust has a high reputation here) and that even a small downgrading of the service might jeopardise the Homerton's status as a fully accredited teaching hospital. We also learned that such a change might also have long term implications for the standing of its A&E service and for retaining high quality staff. There were concerns that the plan would fracture the existing excellent relationship with local GPs and that there would be issues about continuity of care and bed management. We asked that they look in detail at other proposed options and argued that there were issues of quality and cost that a new service would need to demonstrate. We noted that the Trust was exploring with other partners (both NHS and independent) a new model for the service and we are awaiting further developments.

## Fairness of financial reviews under The Care Act

Members' had expressed concerns about the seeming unfairness of the Care Act financial assessments which are the essential first step in providing adequate social care and we invited a local patient advocate with personal experience of these issues to give her perspective. We received an update from senior social care officers on how the implementation was proceeding and got reassurances on a number of counts. There had been concern that while councils generally were now doing far more assessments, the overall cost of packages remained unchanged and we had heard concerns from some client advocacy services that this was because the assessment were being conducted more to meet budgetary constraints rather than to meet their Care Act

obligations. We welcomed the development of a new co-production approach in adult social care which should give patient advocates practical input into improving the services.

## Infrastructure planning and health and wellbeing provision

A discussion last year on GP capacity raised the issue of how the Community Infrastructure Levy (CIL) might be better used for health and wellbeing provision i.e. more doctors' surgeries, given the increase in population and the poor state of repair of some existing surgeries.

The Head of Planning updated us and the health partners on how the current system works. We examined how when a site was identified where a doctors' surgery would be the preferred outcome, how this might be achieved within the current system. We learnt about where planning could and could not assist and how CIL revenue itself was a relatively modest amount and so therefore should be considered more like match funding, in this context. It was clear that the health partners needed to get involved at an earlier stage to leverage money and plans towards a common preferred outcome and one way of doing this is by being involved in pre-application meetings on key sites.

We sent a wish list of actions to the Head of Planning arising from the discussion and great progress has been made in engaging with the health partners. We will revisit the issue at the end of this year.

## Other Work

Our main review takes up a small proportion of our time as our remit is large and the Commission has to respond to topical issues of public concern as they arise.

Concerns about the poor performance of City and Hackney on **vaccine preventable disease and immunisation rates** was brought to our attention and we invited the senior commissioner from NHSE England, who commission the service, to discuss the latest

data from Public Health England and the action plan being put in place to remedy the problem. Rates were particularly low within the Charedi community which remains a concern but there are system issues too around capacity in primary care and the reporting mechanisms used.

We discussed the annual report of the City and Hackney **Safeguarding Adults** Board with its Independent Chair, reviewing performance over the year. This item also prompted a joint approach whereby they contributed to our 'End of Life Care' review. They had just completed a Safeguarding Adult Review relating to the case of a single older male who had lived alone. We were able to consider the shortcomings identified in his end of life care and the learning from this case history fed into our recommendations.

We held a session with **Healthwatch Hackney** on their annual report prior to its submission to Healthwatch England and throughout the year we benefited from their active contribution to our work and their regular attendance at our meetings.

In the area of mental health we consented to a formal Case for Change proposal from ELFT on their plans to **relocate some inpatient mental health beds** for 'functional older adults' from Orchard Lodge in Homerton to Mile End Hospital. This was an issue which had been in train for some time.

We also called in the Head of Forensic Services at ELFT to provide assurances following a series of incidents where **patients on release from John Howard Centre had absconded**. The partnership working with the police needed to be improved, we concluded, particularly in relation to the communications with the wider public when an incident occurs. In all cases the patients were safely returned but there is learning which needs taking on board here.

We revisited the issue of the **safety of the Maternity Service at the Homerton** Hospital following a re-inspection after it had performed poorly in CQC inspections. We discussed the action plan for improvement with the Medical

Director and the Chief Nurse. We are pleased that the service is on a steady course to recovery.

We keep a watching brief on the performance of local care providers and there have been challenges this year, with a key provider withdrawing from the borough and some others receiving low ratings from the CQC. We had a very useful discussion with the Assistant Director Commissioning on the **current state of the care service market** and she reassured us about the processes the Council has in place for **managing service provider failure** when it happens.

We considered the future of **Community Pharmacy Services** with the Local Pharmaceutical Committee and wrestled with the anomaly that while central government is promoting community pharmacies as the solution to driving down A&E admissions and providing more care closer to home, they are at the same time cutting funding to these same community pharmacies.

We had a wide ranging **Cabinet Member Question Time** with Cllr McShane which covered: sustainability of the adult social care market; an update on impact of the Median Rd Care Centre closure; the impact of Brexit on social care and NHS and the progress of the City and Hackney Wellbeing Network.

As part of our **Budget Scrutiny** role we looked at emerging proposals on cost savings plans in the specific area of 'preventable spend on vulnerable adults' and provided comments to the Cabinet Member as he was developing his budget.

We considered the draft **Quality Accounts** for HUHFT and for St Joseph's Hospice and on the latter the new Chief Executive attended to discuss the shortcomings which, unusually, had been reported for this provider.

We had a number of items on **Primary Care issues** during the year including considering reports of NHSE engagement on re-procurement of 3 local GP Practices (Sandringham, Tollgate Lodge and Springfield). Representatives from the CQC attended to provide an overview of the state of GP Practices

in Hackney, one year into their new inspection responsibilities. We were pleased that overall Hackney's GP Practices were performing highly despite the pressures on them.

We also discussed with the CCG, the GP Confederation and NHS England the **transfer of core Primary Care commissioning** from NHSE to City and Hackney CCG which came

into effect on 1 April. This means that the core contract which a GP Practice holds with the NHS will be commissioned by a new independent committee at the CCG rather than by NHS England. Our hope is that this welcome localisation of GP commissioning can only help to make the services more responsive and accountable.

## Members of Health in Hackney Scrutiny Commission 2016/17

Members: Cllr Ann Munn (Chair), Cllr Ben Hayhurst (Vice-Chair), Cllr Sharon Patrick, Cllr Clare Potter, Cllr James Peters, Cllr Rosemary Sales and Cllr Peter Snell

Plus 1 Conservative vacancy

Officer contact: Jarlath O'Connell, **020 8356 3309** [jarlath.oconnell@hackney.gov.uk](mailto:jarlath.oconnell@hackney.gov.uk)



Residents debate the STP changes at a local consultation event organised by Healthwatch Hackney

## Inner North East London Joint Health Overview & Scrutiny Committee

The Inner North East London Joint Health Overview and Scrutiny Committee (INEL JHOSC) covers Hackney, City, Tower Hamlets and Newham. London has a number of standing JHOSC committees made up of a cluster of boroughs who are asked to scrutinise changes to the health services across their patch.

Generally these cross council scrutiny committees mirror the consolidation of CCGs which is now happening at pace. At the CCG level only City & Hackney and Croydon CCGs are not yet part of larger clusters.

The INEL JHOSC Committee comprises 3 councillors each from the London boroughs of Newham, Tower Hamlets and Hackney and 1 member from City of London Corporation. Its remit is to consider formal 'Case for Change' consultations affecting the footprint which are

requested by the NHS. The NHS has powers to force local scrutiny committees to form one JHOSC as necessary.

The Committee, now chaired by Tower Hamlets, is leading on the scrutiny of the NHS's *North East London Sustainability and Transformation Plan (NEL STP)* which has just been re branded as the **East London Health and Care Partnership**. This is a partnership of 8 councils, 7 CCGs and the 5 large acute Trusts in east London (Barts, BHRUT, Homerton, ELFT, NELFT) and it will drive all sub-regional planning of health and care services over the coming years. The Committee has met 5 times this year focusing on different aspects of these change proposals at each meeting.

Hackney's devolution pilot One Hackney and City is one of the three pillars of the new STP system the others being the Transforming Services Together programme (Tower Hamlets, Newham, Waltham Forest) and the BHR change programme (Barking & Dagenham, Havering and Redbridge).



The membership for 2016/17 was:

**City of London**

Common Councilman Wendy Mead OBE

**Hackney**

CLr Ben Hayhurst CLr Ann Munn, CLr Clare Potter

**Newham**

CLr James Beckles, CLr Susan Masters (Vice-Chair), CLr Anthony McAlmont

**Tower Hamlets**

CLr Sabina Akhtar, CLr Clare Harrison (Chair), CLr Muhammad Ansar Mustaqim

**Integrated Urgent Care**

At the December INEL JHOSC meeting Hackney's Members became aware of plans to replace the current GP Out of Hours providers in each borough with a pan North East London single provider for an Integrated Urgent Care system.

In effect this is an expanded NHS 111 service which will cover the 8 east London boroughs and in Hackney it will, from April 2018, replace

CHUHSE our current GP Out of Hours provider. Needless to say there was concern about this as CHUHSE has been high performing but the decision to impose a one size fits all solution for east London has been decided by NHS England and forms part of the changes coming about under the area's Sustainability and Transformation Plan.

Health in Hackney challenged City and Hackney CCG on this and formally wrote to their Governing Body expressing concerns about what we fear might be an erosion of an existing good quality service. Before CHUHSE was created there had been a long history with a previous poor provider, Harmoni, and Health in Hackney had acted to some extent as an independent arbiter in a lengthy and complex dispute between local stakeholders and the then PCT on how that procurement process had been managed.

Health in Hackney notes that the CCG has no choice but to implement this mandated change but it intends to keep a watching brief on this and to pursue the issue at INEL JHOSC also.

# Living in Hackney Scrutiny Commission



Chair  
**Councillor  
Sharon  
Patrick**



Vice Chair  
**Councillor  
Will  
Brett**

## Air Quality

Our review took place in the context of concern about the high and often illegal levels of air pollution, both in Hackney and London. The issue brings significant health impacts: it is estimated to have caused the equivalent of up to 9,400 deaths in London in 2010 alone.

Hackney specific data on health impacts are limited, however it is estimated that 5.6% of mortality in the borough is attributable to long term exposure to 'particulate matter'. This is significantly higher than the UK average and ranks as the 8th worst in London. Children are most vulnerable to the effects of air pollution and many schools are located in areas exceeding the safe levels.

There are a number of causes of air pollution but road transport emissions is the key one. We learned that changes at sub-regional and national levels are required in order to bring pollution levels to legal - let alone safe - levels. Our review included challenges to both the GLA and Defra on actions being taken.

Our report, which is currently in draft form, gives support to the Mayor of London on his introduction of the Emissions Charge and his move to implement an *Ultra Low Emissions Zone* (ULEZ) earlier than planned. This said, we ask him to go further by setting out plans to extend the ULEZ London wide and to move towards a full ban on diesel vehicles.

We learned about *filtered permeability*



schemes, the concept that road space should be made more accessible and permeable for walkers, cyclists and those using public transport than it is for private motor vehicle users. These include schemes which close roads to through motor traffic whilst allowing permeability by bike or on foot. We asked the Council to give greater assurance around its responsiveness to these schemes and that it improve the consultation and engagement on them. Overall we consider the schemes would reduce traffic and therefore pollution, and would also deliver other wider health benefits. We also suggested that the Council continues to use them as a tool to help mitigate the environmental impact of both population and employment growth.

We looked at how parking controls might be used to bring air pollution reduction benefits. This relates to areas where schemes have been delivered but also in roads leading to them. The caveat to this is the harm which residents, living in uncontrolled parking areas, experience when controls are brought in to other adjacent areas. We make a case for bringing controlled parking to all areas of the borough, we contest the points made to the Commission around current policies not allowing for this, and we urge the Council to pursue it.

Another aspect is the key role the Council plays in communicating to residents about air pollution, whether it's advice on reducing exposure, education about the scale of the issue and changes which need to be made. The Council promotes the service alerting subscribers when pollution reaches high levels, and other initiatives which are relevant to the agenda. We ask that this work is expanded.

We explored how the Council ensures that air quality considerations play a full part in individual planning decisions and we identified a need for closer working between the service giving the advice and the services receiving it. This would better enable stringent and securable conditions to be placed on planning approvals where possible.

Whilst major progress here relies on London

wide and national change, as a group of local councillors we were keen to prioritise the issue in Hackney.

## Aftermath of flooding caused by Thames Water

In December 2016 a water main belonging to Thames Water burst causing flooding to a number of businesses and properties in Stoke Newington, and a major road had to be closed for some time. With this flooding occurring soon after a similar event in Islington, we joined with Islington's Health Scrutiny Committee to hold Thames Water to account on these incidents. Jointly we challenged them on their levels of investment in their pipes and other infrastructure, their approach to maintenance, how they might better identify and deal with small leaks before they escalate, and whether emergencies such as these could be responded to more effectively.

We then facilitated another meeting in Stoke Newington Town Hall. This gave residents the opportunity to come together as a group to question Thames Water about the causes of the event, their response to it, and their management of the aftermath. There was also the opportunity for residents affected by the flood to describe their individual experiences with Thames Water representatives and loss adjusters. Following the two sessions we wrote to Thames Water outlining our findings, and setting out some proposals for change. This has led to further engagement by Thames Water with the property owners in the area and assurance that these efforts will continue as further remedial action is planned and delivered. In addition a goodwill gesture was secured in recognition of the efforts of residents to barricade water away from their homes and those of their neighbours during the incident.

Finally, we continue our liaison with the London Assembly's Environment Committee on their wider review of Thames Water's London-wide management of water services. We will keep a watching brief on this.



## Night time economy consultation

We continue to take a keen interest in the Council's review of its *Licensing Policy* and in particular to the management and development of Hackney's successful Night Time Economy. Scrutiny has no role in licensing or planning issues but can input on the development of the overarching statutory policies which have to be updated regularly.

We looked at the findings of a recent consultation on views of the sector which was being used to inform the revision of the Policy. We were impressed with the depth of the questions asked around the kinds of facilities that people use in the evening, what they would like to see more or less of, and the actions that the Council and its partners might take to improve how the sector is managed to the benefit of residents and businesses. We had some concerns however about the survey sample which had been used, both in terms of its demographic make-up and the fact that the responses seemed to be dominated by current users of the night time economy.

We sent our concerns to the Cabinet Member and the Chair of the Licensing Committee and made a number of recommendations around

how a more insightful analysis might be produced or how the limitations of the current research might be made clearer. This has led to a further update being scheduled where we will learn the current status of the draft policy and whether our suggestions were taken on board.

## Markets consultation

We also carried out some pre-decision scrutiny on the draft Markets Strategy for the borough. We looked at the results of the consultation before a decision by the Executive was made on whether to approve it. This enabled a check to be made that the direction of the overall strategy was reflective of local views, and that there were plans in place for this feedback to help shape the further development of our individual markets over the strategy's lifetime.

## Contract management in Housing Services

Noting that improving contract management and contractor performance were actions identified by the Housing Service which would help achieve savings and also improvements for residents we decided to explore this issue. To test progress on it, as part of our **Budget**



**Scrutiny** exercise we explored differences between the design, tendering and management of a contract which had been terminated due to poor performance, and its replacement.

While we were satisfied with the approach being taken, our request for an update on the performance of the new contract six months into its lifecycle proved to be warranted, with performance of this contract found to be disappointing. We heard about the remedial actions being taken to get things back on track. We have requested further updates on progress here.

## Cabinet Member Question Times

Living in Hackney's remit encompasses the portfolio areas of a number of Cabinet Members and Cabinet Advisers, and these do change, so we carry out a number of Question Time session throughout the year.

From the previous administration we questioned Cllr Linden, the then Deputy Mayor and Cabinet Member for Community Safety, on **licensing, licensing enforcement** and on

environmental safety, with a particular focus on **noise pollution**.

We questioned, Cllr McKenzie, the new Cabinet Member for Housing, on the issue of **Tenant and Leaseholder Involvement**. We explored with him the work to build and grow involvement and participation and the officer support which will be required to enable this. We also discussed his **TMO Champion** portfolio and what this will entail.

We questioned Cllr Burke, the Cabinet Member for Energy, Sustainability and Community Services on the Climate Change Strategy with a specific focus on the progress being made on the **district heating programme**. We also questioned him on the **use of leisure, sports and library facilities by various community groups** and on how his **Volunteering Portfolio** will operate in relation to the community sector.

We also had a session with Cllr Demirci the Cabinet Member for Neighbourhoods, Transport and Parks which focused on local developments in **public transport, public realm and public spaces**.

## Members of Living in Hackney Scrutiny Commission 2016/17

Members: Cllr Sharon Patrick (Chair), Cllr Will Brett (Vice Chair), Cllr Kam Adams, Cllr Michelle Gregory, Cllr Ian Rathbone and Cllr Vincent Stops

Plus 1 Conservative vacancy

*In July Cllr McKenzie was elected Chair and Cllr Patrick as Vice Chair and Cllr Burke was a member of the Commission. Following a reshuffle after the Mayoral election Cllr McKenzie and Cllr Burke joined Cabinet in October. Cllr Patrick was then elected Chair and Cllr Brett joined the Commission and was elected Vice Chair.*

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## A new structure for scrutiny

The scrutiny function in Hackney has been relatively unchanged since its inception in 2002. This past year the Scrutiny Members' commissioned two leading national experts on overview and scrutiny, Professor Colin Copus and Professor Steve Leach, to carry out a review of Hackney's scrutiny function. All stakeholders were interviewed and the Commissions' work was observed and output examined. The experts' report was indeed very positive about the health of the scrutiny function in Hackney but they did come up with a series of suggestions for further improvement, which the Scrutiny Members then spent some time considering.

Arising from those Member discussions the function was reorganised as follows:

- Scrutiny Chairs group was replaced by a more formal Scrutiny Panel allowing for a vice chair from the main opposition party. This will meet 4 times per year.
- The number of Commissions was reduced from 5 to 4 with Governance and Resources and Community Safety and Social Inclusion being disbanded and a new commission being created focusing on Working in Hackney.
- Health in Hackney, Children and Young People Commissions and their remits remain the same.
- Governance and Resources Scrutiny Commission's budget overview role was transferred to Scrutiny Panel and Audit Committee will take up other areas of its remit.

- The four Commissions will continue to have a budget scrutiny role within their remit. This will involve looking at emerging proposals for cost savings and making recommendations to the relevant Cabinet Member.
- The statutory duty to scrutinise the Community Safety Plan which was with CSSI has been moved into the remit of Living in Hackney.
- The Commissions will now meet up to 8 times per year instead of 10 and will explore new flexibilities on how they run their reviews and investigations.
- The new structure came into place at the Council AGM on 24 May 2017.

## London Scrutiny Network

Members and the team continue to be active contributors to the work of the London Scrutiny Network, attending its regular meetings. These provide valuable opportunities to share best practice and to formulate common approaches to shared problems at a time when scrutiny is undergoing significant change. Hackney contributes to a small pooled fund which the LSN uses to programme some training sessions for scrutiny councillors.

## How to contact us



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