



# COUNCIL

All Members of the Council are  
**HEREBY SUMMONED**  
to attend a meeting of the Council to  
be held on

Wednesday, 21st October, 2020

at 7.00 pm

Until further notice, all Council meetings  
will be held remotely

**Tim Shields**  
Chief Executive

Contact: Natalie Williams  
Governance Services  
[governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

This meeting will be live streamed and can be viewed at:

<https://youtu.be/Pxa4D1rXkGM>

## MEETING INFORMATION

### Future Meetings

22 January 2020  
26 February 2020  
20 May 2020 (AGM)

### Contact for Information

Natalie Williams , Governance Services  
[governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

### Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane. For directions please go to <http://www.hackney.gov.uk/contact-us>

### Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

<b>AGENDA ITEM NUMBER</b>	<b>AGENDA ITEM</b>	<b>INDICATIVE TIMINGS UP TO &amp; NOT EXCEEDING</b>
1 – 4	Preliminaries	20 minutes
5	Deputation	15 minutes
6	Questions from Member of the Public	30 minutes
7	Questions from Members of the Council	30 minutes
8	Elected Mayor's Statement	20 minutes
	***** 5 minute scheduled break*****	5 minutes
9	Gender and Ethnicity Pay Gap Report	5 minutes
10	Audit Committee Annual Report	10 minutes
11	Standards Committee Annual Report	10 minutes
12	Overview and Scrutiny Annual Report	10 minutes
13	Health and Wellbeing Board - Amendments to Terms of Reference	5 minutes
14	Members Allowances Scheme	5 minutes
15	Dispensation Report	5 minutes
16	Motions  a) To Reverse the Failed Low Traffic Neighbourhoods Scheme and Consult Residents Properly  b) Ending the System of Social Insecurity	15 minutes  15 minutes
17	Appointments to Committees	
	<b>Meeting Duration</b>	<b>3hrs 20 minutes</b>

# Council Agenda

## **1 Apologies for Absence**

## **2 Speaker's Announcements**

## **3 Declarations of Interest**

This is the time for Members to declare any disclosable pecuniary or other non-pecuniary interests they may have in any matter being considered at this meeting having regard to the guidance attached to the agenda.

## **4 Minutes of the previous meeting**

## **5 Deputation**

To be introduced by Councillor Rathbone

We are concerned at the proposed closure of Brooke Road E5 Sorting Office by Royal Mail and find the alternative collection office 1n Leyton green, more than an hour's journey away, completely unacceptable. The closure will have a huge negative impact on the vulnerable in our community, and cause considerable problems for those not at home during the day. The Sorting Office is an essential part of the local infrastructure and services. It should never have been privatised which has led to a situation where money is determining its offer rather than service. We call on the Council to make representations to Royal Mail to halt the closure, and to call for a meeting between residents, councillors and Royal Mail to discuss the situation.

## **6 Questions from Members of the Public**

Question from Ms Jeanne-Marie Richards to the Cabinet Member for Energy, Waste, Transport and Public Realm

Why can't Hackney roads be available for all Hackney residents to use, similar to the proposal for Church Street and will the council please reconsider removing wheel damaging bollards currently used for narrowing roads where cameras are already in place, since these cause unnecessary damage the wheels of ordinary family vehicles?

Question from Ms Sussan Rassoulie to Councillor Chapman, Chair of the Pensions Committee

Hackney Pension fund invests in companies on UN database of those operating in illegally occupied Palestinian territories, including:

- Elbit that manufactures UAVs used for deadly attacks on Gaza
- Caterpillar that manufactures D9 bulldozers used to demolish Palestinian villages enabling illegal settlements

How is this compatible with your ethical policies?

Question from Mr Christopher Sills to Mayor Glanville

As a result of the covid-19 pandemic would you agree with me that it is regent for the pension fund to review its policies in particular the consequences of a likely increase in interest rates over the next few years

**7 Questions from Members of the Council**

Question from Councillor Gordon to the Mayoral Advisor for Older People

Can the Mayoral Advisor for Older People give an update on how the Council's new Ageing Well Strategy intends to support older people moving forward, particularly in light of the coronavirus pandemic, and promote connections and understanding between Hackney's older people and other generations?

Question from Councillor Patrick to Deputy Mayor Bramble (Education, Young People and Children's Social Care)

The pandemic has highlighted and exacerbated issues surrounding digital inclusion and the digital divide, especially amongst school children during lockdown who had to access school work online. Can the Cabinet Member outline how the Council supported children and young people during lockdown to bridge that digital divide, and outline the further work the Council is doing to work with schools and help reduce inequalities in this area to ensure access to learning is not diminished?

Question from Councillor Garasia to the Cabinet Member for Health, Adult Social Care and Leisure

The failure of the government to effectively establish a test and trace system for Covid19 has left many people in Hackney anxious about their own health. Local people have been turned away from test centres and told to travel hundreds of miles to get a test. Can the Cabinet Member for Health update us on what efforts the administration has made to improve the situation and demonstrate the case for local delivery of test and trace?

Question from Councillor Potter to the Cabinet Member for Employment, Skills and Human Resources

Many Hackney residents are worried about job security, with the end of the furlough scheme, the impact of coronavirus and Brexit fast approaching. Can the Cabinet Member explain the approach the council is taking to support residents facing economic uncertainty following Tory mismanagement? [Comments from the Cabinet member for Planning, Culture and Inclusive Economy on the potential impacts of Brexit on businesses would be welcome too.]

Question from Councillor Rathbone to Mayor Glanville

Thank you Mayor for writing to Royal Mail objecting to the proposed closure of Brooke Road Sorting Office which will impact on a wide area of North Hackney and force people to collect parcels from the sorting office at Leyton Green, a 90 minute journey away from Hackney. Could you give an update on the matter?

Question from Councillor Billington to the Cabinet Member for Families, Early Years and Play

The COVID crisis has resulted in a massive increase in economic insecurity for many families that has resulted in many finding them short of money for food. Can the Cabinet Member for Families tell us what is being done by the council and the wider community to tackle this?

Question from Councillor Etti to the Cabinet Member for Employment, Skills and Human Resources

Can the Cabinet Member with responsibility for equalities give an update on what action has been taken on the BLM motion passed at the July full council meeting?

Question from Councillor Peters to the Cabinet Member for Energy, Waste, Transport and Public Realm

During lockdown, our residents experienced roads that were dominated by people, and not by polluting vehicles from outside Hackney. At the same time, this Council is committed to tackling the climate emergency, and do everything in its power to achieve a carbon neutral Borough. Can the Cabinet Member outline how the Emergency Transport Plan, and the Low Traffic Neighbourhoods that are part of that plan, will help achieve this mission, and make sure we rebuild a greener Hackney after this pandemic?

Question from Councillor Adejere to the Cabinet Member for Employment, Skills and Human Resources

Hackney has a strong record of marking and celebrating the achievements of those of African heritage. In a year in which the world has become acutely aware of the inequality and injustices that Black people have suffered and continue to experience, can the Cabinet Member for Equalities update us on how the council is using Black History Season to deepen this understanding in the wider community?

Question from Councillor Wrouth to the Cabinet Member for Energy, Waste, Transport and Public Realm

During the COVID-19 lockdown, Hackney's parks had never been more important for our residents' wellbeing and health. At the same time, Office for National Statistics figures show one in five (21%) households in London have no access to a private or shared

garden, making parks a vital public amenity. Can the Cabinet Member give an update on Council investment into the Borough's parks, and what the Council will do to make sure they are a space for everybody?

**8 Elected Mayor's Statement**

**9 Gender and Ethnicity Pay Gap Report**

**10 Audit Committee Annual Report**

(Pages 1 -  
12)

**11 Standards Committee Annual Report**

**12 Overview and Scrutiny Annual Report**

(Pages 13 -  
74)

**13 Health and Wellbeing Board - Amendments to Terms of Reference**

(Pages 75 -  
82)

**14 Members' Allowances Scheme**

(Pages 83 -  
110)

**15 Dispensation Report**

(Pages 111 -  
114)

**16 Motions**

**a Motion: To Reverse the Failed Low Traffic Neighbourhoods Scheme and Consult Residents Properly**

Chaos caused by Low Traffic Neighbourhoods in Hackney. A call to reverse the failed Low Traffic Neighbourhoods scheme and consult residents properly

All councillors are committed to having more people walk and cycle. However, Hackney Labour Executive has panicked and used the Covid-19 pandemic as an excuse for their war on cars.

The Low Traffic Neighbourhoods imposed by this Labour Executive are a complete disaster, along with the road restrictions imposed by the chauffeur-driven London Mayor Sadiq Khan, which are also choking off the economy of central London. These measures achieve the opposite of the Council's stated aim of having lower vehicle use with less pollution.

These schemes have created more vehicle use overall as a result of longer journeys, with vehicles gridlocked in traffic jams, cars accelerating into tight spots, both of which create more pollution for longer periods, and break up the cohesiveness of neighbourhoods with angry motorists, cyclists and residents shouting at and threatening one another. In addition to delaying buses and consequently causing TfL to turn buses before their stated destination.

Emergency vehicles cannot get through to save lives. Disabled people and elderly people are particularly disadvantaged, stuck in their homes, unable to have carers come to them, unable to drive at the times they need to shop for food or meet hospital appointments. People who need their cars for work, for example nurses working in the NHS, people with large families that need to transport children or small businesses that need to transport goods for their shops, people that have made the UK their home who tend to travel further out of their own area to get to churches or mosques or faith schools specific to their community, have all been particularly disadvantaged. The scheme is a complete shambles.

The most sinister aspect of this Labour scheme has been that the young and fit that can ride bikes are favoured over the old and infirm; the rich are favoured over the poor; the more mobile over the less able. A sensible Conservative Government policy has been twisted by Hackney Labour Executive into something autocratic, favouring the young and fit that can look after themselves and use bikes, at the expense of everyone else. Communities are made up of people of different ages and different abilities. We should not penalise people who need cars and in the light of the current Covid-19 pandemic where all the sensible medical advice is that the safest way to travel is in a private car these schemes are endangering lives.

When Labour councillors are told that hybrids and electric cars are replacing petrol vehicles, and that pollution will decrease as a result, they have no answer. Hackney Labour Executive has sat around making decisions in the Town Hall and Service Centre by pointing at a map. A related issue is that Hackney's Labour Executive and the do-nothing Mayor of London Sadiq Khan have no interest in creating sufficient parking spaces for electric vehicles in any new housing developments being built.

These poorly thought-out schemes help make parts of London that are run by Labour authorities become even more poorly-managed, compared to areas outside the capital. Travel around London now and you can see for yourself which areas are run by Labour: poorly-managed housing, litter, potholes, high debt, high council tax driving lower opportunities, low social mobility, residents that accept the failure of their Council because they are told that Labour councillors are on their side – in reality keeping residents exactly where they are, to vote Labour.

The current Low Traffic Neighbourhood schemes were rushed through by Hackney's Labour Executive under the pretence of a response to Covid-19, with no proper consultation whatsoever. This is the now legendary Hackney Labour approach of 'Make a decision, then have a consultation.' Labour councillors have lost their sense of balance from being in power for too long. They have learnt nothing from the Zone T parking zone fiasco where the courts decided that the will of the people must be listened to and acted upon, and persist in their authoritarian approach of telling people what to do and how to live their lives, without using common sense and taking into account the needs of all of our residents.

Wandsworth have suspended their Low Traffic Neighbourhood schemes, citing 'concerns with emergency access and traffic flows... compounded by the changes that TfL [Sadiq Khan] is making to red route roads... [which] has caused confusion and long traffic queues'. The Secretary of State for Transport has written to Lambeth Council



asking that it stop abusing the £250 million fund meant for a Conservative green transport revolution by installing pointless one-way systems and barriers that offer 'no benefit to anyone'.

We should do the same, and have proper consultations to establish where Low Traffic Neighbourhoods are wanted, probably nowhere,, or required to solve a problem.

**Council therefore resolves:**

**1. To end the Low Traffic Neighbourhoods trial immediately, with all road blockages removed;**

**2. For the Council to go back to the drawing board and consult residents in an unbiased way that does not presume an outcome, to see where low-traffic neighbourhoods or restrictions are actually wanted, or required to solve a problem;**

**3. To lobby Sadiq Khan to end his road-narrowing and other anti-car schemes, open the bridges, and allow the economy of Central London to return to normal, so businesses there can have a chance of survival whilst he remains Mayor of London, before consulting properly on ways to encourage safe cycling and walking.**

**Proposed by:** Councillor Odze

**Seconded by:** Councillor Steinberger

**b Motion: Ending the System of Social Insecurity**

Hackney Council notes that even before the coronavirus crisis, 4.2 million children (one in three) in the UK lived in poverty after taking into account housing costs.

In Hackney 36% of residents, and half of all children, currently live in poverty after housing costs have been taken into account, the 3rd highest rate in London.

At the same time, according to the Money Advice Service, Hackney is one of ten areas in England and Wales where more than 1 in 5 people have problem debt.

After years of frozen benefit levels, unemployment benefit is at its lowest since 1990, and, with many families subject to the benefit cap, the average benefit income of a family with children is £2,900 a year less than in 2011. After successive cuts, freezes and caps over the past decade, Local Housing Allowance, the benefit, designed to make renting in the private sector affordable for households on a low income, has left barely a handful of homes in Hackney affordable.

The human cost of this is all too real, with over 3,000 Hackney households, many with children, now living in temporary accommodation. This is compounded by the same inadequate benefit expected to cover temporary accommodation costs and to help families find a permanent home - leaving many with the heart breaking decision of whether to leave the borough that is their home, or face a potential stay of years in temporary accommodation.

As well as causing misery for thousands of families, welfare cuts have also failed in the Government's goal of reducing welfare spend.

Instead, the costs have been passed on to local authorities, through temporary accommodation costs, discretionary housing payments, or the wider support families pushed to breaking point need. Poverty and social insecurity costs the UK state £69 billion every year, with further identifiable knock on costs.

While the Government during this crisis has introduced limited measures to increase support through the benefits system, many of these are only temporary changes such as:

- the £20-a-week uplift to Universal Credit (UC) and Working Tax Credit;
- The £150 annual discount to Council Tax bills for those receiving Council Tax Support;
- Increase of LHA to 30% percentile (30 percent of properties in an area affordable under LHA);
- suspension of the minimum income floor;
- extending the entitlement of means-tested benefits such as UC;
- work-related requirement suspension for UC;
- payments of £500 to support individuals with low-income that need to self-isolate and cannot work from home.

The Government's rhetoric on the generosity of support put in place during Covid-19, with furlough and other initiatives, sits in stark contrast to the grim reality of the day-to-day level of critical benefits; a reality the Government has acknowledged with the temporary initiatives put in place above.

When the £20-a-week uplift ends, 700,000 people, including 300,000 children, will be left worse-off during a period of economic instability. A Child Poverty Action Group survey of low-income families found that 8 in 10 respondents reported a significant deterioration in their living standards due to a combination of falling income and rising expenditure as a result of the coronavirus pandemic.

Hackney Council notes the additional support that the Council has invested in both prior to and during the pandemic to support low income families:

- return to previous Council Tax Support levels and distribution of the Covid-19 £150 payment.
- £500,000 invested into the Council's Discretionary Crisis Support Scheme, which residents can apply to for urgent financial support with emergency needs;
- £120,000 invested to support Discretionary Housing Payments for those needing support to pay rent;
- a food distribution service that delivered 14,000 food parcels during lockdown to households in need;
- £100,000 emergency grant funding for families with No Recourse to Public Funds locked out of support through the benefits system;
- a moratorium on Council Tax and council tenant rent arrears debt collection or enforcement action where residents are left unable to pay as a result of the coronavirus crisis.

Hackney Council believes that social insecurity has been caused by the deliberate erosion and neglect of the welfare state over the past decade; it has become a prison that traps people in poverty, rather than the means of addressing inequality.

We also note that poverty itself discriminates. National figures show that 42% of households where the head of household is from a black ethnic group live in poverty after housing costs. The same figures show that households which include at least one disabled member are significantly more likely to live in poverty. Women are more likely to live in poverty, as are single parent households. We cannot aspire for a more inclusive and equal society, if we do not address the failings of today's welfare state.

We note that Hackney Council, as a campaigning Council, has a strong track record of opposing welfare cuts presented as 'reform', including the bedroom tax, benefit cap and cuts to Local Housing Allowance, together with the freezing of benefits and cuts to funding for Council Tax Support.

Hackney Council further notes the existing commitment in the Hackney Labour 2018 manifesto to:

"Continue to challenge the Government and push for a return to proper national funding for benefits like Council Tax support and Housing Benefit, and we urge a future Labour Government to make them a priority."

Hackney Council believes that to tackle poverty and encourage economic growth, the welfare system needs significant investment, and as a first step the temporary changes introduced by the Government should be made permanent immediately.

**Hackney Council resolves to lobby the Government to end social insecurity in the Borough, with proper and full investment in the welfare and benefits system as set out below:**

- 1. Local Housing Allowance rates should return to the 50th percentile market rent they were introduced at;**
- 2. the benefit cap should be abolished;**
- 3. the two-child limit should be abolished;**
- 4. Child Benefit should be restored as a universal benefit;**
- 5. the bedroom tax should be abolished;**
- 6. Universal Credit should be reformed and fully funded;**
- 7. Access to benefits should be based on need alone and not depend on a person's country of origin – the No Recourse to Public Funds condition should be scrapped.**

**Proposer:** Cllr Clare Potter  
**Seconder:** Cllr Sharon Patrick

## RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

# ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Director of Legal;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

## 1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

## 2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

### 3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

### 4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

### Further Information

Advice can be obtained from Dawn Carter-McDonald, Interim Director of Legal, on 020 8356 6234 or email [dawn.carter-mcdonald@hackney.gov.uk](mailto:dawn.carter-mcdonald@hackney.gov.uk)



FS 566728



**ANNUAL REPORT OF THE AUDIT COMMITTEE**

<p><b>COUNCIL</b> 21 October 2020</p>	<p><b>CLASSIFICATION:</b> Open</p>
<p><b>WARD(S) AFFECTED</b> All</p>	
<p><b>GROUP DIRECTOR</b> Ian Williams, Group Director - Finance and Corporate Resources</p>	

## **1. GROUP DIRECTOR'S INTRODUCTION**

The purpose of this report is to detail the role of the Audit Committee (the Committee) and summarise the key activities and achievements in 2019/20 that demonstrate how the Committee has fulfilled this role effectively and to measure consistency with the guidance issued by the Public Sector Internal Audit Standards (PSIAS) and other statutory requirements. This is an updated version of the report that was reviewed by the Audit Committee in April 2020.

## **2. RECOMMENDATION(S)**

The Council is recommended to note the Annual Report of the Audit Committee set out in Appendix 1.

## **3. SUMMARY**

3.1 The Annual Report of the Audit Committee outlines key developments in: -

- Internal Control
- Internal Audit
- Risk Management
- External Audit
- Anti-Fraud & Corruption
- Financial Reporting

3.2 In reviewing the performance of the Audit Committee against the Public Sector Internal Audit Standards (PSIAS) and in the areas mentioned above, the judgement is that the Committee has fulfilled its role effectively.

3.4 The report is a self-assessment of the activities of the Audit Committee during 2019/20.

## **4. OVERALL CONCLUSION**

4.1 As detailed and evidenced in the Annual Report, the Audit Committee discharged its duties effectively and has played a significant role in developing and improving internal control and governance arrangements within the Council.

4.2 Opportunities for further strengthening the performance and effectiveness of the Audit Committee have been identified throughout the year through a programme of development sessions and deep dive reviews on issues including:

- 1) Regeneration
- 2) Human Resources monitoring
- 3) Special Educational Needs
- 4) Insourcing



## **5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 5.1 This report looks back over the last year and as such there are no financial effects arising from the recommendation. It is recognised however that an effective Audit Committee can help to both reduce risk and strengthen the control environment in which the services are provided. Through its consideration and approval of the accounts, the risk and treasury management strategies, it can also help to ensure that the financial risks to the Council arising in the future are appropriately managed.

## **6. COMMENTS OF THE DIRECTOR, LEGAL SERVICES**

- 6.1 The Council has a best value duty under the Local Government Act 1999 to ensure that it is securing economy, efficiency and effectiveness in the use of its resources.
- 6.2 Section 151 of the Local Government Act 1972 provides that 'every local authority shall make arrangements for the proper administration of its financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs'.
- 6.3 Part of the proper administration of the Council's affairs must encompass the obligation on the Council to have its accounts audited in accordance with the Audit Commission Act 1998 by an appointed party.
- 6.4 The Council's Constitution gives the Audit Committee responsibility for considering reports dealing with the management and performance of the providers of internal and external audit services. The annual report of the Audit Committee details how the audit matters in this Report and Appendix 1 have been addressed to discharge the statutory obligations.
- 6.5 There are no immediate legal implications arising from the Report.

**Ian Williams**

**GROUP DIRECTOR OF FINANCE & CORPORATE RESOURCES**

**Back ground papers:**

**None**

**List of Appendices:**

**Appendix 1 Annual Report of the Audit Committee 2019/20**

## **Appendix 1 - ANNUAL REPORT OF THE AUDIT COMMITTEE 2019/20**

### **1. CHAIR'S INTRODUCTION**

1.1 The Audit Committee has had another active and successful year. We have continued our essential job of monitoring the Council's overall performance and its capacity to deliver value for money services. The relentless pressure on local government as demand for services has gone up and Government support has gone down, has meant Council services continue to be under great strain. This made it vital that the Committee develop its initiatives to deepen our monitoring of the Council's performance and its capacity to deal with the growing risks facing key services.

1.2 A central initiative has been our 'deep dive' reviews of high-risk services. These have involved the Committee meeting as a working group to take evidence from officers about issues where there are significant political and financial impacts. Over the year we conducted three of these deep dive reviews. In September we completed our investigation of the financial and resource planning behind the SEND budget. Our report concluded that the Council had robust and credible plans in place to manage the pressure of increasing (and legally required) service provision in the face of wholly inadequate government funding.

1.3 The two other deep dive reviews this year have investigated the Council's capacity to define and deliver its policy commitments in the use of contract workers, and its promise to insource the provision of its services wherever feasible. In the case of contract workers, we were satisfied that the processes are in place to ensure they are employed only where there is a clear case for doing so and where employment terms and conditions are protected. The review of insourced services has looked at the criteria the Council use to justify employment of external contractors where these are necessary and at how both insourced and external contracts are both strategically and performance managed.

1.4 In a second key initiative, we reinforced the depth and range of our reports on service performance and the Council's corporate risks. For example, with capital spending now playing a much bigger role in the Council's budget, we have significantly tightened our monitoring of capital schemes. One result of this closer monitoring is to highlight the need to improve our departmental systems for planning and scheduling capital works. We will therefore be launching a deep-dive investigation of the way departments manage their pipeline of capital schemes later in the year.

1.5 Thirdly, we have established a reporting system for the Council's joint Boards which deliver complex projects and cut across the reporting and accountability of individual Council departments. We were impressed with the approach taken in the comprehensive risk and performance report of the complex Britannia development project in Shoreditch. It is reassuring to note that this model is also followed on other similarly complex projects.

1.6 Over the past two years, widespread national concerns over shortcomings in the external auditing of both commercial (Carillion) and public sector (Northamptonshire Council) bodies has meant the audit function has been subject to an extensive (and unusual) level of political debate. There has been added concern in the local government sector this year with the failure of many private external auditors to meet the terms of the new audit contracts. This has highlighted the gap left by the abolition of the public sector District Audit function and more recently, the Audit Commission itself. Reforms to strengthen the external audit system are expected later in the year but it is likely that more rigorous processes will add to the audit costs.

1.7 Fortunately, in Hackney our officers were this year able to work well alongside our external auditors, Mazars, and our annual accounts were completed on time. This was the third year in succession we have achieved this, a tribute to our excellent staff. It is important we retain the commitment to rapid reporting of annual results if the accounts are to act as a useful form of political and public oversight of the Council. We therefore do not believe the Government should relax this important target in its proposed reforms, as some of the private auditors are suggesting.

1.8 In our core oversight role, the Committee has worked hard during the year to ensure we have strong, well-embedded internal control and governance arrangements in place. These are critical for the Council's service improvement programme and for public credibility. We reviewed each directorate's risk register in detail (twice in the case of the corporate risk register) in the course of the year. We also evaluated the Council's key performance each quarter, by reviewing in detail the key indicators from each of the Council's core services and following up issues with local managers where necessary. We can report that risk management appears to be generally well embedded as a normal management function that helps services achieve their objectives. There is however still a need for services to achieve a better standard of consistency in their reporting of risk.

1.9 The work outlined in this report has continued into 2020/21, during which time the Council is facing an unprecedented need to provide vital additional services in an even more challenging financial climate. The Audit Committee has continued to provide oversight of, and challenge to the Council's financial, governance and risk management processes throughout this time, including working with scrutiny. Our work has not been disrupted by the pandemic, and indeed we were one of the first committees to meet online in April 2020.

1.10 Finally, I'd like once again to thank all my fellow Council members for their enthusiastic support, in both the main meetings and our deep dive investigations. As always, we owe much of the Committee's success to the keen and supportive team of officers especially in the different parts of the Finance Directorate.

## 2. COMMITTEE MEMBERSHIP & ATTENDANCE

2.1 The composition of the committee has been largely stable during the year. There was one change in personnel when we welcomed Cllr Clare Potter to replace Cllr Ajay Chauhan. The following Councillors were members of the Audit Committee during the 2019/20 municipal year:

Cllr Nick Sharman (Chair)	Cllr Yvonne Maxwell
Cllr Michelle Gregory	Cllr Harvey Odze
Cllr Brian Bell (Vice Chair)	Cllr Clare Potter
Cllr Patrick Spence	Cllr Ajay Chauhan

2.2 The table below outlines members' attendance at committee meetings during the 2019/20 municipal year. As ever, members had a significant number of alternative commitments such as other public meetings and ward commitments and surgeries, and were therefore not always available to attend meetings.

Members	Meeting Dates				
	10/04/19	19/06/19	24/07/19	10/10/19	15/01/20
Cllr Nick Sharman	P	P	P	P	P
Cllr Michelle Gregory	P	P	P	P	A

Cllr Brian Bell	P	A	P	A	A
Cllr Ajay Chauhan	P	n/a	n/a	n/a	n/a
Cllr Patrick Spence	A	P	P	A	P
Cllr Yvonne Maxwell	?	P	P	P	P
Cllr Harvey Odze	A	P	P	A	P
Cllr Clare Potter	n/a	P	P	P	P

Key: P = Present A = Absent L = Late

### 3. WORK UNDERTAKEN IN THE 2019/20 MUNICIPAL YEAR

3.1 The Audit Committee operates in accordance with the CIPFA publication *Audit Committees, Practical Guidance for Local Authorities and Police*, 2018 Edition. The guidance defines the purpose of an Audit Committee as follows:

*“To provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.”*

#### 3.2 Internal Control

3.2.1 The Committee plays a key role in developing and improving the Council’s internal control and assurance framework.

3.2.2 The Accounts and Audit Regulations 2015 require the Council to conduct annual reviews of the system of internal control and publish an Annual Governance Statement (AGS) within its annual financial statements.

3.2.3 The AGS process in 2018/19 continued to reflect the current requirements as set out in the Framework/Guidance issued by CIPFA/SOLACE in 2016 and a revised Hackney Code of Governance. Each department produces a local statement which is used to support the corporate AGS. As part of the assurance process, Internal Audit review the local AGSs and verify that any actions identified in the previous year AGS have been actioned. The 2018/19 corporate AGS was included in the final accounts and reviewed by the Committee with future actions for improvement noted. This process will continue for 2019/20.

3.2.4 The Committee contributed to the process of providing assurance of the Council’s internal control and governance framework by receiving and reviewing regular progress reports on Internal Audit and Risk Management including service performance information.

#### 3.3 Internal Audit

3.3.1 In accordance with the Accounts and Audit Regulations 2015 the Committee continuously reviewed the effectiveness of the Internal Audit service. This comprised of: -

- Review and approval of the Internal Audit Annual Plan 2019/20 which includes Internal Audit's key performance measures and outlines audit work for the Council and Associated Bodies for which the Council has a lead responsibility. I am pleased to say that management take the implementation of recommendations arising from audit work seriously with the result that we only rarely need to pursue managers for non-compliance.

- Review of quarterly progress reports of the Corporate Head of Audit, Anti-Fraud & Risk Management detailing the performance and progress of the Internal Audit Service against the Internal Audit Plan and performance targets.
- Review of the Internal Audit Service Annual Report by the Corporate Director of Finance and Corporate Resources.

3.3.2 The Committee noted that the Internal Audit Service expects to meet its key performance measures again this year.

### **3.4 Risk Management**

3.4.1 A robust risk management framework is an essential element of good management and enables the Council to effectively manage strategic decision-making, service planning and delivery to safeguard the wellbeing of its stakeholders and increase the likelihood of achieving objectives. It is an essential element of good management and a sound internal control system and is necessary for the Council to demonstrate that it has sound systems of corporate governance. The Committee contributed to this by: -

- Reviewing and endorsing the Risk Management Annual Report 2018/19 detailing arrangements for the management of risk in place during 2019/20.
- Proposing measures for developing the Council's approach to managing its risks to assist future improvement.
- During the reporting year the Committee reviewed the risk registers for Neighbourhoods and Housing, Children Adults and Community Health and Chief Executives, as well as fully reviewing the corporate risk register on two occasions. The Finance and Resources risk register will be reviewed in April 2020. This top-level review helps to ensure that risk management remains a meaningful and on-going activity across all service areas.
- Reviewing a summary of the corporate risk register on a quarterly basis as part of the Performance Management report that was introduced in 2017/18.

### **3.5 Treasury Management**

3.5.1 Ensuring treasury management is governed effectively is an essential element of the work of the Audit Committee. A regular cycle of reports is presented to the Committee to enable them to comment upon and monitor treasury action throughout the year.

3.5.2 The Committee considered the following reports during the Year:-

- Reviewed a draft Treasury Management Strategy for 2020/21.
- Review of quarterly and half-yearly updates on treasury management detailing performance.

### **3.6 External Audit**

3.6.1 The Council's external auditor, Mazars, attended the Committee's meetings at which they present an external audit progress report for review and comment. There have been no additional reviews undertaken by the external auditors.

3.6.2 The Committee has considered the following reports from External Audit: -

- Annual Audit and Inspection Letter 2019 – Mazars issued an unqualified opinion on the Council’s accounts; subsequently, an unqualified opinion on the pension fund was also received.
- The report also concluded that the Council has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

3.6.3 The Redmond Review on local authority external audit arrangements reported in September 2020. Of particular note for Council is the recommendation that external audit should report to the full Council on the risks identified and the conclusions reached by the audit, in a transparent and understandable format. The process for doing this should not impact on the accounts timetable and should not necessarily be linked to the certification of the financial accounts, but could instead be made at the most useful point in the year. Presentation by the key audit partner on an annual basis would help to enhance transparency and public accountability arrangements.

Other recommendations from the review are:

- The external audit market under current arrangements lacks resilience, consideration should be given to reviewing fees for this work to encourage new entrants to the market and growth in capacity;
- The scope of the audit should be extended to include a substantive test of financial resilience and sustainability which ventures a comment beyond the current binary yes/no opinion;
- A new regulatory body should be introduced to coordinate and regulate external audit provision;
- An independent member should be included on the Audit Committee to help ensure that the necessary expertise and knowledge to consider reports is available (with a proviso that the value of this approach would depend on the calibre of the person recruited, and the review did identify some cases where limited value had resulted);
- The financial accounts reporting deadline should be moved to 30 September to allow sufficient time for external audit review;
- The transparency of financial reporting arrangements could be improved by introducing a summary Statement of Service Information and Costs report to allow comparison between the Council’s annual budget and Council Tax arrangements.

### 3.7 Anti-Fraud and Corruption Arrangements

3.7.1 The Committee reviewed the quarterly and annual performance of the anti-fraud teams in tackling fraud against the authority and the contribution this made to strengthen the system of internal control.

3.7.2 During the year up to 31 December 2019 the following savings were made as a direct result of the work of the anti-fraud teams:

<b>Outcome</b>	<b>Outcomes 2019/20 to date</b>	<b>Savings Realised</b>
Council service or discount cancelled	87	(1) £2,109,439
Blue Badges recovered	41	(2) £4,100
Other fraudulent parking permits recovered	0	n/a
Parking misuse warnings issued	19	n/a
Penalty Charge Notice (PCN) issued	71	(3) £4,615

Vehicle removed for parking fraud	38	(4) £7,600
Recovery of tenancy	85	(5) £1,530,000
Housing application cancelled or downgraded	42	(6) £168,000 - 756,000
Right to Buy application withdrawn or cancelled	15	(7) £1,657,500
National Fraud Initiative	Multiple	(8) £220,995
<b>Total</b>	<b>398</b>	<b>£5,702,249</b>

1. No Recourse to Public Funds Team (NRPF) savings – 87 support packages cancelled, average saving £465 per week and assuming saving of one year support
2. Calculated using Audit Commission figure of £100 per badge recovered
3. 71 x £65 PCN charge
4. £200 per removal in addition to the PCN charge
5. Calculated using Audit Commission figure of £18,000
6. Calculated using Audit Commission estimated values of either £4,000 or 18,000
7. Calculation based on discount of £110,500
8. Savings in various area arising from NFI data matching, including minimum 80 SPD removals

3.7.2 The corporate responsibility for the Regulation of Investigatory Powers Act (RIPA) and Proceeds of Crime Act (POCA) rests with the Corporate Head of Audit, Anti-Fraud & Risk Management. During the year the Committee was provided with quarterly monitoring information on the activities undertaken by the Council.

### **3.8 Whistleblowing Arrangements**

During the year the Committee received quarterly updates on whistleblowing referrals regarding fraud/irregularity in addition to an annual report on the Council's whistleblowing arrangements and activity.

### **3.9 Financial Reporting**

The Committee scrutinised and approved the 2018/19 Statement of Accounts prior to the completion of the audit by Mazars. The Committee also considered Mazars Governance Report regarding the audit of the accounts and significant issues arising during the audit of the accounts. The External Auditors reassured us that our plans to cope with the expected level of resource reduction are soundly based.

### **3.10 Performance Reporting**

Quarterly updates to Committee on a range of Council activities were introduced in 2017. The report covers three key areas of activity and has resulted in both a wider span of oversight and increased knowledge of key areas. Firstly, a performance report of selected key indicators provides coverage of activities of importance to the Committee and our residents; where concerns about performance have been identified, officers have attended meetings to provide explanation of how issues are being resolved. Secondly, the Corporate Risk Register is now reported quarterly (in addition to the biannual in-depth review of the register), so that emerging concerns and changes to existing risks are immediately on the Committee's radar. Thirdly, oversight of capital expenditure is now achieved by inclusion of a Capital Programme Monitoring Report.

### **3.11 Audit Committee Deep Dive Reviews**

The Chair has initiated and led a series of 'deep dives' into areas of activity that are particularly topical or which have been considered by the Committee previously and it was felt that a more forensic understanding of the issue was needed. In doing so, more detailed assurance has been provided over areas of greater concern. Areas reviewed in 2019/20 were SEND Funding, Agency Staff and Insourcing of Services. These reviews are a new initiative and have been carried out as an additional activity to the scheduled Committee meetings.

#### **4. PROPOSED WORK PROGRAMME FOR 2020/21**

4.1 The Committee will review and, if appropriate, approve the External Auditor's Annual Governance statement covering the Council's main and the Pension Fund accounts and value for money judgements.

4.2 The Audit Committee will continue to receive and examine the Council's Statement of Accounts and Annual Governance Statement and approve these if it is appropriate to do so. To maintain our capacity to review past compliance and correct any issues, the Council's final accounts will again be published in draft and ready for audit by the end of May and subsequently audited by the end of July, just four months after year end.

4.3 The Committee will continue to receive regular performance reports from the Internal Audit Service, the Anti-Fraud Teams, Treasury Management, directorate and corporate risk registers. As well as reviewing corporate policies and strategies relating to these services.

4.4 The Chair will continue to act as Risk Management Champion taking responsibility for advocating the embedding of risk management throughout the Council. The Committee is keen to take a pro-active approach to overseeing the Council's management of risks and will work closely with the Corporate Risk Advisor and senior managers for continual improvement in our corporate risk management processes.

4.5 The Committee will continue to focus attention on the high risk areas which are identified from the risk management framework.

4.6 The Committee will receive and approve the Internal Audit annual plan to ensure that Audit work provides an appropriate coverage during the year.

4.7 We will continue to improve our assessment of current performance by receiving regular reports on a small range of key performance indicators of selected Council services and financial performance, and obtaining further explanation where appropriate. This will help provide both us as Councillors, and the public to have a sense of how the Council is performing overall and give an early warning of any problems. Another initiative to reassure the Council about our ability to cope with current threats and opportunities is our quarterly review of progress in the areas of high risk identified in our service reviews.

4.8 The Council's whistleblowing arrangements and performance will be reviewed annually and as part of the quarterly reporting process.

4.9 The Audit Committee will continue to be proactive and engage wherever necessary to further strengthen the Council's assurance processes. In particular, there will be focus on areas highlighted through the risk management process as presenting a concern at the corporate level.



4.10 The programme of deep dive reviews will continue, to focus on areas of specific concern.

## **5. SUMMARY OF ACHIEVEMENTS OF AUDIT COMMITTEE**

5.1 The Audit Committee has contributed to the Council's overall internal control process in 2019/20 through the challenge and monitoring it has performed on governance, internal audit, anti-fraud, risk management, treasury and financial management processes.

5.2 Risk management at corporate and strategic service levels continues to support business processes.

5.3 Internal Audit has continued to develop and strengthen with support from the Committee. It received positive assurance from KPMG in its annual report.

5.4 The Committee has played a significant role in highlighting the importance of implementing Internal Audit recommendations to agreed timeframes.

5.5 The Committee also undertook the role of oversight of the Council's use of Regulation of Investigatory Powers Act (RIPA).

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**OVERVIEW AND SCRUTINY ANNUAL REPORT 2019/20**

**COUNCIL**  
**21 October 2020**

**CLASSIFICATION:**  
**Open**  
**Appendix 1**

**If exempt, the reason will be listed in the  
main body of this report.**

**WARD(S) AFFECTED**  
**All Wards**

**Tim Shields**  
**Chief Executive**

**1. SUMMARY**

- 1.1 It is customary for the Overview and Scrutiny function to present an annual report of its activities to Full Council. This is done each municipal year. Attached is the Overview & Scrutiny Annual Report 2019-2020.

**2. RECOMMENDATIONS:**

**That the Annual Report of the Overview and Scrutiny Function 2019/20 be noted.**

**3. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES**

N/A

**4. COMMENTS OF THE DIRECTOR OF LEGAL**

N/A

**APPENDICES**

Overview and Scrutiny Annual Report 2019/20

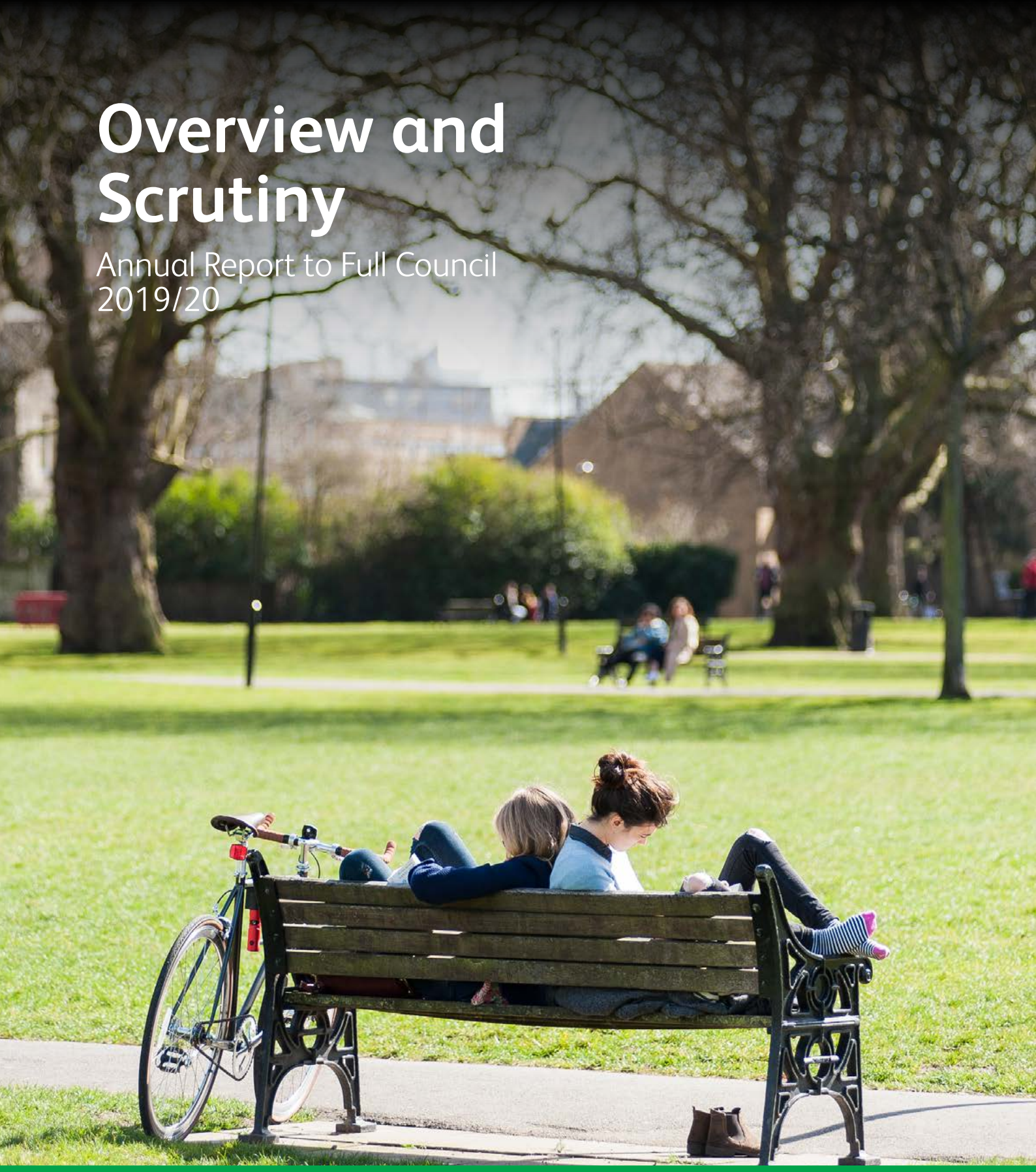
**BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)**

N/A

<b>Report Author:</b>	Tracey Anderson, Head of Scrutiny and Ward Forums tracey.anderson@hackney.gov.uk
<b>Legal Comments</b>	n/a
<b>Financial Comments</b>	n/a

# Overview and Scrutiny

Annual Report to Full Council  
2019/20





# Chair's Foreword

**It is my great pleasure and privilege to introduce the annual report for Hackney Council's Scrutiny function for 2019/20.**

In Hackney we believe that the scrutiny function makes a vital contribution to the work of the Council as a whole. This year, as before, we have continued to develop policy initiatives and also to provide essential challenge to the Executive on behalf of the communities we serve.

We have continued to innovate and in response to the Covid-19 crisis we have prioritised the scrutiny function bringing meetings online which has made them more accessible to the community and enabled a wider range of contributors including national figures to take part. As one of the first local authorities to do this we believe our contribution has sharpened Hackney's response to the crisis as well as ensuring that our leaders continue to act in a transparent and accountable manner.

As ever, this report reflects the contributions and work of hundreds of individuals including councillors, other commission members, the Mayor and Cabinet, officers, contributors from outside bodies and, very importantly, members of our local community who have given up their time to contribute to our meetings and reports. We have benefited as well from reports in the press which have brought our work more immediately to a wider audience.

I'd also of course like to thank Jarlath O'Connell, Martin Bradford, Timothy Upton and Tom Thorn, the brilliant members of our Scrutiny Team, led by Tracey Anderson who all take enormous pride in their work and are instrumental in pushing the boundaries of what can be achieved by a Council Scrutiny function.

A handwritten signature in black ink that reads "Margaret Gordon". The signature is written in a cursive style.

**CLlr Margaret Gordon**

Chair of Scrutiny Panel 2019/20





**The Overview and Scrutiny function is required to report annually to Full Council on its activities over the previous year. This summary report covers the municipal year 2019/20 but ends with our February meetings as the Covid pandemic lockdown stopped formal meetings from mid March. Work from May 2020 will be reported next year.**

Scrutiny in Hackney comprises 4 themed Commissions which meet 8 times per year:

- [Children and Young People](#)
- [Health in Hackney](#)
- [Living in Hackney](#)
- [Skills, Economy and Growth](#)

The Chair and Vice Chair of each panel then comprise the [Scrutiny Panel](#) which meets 4 times per year and which also holds a Vice Chair post for the opposition party. Members are appointed annually at the Council's AGM. Scrutiny holds the executive (Mayor and Cabinet) to account for Executive Decisions and contributes to policy development. It has no role in relation to 'Non-executive functions' such as Planning, Licensing, Pensions.

In 2019/20 meetings in November had to be cancelled because of the purdah period prior to the December General Election and meetings from mid March were cancelled as a result of the Covid-19 until the processes for holding formal meetings online could be put in place.

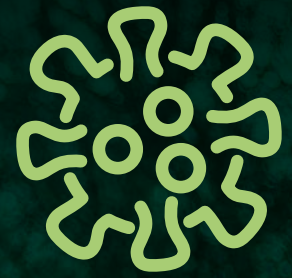
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# The impact of Covid-19



# Scrutiny meetings on Covid-19



Lockdown commenced on 23 March near the end of our year. The 30 March meeting of Health in Hackney had to be an informal one as the regulations on virtual meetings were not yet in place. Formal Virtual Meetings re-commenced in May. All the Commissions and Scrutiny Panel cleared their work programmes and focused on how the pandemic was impacting on their remit areas.

## Health in Hackney - 30 March

Informal meeting held virtually, focusing on briefings from HUHFT, CACH, Director of Public Health; CCG; GP Confederation on the borough response to Covid-19. Formal items at [9 June](#), [9 July](#) and [30 July](#) with the Director of Public Health on the initial response and the Test and Trace pilot.. 9 June meeting involved national and international experts providing challenge on test and trace and 9 July meeting also had the CCG presenting the local [Restoration and Recovery Plan post-Covid](#).

## Joint Scrutiny Panel and Living in Hackney meeting - 13 May

Scrutiny Panel element focused on CQT session with both the Mayor and the Chief Executive on the response to the pandemic. LiH element focused down on two services: domestic violence and the support to those in social housing in the borough.

## Children & Young People - 20 May

Initial scrutiny by the Commission on the impact of Covid 19 has focused on three areas (i) support for vulnerable children (ii) impact of school closures on children's education and attainment (iii) mental health. Representations from academic bodies, local headteachers and Hackney Youth Parliament have all provided helpful insight into the impact of Covid 19 on local children and young people. The Commission continues to receive regular updates from both Hackney Learning Trust and Children and Families Service on the impact of Covid 19 in these services

## Skills, Employment and Growth

Will be focusing its 20/21 work programme on how a greener, fairer, inclusive economy can be achieved against the backdrop of a drastically altered economic environment. There will be a particular focus on identifying how the work environment has changed, what skills offer Hackney can put forward to fill the gap, and partnering with local business to ensure the change is as smooth and mutually agreed.

## INEL JHOSC

On [24 June](#) INEL devoted a meeting with the ELHCP health leaders to the NEL wide response to the pandemic and looked at how scrutiny was handling the issue in each borough.

# Building back better: The Role of Scrutiny



The pandemic has shone a light on the stark inequalities of our society. While it is going on it would have been easy to scale back our scrutiny work and review the response after the event but, with rising inequality and the need to create a more inclusive economy post Covid being key challenges for Hackney, we decided it was even more important to commence our scrutiny straight away. This would ensure we focused on how services and support are reaching the most vulnerable now so that the inequalities don't widen further.

This approach has not just helped to keep us abreast of the key challenges here as they evolve but to give us the insight needed to help support the "build back better" efforts of the Mayor and Cabinet. Scrutiny's role is to ensure that the policy approach being taken will tackle inequalities and focus on investment for recovery. We need to challenge the new approaches being set out because of Covid and ask whether they are actually serving to enhance the lives of residents of the borough and those who work here.

How we better engage, communicate and provide access to our Scrutiny investigations can act as a catalyst for how the wider Council and partners might also go about their work. We can draw in a wider circle of advice than normal. In the same way by drawing more on community voices we can enlist them in shaping more responsive policies and so put the focus on where the economic and social investment is needed in order to revive our communities post-Covid.

## How Virtual Meetings have altered our work

The volume of new regulations and policy changes from central government arising from the pandemic (not just in Public Health but across all services) has required us to be much more agile and responsive to issues. The switch to virtual meetings has, interestingly, made it easier to reach new audiences and to move beyond our existing networks. It has provided greater accessibility to external experts from national or regional bodies and from other local authorities as they're more amenable to joining us online rather than making a physical trip to come and speak to us.





# Scrutiny Panel



# Financial overview



## Quarterly Financial Updates - the Overall Financial Position, Capital Update, state of local government finances report

The Deputy Mayor and the Group Director for Finance and Corporate Resources take us through the highlights of each [Overall Financial Position](#) report to Cabinet as well as the Capital Update reports. We also widen the frame to look at the state of local government finance generally and what might be coming downstream. In July we debated the financial challenge around **SEND** (Special Educational Needs and Disabilities) funding in Education also exploring how improvements in capital funding might assist. We questioned the operation of the finances in **Integrated Commissioning** with the NHS and how this might limit room to manoeuvre in internal finances., We discussed how the council was trying to increase its income from its **commercial property portfolio**. We discussed the finances of the Council's new **Energy Company** and its new **Housing company**.

In [February](#) we discussed the then projected overspend of £6m and the drivers for this - provision of adult social care and SEND and the scenarios for managing these. A key challenge nationally is that demand is increasing but resources are not. We discussed the key aspects of the recent 'financial settlement'. We discussed the government's 'Fairer Funding Review' and the expectation that the Council could lose £17m on it. The factors in the review expected to affect Hackney are: deprivation, area costs adjustments and population. We also discussed how the Council uses and plans for its financial reserves in the context of the major financial pressures.

# Mayor's Question Time



## Mayor's Question Time

In a very wide ranging session in February we questioned the Mayor on 4 agreed areas: **Devolution** and local government's requests to the newly elected government; the Council's preparedness for **Brexit**; the Council's response to the **Climate Emergency** and how it is being coordinated and monitored and an update on the work by Organisational Development in response to the **harassment and bullying** claims within the workforce.

On the General Election result we discussed how London's councils might brace themselves for further possible funding cuts if central govt shifts resources to the North "as a reward for Brexit support". We discussed the expected move away from EU Standards, acknowledging how a clear "values driven alignment" by the public around issues of environmental and agricultural standards would be hard for government to dismiss. We discussed the support needed for the 14,000 EU nationals living in Hackney to achieve settled status and how the Council might assist. We also discussed: the merger of the 7 CCGs in north east London; the SEND budget crisis, and the resilience of our high streets in the face of higher business rates.

On Climate Emergency we explored how to achieve a just transition for those in jobs that will not translate easily into a new sustainable greener economy. We examined the borough's particular role vis-a-vis central government in achieving the 'net zero' emissions target. The Mayor talked of how there was scope for scaling up VCS and volunteering roles to bolster the work of the council in the green infrastructure work.

In May following the Covid-19 outbreak, we held our first virtual meeting. We questioned the Mayor and Chief Executive on the local response to the pandemic across all the services. Living in Hackney then held a joint session with us where we heard from **Housing Support Services** on how they were helping local residents and from the the **Domestic Violence** Service and the Hackney Borough Police Commander on their joint efforts to support victims. A key concern during lockdown was under reporting of domestic abuse and we discussed how the service will handle an expected spike afterwards.

# Our overview role



## Complaints and Member Enquiries Annual Report

Each year we review the Members enquiries and the complaints service and we examine outliers and trends in the report and what learning there has been from both. We noted that complaints were down but member enquiries were up in the past year. We debated where the service was on the need to balance quality of response over speediness, so that complaints get sorted rather than just meeting processing targets which might not be the most helpful measure.

We discussed residents problems with having to engage online only with the Noise Service on weekend nights when complaints are highest. We discussed complaints about Traffic Schemes, about the compensation being paid in response to Ombudsmans' findings. We asked that next year's report might detail the steps each Directorate has taken to learn from the complaints they have handled over the previous year and to detail how the learning has been cascaded down to improve services.

## Statutory Guidance on Overview and Scrutiny in Local Government

We debated the new statutory guidance from central government on O&S, which encompasses 6 areas: organisational culture; resourcing of the function; selecting committee members; access to information; work programme planning and establishment of protocols to assist us in how we interact with officers and stakeholders. All Members were asked to bear these in mind as they carried out their work programmes as this sets out standards we need to continually meet. We noted that much in the guidance was already in place in Hackney but there is of course always room for improvement.

## Review of the Work Programmes

The Panel doesn't approve work programmes as each Commission has autonomy but instead we take a strategic overview to ensure there are no clashes which might cause problems for officers supporting our work. We also agree our own areas of focus for the year, over and above our standard required items. We had no Call-In requests this year.



# Our overview role



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## Review of Commission Work Programmes

The Panel doesn't approve work programmes as each Commission has autonomy but instead we take a strategic overview to ensure there are no clashes which might cause problems for officers supporting our work. We also agree our own areas of focus for the year, over and above our standard required items. We had no Call-In requests this year.



# Other cross-cutting items



## Implementing the Sustainable Procurement Strategy

We held an in-depth session with the Procurement Team on the new Sustainable Procurement Strategy 2018-2022. It has 3 themes: Procuring for Green, Procuring for Better Society and Procuring for Fair Delivery. We explored how national standards affect local procurement and how satisfactory are the metrics currently in use. We asked how the ambitions in this Strategy can be balanced against the need to better support local enterprises as the two are often they're inimical. We discussed the new Procurement Impact Assessment procedure. We invited two local organisations - The Advocacy Project and Carers' First to describe their experience with Council procurement and help us provide some challenge to the officers. We debated the many structural barriers for local SMEs such as language and communication. We debated In-sourcing and learned that while services can't be merely dragged and dropped into the existing Council structure from outside, all services have now been asked to actively explore in-sourcing options. Some have come up with a mixed model and we learned about the success of those e.g. in Housing Repairs.

## Update on Single Equalities Scheme

We examined the Single Equality Scheme for Hackney 2018 -2022. Key objectives of it are to tackle poverty, to tackle discrimination/ disadvantage linked to the 'protected characteristics' under equalities legislation and we looked at how socioeconomic disadvantage is a key driver but not the only one. We discussed how community cohesion can be improved. We asked about the equalities impacts of the findings of the recent Ofsted inspections and how the over representation of certain minority groups among those affected was being addressed. We asked how businesses were involved in developing the Scheme and about the work being done on reducing hate crime. We sought reassurances about sufficient resources to deliver on the ambitious plans in the Scheme, because without this progress will be impossible.

## Communications support for O&S function

We discussed with officers how communications support for the function might be enhanced, in particular digital and social media communications. Scrutiny's voice is independent of the corporate Council position and so this separate identity needs to be delineated.

# Children and Young People



# Children's Social Care



The Children and Families Service (CFS) reported to us in [October](#) and [February](#). Their reports allow us to maintain oversight of the Council's corporate parenting role and how it supports children and families in need. The mid-year data to September revealed a significant increase in referrals (+10%) and assessments completed (+17%). We also noted a 43% increase in the number of children on a Child Protection Plan over this period, and whilst definitive reasons were unclear, it would appear that there has been some modification in practice as a result of the Ofsted focused visit in early 2019. We will continue to monitor it.

## Looked after Children

The number of looked after children in Hackney rose gradually throughout the past year, and there are now consistently over 400 young people in the care of the council. We noticed some key trends in the data: firstly adolescents aged 15-17 make up the majority of children entering care and 60% of looked after children are now aged 13+ years. Secondly an increase in the number of young unaccompanied minors seeking asylum entering care.

We're particularly interested in adolescents entering care as this cohort of young people often have complex needs which require multi-agency support. Reintegrating adolescents back into the family home can also be challenging.

We're keen to investigate this further in 2020/21 by assessing adolescents pathways into care to help identify where prevention or early help can best be provided.

## Domestic Abuse Intervention Service (DAIS)

Demand for DAIS was increasing with a 14% increase in referrals for year end 2018/19. In response, CFS were using The Safe and Together model which recognises the support provided by mothers to protect their children whilst holding perpetrators to account for their actions and continued parenting responsibility. The impact of Covid 19 has also seen a further significant rise in referrals to this service, and the Commission will monitor this further in 2020/21 in conjunction with Living in Hackney Scrutiny Commission.

# Ofsted inspections



## Ofsted Focused Visit (February 2019)

In February 2019 Ofsted conducted a focused visit with Children and Families Service (CFS) to review children on a Child Protection Plan and Children in Need. Two priority actions were identified: the need for more timely and effective social work practice/ interventions and more effective managerial oversight and supervision. In [June 2019](#) we welcomed the action taken by CFS in response which included a review of all cases that had been open for more than 9 months and that 'accelerated action' was required in 26 of 175 cases reviewed. We also challenged the action plan, including the need for external independent assessment, and the impact of the inspection and action plan on staff workloads, staff morale, recruitment and overall financial position of CFS.

## Ofsted Inspection of LA Children's Services (ILACS)

In a follow up inspection in November 2019, Ofsted downgraded its overall judgement of Hackney Children's Services from 'good' to 'requires improvement'. Ofsted made 6 recommendations for improvement which included greater recognition of the impact on the child living in neglectful environments, more effective information sharing with partners and more effective managerial oversight by leaders and managers at all levels.

We questioned the Cabinet Member and lead officers in [January 2020](#) who reaffirmed their commitment to return the service to 'good' and then to 'outstanding' within 24 months. It was noted that an external partner had been appointed to provide challenge to action plans and the progress made and that new governance arrangements had been established to oversee improvement. We also noted that additional investment would be made available to CFS to support service improvement. We were also consulted on and made recommendations to the [Children's Social Care Action Plan](#) which was published in May 2020. We agreed to continue to monitor service improvements within the Action Plan in our 2020/21 work programme.



# Off-rolling in schools



A report from the Children's Commissioner highlighted a growing concern of children being moved 'off-roll' (to another school, to alternative provision or into Elective Home Education (EHE)) to help improve school performance. [In September 2019](#) we invited representatives from the Children's Commissioner, Ofsted, The Difference (an exclusion charity) and HLT to investigate this further.



The nature and scale of 'off-rolling' is difficult to determine given that this practice is illegal and the circumstances of a child leaving school are often complex.

That being said, there were over 60000 unexplained exits from schools in 2018/19 and Ofsted reported concerns with 300 schools nationally. Whilst many unexplained exits may be in the best interest of the child and made with the genuine consent of parents, evidence showed that more vulnerable children (looked after children, children with past exclusion, children in need) and those with lower prior attainment were all disproportionately represented in this cohort. This suggested that more challenging students were more likely to be off-rolled. Locally, HLT visited four schools where the number of children in years 9 and 10 that moved off-roll exceeded 4%. Officers provided challenge to school leaders on the rate of school exit and will continue to monitor this going forward.

In a [letter](#) to Cabinet we made a number of recommendations:

- that HLT continue to monitor school moves between years 9-11 and to provide challenge where rates exceeded local thresholds;
- that additional support be provided to the EHE team to increase oversight of children educated at home;
- that parents should have access to independent advice and support where their child is being moved
- that HLT further develop and support the concept of the 'inclusive school'.

We have also agreed to monitor annually all school moves (exclusion, managed moves, EHE and alternative provision) alongside boroughwide school performance.

# Child Friendly Borough



UNICEF first developed the concept of a Child Friendly City in relation to new cities by establishing the rights of children to be involved in decision making and being able to shape the environment in which they live. We sought to assist the Council in its policy ambition to create a Child Friendly Borough with the assistance of young people and other community stakeholders at a dedicated meeting in [January 2020](#).

## Engaging and Involving Young People

Representatives from Hackney Youth Parliament, Young Futures Commission and Entity all contributed to this discussion which helped develop a number of key principles in involving young people in decision making. These included:

- Engaging young people in their natural settings
- Ensuring consultations are flexible and responsive to the needs and circumstances of young people
- Where possible, consultations should aim to develop the skills, expertise and understanding of young people
- Ensure that young people are properly compensated for their time and involvement in consultations.

We will review the outcomes of the Young Futures Project in 2020/21, to ensure that effective engagement and involvement structures with young people are embedded across the Council and partners agencies.

## Child Friendly Special Planning Document

The Council is also developing a Special Planning Document (SPD) as part of its Child Friendly Borough policy which will provide additional planning guidance to support child friendly development in Hackney. This would be the first Child Friendly SPD in the country. With the involvement of local architects, community construction projects and community development organisations, we reviewed the design principles for the proposed Child Friendly SPD and the planned consultation process. We wrote [a letter](#) detailing a number of recommendations which have informed the development of the SPD, including the need to provide greater clarity on expected outcomes and how the planning policy team will monitor its impact. The formal consultation on this SPD runs in autumn 2020 and we will contribute.



# SEND education & training for post-16



We reviewed the education and training pathways for young people with SEND (Special Educational Needs and Disabilities) at a dedicated meeting in [March 2020](#) to support the refresh of Hackney's Post 16 SEND Strategy. We aimed to identify:

- what services were working well in supporting young people with SEND and what needed to improve
- How local services could work together better for more effective and coordinated support young people with SEND
- Which priorities should inform the development of the post 16 strategy.

As well as the SEND team, representatives from all stakeholder groups were present including local special schools, colleges, training providers, social care and health. We also conducted a number of focus groups with young people (and their parents) ahead of the March meeting to ensure that their views were represented in the discussion and to inform questioning with local stakeholders.

In response to increased numbers of children with an Education Health and Care Plan (EHCP) we identified a clear need for services to develop both the number and range of post-16 training and development opportunities for young people with SEND. From the evidence presented to us we would be suggesting:

- Improved tracking and outcome data for young people to better inform future planning and commissioning
- Increased localised post 16 provision in both mainstream and specialist settings
- That the depth, breadth, accessibility and consistency of supported internships on offer to local young people should be further developed
- Improved support to help young people with SEND and their families prepare and transition to post-16 options

A short report detailing our recommendations will be presented to Cabinet in late 2020.

# Outcomes of School Exclusions



Our work last year on assessing the outcomes of young people who have been excluded from school continued into 19/20. We carried out extensive research with all the key local stakeholders including local Alternative Education Providers, the Pupil Referral Unit and of course, young people themselves who had been excluded from school and their parents. We also heard from other local authorities, local community groups and of course HLT.

We produced the following conclusions:

- Schools have a protective influence for children by keeping children in sight and connected to support networks
- Some young people have struggled in mainstream schools because of the narrowing of the curriculum and zero tolerance behaviour policies
- Excluded children can experience trauma through broken school ties and loss of peer support networks which then requires a more therapeutic model of support
- Parents face a 'perfect storm' when their child is excluded as they feel judged by statutory services, feel a sense of failure at not being able to support their child and have limited access to independent advice and support
- There will always be a need for a range of high quality alternative provision to meet local needs, which should be commissioned on the basis of young people's expected outcomes as well as needs
- Alternative provision should be more firmly embedded within the network of statutory services for more coordinated and effective support for excluded children
- To help maintain positive momentum, further transitional support is needed for young people moving on from alternative settings

The report and recommendations are still being developed and refined in consultation with key stakeholders. We anticipate this report will be presented to Cabinet later in the year.



# RSE guidance/YBM programme



## New Relationship & Sex Education (RSE) guidance

The DfE introduced compulsory Relationships Education for primary pupils and Relationship & Sex Education for secondary pupils from September 2020. As protests had occurred in other LA areas on this issue, we sought to test the preparedness of local schools and council support structures ahead of September 2020.

In [February 2020](#) we spoke to Headteachers from local primary and secondary schools as well as the Health and Wellbeing Team (HWBT), who deliver RSE training to schools. From their briefings it was clear that local schools were already trialling the new RSE curriculum in readiness for September 2020. Schools had also engaged parents to improve awareness of the RSE curriculum and few concerns had been reported. HLT reported RSE had been flagged with head teachers and that additional training and support had been provided.

The HWBT reported a significant increase in demand for pupil training and was at capacity (at 1200 sessions p.a.). We expressed concern that the new guidance would increase pressures on this service and requested an update from Public Health. We were reassured that there would be support for schools in the new RSE curriculum and plans would be put in place to support them should issues escalate.

## Young Black Men's Programme

We continued to scrutinise this key Council programme in [February 2020](#). Officers outlined a number of challenges in tackling disproportionality including ongoing difficulties in talking about race, disillusionment and disengagement within the community itself and the continued problematisation of young black men. We provided challenge in relation to the achievability of their targets, outcome monitoring and the provision of mentoring and noted that a new governance structure would be put in place to ensure that there was more accountability to the community.

## Contextual Safeguarding

This is a partnership project with the University of Bedford to improve safeguarding practice outside the home environment. As funding was due to cease in March 2020, we requested an update [January 2020](#) to assess what impact this project had on safeguarding practice. It was noted that a systems transformation group was embedding new practice across Children and Families Service and that a number of champions had also been appointed. An independent evaluation has been commissioned which will be reported back to us.

# Annual Updates - our overview



As part of our overview function we consider a series of annual updates on the key areas and question the officers concerned:

- Children's Social Care (twice annually)
- School Achievement
- School Admissions
- Childcare Sufficiency
- City & Hackney Safeguarding Children Partnership

## School Achievement

The annual update for Early Years Foundation Stage (EYFS), KS2 and KS4 was provided in [May 2020](#). Whilst there was an overall improvement in student achievement at KS4, the Commission was concerned that, counter to national and regional trends, progress was not being maintained at EYFS and KS2.

The Commission noted continued disparity in attainment among children and young people, in particular:

- At EYFS stage, lower attainment of boys and all children attending independent settings
- Lower attainment of boys at EYFS
- Lower attainment of black Caribbean, black African boys at both EYFS, KS2 and KS4

We remain concerned that the attainment gaps between different cohorts of young people are not narrowing, and agreed that this requires additional scrutiny in the 2020/21 work programme.

## City & Hackney Safeguarding Children Partnership (CHSCP)

The annual report of CHSCP was reviewed in [January 2020](#). We noted that the strategic safeguarding alliance remains strong despite ongoing austerity and service reconfigurations. Under new guidelines, the Independent Chair has the 'right to roam' which would bring a new level of scrutiny to the safeguarding partnership. Our questions explored the influence of social media in Serious Case Reviews that CHSCP has conducted in relation to cases of self-harm and of serious youth violence. This underlined the importance of the Contextual Safeguarding Project and the support it has provided to safeguarding practitioners. We considered too that in light of Ofsted inspection outcomes the CHSCP would provide a robust challenge to CFS on the pathway to improvement for them.

# Cabinet Question Time



## Cabinet Member for Education, Young People and Children's Social Care

**Schools** were the focus of this CQT in [October 2019](#) which incorporated a review of funding, procedures to support a school closure and the development of the Hackney Schools Group.

Although a £7.1 billion funding increase for schools was announced in September 2019, this would result in a small increase (2%) for local schools. As a levelling up model of funding was being used, areas that currently received a higher rate of funding (such as inner city schools) would see a lower increase in per pupil funding compared to other areas. Initial estimates suggested that Hackney schools would benefit by £2.8m in total (£150 per pupil). Accountability arrangements vary for different types of schools and influence the Council's ability to intervene if there were concerns. We were reassured however, that the Council would act to support the positive development and attainment of all children irrespective of the setting where they were being taught.



We learned that Hackney Schools Group had been formally established and an Independent Chair had been appointed. We will invite the Independent Chair to a future meeting.

## Cabinet Member for Families Early Years and Play

In [March 2020](#) we focused on three policy areas: Child Poverty, Troubled Families Programme and Children's Centres.

As almost 50% of local children are living in poverty, reducing childhood poverty (and food poverty) are key policy aims. We learned that an additional £500k would be spent on poverty reduction strategies and £70k to 'poverty proof' local policies. We learned too that the Troubled Families Programme had helped over 3500 families to achieve and sustain changes. Funding for this programme was uncertain beyond March 2021, and the Early Help review will consider how this programme can be embedded across the Council.

We received further details of the planned closure of the Millfields Children Centre which is operated by Millfields School. We received reassurance (subject to consultation) if the Children Centre was to close, that universal children centres services such as Stay and Play would continue to operate from the Millfields site.

# Following up previous reviews



## Unregistered Educational Settings (2017/18)

We continued to monitor the implementation of our recommendations from this review and noted that the absence of effective legal enforcement has meant that progress has remained slow and challenging. In [January 2020](#) we noted that there is still no effective safeguarding oversight of Yeshiva, as the Orthodox Jewish community remain mistrustful of such developments in the belief that this would lead to unacceptable changes in the taught curriculum.

In line with our recommendations we are pleased that further confidence building measures are taking place to help engage the wider Orthodox Jewish community, including work with local independent schools and dedicated special educational needs coordinator (SENCO) provision for this sector. New safeguarding requirements too will mean that all Out of School Settings, including Yeshiva will need to comply with local safeguarding processes and Interlink has been commissioned to work with the local Yeshiva to help develop such compliance. Given the importance of ensuring safeguarding oversight for all local children, we will continue to monitor progress.

## Recruitment and Retention of Foster Carers (2017/18)

A net gain of 12 new in-house foster carers was reported in [October 2019](#) which had reduced the need to use independent foster carers. Greater use of social media had resulted in a significant rise in enquiries which it was hoped would lead to further applications. It was noted that having a spare bedroom remained an obstacle to successful recruitment.

We noted that the Mockingbird Model had been successfully trialled and would be rolled out further to increase support for foster carers. However, we wanted to see further progress on the development of a wider package of support for in-house foster carers including housing options and discounted services (e.g. Council Tax). Whilst satisfied with progress, we requested to be updated within the annual Children and Families Service reports which we receive.





# Living in Hackney



# Housing Associations in Hackney



This review examined the **effectiveness of Housing Associations in best meeting housing need in Hackney**. Over three evidence sessions we [mapped the various types of HA](#) and how they differed and then contrasted that with the [Council's own provision looking at stock, budget and performance](#). We then examined performance on [repairs and maintenance](#) of 7 HAs and ended with an [in-depth debate](#) with senior officers from the Council's Housing Services and Revenues & Benefits joining senior reps from from Clarion, Guinness, ISHA, L&Q, One Housing, Peabody and Sanctuary.

We examined the approach to [new stock](#) and we focused on 4 key standards for Housing Associations: keeping homes safe, decent and in a good state of repair; supporting the Council to best meet local housing need and to fulfil homelessness duties; the scale and nature of development by HAs currently and the approaches they are taking to their existing stock. We also examined how they are fulfilling their social purpose roles in Hackney and what are the mechanisms for partnership working between the Council and Housing Associations and how these can be improved?

We learned that for providers the price of land, building costs and the new requirements to reinvest in compliance and safety (post Grenfell), have brought pressures on their ability to invest in developing more sites. We called on them to ensure they are making full use of the Mayor of Hackney's Housing Challenge Fund which is there to address these issues. In addition, the fast developing sustainability agenda would also bring significant cost implications for the sector. We also called on the providers to adapt their approaches to development, to meet the particular needs of an inner-city borough like Hackney, where the larger sites they generally prefer are not so readily available.



King Edward Road Estate, Hackney

We noted the need for greater sharing of information and data with the Council and the need for all parties to work more closely to achieve a greater common understanding of local housing need.

A fourth evidence session was planned for 30 April with the National Housing Federation and others to focus on the development of formal partnership arrangements, look at Housing Associations community investment, their approaches to support their residents and improving recycling on estates. This had to be postponed due to lockdown.



# Serious violence - review



In December we published the [report of our review](#) on the work of the Community Safety partners in Hackney in tackling a spike in serious violence and in particular in violence related to gang activity. A spike in such crimes and a series of murders in 2018 was one driver for our review. We noted however that while only 5% of 'knife crime with injury' offences in London were gang related, when these occurred the crimes were more violent and they were invariably a driver of other serious forms of violence. We visited and worked very closely with the Integrated Gangs Unit (IGU) on this review.

Over 4 meetings and 3 site visits we examined, for example, the criticisms, from Amnesty and others of the MPS's Gangs Violence Matrix. This is an intelligence tool used to identify and risk assess gang members. We sought assurances that people aren't added unnecessarily to it, that data is tightly managed, and that those who are on it are then protected from unwarranted poor outcomes as a result. We welcomed the IGU moving towards using a broader range of outcome measures to analyse their effectiveness.

We examined the use of special Section 60 powers of stop-and-search and examined the 2018 reductions in funding and in police numbers, providing challenge to the police on how these operational changes have impacted on capacity locally. The previous 32-borough MPS structure was replaced with 12 'Basic Command Units' with Hackney in a joint BCU with Tower Hamlets..

# Serious violence review contd.



The Recommendations from our review encompassed:

- developing better outcome measures for the Integrated Gangs Unit
- improved information management of their 'non-live' cases
- the need for greater transparency by IGU on its approach
- the need for greater representation of Children and Families Service in the IGU
- improving mental health services' referral pathways for young people into the IGU;
- greater involvement of ELFT in IGU
- asking HiH to look at post 18 mental health services for young people;
- applying the pilot study on mental health services in community settings
- how IGU cohort can be supported by Hackney Works Service
- asking SEG to explore employment and skills support for ex-offenders
- changing the name of IGU to help reduce stigmatisation
- an action plan to improve mapping
- closer working with the 'Inspirational Leaders of the YBM' programme particularly on business start ups
- need to lobby nationally to reverse the reductions to police numbers
- instigate more regular updates from Police on body-worn cameras engagement of community in training and on need to improve communications around use of S.60 powers
- Community Safety Partnership to provide annual updates on their Trust and Competence action plan.

The Executive has supported all the recommendations made.



# Resident engagement and participation



We devoted 3 sessions to this issue. In [July](#) we considered a report from **Housing Services on how they support engagement and participation for tenants and leaseholders** including via Tenant and Resident Associations and Tenant Management Organisations and on the take up of the national Community Development Fund. We examined how the team was communicating this work to residents.

In [August](#) we sent 11 recommendations on the issue to the Cabinet Member for Housing Services.

Our recommendations encompassed:

- Areas of focus for the new Residents Participation Team
- Prioritising for action those estates with relatively fewer numbers of TRAs.
- Responding to the relative size and distribution of TRAs
- Resident Led Improvement Budgets (RLIB) and how to make the resident 'walkabouts' more effective
- Ensuring improvements delivered by the RLIB process are communicated on myhackney.org in order to drive up the engagement of tenants and leaseholders
- Measures to drive the take-up of the Community Development Fund grant locally by clearly communicating the number of applications received, number and value of awards and outcomes
- A communications plan on CDF funding including via myhackney.org
- Confirmation of CDF budget
- Adopting best practice on digital engagement by learning from London Assembly Housing Committee report on this.
- On how Resident Participation Team can contribute to wider Council policies and strategies

Subsequently they commissioned the Tenant Participation and Advisory Service, an external body, to assess how HS was performing against 6 national engagement standards. We reviewed these findings in [December](#) and were updated on the planned restructure and on the development of a new Resident Engagement Strategy. A more formal response to our recommendations is promised once the internal review has been completed.

# Floods/ Hackney Carnival



## Community meeting on Thames Water's response to floods in N4 caused by burst water mains

In Oct 2019 burst water mains caused extensive flooding in the N4 area of the borough. In early January we asked Thames Water to come and account for their ongoing poor performance of the water network in Hackney. We devoted a full meeting to the issue and took it into the community there holding it at Parkwood Primary School. This item followed earlier items by us in 2018 following similar serious flooding in Leabridge ward.

We debated with Thames Water reps the causes of the flooding, the emergency communications plans, the temporary re-housing plans, the insurance issues, whether sufficient support was given by housing providers and complaints about the quality of the refurbishment on damaged properties. We also heard from the regulator, Ofwat, on the serious concerns they had had with Thames Water's overall performance and about the fines paid for breaches of obligations. We challenged them on how improvements previously agreed had not been acted upon including reviewing the discretionary payments policy. We continue to monitor progress.

## Hackney Carnival

We devoted a separate special meeting in January to the challenges and opportunities presented by the success of Hackney Carnival. We heard directly from children of Morningside Children's Centre and School on their role. We then examined the logistics of the event, the benefits to the borough and its impact assessment and debated the issues with the Cabinet Member, the Chief Exec, the Culture Team, a rep from Arts Council England (ACE) and a wide range of the groups taking part: Uprising, St Joseph's Hospice, Taru Arts, Tropical Isles and Jun Mo Generations.



While we noted it incurs high costs for the Council it generates huge social benefits in return e.g. civic pride, community cohesion and engagement of diverse groups. We asked whether more could be done with ACE to provide an analysis of the social impact of the carnival in monetary terms to help inform future plans. We noted that the priority for all was to maintain the Carnival as a local event, to continue to support more vulnerable residents to be involved and to seek involvement from a wider range of community groups. We welcomed how the multi-cultural nature of the event represented the best of Hackney and we asked organisers to be more pro-active in approaching schools, youth groups, community groups and tenants associations who hadn't been involved in the past, in order to broaden participation and embed the Carnival more as an event for everyone in Hackney.

# Housing issues/ 'Prevent' update



## Role of Community Halls in promoting resident engagement

In an offshoot from our resident engagement investigations we wrote to the Cabinet Member asking for an update on improving the accessibility of our community halls. We subsequently considered a briefing from Housing Transformation and ICT on their own Review of Community Halls. We noted that there was a common perception that community spaces were generally underused and difficult to access. As community champions Members were aware of the barriers impacting usage.



We looked at the assets involved (87 in total); the costs, the levels of usage, the condition of the spaces and their geography in relation to one another. We examined the management arrangements in place, which we learned can differ according to the party managing them. We discussed the many current barriers to driving up usage e.g key holders often being elderly/vulnerable etc and discussed ICTs involvement here including establishing an effective online bookings system for them. We will revisit the issue after the internal review has been implemented.

## Management of asbestos in Council homes

We were briefed by Housing Services on the history, processes and procedures in place for the management of asbestos. We sought reassurance about the quality assurance in place on subcontractors here. On ex Council properties, we learned that solicitors acting on behalf of people buying ex Council homes would request both asbestos and fire safety certificates from the Resident Safety Team. Following our discussions we called for greater direct delivery of quality assurance of asbestos works, for greater publicity around asbestos, and for Housing Services to make information on asbestos surveys more readily available.

## Update on the Prevent programme locally

Prevent is the Home Office programme on preventing vulnerable people getting involved in terrorism and/or becoming radicalised. Hackney's designation means it's assigned 3 officers for the programme who use a multi agency approach to work with the community and key local partners. We discussed ways of ensuring that the work is proportionate so that local Muslim communities do not feel unfairly and unduly targeted.



# Skills, Economy and Growth



# Developing the local economy



## Review on 'Making the local economy work for Hackney'

All levels of government are under pressure to find economic solutions that spread prosperity, opportunity and reward more fairly. Our review aimed to better understand how we can make the local economy work for Hackney and its residents so that it benefits everyone

Our core questions focused on jobs, education/training and community cohesion. Insight was gathered from the Hackney Quest – Through Young Eyes report, but we thought it imperative to also gather evidence first hand from the community and so we held an evidence session with Hackney's Night Czar, and a variety of restaurants and late night retail businesses including the Arcola Theatre, Hackney Empire, Rio.

Our 20 recommendations primarily dealt with: the need for continual analysis of the borough's needs & how information is gathered; delivering work opportunities specific to the borough; supporting local businesses to facilitate opportunities for residents in a fair way and on how communications and engagement can be harnessed to be ahead of the changing work environment e.g. an expected uptake in education, training and skills.

Our review ran parallel to the Council consulting on and then adopting in November a new Inclusive Economy Strategy for Hackney. This fed into our work.



SEG Commission stakeholder meeting

Since our review, the UK has experienced the Covid-19 pandemic with both the UK and local economy severely impacted. We recognise the local economy changed considerably during the pandemic and of course in the aftermath it will have altered considerably. As a result, we propose to now look at the impact of Covid-19 on our local economy and explore the practical support businesses will need for rebuilding and recovery.

The executive response is expected later this year.



# Developing the Inclusive Economy Strategy



## Development of the Council's Inclusive Economy Strategy: Consultation on Inclusive Economy Strategy

The development of the Council's Inclusive Economy Strategy was in tandem to the Commission's review *Making the Local Economy work for Hackney*. As part of understanding the development of this key Strategy we heard from reps of the Cabinet Office Business Partnerships Team on the inclusive economy partnerships being developed both locally and nationally. Our review fed into the development of the Strategy and we asked them to address how they plan to integrate adult learning with employment and skills; how to better connect residents into local labour markets and how residents are being prepared for the future. In June we debated these issues with the two Cabinet Members as well as the senior policy leads in the Council. The engagement sessions for our review e.g. business conference and with stakeholders who are key to building an inclusive economy fed into the evidence base. A key contribution from the Commission was bringing in the voice of the community and the Commission's contribution was greatly welcomed.

The core themes in the strategy mirrored our work over the past year. Those leading on the Strategy encouraged us to submit a formal response to the consultation, to share the findings and recommendations from our review and to hold a workshop session with officers during the consultation period.



The Hackney Works Opportunity Hub in Hoxton

# Towards a greener, fairer economy



## A Just Transition to a greener, fairer economy

We began in February on this topic with a scoping meeting to help us narrow down and identify key areas of focus for a possible review. The three main factors driving the necessity for a so called just transition are:

- the need for employment justice;
- socio economic demands changing as the greener economies come to the fore
- the knock-on changes in industries which are affected by the shift to greener and fairer economies.

We debated with the Cabinet Member for Energy, Waste, Transport and Public Realm as well as senior representatives from both the Trades Union Congress and LSE who have been working on this problem for 4 years already.

We were guided by how the TUC has framed this debate and we decided therefore to narrow down on the lack of a proper strategic response to SMEs on this and how a 'just transition' can dovetail with the rapid pace of digital change in our economy.

We heard how large employers and anchor institutions in the borough could be encouraged to sign up to a 'just transition' agreement for their workforces via trade unions where these exist. Our experts were calling for government investment to deliver the change through progressive taxation. They also suggest establishing a cross party commission with unions, affected workers, industries and consumers to discuss priorities, concerns and fears so they can be addressed collectively. They also highlighted support for public services and this could be in relation to tackling extreme weather events or delivering greener public transport. They also focused on equalities considerations because, for example, women are less likely to own cars and use public transport. The TUC also stresses that the newly created jobs must be of good quality.

Further discussions about how to implement Just Transition was planned for 20/21 however it was delayed due to the pandemic. The discussions around greener, fairer economy will form part of the 'Building Back Better' items which we plan around strengthening the local economy post-COVID. The information will be crucial to ensuring policy discussions reflect the diverse needs of the community and reflect as many seldom heard voices as possible.

# Future of the Night Time Economy



## Hackney Council's Vision for the Night Time Economy

In June we debated the cumulative impact of various policies on nightlife in the borough. This led to us holding in October a 'Night Time Economy Summit' in the community at Yum Yum restaurant in Stoke Newington. The aim was to engage directly with residents and business owners. We discussed what an inclusive night time economy might look like; whether the current night time economy was sustainable and what the impact was on the environment and how we might secure sustainable jobs from this sector locally. We heard concerns about exclusion of older and vulnerable groups of residents and those with disabilities from the current night time economy. We heard about the impact on crime levels. We heard calls for an increased presence of arts and culture in the mix, for better utilisation of green spaces and community facilities and also for an increased police presence. Another theme was the need to make businesses and social enterprises more affordable and therefore more accessible to a greater range of residents. There are, inevitably, conflicting interests between businesses and local residents here, so the partnership working between the Council-residents-business owners must be robust if positive change is to be achieved.

The availability of jobs in the night time economy formed a core part of discussions. There was a call for the Council to develop and maintain strong relationships with local venues in order to cultivate the support and training of staff working at night and in so doing to ensure considerate behaviour from venues.

Participants also voiced concern that jobs may not be visible to residents and voiced a need for the Council to work actively towards ensuring that these jobs are well signposted to negate the risk of jobs going primarily to those who live outside the borough.



Our Night Time Economy Summit

We all agreed that the various positive changes being suggested had a common thread running through them about 'inclusivity'. We urged that at all times any steps taken here must incorporate the need to improve workforce diversity and boost social inclusion at the same time. This will be a key part of our ongoing discussions in 20/21 about how to "build back better" and move towards a greener, fairer, and more inclusive economy. The night time economy is a key part of this.



# Cabinet Question Time Sessions



## Cabinet Member for Employment, Skills and HR

During this session we questioned the Cabinet Member on the apprenticeship programme and post-18 skills and adult learning including how the scheme is benefiting small and medium sized enterprises and what the uptake is. We learned that a range of businesses have signed up to the local Business Network covering educational, performing arts and adult social care sectors. They themselves will look at the quality of employment, the number of business that join the network and the outcomes. There will also be a useful dashboard produced from their own internal monitoring.

We learned about the Apprenticeship Network and how the Council wants to drive up the quality of apprenticeships by working with local businesses across the borough to share best practice. We argued for criteria on the percentage of local Hackney apprentices as opposed to just London wide so that local monitoring can be put in place and local impact assessed.

## Cabinet Member for Planning, Culture and Inclusive Economy

During this discussion the Cabinet Member invited the Commission Members to input to the officer discussions on shaping the future structure of the Community Infrastructure Levy (CIL) allocations, how it might be better monitored and how income might be best used for the community's benefit. We wanted to ensure for example that the allocation of CiL and Neighbourhood CiL have criteria that are transparent, that the application process is communicated clearly to all residents and that there is Member as well as officer involvement in the process. We wrote to the Cabinet Member to ask him to confirm the role Scrutiny Commission members will play during the development period to ensure our efforts are noted and that we're included in the methodology.

We discussed how community assets and key local cultural events such as the Hackney Carnival might be better used to strengthen relationship between the council and local businesses. We discussed the important work of the Regeneration Team in ensuring the correct mix of businesses to best serve actual local needs. We also had discussion about the new commercial owners for Hackney Walk in Morning Lane. Following the meeting the Cabinet Member undertook to write to us about how our role in the process might be enhanced by providing Member oversight to the key policies and strategies within his remit.

# Recruitment/Hackney Young Futures



## Cost of Living and Public Sector recruitment

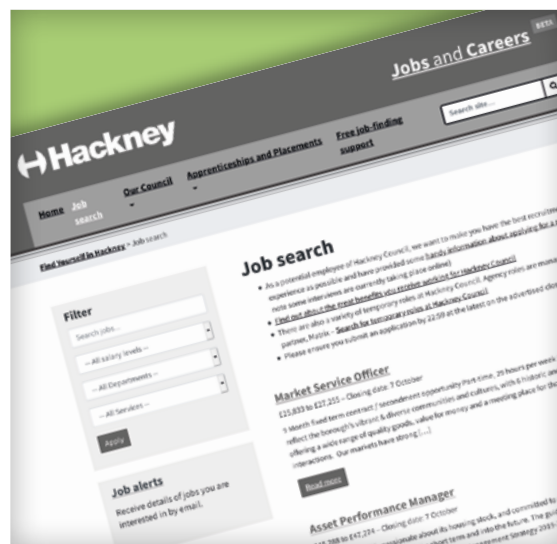
We debated with the Cabinet Member for Employment, Skills and HR workforce issues within the council including whether the workforce is reflective of the borough's diversity and if local quality housing is affordable to staff. We also debated Recruitment and Retention within the Council and the cost of living and the economic drivers impacting on recruitment. We examined possible solutions including improving benefits packages and having a market supplement scheme to ensure the council can compete with the wider market in terms of remuneration.

We explored how the Council was going about filling gaps in the workforce and how it was tackling particular challenges in recruitment. It was noted that the council's workforce is older than the profile of the wider borough and that there is a lack of diversity in senior management positions. We heard how they are committed to championing the practical actions that need to be taken to address these disparities and the broader diversity of our workforce. We encouraged the Council to explore setting up its own definition for a key worker to ensure that the discussions didn't exclude key staff.

## Hackney Young Futures' young people feedback

We made a particular effort this year to hear more seldom heard voices including young people, thus continuing in our ongoing commitment to engaging better with younger residents and reflecting their views in our work. We did this by working with the Hackney Young Futures' Commission. This is made up of a range of young people from different backgrounds who all have different experiences of living and growing up in Hackney.

They had carried out an extensive 6 month consultation with local young people aged 10-25 yrs and had collected 2400 responses. We discussed the findings of their research with their Chair at our October community engagement meeting, held as part of the 'night time economy' discussions (outlined above).



# Health in Hackney



# Homerton Hospital items



## Homerton Hospital's outsourced contract with ISS and wage dispute

Councillors, residents and unions raised concerns with us about a pay dispute at HUHFT relating to staff employed by ISS the subcontractor which provides **catering, portering, cleaning and security services**. A large number of ISS staff who had not been TUPE'd from the previous contractor, or who had joined subsequently, were not being paid London Living Wage and were not receiving occupational sick pay for their first three days of illness. We debated with the stakeholders and explored with the Chief Executive the potential for insourcing in the medium term. She undertook to report back in 3 months on progress made with ISS. Later in the year this issue came to a head when we held the Trust to account at an [urgent meeting](#) on its rather hasty decision, in the context of the Covid-19 pandemic, to renew the ISS's contract for 5 more years. We won the argument about the need to ensure all ISS staff receive the same sick pay terms and conditions as their colleagues (something vital during a pandemic) and we've begun a debate with HUHFT on in-sourcing such key functions.

## New Pathology Partnership between Homerton, Barts Health and Lewisham and Greenwich Trusts

An ongoing issue for some years, local health activists, some GPs and the unions at HUHFT claimed to us that this change represented a gradual downgrading of the Homerton's Path Lab which is highly regarded by local GPs. The Chief Exec explained to us that, following a nationally mandated plan to create 'pathology networks', HUHFT had secured a partnership with Barts Health and Lewisham Trusts. The three Trusts would jointly share the benefits and risks and each partner would have equal votes and a veto on decisions. Upgrading the Homerton's own Pathology facility, which some argued for instead, would require significant investments in IT so this plan, in her view, would give added resilience to all three organisations. Critics remained unconvinced that the quality of the highly regarded local service could be maintained in the merged service. The full implementation of the plan is currently on hold due to Covid-19 but we are sure to revisit it.



# Homerton Hospital contd.



## Overseas' Visitor Charging Regulations at HUHFT

Last year, councillors, local GPs and the Hackney Migrant Centre (HMC) asked us to investigate concerns about how the Homerton Hospital was implementing the government's regulations on charging overseas visitors for treatment. Only UK residents are entitled to free NHS services and everyone else was receiving letters requesting evidence of proof of entitlement, warning them of impending charges and they were then receiving invoices for non-urgent care. This ran the danger of driving underground, many undocumented migrants with a serious health need. It particularly hits those with 'No Recourse to Public Funds' who are generally destitute and so could never pay in any case. Having any debt with the NHS also prevents this cohort from ever securing residency and so it's a major deterrent from seeking necessary medical treatment. This can also pose a public health risk.

With evidence from HMC we lobbied the Secretary of State and received a detailed response from Minister of State, Baroness Blackwood. We invited the HUHFT Chief Nurse and the Chair of HMC to discuss the response and we received undertakings from HUHFT that they would change their processes and communications and would work more closely with HMC from now on in managing the impacts. We asked for further data on costs vs income generated and on how the deterrent effect was being measured.



## Our response to HUHFT's draft Quality Account 2018/19

Every NHS Trust has to submit to NHSE an annual Quality Account and has to seek input from the local health scrutiny committee to it. We responded by letter and then invited the Chief Executive and Chief Nurse to attend a meeting to discuss the issues we raised in our letter. We discussed among other things the reasons behind the overspend on elective surgery, the low number of staff appraisals and the poor take-up of training.

# Mental health items



## Relocating older adult mental health wards (dementia and challenging behaviour) from Mile End Hospital to East Ham Care Centre

East London Foundation Trust (ELFT) consulted us on proposals to consolidate all older adult in-patients beds for patients with behavioural and complex psychiatric symptoms of dementia, across East London, into one ward at East Ham Care Centre. This particular plan envisaged that patients currently in Thames Ward at Mile End hospital be consolidated within



East Ham Care Centre

Sally Sherman Ward in East Ham. The Commission had considered similar proposals in the past relating to moves out of Orchard Lodge in Homerton and into Mile End. Initially unhappy with the proposal in [Nov](#) we decided not to endorse but following site visits and considering a revised report in [Jan](#) we endorsed it subject to undertakings about provision of transport for families and the involvement of Healthwatch to monitor progress. Since then, Covid issues have resulted in a need to move further beds to East Ham Care Centre and this was agreed in an urgent meeting in [July](#). We've asked ELFT to provide a commitment to a fuller and more widespread stakeholder and public consultation if this becomes a permanent move.

## Proposals from ELFT on transformation of Community Mental Health

ELFT had been awarded funding from NHSE to undertake a radical redesign of community mental health services arising from a new and mandatory national framework. For 20% of the patients whom ELFT support the delivery happens in Primary Care with 80% in secondary care and the aim was to shift this around. This would represent a huge change of focus to localise and target mental health support into Primary Care.

We challenged them on what medical evidence there was that this would be an improvement for patients and on the impacts on minority ethnic groups where the outcomes remain poorer. We also debated the ongoing problems with both CAMHS and the transition of young people with mental health issues into Adult Services. We challenged ELFT on the need for closer liaison with the Gangs Unit and also the Met Police on certain aspects of this mental health plan. Monitoring of this will form part of our challenge when receiving updates on the Neighbourhoods Programme.



# Integrated Care System for NEL



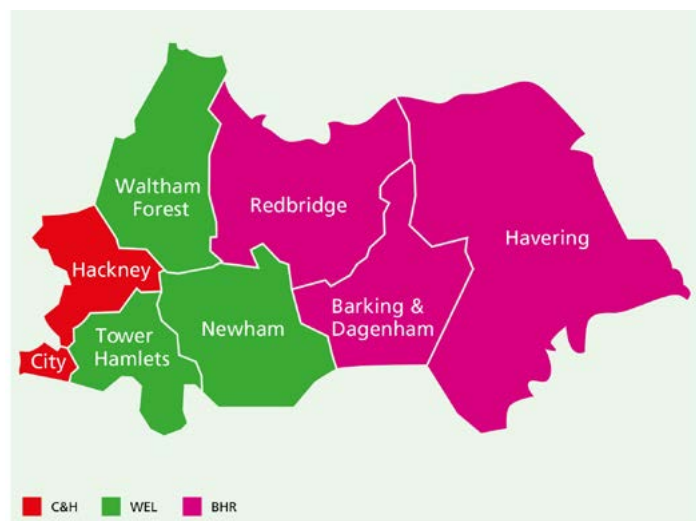
The East London Health and Care Partnership is our **Integrated Care System**. It comprises 8 boroughs, 7 CCGs clustered into 3 sub-systems and 3 large acute trusts (Barts, Homerton, BHR). The 3 subsystems are: City and Hackney, WEL (Waltham Forest, Newham and Tower Hamlets) and BHR (Barking & Dagenham, Havering and Redbridge).

## City & Hackney's response to the NHS Long Term Plan

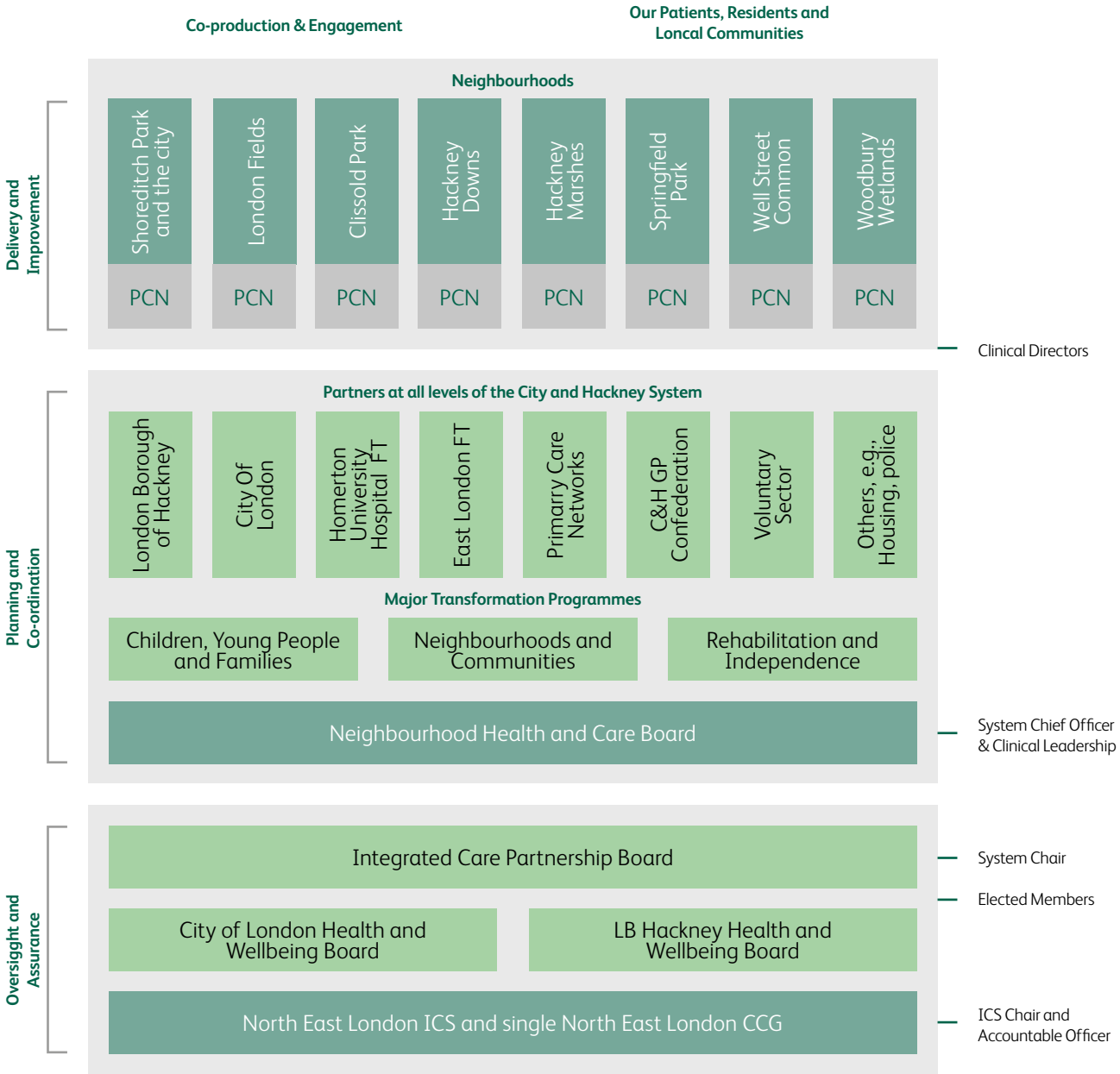
The NHS Long Term Plan (LTP) published in Jan 2019 set out a 10 year vision for the transformation of health and care in England, and a strategy for 'a new service model for the 21st century'. Each ICS area was required to submit a signed-off response by September detailing how they planned to implement it. C&H's plan was complementary to the ICS response. It both fed into it and responded to it. In a number of discussions on the LTP and the plans for the ICS we held local health leaders to account on concerns about centralisation and consolidation of services, on direction of funding flows and on a perceived lack of democratic accountability at local level in these new sub-regional structures.

## Integrated Care System for North East London - and the future of the north east London CCGs

In [Sept](#) we debated with the CCG and Keep Our NHS Public the plan to merge the NEL CCGs. The NHS made a strong case that having Providers at the table would now make the system more integrated and accountable. We argued that making savings on administration alone would not trump the loss of local accountability which these changes would incur. We questioned the lack of local public discussion or of any formal public consultation. We argued that under the merger the distinct legal duty to City & Hackney residents would end, potentially weakening local accountability and shifting decision making further away. In [Feb](#) we debated further with the Council and CCG Finance Directors and GP Confederation and asked the CCG to return with assurances about the constitution and governance of the new ICS. Covid-19 has delayed matters but we've asked the CCG to return with a briefing prior to the local CCG Members voting formally on the merger in October 2020. The new ICS will go live 1 April 2021. This will be a key agenda item for both HiH and INEL this autumn/winter.



# City and Hackney Integrated Care Partnership: Model



# Older People Care



## Development of Hackney's Ageing Well Strategy

This arises from a Mayoral manifesto commitment. The purpose of the Strategy is to ensure that Council policies are age-friendly, that community partnerships recognise the distinct interests of older people, that barriers relating to access and attitudes are removed and that some creative and innovative proposals for older people are developed with stakeholders and with the older people themselves. We questioned officers on Dementia Friendly aspects, on issues with Dial-a-Ride, on engagement with seldom heard groups on how co-production of this Strategy was being conducted. We invited officers back with a "You Said –We Did" update.

## Briefing on new assistive technologies in social care

We explored with Adult Commissioning what was being done to increase the use of assistive technology in adult social care services. We learnt that the key point of the activity was to ensure that the Council, in its purchasing of systems, was not held to a standard led by the technology industry but rather instead focused on local patient need. We also sought reassurances that the technologies would not be used in an oppressive way e.g. tracking people unnecessarily or impinging on their privacy or dignity.



## Review of the Legacy Plan for Connect Hackney

Connect Hackney's role is to improve the wellbeing of residents aged 50 and over by reducing or preventing loneliness and isolation. The £5.8m six-year programme, one of 14 such programmes nationally, is funded by The National Lottery. While Connect Hackney has been leading the way with this work since 2015 these issues require a long term, sustainable approach. In December we discussed with the programme director their Legacy Plan and the vital need for commitments from all the local public bodies to these activities beyond March 2021, when funding ends. We reviewed the achievements, learning and legacy objectives of the Connect Hackney project. A notable issue to emerge was how VCS orgs struggle to find innovative ways to support people who need help to leave their homes to attend activities because funders are reluctant to fund the transport element. This has proven self defeating as uptake is then low.

Having a sustainable service after the Project is a key concern for us so we asked for more detailed data on closing outcomes (not yet available in Dec) and we intend to monitor how this develops.

# Community Services/ Intermediate Care Beds



## Re-design of the Community Services contract

We heard from Integrated Commissioning Board reps on plans for a new Neighbourhoods and Care Service which will, in part, replace the current 'Community Health Services' contract with the Homerton which was to end in March. It's led by a provider alliance and the aim is to help avoid patients having to attend at a number of locations and to break down the health-social care division in delivery of services to patients. We questioned them on how this will work and in particular on the procurement, as no other providers had bid, and also how it would dovetail with the IAPT service and with similar contracts held by VCS organisations in the borough.

## Update on Intermediate Care Beds

An ongoing issue for us since closure of Median Rd Care Centre as an intermediate care setting. This update explained how demand had been reduced because of the success of the work of the Integrated Independence Team. Now only 2 to 4 "step-up" beds are required and these are spot-purchased at a centre in St Pancras and so a separate new residential unit was deemed as not justified. We challenged officers on the possible erosion of patient choice here. We also noted that the underspend was invested in a new 'Discharge to Assess' approach which they claim is proving successful and on much closer work with Community Care services.

# Sexual health services/ 'Housing with Care'



## Sexual and Reproductive Health Services provided in GP Practices

We were asked by the Local Medical Committee (local BMA branch or GPs 'union') to support them in concerns they had about having to implement changes to sexual and reproductive health services which are provided in GP Practices. This arises from a new contract for these services which is commissioned from Public Health and delivered by the GP Confederation. A complex renewal process of this 5 year contract had been unsatisfactory for some GPs and LMC argued that the contract was "over complicated, under funded and undeliverable". We listened to Public Health and the GP Confederation's response and worked through the issues with the partners, encouraging them to renew their efforts to resolve the situation. The issue highlighted again the complexities of closer integration of services.

## Housing with Care Service Improvement Plan

Adult Social Care and Healthwatch Hackney returned to us with an update on the improvement plan on the Housing with Care Service which is provided in-house by the Council. The service had failed a CQC inspection in Jan 2019 and we considered both the CQC's re-inspection report and Healthwatch Hackney's own report from Sept. They had been called in by the Council to support the improvement programme.

The service supports 222 people in 14 schemes located across the borough which provide care to people in 'supported living' enabling them to live in their own homes as independently as possible. We analysed progress on the Action Plan and challenged them on the sustainability of this improvement programme once the immediate urgency of turning around the poor rating had passed.

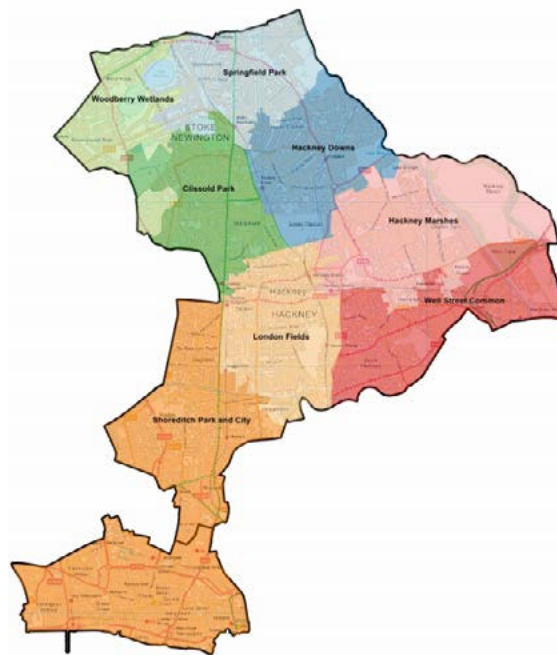


# Primary Care Networks/ Aligning eligibility criteria in NEL



## Developing our 8 Primary Care Networks

We continued to challenge the GP Confederation and the CCG on the roll out of the 8 new Primary Care Networks, called the [Neighbourhoods Development Programme](#) and questioned them on how such ambitious plans for integration of so many services would work. We also dealt with concerns brought to us about the national [service specifications](#) for these, which the government then, mostly, dropped.



## [Aligning some commissioning policies across NEL](#)

The NHS in north east London was consulting on changes to eligibility for some procedures which will no longer be routinely offered free by the NHS. It was trying to achieve clinical consensus on the policies for these 12 specific medical procedures. The problem was that the policies overlapped at each level of the NHS and some were now out of sync with best clinical practice. Where NICE guidance didn't exist for a procedure they were trying to better align policies in place across the NEL patch. This produced winners and losers. Some critics accused them of using this opportunity to ration services and so we heard from commissioners (at CCG and NEL levels) on their rationale for making the changes. Some local GPs challenged them on how they could ensure patients (many older and vulnerable) would not be worse off as a result and we also challenged the claims by the NHS that cost savings weren't the driving factor here.

# Review follow-up/ Annual updates



In 2018/19 we did a full review on [Digital First Primary Care and the implications for GP Practices](#) It overlapped to July '19 but was covered in last year's report. However because of Covid-19 all primary care suddenly has to be digital first only and so the landscape has changed considerably. In our conclusions we asked for a single NEL approach to mobilising the roll out of digital primary care, which hadn't been there at the time. We also asked for more leadership to be shown in order to ensure more clinical and managerial buy-in to these new ways of working. We argued that there is a significant job to be done in selling the many benefits of digital approaches and to challenge suspicions that these developments are about saving money or cutting jobs. We argued that genuine concerns about surveillance and data capture by the commercial companies involved, or about the overall risk of destabilisation of the system by 'disruptors' from the private sector (e.g. GP at Hand) needs to be responded to. We argued that concerns about safety, once carefully planned local care pathways are severed, and about misleading advertising of services must also be faced head-on if 'digital first primary care' is to be a success. The new Cabinet Member will report to us in Nov with an update one year on.

We also invited our key stakeholders to present the following regular reports and discuss the progress made:

- [Unplanned Care Workstream of ICB](#)
- [Prevention Workstream of ICB](#)
- [Children & Young People & Maternity Workstream of ICB \(joint session with CYP Scrutiny Commission\)](#)
- [Healthwatch Hackney Annual Report](#)
- [City and Hackney Safeguarding Adults Board Annual Report](#)
- [Hackney Local Account of Adult Care Services](#)

Planned Care Workstream update was postponed in March due to Covid and will be presented in Sept.

# Inner North East London



Joint Health Overview & Scrutiny Committee





# What INEL JHOSC does



INEL comprises 3 councillors each from Newham, Tower Hamlets, Hackney, Waltham Forest and 1 from City of London. Its role is to **scrutinise cross borough proposals by the NHS** in their North East London ‘STP’ now known as the East London Health and Care Partnership. Another JHOSC for Outer North East London covers Barking & Dagenham, Havering and Redbridge.’

This year the Committee covered the following issues:

Waltham Forest became a full member during this year and Redbridge took Observer status on the committee.

## Moorfields Eye Hospital re-location to Kings Cross

Moorfields Eye Hospital consulted INEL on its plan to move the hospital from its current location on City Road to a new building just north of King’s Cross-St. Pancras. The rationale for the move is that the current Victorian era building is no longer fit for purpose. Members went on a site visit of the current site and heard about the development plans and how care pathways have changed so considerably.

## New Cancer Diagnostic Hub at Mile End Hospital

INEL considered the plans for a new Early Diagnosis Centre for liver and gastro-intestinal cancers for north east London. Opening in May at Mile End Hospital it’s a major joint project between Barts Health, BHRUT and HUHFT and aims to turn around the historic poor patient outcomes for these conditions locally.



# Other items at INEL



## New joint Pathology Service across NEL

INEL challenged senior NHS reps on the full business case by Barts Health, Lewisham & Greenwich and the Homerton Trusts to develop a **joint pathology network** between them. Barts will host and Royal London will be the new 'hub' lab. This controversial plan has been discussed at Health in Hackney on a number of occasions as locally some fear a downgrading of the current provision at HUHFT.

## An Integrated Care System and single CCG for NEL

INEL continues to hold local NHS to account on the rapidly evolving plans to merge the 7 NEL CCGs into one and to further develop a local **Integrated Care System** as mandated in the NHS Long Term Plan. NHS maintain the opportunities for proper integration of care, streamlining and efficiencies far out weight any challenges but the Committee continues to raise concerns about transparency, accountability and in the perception that control of local funding shifts upwards.

## NEL response to The NHS Long Term Plan consultation

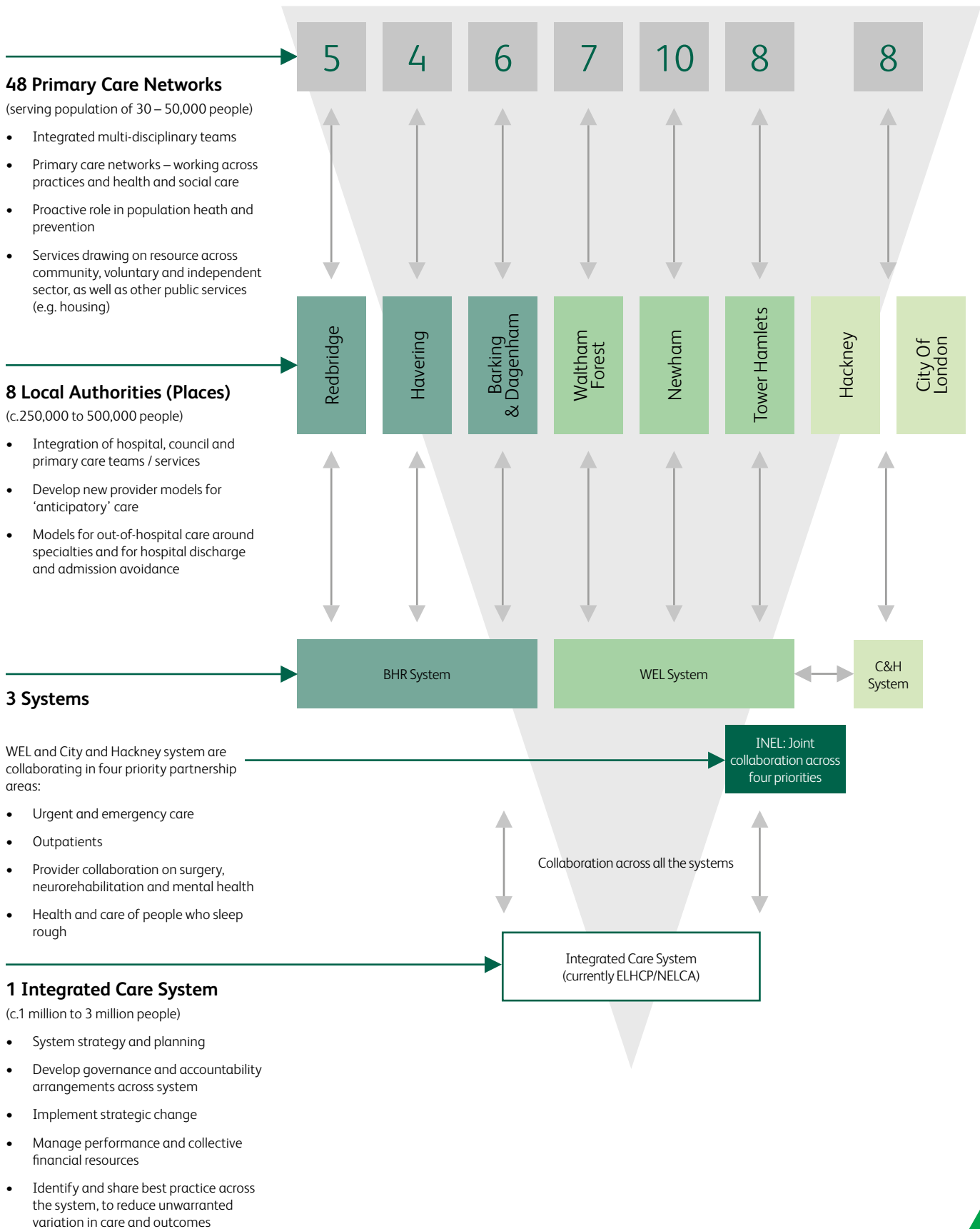
In [Sept](#) and [Feb](#) Members questioned the East London Health and Care Partnership leadership on its draft response, on behalf of the sub-region, to the government's new NHS Long Term Plan and the local Strategic Delivery Plan which will significantly re-shape local services over the next decade.



# NEL ICS - wider context



## City and Hackney as part of the integrated, collaborative health and care system in North East London



# The Review process



# How we identify topics



The Commissions' work is divided between **single meeting** items, **mini reviews** (over 2 or 3 meetings) and a **Full Review** with items over perhaps a 6 month period as well as site visits. The pressure on agendas and the need to be both responsive and topical means that, of late, in-depth reviews have taken second place to the need to look at a number of short topics over the year. Each Commission tries to achieve a balance of giving sufficient space to an issue to be effective and productive while trying to cover as many areas as is possible over the course of the 8 scheduled meetings.

Commissions in their overview role have to consider a number of **fixed annual items** such as: CYP (Schools Achievement, Children's Social Care, Safeguarding Children's Board annual reports); or Health in Hackney (Safeguarding Adults Board, Local Account of Adult Services and Healthwatch annual reports as well as Quality Accounts of local NHS providers and national consultations e.g. the NHS Long Term Plan); or Living in Hackney (the annual Community Safety Plan).

At the start of the municipal year each Commission **writes to all its own key stakeholders**, the relevant Cabinet Members, relevant Directors and requests suggestions for topics. They are also influenced by issues in the **media**, issues coming up through **Member surgeries, performance reports** on local services e.g. poor CQC or Ofsted ratings, concerns of local third sector, community groups, TRAs, local health or schools campaigners etc They are also influenced by the need to ensure the **manifesto commitments** of the Mayor are being delivered and the priorities of backbench councillors as well as the need for the borough to respond to or be ready for a major **change in the law or new government guidance** which might have significant local impact. All of these are weighed and the Commission tries to come up with a balanced programme of work leaving space to be able to respond to **urgent issues** (a health crisis, floods etc) which will demand their focus and attention.

Each Commission runs a **Cabinet Member Question Time** session with their relevant Cabinet Members where they are held to account. The Mayor's CQT sessions are held by Scrutiny Panel. Scrutiny Panel as well as ensuring no overlap of the work of Commissions also looks at cross cutting issues in single items and requires the Cabinet Member and Group Director for Finance and Corporate Resources to present regular updates on the budget and the Overall Financial Position of the Council.

# Lifecycle of a Review



## Suggesting the topic

Suggestions come from a variety of sources such as: Members own areas of interest, residents' surveys, performance data, and 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 Full Council, 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.



# Memberships 2019/20



## Scrutiny Panel<sup>1</sup>

Cllr Margaret Gordon (Chair), Cllr Ben Hayhurst, Cllr Mete Coban, Cllr Sharon Patrick, Cllr Sophie Conway, Cllr Sade Etti, Cllr Yvonne Maxwell, Cllr Polly Billington

## Children and Young People

Members: Cllr Sophie Conway (Chair), Cllr Margaret Gordon (Vice-Chair), Cllr Sade Etti, Cllr Ajay Chauhan, Cllr Humaira Garasia, Cllr Katie Hanson, Cllr Clare Joseph, Cllr Sharon Patrick, Cllr James Peters and Cllr Clare Potter

Co-optees: Graham Hunter, Justine McDonald, Luisa Dornela, Shabnum Hassan, Jo Macleod, Ernell Watson, Shuja Shaikh, Michael Lobenstein, Aleigha Reeves, Clive Kandza and Raivene Walters

## Health in Hackney

Cllr Ben Hayhurst (Chair), Cllr Yvonne Maxwell (Vice Chair until March) Cllr Peter Snell, Cllr Deniz Oguzkanli, Cllr Emma Plouviez, Cllr Patrick Spence and Cllr Kofo David<sup>2</sup> plus 2 vacancies<sup>3</sup>

## Living in Hackney

Cllr Sharon Patrick (Chair), Cllr Sade Etti (Vice-Chair), Cllr Anthony McMahon, Cllr M Can Ozsen, Cllr Ian Rathbone, Cllr Penny Wrouth and Cllr Anna Lynch

## Skills Economy and Growth

Cllr Mete Coban (Chair), Cllr Polly Billington (Vice-Chair), Cllr Richard Lufkin, Cllr Sam Pallis, Cllr Steve Race and Cllr Gilbert Smyth

<sup>1</sup> Vice Chair position reserved for opposition party. Held vacant. The Panel comprises the 8 chairs and vice chairs from the 4 Commissions.

<sup>2</sup> Replaced Cllr Tom Rahilly in March.

<sup>3</sup> One to replace Cllr Yvonne Maxwell (Vice Chair) who stepped down in March to become a Mayoral Advisor



# INEL Membership 2019/20



## Newham

Cllr Winston Vaughan (Chair)  
Cllr Anthony McAlmont  
Cllr Ayesha Chowdhury (also Chair of Newham HOSC)

## Tower Hamlets

Cllr Gabriella Salva-Macallan (Joint Deputy Chair)  
Cllr Kahar Chowdhury (also Chair of Tower Hamlets HOSC)  
Cllr Shad Chowdhury

## Waltham Forest

Cllr Nick Halebi (also Chair of a Waltham Forest HOSC)  
Cllr Richard Sweden (also Chair of a Waltham Forst HOSC)  
Cllr Umar Ali

## City of London

Common Councilman Michael Hudson  
(Substitute: Common Councilman Christopher Boden)

## Hackney

Cllr Ben Hayhurst (Joint Deputy Chair) (also Chair of Hackney HOSC)  
  
Cllr Yvonne Maxwell  
  
Cllr Patrick Spence

## OBSERVER: Redbridge

Cllr Neil Zammett (also Chair of Redbridge HOSC)

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**AMENDMENT TO HACKNEY HEALTH AND WELLBEING BOARD TERMS OF REFERENCE**

<p><b>COUNCIL</b> 21 October 2020</p>	<p><b>CLASSIFICATION:</b> Open</p>
<p><b>WARD(S) AFFECTED</b> All</p>	
<p><b>GROUP DIRECTOR</b> Tim Shields, Chief Executive</p>	

## **1. SUMMARY**

- 1.1. This report asks Council to approve minor amendments to the terms of reference for the Hackney Health and Wellbeing Board.

## **2. RECOMMENDATIONS:**

- 2.1. Council is recommended to:

**Approve the amended Terms of Reference for the Hackney Health and Wellbeing Board (as set out in appendix 1)**

## **3. BACKGROUND**

- 3.1. The Hackney Health and Wellbeing Board was established by full Council on 20 March 2013. This fulfilled a statutory requirement as set out in the Health and Social Care Act 2012.
- 3.2. Health and Wellbeing Boards are strategic and multi agency partnership boards, with a responsibility to promote integration between health and social care. Health and Wellbeing Boards bring together local authorities and Clinical Commissioning Groups (CCGs) for a specific geographic area. For the London Borough of Hackney, this is the Council and City and Hackney CCG. The Board also includes a number of statutory and non-statutory partners, including representatives from Healthwatch, the Metropolitan Police and the Homerton University Hospitals Trust.
- 3.3. The role of Health and Wellbeing Boards has evolved since their inception in 2013, but their primary responsibilities remain the improvement of commissioning of health and social care services, and improving the health of the local population. In order to maintain its strategic focus, the Hackney Health and Wellbeing Board reviewed its terms of reference on 16 March 2020. It considered a group of amendments that will help refresh its purpose and approach, while clarifying its core statutory functions. The proposed changes are set out in **appendix 1**. These require the approval of the full Council before the amended terms of reference can be included in the constitution.

## **4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES**

- 4.1 There are no specific financial implications arising from the report or its recommendations.

## **5. COMMENTS OF THE DIRECTOR OF LEGAL**

- 5.1 There are no specific legal implications arising from the report or its recommendations.



## APPENDICES

Appendix 1 - Proposed Terms of Reference for the Hackney Health and Wellbeing Board

### **BACKGROUND PAPERS (as defined by Local Government (Access to Information) Act 1985)**

None.

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## Health and Wellbeing Board

The Hackney Health and Wellbeing Board is a strategic, multiagency partnership board, established under the Health and Social Care Act (2012). It brings together the local authority and clinical commissioning group (CCG) for the borough, with local Healthwatch and other partners, in order to improve the commissioning of health and social care services and improve the health of the local population. Alongside its duty to improve commissioning of these, the Board also has responsibility for promoting integration between health and social care.~~will be a strategic board whose aim will be to lead, mobilise and co-ordinate the collective efforts of Hackney Council and local NHS Partners, Healthwatch Hackney and the voluntary sector to promote the ambitions of the Community Strategy 2018-2028 to make Hackney fairer, safer and more sustainable.~~

The Board ~~will~~brings together senior stakeholders and local representatives to strategically plan the commissioning of the right health and social care services for adults and children in Hackney, highlighting the most cost-effective ways to enable Hackney residents to live longer, healthier, safer happier lives. The Board promotes the integration of services where this will promote more accessible, efficient and cost effective solutions to the challenges that the residents of Hackney face.

~~The Board will promote the integration of services where this will promote more accessible, efficient and cost-effective solutions to the challenges that the residents of Hackney face. The Board will consider the impact of universal services, that have an impact on health and wellbeing and how work with those services can enhance the outcomes of the Board's work especially for those communities who bear the burden of poor health and wellbeing.~~

~~Underpinning the work of the Board is the Health and Wellbeing Profile (Joint Strategic Needs Assessment JSNA), which provides the framework for considering all major determinants, including employment, education, housing and environment, that affect the health and wellbeing of people in Hackney.~~

To carry out the duties and responsibilities of a Health and Wellbeing Board as set out in the Health and Social Care Act 2012, in particular:

1. to encourage integrated working between commissioners of NHS, public health and social care services for the advancement of the health and wellbeing of the local population;

2. to provide advice, assistance or other support in order to encourage partnership arrangements such as the development of pool budgets or make lead commissioning arrangements under Section 75 of the NHS Act;
3. to, for the purpose of advancing the health and wellbeing of the people in its area, encourage persons who arrange for the provision of health or social care services in its area to work in an integrated manner;
4. to provide advice, assistance or other support as it thinks appropriate for the purpose of encouraging arrangements under Section 75 of the NHS Act. These are arrangements under which, for example, NHS Bodies and local authorities agree to exercise specified functions of each other or pool funds;
5. to discharge the functions of CCGs and local authorities in preparing joint strategic needs assessments (JSNA) and joint health wellbeing strategies (JHWS);
6. to, where appropriate, recommend Full Council to extend its functions relating to wider determinants of health, such as housing, that affect the health and wellbeing of the population. To inform the Local Authority of its views on whether the authority is discharging its duty to have regard to the JSNA and JHWS in discharging its functions;
7. to discharge any non-executive function to enable it to carry out its statutory duties as Full Council may from time to time choose to delegate.

8. To prepare and publish a pharmaceutical needs assessment

9. A duty to exercise functions with regard to need to reduce inequalities between patients in outcomes and access to services

Additional, non-statutory functions of the HWB include:

1. Lead and have oversight of system action to improve the health of the local population (beyond patients and service users) and reduce health inequities, through
  - Tackling the wider determinants of health by promoting and embedding Health in All Policies across system partners
  - Oversight of the following strategies and plans that include key

aims to improve health and/or reduce inequalities, including

- Community Strategy
  - Public health strategy
  - Hackney Autism Strategy
  - Alcohol Strategy
  - Mental health Priorities
  - Dementia strategy
  - Tobacco Strategy
  - Ageing Well Strategy
  - Serious Violence Action Plan
2. Ensure a Health and Wellbeing Board work plan is implemented, reviewed and updated
  3. Establish relevant sub-groups or sub committees, determine their work programmes and ensure these are kept on track
  4. Ensure that Cabinet, CCG Governing Body and other members' boards are kept informed of progress and work of the board
  5. To receive the annual public health report/public health issues
  6. Have oversight of Hackney HealthWatch Plans and receive its Annual Report
  7. Communicate the work of the Board to all Hackney residents and other stakeholders, through its website and publications
  8. Agree and maintain a procedure for questions from members of the public.

The quorum for the Board will be at least 4 members, to include at least one representative of the CCG and a Councillor.~~The quorum for the Health and Wellbeing Board shall be 3 Councillors.~~

The Board will act in accordance with the Access to Information procedure rules set out in Part 4 of the Constitution.



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**MEMBERS' ALLOWANCES SCHEME 2020/21 (REVISED)**

<p><b>COUNCIL</b> <b>21 OCTOBER 2020</b></p>	<p><b>CLASSIFICATION:</b> <b>OPEN</b></p>
<p><b>WARD(S) AFFECTED</b> <b>ALL WARDS</b></p>	
<p><b>TIM SHIELDS, CHIEF EXECUTIVE</b></p>	

## **1. Summary**

1.1 Each year the Council is legally required to consider and agree a Members' Allowances Scheme.

1.2 The Council is part of joint arrangements provided by London Council's Independent Remuneration Panel. The Council has Sir Rodney Brooke CBE DL acting as independent adviser on Members' Allowances. (Sir Rodney Brooke is also Chair of London Councils Independent Remuneration Panel).

1.3 The Scheme for 2020/21 was approved by Council on 22 July 2020. It was noted, however; that the scheme on approval had not increased allowances as in previous years in line with the national pay settlement for local government officers as it was yet to be agreed and that a further report would be brought to Council for approval when agreement was reached.

1.4 The national national pay settlement for local government officers has now been agreed. The allowances contained in the Members Allowance Scheme appended to this report have been increased by 2.75% in line with the award. No other changes have been made to the scheme.

1.5 The Members' Allowances Scheme for 2020/21 that relates to the report and recommendations is included at Appendix 1 for Council to approve.

## **2. Recommendations**

2.1 Council is recommended to agree the report and the Members' Allowances Scheme for 2020/21 attached at Appendix 1.

## **3. Comments of the Group Director, Finance and Corporate Resources**

3.1 The Members Allowance Scheme for 2020/21 is detailed in Appendix 1 and has been updated to reflect the national pay settlement for Local Government Officers for 2020/21. This report seeks approval to implement the updated scheme.

3.2 The Members Allowance scheme budget for 2020/21 would be £1.387m with the uplift for the national pay settlement included.

## **4. Comments of the Director of Legal & Governance:**

4.1 Section 18 (1) of the Local Government and Housing Act 1989 permits that the Secretary of State may, by regulations, make a scheme providing for the payment of a basic allowance, attendance allowance and special responsibility allowance to Members of a Local Authority.

Section 18 (2A) stipulates that regulations may also authorise or require a scheme made by a Local Authority to include provision for payment to Members of the Council of allowances in respect of expenses in arranging for the care of children or dependants as are necessarily incurred in carrying out their duties as Members.

4.2 In exercise of these powers the Secretary of State has issued the Local Authorities (Members Allowances) (England) Regulations 2003 and subsequent

amendments, hereafter referred to as “the Regulations”. The Regulations require that the Council make a scheme before the beginning of each year for the payment of a basic allowance. The scheme must also make provision for the Council’s approach to a special responsibility allowance, dependent’s and carer’s allowance, travelling and subsistence allowance and co-optees allowance.

4.3 In accordance with the Regulations, the Council is required to make arrangements for the publication of the scheme once it has been made. The form of publication must be in conformity with Regulation 16(1)(a) and Regulation 16(1)(b).

4.4 Pursuant to Part 2, Article 4, 4.6 of the Council’s Constitution, it is a function of Full Council to adopt a Members Allowance Scheme.

4.5 In considering this scheme, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010. The Council must also have due regard to the need to eliminate discrimination, advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not, in line with the public sector equality duty placed on all public bodies pursuant to Section 149 of the Equality Act 2010.

**Tim Shields**  
**Chief Executive**

## **APPENDICES**

Appendix 1 Members’ Allowances Scheme 2020/21 - October 2020 Update

## **BACKGROUND PAPERS**

None

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# Members' Allowances Scheme (2020/21) - October 2020 update

## 1. **INTRODUCTION**

- 1.1 This Scheme is based on the independent report and recommendations of Sir Rodney Brooke CBE DL, Chair of London Councils Independent Remuneration Panel. The London Borough of Hackney is part of the arrangements provided by London Councils Independent Remuneration Panel that is responsible for reviewing members' allowances and developing a report and recommendations for councils to consider.
- 1.2 This Scheme has been approved by Full Council of the London Borough of Hackney in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.3 This Scheme may be cited as the London Borough of Hackney Members' Allowances Scheme for 2020/21.
- 1.4 Before the start of each municipal year, Full Council shall adopt a Scheme for the payment of Basic Allowances, as required by the Regulations.
- 1.5 In addition, provision for the following allowances shall be made in accordance with the Regulations for payments of:
- Special Responsibility Allowance;
  - Independent and Co-opted Members Allowance;
  - Independent Person Allowance;
  - Carers Allowance;
  - Parental Leave and Sickness Pay;
  - Travel and Subsistence Allowance;
- 1.6 The London Borough of Hackney also has arrangements for its Scheme to be independently reviewed on a routine basis with reference to London Councils Independent Remuneration Panel.

## 2. **BASIC ALLOWANCE**

- 2.1 A Basic Allowance is paid to all Councillors in recognition of their commitment to attend formal meetings of the Council as well as meetings with officers and constituents. The Basic Allowance is intended to cover any incidental costs which may arise, such as the use of private telephones.
- 2.2 Each Councillor is entitled to claim a Basic Allowance of £11,191.67 per annum, which is payable monthly via the Council's payroll.



3. **SPECIAL RESPONSIBILITY ALLOWANCE**

3.1 A Special Responsibility Allowance (SRA) is payable in addition to the Basic Allowance to those Councillors that are given significant additional Council duties.

4. **THE ALLOWANCES**

4.1 The Basic Allowances and SRAs are as follows:-

**BASIC ALLOWANCE**

Basic Allowance All Councillors (except the Mayor)	£11,191.67
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**SPECIAL RESPONSIBILITY ALLOWANCES**

Political Roles – Majority Group

Majority Group Chair	£2,502.02
Majority Group Secretary	£2,502.02
Majority Group Whip	£5,452.49

Political Roles – Opposition Group

**(When the Council is formed with one opposition group)**

Opposition Group Leader	£22,200.62
Opposition Group Whip	£2,502.02

Political Roles – Opposition Groups

**(When the Council is formed of two opposition groups and where there is a majority and minority group)**

First Opposition Group Leader	£13,320.36
First Opposition Group Whip	£2,502.02
Second Opposition Group Leader	£8,880.25

Panel Members

Adoption Panel Member	£2,502.02
Fostering Panel Member	£2,502.02

Committee Chairs

Chair of Audit Sub Committee	£8,077.81
Chair of Corporate Committee	£8,077.81
Chair of Licensing Committee	£17,938.60

Chair of Pensions Board	£2,502.02
Chair of Pensions Committee	£16,155.63
Chair of Planning Sub Committee	£17,938.60
Chair of Standards Committee	£2,502.02

#### Scrutiny

Scrutiny Commission Chairs	£14,633.24
Chair of Scrutiny Panel	£8,880.25
Vice Chair of Scrutiny Panel	£5,920.16

#### Speaker and Deputy Speaker

Speaker (see 4.3 below)	£19,698.59
Deputy Speaker (see 4.3 below)	£5,452.49

#### Mayoral Advisers

Mayoral Advisers	£16,155.63
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#### Cabinet Members

Cabinet Members	£36,645.51
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#### Deputy Mayor

Deputy Mayor	£43,475.10
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#### Directly Elected Mayor

Directly Elected Mayor (see 4.4 below)	£85,375.43
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- 4.2 Only one SRA may be claimed. It will be for individual Members who would otherwise qualify for more than one SRA to inform the Head of Business Intelligence, Elections & Member Services which allowance they wish to claim, otherwise the highest allowance will be paid.
- 4.3 The roles of Speaker and Deputy Speaker do not attract a SRA but are covered by a separate legal regime. Schedule 2 of the Local Government Act 1972 provides that a London Borough may pay the Chair of the Council (known as the Speaker in the London Borough of Hackney) such allowances and full Council thinks reasonable for the purpose of enabling the Chair to meet the expense of the office. There is a similar power in respect of the Vice Chair (Deputy Speaker).

- 4.4 The role of the directly elected Mayor does not attract a Basic Allowance or SRA. The Mayor receives one single allowance which covers all of the responsibilities included in the role.

5. **MEMBER ALLOWANCE UPLIFT**

- 5.1 The Basic and Special Responsibility Allowances are normally uplifted each year in line with the Local Government Pay Settlement Pay Rate when this becomes known, and will be reviewed and approved by Full Council at the start of each Municipal Year.

6. **PENSIONS**

- 6.1 In accordance with legislation, since the start of the 2014-18 electoral term, Members of the Council are not entitled to participate in the Local Government Pension Scheme.

7. **PARENTAL LEAVE AND SICKNESS PAY**

- 7.1 The Member Parental Leave Scheme is defined as Members' entitlement to maternity, paternity, adoption, surrogacy and shared parental leave.
- 7.2 All Members shall continue to receive their Basic Allowance in full in the case of parental and sickness leave.
- 7.3 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in the case of parental and sickness leave in a similar way that Council officers do. A replacement to cover the period of absence can be appointed by Full Council, and the replacement will be entitled to claim a SRA. Where the SRA in question relates to the Cabinet, the appointment will be made by the Mayor.
- 7.4 Full details of the Member Parental Leave Scheme are attached at Appendix A

8. **DEPENDANT CARERS' ALLOWANCE**

- 8.1 The Council will make reasonable payments for the reimbursement of the care of dependant relatives living with the Elected Member. Full details of the Dependant Carers' Allowance Scheme are attached at Appendix B.

9. **TRAVEL AND SUBSISTENCE ALLOWANCE**

- 9.1 The Council will provide an allowance to Members for any travel or subsistence costs incurred as a result of attending a Council Approved Duty or event outside of the Borough. Independent Members, Co-opted Members and the Independent Person can claim for any travel or subsistence costs associated with their Council duty. Full details of the Travel and Subsistence Allowance are attached at Appendix C.

10. **APPROVED COUNCIL DUTIES**

- 10.1 The schedule of approved Council duties can be found at Appendix D of this Scheme. Members of the Council may claim a Travel and Subsistence Allowance and/or Carers' Allowances when attending these duties.

11. **COUNCIL CYCLE SCHEME**

- 11.1 Members are entitled to join the Council's employee Cycle Scheme whereby they can choose a bicycle and equipment from an approved supplier (up to £1,000 in value) and the Council purchases it and loans it to the Member. The Member will then repay the loan from their Basic Allowance in return for the loan of the VAT free bicycle across an agreed period. At the end of the loan period the Council may sell the bicycle to the Member at a fair market value.

12. **PART PAYMENTS**

- 12.1 In the case of Basic Allowances, Special Responsibility Allowances, Travel and Subsistence Allowance, or Dependent Carers' Allowances, payment will only be made for the period during which a person performs the duties for which these allowances are payable. Where a Member, Independent Member, Co-opted Member or Independent Person resigns or ceases to be a Member, the part of the allowance payable for the period for which they cease to be a Member, may be withheld by the Council.

13. **REPAYMENTS**

- 13.1 Where payment of any allowance has already been made in respect of any period during which the Member, Independent Member, Co-opted or Independent Person concerned ceases to be a Member, or is in any other way not entitled to receive the allowance in respect of that period, the Member, shall repay to the Council on demand such part of the allowance as relates to any such period.

14. **OPTING TO FORGO AN ALLOWANCE**

- 14.1 Basic Allowance and SRAs will be paid automatically unless notice is received in writing from the Member concerned forgoing the entitlement in whole or in part. All such notices should be sent to the Head of Business Intelligence, Elections & Member Services.

15. **CLAIMS AND PAYMENT**

- 15.1 Payments in relation to Basic Allowances, SRAs, Independent Member, Co-opted Member and Independent Person allowances shall be paid in monthly instalments in accordance with this Scheme.
- 15.2 Basic, SRA, Independent Member, Co-opted Member and Independent Person allowance payments are made net of income tax and National

Insurance through the PAYE system used for salaried employees. Bank details are therefore required for each Member. If a Member changes their bank details, the revised details should be provided to Member Services.

15.3 Claims for Travel and Subsistence allowances, and Dependent Carers' allowance should be submitted no later than three months from the date that expenses are incurred. Claims must be made on the agreed claim form available from Member Services.

15.4 Claims will be checked on receipt by Member Services. Claims received before the 20th day of the month will be paid on or before the 15th day of the following month.

16. **ALLOWANCES FOR INDEPENDENT MEMBERS AND CO-OPTED MEMBERS**

16.1 The standard rate for Independent Members and Co-opted Members allowances is £120.91 per meeting. This is translated into an annual allowance by multiplying this by the anticipated number of meetings. This amount is payable to Co-opted Members on the Children and Young People Scrutiny Commission, Pensions Board, Pensions Committee and Standards Committee.

17. **THE INDEPENDENT PERSON**

17.1 The Council's Independent Person for ethical governance matters shall be entitled to an allowance of £487.36 per annum.

18. **CHAIR AND MEMBERS OF THE DESIGN REVIEW PANEL**

18.1 The Chair of the Design Review Panel shall be entitled to an allowance of £450.00 per meeting.

18.2 Members of the Design Review Panel shall be entitled to an allowance of £50.00 per hour, capped at £200.00 per meeting.

19. **PUBLICATION**

19.1 The Council is required to publish details of the Members' Allowances Scheme and the total amount received by each Member. The records must also be available for inspection by any local government elector for the authority, or by any local government elector of any principal Council in whose area the authority operates.

20. **REVIEW OF THE SCHEME**

20.1 The Council has also introduced specific arrangements for its Scheme to be independently reviewed on an annual basis with reference to London Councils Independent Remuneration Panel.



20.2 Minor revisions are the responsibility of the Head of Business Intelligence, Elections & Member Services in consultation with the Chair of the Council's Independent Remuneration Panel.

21. **QUERIES**

21.1 Any specific queries regarding the entitlement to the Scheme should, in the first instance, be addressed to the Head of Business Intelligence, Elections & Member Services (020 8356 3418). Queries regarding the processing of claims and payments should be addressed to the Member Services (020 8356 3373).

## **Member Parental Leave Scheme**

The Member Parental Leave Scheme (and the term Parental Leave) is defined as Members' entitlement to maternity, paternity, adoption, surrogacy, and shared parental leave.

The objective of the scheme is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth, adoption or surrogacy; that both parents are able to take leave and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

### **1. Introduction**

In accordance with the Council's Members' Allowances Scheme, Members shall continue to receive their Basic Allowance in full during Parental Leave.

Members entitled to a Special Responsibility Allowance will also continue to receive this allowance during Parental Leave up to the same benefit levels as officers in their equivalent policies.

#### Six-month rule

Any Member who takes Parental Leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month consecutive period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month consecutive period.

#### Resigning from Office

If the Member decides to not return to office following their Parental Leave, Member Services must be notified. The Payroll Team must then be informed within two working days of receiving notification. Member allowance(s) will cease from the effective resignation date, however any outstanding Maternity Pay entitlement will continue to be paid by the Council.

#### Elections

If an election is held during the Parental Leave and Members are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date.

#### Cover arrangements and returning to post

If a Member holds a position attracting a SRA, a temporary replacement would normally be appointed for periods of extended Parental Leave. The temporary appointment would also be entitled to receive a SRA.

Unless the Member taking Parental Leave is removed from their post at an Annual General Meeting of the Council whilst on Parental Leave, or unless the Party to which they belong loses control of the Council during their Parental Leave period,

they will return at the end of their Parental Leave period to the same post which they held before the Parental Leave began.

The Mayor however can change their Cabinet members and portfolios at any time, though this would normally be in exceptional circumstances. In such circumstances, it is expected that any Cabinet member on Parental Leave would normally return from their Parental Leave to a similar portfolio size.

If there is a Mayoral election during a period of Parental Leave, any new Mayor can form a new Cabinet and if this does not include the Member on Parental leave, then their SRA will cease from the date the new Cabinet is formed.

## **2. Maternity Leave**

### Entitlement

All pregnant Members are entitled to Maternity Leave totalling 52 weeks, regardless of their length of term in office (unless their term of office ends earlier than this).

### Compulsory Maternity Leave

Members must take a minimum of two weeks Maternity Leave from the date the baby is born.

### Maternity Leave Start Date

Maternity Leave will start:

- ***On a date chosen by the Member***, which can be at any time after the beginning of the 11th week before the Member's expected week of childbirth and up to the date the baby is born

Maternity Leave may be triggered before the chosen date where:

- ***The baby is born early***. Maternity leave commences the day after the Member gives birth; or
- ***The Member has sickness absence for a pregnancy-related reason in the four weeks before the expected week of childbirth***. Maternity Leave commences the date after the sickness absence

In summary, Maternity Leave is triggered by the date notified by the pregnant person, the actual birth of the baby, or pregnancy related sickness immediately prior to the due date - whichever occurs first.

### Notification of Maternity Leave

The Member must notify Member Services in writing no later than the end of the 15th week, or as soon as reasonably practicable, before the expected week of childbirth.

Information must include:

- Confirmation of the expected date of childbirth.
- A copy of the MATB1 (a certificate available from a doctor or midwife). The original must be provided if the Member wishes to claim Maternity Pay (MP) from the Council.

- The Parental Leave Confirmation Form, which will confirm the date Maternity Leave will start. It should be noted that Maternity Leave can start any day of the week.

On receipt of the information, within two weeks, Member Services will acknowledge that the period of absence has been noted and forward the information to the Council’s Payroll Team.

The Council’s Payroll Team will write to the Member to confirm the Maternity Leave period, including the end date, i.e. a maximum of 52 weeks and entitlement to allowance(s).

**Member Maternity Allowance Entitlement**

Basic Allowance

A Member on Maternity Leave will continue to receive this allowance throughout the Maternity Leave period. If, however, an election is held during the Member’s Maternity Leave and they are not re-elected, or they decide not to stand for re-election, the basic allowance will cease from the Monday after the election date, when their office officially ends.

Special Responsibility Allowance (SRA)

If a Member receives a SRA during their Maternity Leave it will be paid as follows:

***For Members not claiming Maternity Pay (MP) through the Council:***

First six weeks	90% of SRA plus basic allowance
7 to 24 weeks	50% of SRA plus basic allowance
25 to 52 week	Basic allowance only

***For Members claiming MP:***

First six weeks	90% of SRA, including MP plus basic allowance
7 to 24 weeks	50% of SRA plus MP and basic allowance
25 to 39 weeks	MP and basic allowance
40 to 52 weeks	Basic allowance only

**Special Circumstances**

Premature Baby Leave

Parents of babies born before 37 weeks will be entitled to receive one extra day of Premature Baby Leave receiving full SRA for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the

end of the Members Maternity Leave period after this leave entitlement has been exhausted.

#### Illness due to pregnancy

If a Member has not started Maternity Leave, and cannot discharge their duties as a Councillor due to a pregnancy related illness at anytime after the beginning of the fourth week before the expected week of childbirth, Maternity Leave will have to start the day after the first day of their illness.

The Member is responsible for informing Member Services if this situation occurs.

Members Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation of Maternity Leave and allowance entitlement to the Member, with a copy to Members Services, within ten working days.

#### Early Delivery

If the baby is born earlier than expected and the Member has not yet started their maternity leave, the Maternity Leave will automatically start the day after the baby is born.

As soon as is practically possible, the Member must inform Member Services with a MATB1 form produced to confirm the baby's date of birth and the original expected date of delivery.

Members Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation of Maternity Leave and pay entitlement to the Member, with a copy to Members Services, within ten working days.

#### Maternity Pay (MP)

For Members in receipt of a SRA who want to claim a Statutory Maternity Pay equivalent (members are not entitled to SMP), an original copy of their MATB1 form must be provided.

#### Multiple Births

Maternity Leave arrangements are unaffected by the number of babies born from a single pregnancy.

#### Returning from Maternity Leave early

If a Member wishes to return from Maternity Leave earlier than originally planned they should inform Member Services in writing.

Member Services will ensure that the Council's Payroll Team is informed within two working days of receipt of the details.

The Council's Payroll Team will provide confirmation that the information has been received and relevant reinstatement or adjustment of the SRA has been actioned, with a copy to Member Services, within ten working days.

### Still Birth

If a baby is delivered after 24 weeks of pregnancy the Member is entitled to Maternity Leave and allowance(s).

## **3. Paternity Leave**

### Entitlement

Members are entitled to a maximum of two weeks Paternity Leave (Six working days at full allowance and four at the statutory rate).

### Qualifying Criteria

#### Birth

To qualify the Member must

- Be the biological father and have or expect to have responsibility for the child's upbringing
- OR:
- Be the spouse (husband or wife), civil partner or partner of the person giving birth and have or expect to have the main responsibility for the child's upbringing, along with the person who gave birth

#### Adoption

The Member must

- Be the spouse (husband or wife), civil partner or partner of the adopter and have or expect to have the main responsibility for the child's upbringing, along with the other parent

#### Surrogacy

To qualify the Member must (with their partner) meet the criteria for 'Adoption Leave'.

The Member must

- Be the intended parent and be responsible for the child (with their partner)
- Be in a couple
- Not be the parent who will take 'Adoption Leave'

Note: Partners, couples and spouses can be of the same or a different sex.

## **Member Paternity Allowance Entitlement**

### Basic Allowance + Special Responsibility Allowance

A Member on Paternity Leave will continue to receive their basic allowance and SRA throughout the Paternity Leave period.



## **Starting and ending Paternity Leave**

### **Birth**

A Member can choose to start their leave:

- From the date of the child's birth (whether this is earlier or later than expected)
- From a chosen number of days after the date of the child's birth (whether this is earlier or later than expected) e.g. ten days after the child is born
- From a chosen date after the baby is expected to be born
- From the date of the child's birth if the baby is 'stillborn' at 24 weeks

Normally Paternity Leave must be taken within eight weeks of the birth of the child. However, if the baby is premature, then the eight weeks starts from the expected date of childbirth. If the baby is born late, the eight weeks starts from the actual birth of the baby.

If a Member chooses to start their Paternity Leave from the date the baby is born and they are at work on that date, then the Paternity Leave will begin the next day.

### **Adoption**

Where the child is adopted within the UK, a Member can choose to start their leave:

- On the date the child is placed; or
- from a chosen number of days after the date the child is placed (e.g. ten days after the child is placed); *or*
- from a chosen date after the child is expected to be placed

Paternity Leave must be taken after the child is placed.

Where the child is adopted from overseas, a Member can choose to start their leave:

- The date the child enters Great Britain; *or*
- From a chosen date after the child enters Great Britain

### **Surrogacy**

Paternity Leave can commence the day the child is born or the day after if the Member is working that day. Normally Paternity Leave must be taken within eight weeks of the birth of the child. However, if the baby is premature, then the eight weeks starts from the expected date of childbirth. If the baby is born late, the eight weeks starts from the actual birth of the baby.

### **Notification of Paternity Leave**

The Member must notify Member Services in writing no later than the end of the 15th week before the baby is expected, unless this is not reasonably practicable.

Information must include:

- The week the child is due (included in the Parental Leave Confirmation Form)
- When they want to start their leave (included in the Parental Leave Confirmation Form)

- SC3 form for Birth Parents ([Link to Gov.uk website](#))
- SC4 form for an Adopting or Parental order parent ([Link to Gov.uk website](#))
- SC5 form for a parent adopting from overseas ([Link to Gov.uk website](#))

The Member must notify Member Services when their child was actually born or adopted as soon as is reasonably practicable after the birth or placement.

Where the baby is adopted within the UK, the Member must notify Member Services no later than seven days after the date they are notified of being matched with a child.

Where the child is adopted from abroad, the Member must notify Member Services no later than 28 days after receipt of the official notification.

The Member must give at least 28 days notice of the date they want the Paternity Leave to begin.

### **Special Circumstances**

#### **Multiple Births**

Only one period of Paternity Leave is available, even if more than one child is born as the result of the same pregnancy or if more than one child is placed with the individual or couple for adoption under the same arrangement.

#### **Premature Baby Leave**

Parents of babies born before 37 weeks will be entitled to receive one extra day of Premature Baby Leave on full SRA allowance for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the Members Parental Leave period after this leave entitlement has been exhausted.

## **4. Adoption and Surrogacy Leave (referred to as Adoption Leave)**

### **Entitlement**

Members are entitled to Adoption Leave totalling 52 weeks (unless their office officially ends before this).

### **Qualifying Criteria**

**For Adoption and 'Fostering to Adopt'** - The Member must be newly matched with the child by an adoption agency, which must be recognised in the UK.

**For Surrogacy** – The Member must have applied, or be intending to apply for a Parental Order in relation to the child.

### **Exclusions**

Private adoptions do not qualify e.g. a foster parent adopting a foster child, or a step-parent adopting their partner's child.

### Notification of Adoption Leave

#### **Adoption and 'Foster to Adopt'**

Members must notify Member Services in writing of their intention to take adoption leave within seven days of being notified of the match by the adoption agency; advising:

- The date the child is being placed with them
- The date the leave will start
- Whether or not they intend to return to work following the Adoption Leave.

The notification must be accompanied by the following evidence:

- Name and address of the adoption agency
- The date the employee was notified they would be matched with the child
- The date the agency expects to place the child
- Matching certificate completed by the adoption agency.

#### **Surrogacy**

Members must notify Member Services in writing of their intention to take leave advising:

- The date that the leave is expected to start (which is the date the baby is expected to be born)
- The period of time they intend to take.

This notification must be made either during or before the 15th week before the date the child is expected to be born.

If requested, the Member must provide (within 14 days of receiving the request) a declaration confirming that:

- The leave is being requested for the intended purpose
- That they meet the qualifying conditions
- That they will be applying for a parental order, with an appropriate other person, who may be another person of the same sex.

### **Member Adoption Leave Allowance Entitlement**

#### Basic Allowance

A Member on Adoption Leave will continue to receive this allowance throughout the leave period.

#### Special Responsibility Allowance (SRA)

If a Member receives a SRA during their Adoption Leave it will be paid as follows:

First six weeks	90% of SRA plus basic allowance
7 to 24 weeks	50% of SRA plus basic allowance
25 to 52 weeks	Basic allowance only

### Commencement of Adoption Leave

The Adoption Leave period may begin:

For **Adoption and 'Foster to Adopt'**:

- From the date of the child's placement – whether earlier or later than expected; or
- From a pre-determined date which can be up to 14 days before the expected date of placement

Or, where adopting a child from overseas:

- The date the child enters Great Britain
- A pre-determined date which is no later than 28 days after this date.

For **surrogacy** the leave period begins from the date the baby is born. If the baby is born while the Member is at work, then the leave can start from the next day.

### Special Circumstances

#### Premature Baby Leave

Parents of babies born before 37 weeks will be entitled to receive 1 extra day of Premature Baby Leave on full SRA allowance for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the Members Adoption Leave period after this leave entitlement has been exhausted.

For Adoption and 'Fostering to Adopt' eligibility will depend on the circumstances. However, normally where a premature baby is placed with the adopting parents before 37 weeks, premature baby leave will apply.

For surrogacy these provisions will normally apply from the birth of the premature baby i.e. the date the new parents receive the baby.

#### Adopting more than one child

Adoption leave entitlements are the same regardless of the number of children adopted at any one time.

This also applies to surrogacy in the event of a multiple birth.

## **5. Shared Parental Leave**

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how best to care for, and bond with, their child.

A Member who has made Shared Parental Leave arrangements through their employment is requested to advise Member Services of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

Requests will be looked at on a case-by-case basis.

**DEPENDANT CARERS' ALLOWANCE**

**1. LEGALITY**

1.1 The Scheme is established by the Council under the Local Authorities (Members Allowances) (England) Regulations 2003. The Dependent Carers' Allowance is payable in respect of the approved duties set out in Appendix D. The Scheme requires Members claiming the allowance to demonstrate and certify that carer expenses are actually and necessarily incurred in the conduct of their official duties.

**2. ENTITLEMENT**

2.1 The Scheme provides for payments to be made to Members in respect of care for "dependent relatives" living with the Member. For the purposes of the scheme, "dependent relatives" are defined as:

- I. children aged 15 or under;
- II. relatives requiring full time care as a result of disability or infirmity.

2.2 Under no circumstances will the allowance be payable to an immediate relative of the Member.

2.3 For meetings or duties within the Council's boundaries, the allowance will be paid for the duration of the meeting or approved duty plus an allowance for up to one hour's travelling time before and after the meeting. For duties outside the Council's boundaries, the allowance will be paid for the duration of the duty plus the actual travelling time to and from the venue. In all instances, total time claimed should be rounded to the nearest half-hour.

**3. RATES OF ALLOWANCE**

3.1 The Dependent Carers' Allowance is set at the same level as the London Living Wage and is paid at this rate irrespective of the number of dependants.

3.2 Where a dependent relative requires specialist professional care, the full cost of care will be allowed, with the prior written approval of the Director of Legal Services.

**4. CLAIMS PROCEDURES**

4.1 Members wishing to apply for Dependant Carers' Allowance must submit an application form to the Head of Business Intelligence, Elections & Member Services, declaring that:

- (i) claims made shall only be made in respect of a named dependent relative (or relatives) as defined in the Scheme;

- (ii) claims shall only be made in respect of the entitlements set out in paragraph 2 above;
- (iii) receipts shall be provided in support of all claims; and
- (iv) where a specialist professional carer is to be engaged, that this is a necessary expense for which full reimbursement will be claimed.

4.2 Members are required to notify Member Services in the event of their entitlement to Dependant Carers' Allowance ending.

4.3 All claims will be processed through the Council's Payroll system.

5. **AUDIT**

5.1 Internal Audit will review the systems for payment of Members' Allowances on a routine basis and include sample testing of Members' Allowances transactions in annual probity programmes.



**TRAVEL AND SUBSISTENCE ALLOWANCE**

**1. PUBLIC TRANSPORT**

- 1.1 Elected Members may claim expenses for journeys associated with an approved duty or event (see Appendix D) outside of the Borough. The Council will not provide an allowance for any travel within the Borough.
- 1.2 Independent Members and Co-opted Members of the Council and the Independent Person may claim for travel both inside and outside the Borough for journeys associated with an approved duty.
- 1.3 The rate must not exceed the ordinary standard class fare or any available saver fare.
- 1.4 Booking arrangements for travel outside of London must be made by Member Services to seek the most cost-effective deal within current parameters.
- 1.5 A receipt must be produced for any claim.
- 1.6 For travel within London, Members may claim for travel on an Oyster Card. To claim for travel paid for on an Oyster Card, Members must provide Member Services with a printed record of the journey travelled, which can be obtained from the TfL website.

**2. PRIVATE VEHICLE**

- 2.1 Elected Members, Independent Members, Co-opted Members and the Independent Person may claim expenses for journeys by private vehicle associated with an approved duty outside of the Borough. The Council will not provide an allowance for any travel within the Borough.
- 2.2 An allowance of 24p per mile can be claimed for travel by motorcycle.
- 2.3 An allowance of 46.9p per mile can be claimed for travel by motor vehicle up to the first 8,500 miles annually. After the first 8,500 miles, an allowance of 13.7p per mile.
- 2.4 Members, if using a private motor vehicle, should note that the Council does not provide any insurance cover. Members should have Business Use cover as part of their policy.

**3. TAXI**

- 3.1 Members can claim an allowance for the amount of a taxi fare, and any reasonable gratuity, to enable them to attend an approved duty if the following exceptional circumstances and criteria apply:

- in cases of a genuine emergency;
- when no public transport is reasonably available to travel to the approved duty;
- for safety reasons;
- or if there is insufficient time to travel from one approved duty to another by public transport.

3.2 The cost of travel by taxi must have been incurred wholly and exclusively for a Member's attendance at an approved Council duty. Taxi fares can only be claimed by Members once approved by the Head of Business Intelligence, Elections & Member Services.

3.3 A receipt must be produced for any claim.

#### 4. **HIRED VEHICLE**

4.1 Other than for a taxi, Members will only be able to claim an allowance per mile as per the rates detailed in paragraph 2 above. As such, Members will be reimbursed as if they had owned the vehicle, and will not be reimbursed for the cost of hiring the vehicle.

4.2 A receipt must be produced for any claim by the Member who hired the vehicle.

#### 5. **AEROPLANE**

5.1 Subject to prior approval by the Head of Business Intelligence, Elections & Member Services, the cost of travel at the ordinary fare or any available cheap fare by regular air service or where no such service is available or in case of urgency the actual fare paid by the Member where the saving in time against other available means of transport is so substantial as to justify payment of the fare by that means.

5.2 A receipt must be produced for any claim.

#### 6. **BICYCLE**

6.1 Members may claim an allowance in respect of travel by bicycle or by any other non motorised form of transport undertaken, of 20p per mile, in connection with or relating to an approved Council duty outside of the Borough.

6.2 Independent Members, Co-opted Members and the Independent Person may claim a cycling allowance for journeys inside and outside of the Borough.

7. **SUBSISTENCE**

- 7.1 The payment of subsistence allowance will only be payable to Members for approved Council duties and conferences subject to the approval of the Head of Business Intelligence, Elections & Member Services.
- 7.2 When more than 4 hours away from normal place of residence, the repayment of subsistence allowances will be made to cover the actual cost incurred up to the following rates –
- (i) Breakfast - £5.50
  - (ii) Lunch - £7.50
  - (iii) Evening Meal - £10.50
  - (iv) Out of pocket expenses (per night) - £4.50
- 7.3 Members are also entitled to overnight accommodation, if required, when attending an approved duty outside of London, subject to the approval of the Head of Business Intelligence, Elections & Member Services. Member Services shall be responsible for making any bookings and will pay for the accommodation directly.
- 7.4 Receipts must be produced for any claim in order to be valid.

**APPROVED COUNCIL DUTIES**

For the purposes of the payment of Travel, Subsistence and Carers' Allowances, Approved Council duties are defined as the following official meetings set out below. For information, some outside bodies may pay an allowance to Members for their role and work on that specific outside body.

1. Appointments Committee or Sub Committees
2. Cabinet or Cabinet Sub Committees
3. Corporate Committee or Sub Committees
4. Corporate Parenting Board
5. Council
6. Council Joint Committee
7. Health and Wellbeing Board
8. Joint Committee of the Six Growth Boroughs
9. Licensing Committee or Sub Committees
10. Overview and Scrutiny Commissions
11. Pensions Board
12. Pensions Committee
13. Planning Committee or Sub Committees
14. Standards Committee or Sub Committees
15. Ward Forums
16. Duties for the office of Speaker or Deputy Speaker
17. Education related meetings such as:
  - the Schools Admissions Forum
  - School Governing Bodies
18. Independent Statutory Panels
  - Adoption Panel
  - Fostering Panel
19. A meeting of outside bodies:
  - Abney Park Cemetery Trust
  - Agudas Israel Housing Association
  - Bangla Housing Association
  - Chats Palace Arts Centre
  - Clapton Park TMO
  - CREATE London Ltd
  - East London NHS Foundation Trust
  - Finsbury Park Trust
  - Groundwork London
  - Hackney CAB
  - Hackney Community Law Centre
  - Hackney Empire Ltd Board
  - Hackney Parish Almshouse Charity
  - Hackney Parochial Charity
  - Homerton NHS Foundation Trust
  - Hornsey Parochial Charity
  - Lee Valley Regional Park Authority
  - LGA General Assembly
  - Local Government Information Unit (LGIU)

- London Councils Executive
- London Councils Grants Committee
- London Councils Greater London Employment Forum (GLEF)
- London Councils Leaders' Committee
- London Councils Transport and Environment Committee (TEC)
- London Housing Consortium
- London Pensions Collective Investment Vehicle (CIV)
- London Legacy Development Corporation Planning Decisions Committee (LLDC)
- London Road Safety Council
- London Youth Games Foundation
- Manor House Trust
- Newable Ltd
- North London Waste Authority
- Reserve Forces and Cadets Association (GL RFCA)
- Shoreditch Town Hall Trust
- Shoreditch Trust
- South Hackney Parochial Charity
- Standing Advisory Council on Religious Education (SACRE)
- Sun Babies Trust
- West Hackney Parochial Charity

20. Attendance at Conference meetings:

- London Councils
- Local Government Association

21. Attendance at any meeting which is an induction training session, seminar, presentation, or briefing arranged by Chief Officers of the Council for all Members of a Committee, Sub Committee or Panel to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one party Group have been invited.

22. Attendance at visits and inspection of sites and premises arranged by officers (e.g. opening of new facilities).

23. Attendance by Members who have the relevant special responsibility on matters concerning the discharge of the Council's functions.

24. Attendance before parliamentary Committees, official bodies and inquiries to give evidence or make representations on the Council's behalf.

25. Attendance at events by Members where they are invited to showcase or represent the work of Hackney.



**SECTION 85 LOCAL GOVERNMENT ACT 1972 – RESOLUTION TO EXTEND SIX MONTH RULE**

<b>COUNCIL</b>  21 October 2020	<b>CLASSIFICATION:</b>  OPEN
<b>WARD(S) AFFECTED</b>  Woodberry Down Hackney Downs	
<b>GROUP DIRECTOR</b>  Tim Shields, Chief Executive	

## **1. SUMMARY**

- 1.1 The purpose of this report is to enable the Council to consider a dispensation of the 6 month rule for Councillor Joseph on the grounds of her maternity leave.

## **2. RECOMMENDATIONS**

- 2.1 **That the Council in accordance with Section 85 of the Local Government Act 1972, approves Councillor Rickard's non-attendance at meetings until the Council AGM in May 2021 to accommodate her maternity leave.**
- 2.2 **That the Council in accordance with Section 85 of the Local Government Act 1972, approves Councillor Sellman's non-attendance at meetings until the Council AGM in May 2021 to accommodate her maternity leave.**

## **3 BACKGROUND**

- 3.1 Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall cease to be a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of that period. Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired.
- 3.2 Councillor Selman's and Councillor Rickard's last council meeting before they went on maternity leave, was on the 22 July 2020. Under the circumstances it is requested that Council approve a dispensation of the 6 month rule for both councillors until the next AGM scheduled for 22 May 2021. This would not prevent either Councillor from returning to meetings at any time before this date should they decide to take less than a year's maternity leave.

## **4. IMPACT**

- 4.1 The councillors' ward duties will be undertaken by their ward colleagues. The Mayor has confirmed the following arrangements in order to cover Councillor Selman's Cabinet portfolio:

Councillor Susan Fajana-Thomas will be appointed Cabinet member for Community Safety, to cover the community safety, enforcement, and regulation elements of the portfolio.

Councillor Kennedy will be responsible for the strategic relationship with the Voluntary and Community Sector (VCS), including VCS grants and property; he will be supported by Councillor Maxwell in relation to lunch clubs, Connect Hackney and the new Marie Lloyd Centre.



Councillor Williams will be responsible for policy, strategy and devolution (working with the Mayor), along with refugees and vulnerable migrants.

## **5. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES**

5.1 There are no direct financial implications emanating from this report.

## **6. COMMENTS OF THE DIRECTOR OF LEGAL**

6.1 Section 85 of the Local Government Act 1972 ('LGA') states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall cease to be a member of the authority.

6.2 The only exception is if their non-attendance has been approved by the authority before the expiry of that period. Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired.

6.3 This report is to enable the Council to consider a dispensation of the 6 month rule for both Councillors on the grounds of their maternity leave. It is recommended, in light of this, the extension is granted.

## **APPENDICES**

None

## **BACKGROUND PAPERS**

None

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<b>APPOINTMENTS TO COMMITTEES AND COMMISSIONS</b>
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<b>COUNCIL</b> 21 October 2020	<b>CLASSIFICATION:</b> Open
<b>WARD(S) AFFECTED</b> N/A	
<b>GROUP DIRECTOR</b> Tim Shields, Chief Executive	

**1. Summary:**

- 1.1 This report seeks to appoint Cllr Fajana-Thomas to fill a vacancy. The membership of the Licensing Committee is 15 members (14 majority and 1 opposition member)

**2. RECOMMENDATIONS:**

- 2.1 It is recommended that Full Council:

**Approves the appointment of Cllr Fajana-Thomas to the Licensing Committee**

**3. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES**

- 3.1 The costs of member expenses for Committees and Commissions are likely to be small and are provided for within existing budgets

**4. COMMENTS OF THE DIRECTOR OF LEGAL**

- 4.1 Membership of the Committees was approved at the Annual General Meeting (AGM) on 22 May 2019. Seats are allocated to these Committees according to the political proportionality rules as set out in the Local Government and Housing Act 1989 and related Regulations. This places a duty on the Council to proportionally allocate seats to political groups based on their size.
- 4.2 There are no legal implications arising in this report.

**APPENDICES**

None

**BACKGROUND PAPERS**

No background papers have been relied upon the drafting of this report.

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