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Merton Council

Overview and Scrutiny Commission



Date: 18 March 2020

Time: 7.15 pm

Venue: Committee rooms C, D & E - Merton Civic Centre, London Road, Morden SM4 5DX

AGENDA

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Overview and Scrutiny Commission membership

Councillors:

Peter Southgate (Chair)
Peter McCabe (Vice-Chair)
John Dehaney
Sally Kenny
Paul Kohler
Owen Pritchard
Nick McLean
Edward Gretton
Joan Henry
Natasha Irons

Substitute Members:

David Williams MBE JP
Thomas Barlow
Edward Foley
Ben Butler
David Chung
Simon McGrath

Co-opted Representatives

Emma Lemon, Parent Governor
Representative - Primary Sector
Colin Powell, Church of England diocese

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What is Overview and Scrutiny?

Overview and Scrutiny describes the way Merton's scrutiny councillors hold the Council's Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. Scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people. From May 2008, the Overview & Scrutiny Commission and Panels have been restructured and the Panels renamed to reflect the Local Area Agreement strategic themes.

Scrutiny's work falls into four broad areas:

- ⇒ **Call-in:** If three (non-executive) councillors feel that a decision made by the Cabinet is inappropriate they can 'call the decision in' after it has been made to prevent the decision taking immediate effect. They can then interview the Cabinet Member or Council Officers and make recommendations to the decision-maker suggesting improvements.
- ⇒ **Policy Reviews:** The panels carry out detailed, evidence-based assessments of Council services or issues that affect the lives of local people. At the end of the review the panels issue a report setting out their findings and recommendations for improvement and present it to Cabinet and other partner agencies. During the reviews, panels will gather information, evidence and opinions from Council officers, external bodies and organisations and members of the public to help them understand the key issues relating to the review topic.
- ⇒ **One-Off Reviews:** Panels often want to have a quick, one-off review of a topic and will ask Council officers to come and speak to them about a particular service or issue before making recommendations to the Cabinet.
- ⇒ **Scrutiny of Council Documents:** Panels also examine key Council documents, such as the budget, the Business Plan and the Best Value Performance Plan.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at, or have views on current reviews being carried out by scrutiny, let us know.

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Agenda Item 3

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OVERVIEW AND SCRUTINY COMMISSION

12 FEBRUARY 2020

(7.15 pm - 8.45 pm)

PRESENT: Councillor Peter Southgate (in the Chair),
Councillor Peter McCabe, Councillor John Dehaney,
Councillor Sally Kenny, Councillor Paul Kohler,
Councillor Owen Pritchard, Councillor Nick McLean,
Councillor Edward Gretton, Councillor Joan Henry and
Councillor Natasha Irons

ALSO PRESENT: Councillor Mark Allison, Deputy Leader and Cabinet Member for
Finance

Caroline Holland (Director of Corporate Services) and Julia
Regan (Head of Democracy Services)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from co-opted members Emma Lemon and Colin Powell.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting held on 22 January 2020 were agreed as an accurate record.

4 YOUTH PARLIAMENT JOINT SCRUTINY OF THE CLIMATE EMERGENCY - CABINET RESPONSE (Agenda Item 4)

The Chair introduced the report and said that although two of the recommendations had only been partially accepted, that was understandable given that they had been aspirational recommendations. The Chair and two of the other councillors who had been at the meeting with the Youth Parliament representatives said that they had been impressed by the dedication and passion shown by the young people and the articulate way in which they put their views forward.

Members agreed that they wished to continue to involve the Youth Parliament in scrutiny during the next municipal year, with a gender balance if possible. In response to a question, the Head of Democracy Services (Julia Regan) advised that the Youth Parliament are included in the topic suggestion programme, that scrutiny work programmes are shared with them so that they contribute if they wish and that some of the task groups had attended Youth parliament meetings as part of their consultation activity. The Chair suggested that the model used in the 2018 scrutiny of

personal safety whereby the youth parliament representatives presented the findings of their consultation with young people had been particularly productive.

The Commission RESOLVED to:

1. welcome Cabinet’s response to the recommendations arising from the joint scrutiny exercise with the youth parliament,
2. note the ongoing involvement of young people in the climate change working group, and
3. agree that it would not require a further update on the action plan.

5 BUSINESS PLAN UPDATE 2020/24 (Agenda Item 5)

Members agreed to take items 5 and 6 together.

The Director of Corporate Services, Caroline Holland, introduced the Business Plan Update report, outlining the content and highlighting the new information that Cabinet had received in January. She drew the Commission’s attention to progress that had been made on balancing the budget and the gaps that remained for future years.

Caroline Holland provided additional information in response to questions about the Medium Term Financial Strategy:

- The Londonwide business rates pool had been beneficial and all the boroughs have signed up to continue next year
- Revenuisation provisions were made in response to a government change in the categorisation of capital expenditure
- The corporate provision for inflation is used to meet the costs of those supplies that increase above the predicted level of inflation
- Officers are looking at a range of options to increase SEND provision in the borough
- The increase in the pension contribution rate relates to the employer contribution.

Savings proposals for Corporate Services

Members asked questions and made comments about individual savings proposals:

Replacement savings	
Previously agreed saving: 2018-19 CS05 – Resources Division reduction in 1FTE	Noted that the changes associated with the new banking system had been complex which is why the anticipated staffing saving has not proved possible to date and a replacement saving has been proposed from the Insurance Fund. Saving AGREED
Proposed replacement: CSREP 20201 (1) – savings in Insurance Fund top-up budget	
Deferred savings	
2019-20 CS18 closure of Gifford House and relocation of SLLP to Civic Centre	Noted that there had been a number of bids for space in the Civic Centre. Also that the Local Development Plan lists

	Gifford House as an area for potential redevelopment. Saving AGREED.
2019-20 CS19 Closure of Chaucer Centre and relocation of operational teams to Civic Centre	Noted that the number of bookings had decreased and income now lower than budgeted for. Saving AGREED.
2019-20 CS15 Policy and Partnerships team, reduction 1FTE	Caroline Holland advised that the cost of these deferred savings would be included in the baseline budget each year until the savings were taken. Saving AGREED.

Capital programme

Caroline Holland said that there had been no major changes to the capital programme subsequent to the November report. She advised that there may be a need to use some of the corporate capital contingency fund in 2023/24 for repairs to Bishopford Bridge. Members said that they, and residents, would expect the council to negotiate vigorously with the contractor. Caroline Holland said that all avenues were being explored.

Service plans

Customers, Policy and Improvement – noted that income from Registrars’ event was £655,491 in 2018/19.

Safer Merton – commented that the number of new actionable ASB cases is huge compared to anticipated demand. AGREED to ask the Head of Safer Merton about this when he brings an update report to the Commission’s meeting on 2 April.

Reference to Cabinet

The Chair encouraged members to make a reference to Cabinet. He proposed that this should note that there had been a better settlement from government than for some years, join with London Councils in calling for a fair funding settlement that will give certainty for the term of the MTFs to 2023/24, note the need to make prudent provision for the “known unknowns”, and, should there be a favourable outcome, to ask Cabinet to reconsider those savings classed as “high risk” on deliverability and reputation, and most likely to have an adverse impact on vulnerable service users.

There was no seconder for this proposal. Members noted that there were quite a number of potential funding streams and grants currently under review and said that they wished to take these in the round rather than making a recommendation based on partial information.

A motion was proposed by Councillor Owen Pritchard and seconded by Councillor Nick McLean to ask Cabinet to keep the Commission informed regarding the outcome of government reviews and decision on a number of funding streams that currently remain uncertain. This would include decisions on business rates, the fair funding review, financing of adult social care, addressing the deficit in the dedicated schools grant and the outcome of the comprehensive spending review. Members voted on the motion and it was passed – 8 members voted in favour and 2 abstained.

The Commission therefore RESOLVED to make the following reference to Cabinet:

“To note that central government is undertaking a number of strategic reviews that will have a direct impact on the funding of Merton Council and therefore asks that Cabinet keep the Commission informed upon the outcome of each one, as and when it arrives, with a view to its impact on the council’s medium term financial strategy.” It is anticipated that Cabinet would provide this information to the Commission through the quarterly financial monitoring reports.

6 BUSINESS PLAN 2020-24 SAVINGS INFORMATION PACK (Agenda Item 6)

7 SCRUTINY OF THE BUSINESS PLAN - COMMENTS AND RECOMMENDATIONS FROM THE SCRUTINY PANELS (Agenda Item 7)

Members discussed the content of the report from the Panels, noted that there had been lots of questions asked at the Panel meetings and RESOLVED to forward the comments and recommendations from the Panels to Cabinet.

The Commission also RESOLVED to ask the Children and Young People Overview and Scrutiny Panel to undertake some scrutiny in the next municipal year of how the uptake and quantity of SEND provision in the borough could be increased and how the costs of the service could be reduced. ACTION: Head of Democracy Services to email Chair of the Panel and Director of Children Schools and Families.

8 REVIEW OF THE OVERVIEW AND SCRUTINY FUNCTION - ACTION PLAN (Agenda Item 8)

Members discussed the report and noted one factual change in paragraph 2.18 to state that a majority of the working group had agreed on the value of giving some scrutiny leadership roles to the opposition but that this had not been unanimous.

With the exception of the section on sharing of scrutiny chairing roles, the Commission RESOLVED to agree the actions set out in the report and to ask the Head of Democracy Services to draft an action plan in consultation with the Chair. The Head of Democracy Services said that one of the first actions would be to develop a new approach to the topic workshops in order to assist members to prioritise work programme items that would have a clear purpose and outcome.

9 NOTE OF THE MEETING OF THE FINANCIAL MONITORING TASK GROUP, 14 JANUARY 2020 (Agenda Item 9)

Noted.

10 WORK PROGRAMME (Agenda Item 10)

The Commission RESOLVED to agree the work programme as set out in the report.

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Overview and Scrutiny Commission

Date: 18th March 2020

Subject: Restorative Justice in Merton

Lead officer: Roberta Evans, Youth Offending Team

Lead members: Councillor Kelly Braund, Cabinet Member for Children's Services; and Councillor Edith Macauley, Cabinet Member for Voluntary Sector, Partnerships and Community Safety

Contact officer: Neil Thurlow, Community Safety Manager

Recommendations:

That the Commission discuss and comments on the operation of Restorative Justice in Merton.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. An outline of Merton's approach to Restorative Justice has been requested. This report provides an outline of the Youth Justice Team's approach, compiled by the Restorative Justice and Partnerships Operational Manager in the team.
- 1.2. In London the Mayor's Office of Policing and Crime leads on restorative justice for adults through the MOPAC Victims Board. In Merton the service is provided by Calm Mediation. A representative from Calm Mediation will provide a presentation to the Commission's meeting on 18 March so that members can ask questions and comment on the service provision for adults.

2 DETAILS

Restorative Practice in Merton Youth Justice Team

- 2.1. Merton Youth Justice Team (YJT) receives the outcomes for all young people (aged 10 – 18) in the Criminal Justice System, including those with Pre-Court disposals, first time entrants and those receiving a Court order in the Magistrates or Crown Court. The team adheres to the Victim Code in regard to offering all identified victims of a young person's offence (whether a child or adult) information about the outcome, opportunity to engage in Restorative Justice and access to support services.

‘Restorative Justice brings those harmed by crime and conflict, and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward’. (Restorative Justice Council 2012)

Victim Support Process

- 2.2. Merton YJT attempts to contact all victims of young people subject to out of court disposals, Referral Orders, Youth Rehabilitation Orders and Custodial Sentences. Whenever possible contact will be made prior to the young person’s plan of intervention being agreed in order that the victim voice can be taken into account in regard to safety plans and restorative processes.
- 2.3. In line with GDPR regulations, the Youth Justice police officer will make initial contact by phone or letter to ask for permission for the Youth Justice team to make contact in order to provide information on the sentence imposed on the young person, the services and support available to the victim from other services and details of possible restorative justice options. If the victim has not responded to a letter within five working days, their details will be passed to the RJ Manager and Reparation co-ordinator for consideration of how to progress and contact the victim, depending on the complexity of the offence. They will attempt to make contact by telephone and whenever possible, meet with the victim (and parents or guardians if under sixteen).
- 2.4. Initial contact will involve assessment of the victim’s needs, wishes, thoughts and feelings plus a risk assessment in regard to their safety. This will be recorded on the Youth Justice Service Careworks database but anonymised and kept separately from the information on the young person.
- 2.5. All victims will be treated with respect, are not coerced and are offered a genuine choice of restorative interventions, including a meeting with the young person following a risk assessment and written consent from both themselves and the young person. An indirect process of communication between the young person and victim can include written, video or audio communication. The Victim may also choose not to have any form of communication but may wish to give their views with regard to the type of reparation activity undertaken by the young person as part of their sentence or to be kept informed of the progress and completion of the young person’s court order.
- 2.6. Victims are offered information regarding a range of support services such as Jigsaw4U who offer one to one emotional support for young victims. The Victim Support LVWS was developed in response to The Mayor’s Police and Crime Plan 2017-2021. It provides Victim support services for victims 18 years+, Domestic abuse services for victims 16 years+, Access to Restorative Justice, Pre-trial outreach services & Major incident responses. A Pan-London offer includes CALM mediation, they are a lead Restorative Justice provider under the LVWS delivering services to provide resolution to conflict for over 20 years. Offers include Restorative Justice, Workplace and community Mediation across the UK. The pan-London RJS model is

available in all 32 London boroughs for victims of any age who reside or were victimised in London and where there is an identified or identifiable offender. The RJ process can take place at any stage of the criminal justice proceedings and is victim led.

- 2.7. Referrals can also be made to Victim Support for both emotional and practical support (for children and adult victims). Victim Support's pan London Children and Young People's (CYP) service provides confidential support for children and young people aged 4-17. The service works with young people up to the age of 21 if the needs and risks assessment identifies that it would be more appropriate that support be provided by the CYP service instead of the adult service (LVWS). The CYP services works with children and young people who have been affected by crime regardless of whether it has been reported to the police. The National Homicide Service supports those who are bereaved through murder or manslaughter and those who are an immediate family member of the deceased.
- 2.8. The Youth Justice Service will work with all young people to enable them to have an understanding of the consequences and impact of the offence on all victims and the local community. They will also work with the young person to prepare them for a restorative justice meeting where requested and agreed by both the victim and young person. This can include a variety of victim awareness tools.
- 2.9. Diversity issues are taken into account in all work with victims and young people. For example, the team will utilise interpreters, make adjustments and use direct work tools for those with learning needs, undertake home visits and other settings rather than office based meetings.

Face to Face Restorative Meeting

- 2.10. Following an assessment as to whether the parties are ready to meet, the facilitator then brings them together and in each other's hearing, often using a talking piece, the questions are then asked of both parties again. This is followed by their conversation, as to where they want to take the matter from here. They will discuss their needs and the options they each see for the resolution of the matter and a strategy to prevent such incidents being repeated.
- 2.11. Evaluation of victims' experience and satisfaction is offered by written or verbal feedback and recorded on the victim tab in Care works.

Restorative Enquiry Process: Young Person and Significant Other

- 2.12. The merits of Young People and their families being engaged in Restorative Practice at every level of the YJT is seen as an essential component in service delivery. It is recognised that both the young person and their family will be impacted by their offending behaviour, by having to attend the Police

- station, Court and Youth Justice offices. This can increase the sense of shame and impact on the emotional dynamics within the young person's life.
- 2.13. Merton YJT staff and partnership agencies were recently trained in a process of Restorative Facilitation. The Restorative Practice Enquiry approach gives consideration to the values and ethos of a Restorative Approach to conflict resolution, relationship building, models of intervention and neuroscience perspectives on the impact shame, emotional literacy and trauma informed practice.
 - 2.14. This process of restorative facilitation requires an individual meeting with the young person and their significant other using a set of Enquiry Questions. The next stage would then involve a shared dialogue between both parties to help explore the identified thoughts & feelings generated in the one to one discussions to aid communication and ensure a systemic whole family approach from the outset.
 - 2.15. The aim is for this intervention to occur at the earliest opportunity with a young person coming into contact with the YJT. To ensure the approach is embedded we will be convening weekly restorative forums at the Youth Justice offices. This will help stream line the collaborative approach, ensuring all families have the opportunity to benefit from the offer and embed a layered approach to Restorative Practice across the team.
 - 2.16. Through the use of restorative enquiry questions, the process also enables staff to identify whether or not there is scope for further restorative work to be undertaken between those who have caused harm and those who have been harmed.
 - 2.17. Having this process early in the young person's involvement with the criminal justice system can support their engagement in the restorative enquiry with their direct victim.

Restorative Justice Case Examples

**The names used in case studies have been changed to protect the identity of those involved*.*

Reparation

- 2.18. Tim was made subject to a 12 month Referral Order for conspiring to commit a burglary of a dwelling with intent to steal and conspiring to steal a motor vehicle. Through further conversation with the reparation coordinator the young person expressed an interest in bikes and it was agreed he could attend the 'Recycle a Cycle' project to complete his reparation hours. This was set up in partnership with the local safer neighbourhood team and bikes that have been previously stolen or abandoned are donated from Wimbledon Police Station. Once received the young people are taught how to repair and service them before they are offered to victims of bicycle theft.
- 2.19. Tim has successfully repaired and serviced many bikes since starting the project, 3 of which have been given to victims of bike theft involving a direct hand over and conversation between Tim, staff and the victim about the

impact of bike theft. Tim is now using the knowledge he has learnt to repair and sell bikes in his free time and one of the project facilitators has offered to introduce him to a careers advisor to develop a business plan in this regard. Tim is now fully focused on using his new skill set to carve a career path for himself in the future. There has been no further arrest for offending behaviour.

Direct RJ

- 2.20. In this instance the offence was Criminal Damage in the home. The young person had become frustrated towards his mother who had in his view 'snatched' his PlayStation controller away in an attempt to stop him playing video games. In an angry outburst he proceeded to smash the coffee table. During the one to one RJ Enquiry process he explained to the Police and allocated Case Practitioner he feels trapped at home sometimes, can't walk away and cannot deal with his mum's shouting.
- 2.21. When the family were brought together to explore the issues the young person was able to articulate himself with the support of the Case Practitioner and even resulted in an apology to his mother for breaking the table. The young person's mother then spoke re her feelings about the anger and why she was frustrated over his use of video games. He was able to hear Mum's perspective and agreed his reaction was disproportionate, albeit the family recognised the problem wasn't 'located in the young person' and was more related to the family system. They started to consider other underlying issues that may have been contributing to the use of video games to 'self sooth' and why it's hard to stop play and end the immersion. They then explored how the situation could have been managed differently and thought about how they may respond should a similar situation arise in the future. Since the offence there has been a recent shift which led to the young person taking medication for his ADHD diagnosis and attending the gym which is proving positive.
- 2.22. In summary the RJ process helped facilitate a voice within the family and they were appreciative to have had the opportunity to go through the process with YJT staff.

Indirect RJ

Example 1:

- 2.23. The following is a write up by YJT Police Officers who led on a positive piece of RJ work during the course of their involvement with a Pre Court case of blackmail.
- 2.24. During a home visit with the victim it was explained what a Youth Conditional Caution is, what this means and what will happen should the suspect fail to complete the conditions. 'Reassurance sessions' were conducted with both the Victim and her mother on Police outcomes and RJ.

- 2.25. The young person who caused the harm completed a letter of apology at school and this was given to the victim within the school. However, this occurred without the victim being consulted before hand and he was therefore spoken to by the YJT/Police about how the process should have taken place. The victim was reassured that no further work would be completed without a joint plan being set. This reassured the victim and mother to continue engagement with the YJT Police Officer who advised in the interim how the victim should respond to the young person involved in the blackmail should she meet him at school before his move away from the area, how to maintain her safety within the community and what she should do should there be unplanned contact again or made to feel uncomfortable in any way.
- 2.26. The victim and her family were advised about internet security and how photos once passed using social networks are no longer under her control and can be further passed on without her knowledge or permission.
- 2.27. Upon further discussion it was jointly agreed that it would be more appropriate for a female worker to go over the victims feelings due to the age and gender of the male Officer leading the case which could lead to embarrassment given the sensitive subject matter. This consideration of individual needs was welcomed and appreciated by the family. A female colleague from 'Spectra' attended the victim's home address and went over the victims feelings which then fed into victim empathy sessions with the young person who caused the harm.

Example 2:

- 2.28. In this example, a young person was the victim of a knife point robbery. For some time after the offence, both the victim and his parents were concerned that the boys who committed the robbery were still at the same school and came into school wearing the jacket that was stolen. The parents were worried that their son would be expelled even though he was the victim in this instance whilst the victim was concerned he would be accused of being a "snitch" and remained anxious about having any communication with the police. Despite this they remained open to support and were happy to communicate the way they felt.
- 2.29. The family were asked if there is anything they would want the young people who caused the harm to know. The mother explained that she wants them to know that she is worried for them and any other young people who carry knives as they will end up ruining their own lives as well as others. She understands that young people are impulsive, hopes that they have learnt an important lesson and manage to put it behind them. So whilst the family were reluctant to pursue face to face contact with the young people who caused the harm, their voice has been heard and fed into the wider restorative process.

Example 3:

- 2.30. A recent Out of Court case resulted in a young person receiving a Youth Caution for an offence of 'possessing indecent photograph/pseudo-photograph of a child'. This case falls into the category of 'sensitive and complex' and took 4 months of careful consideration and case management to conclude which is an unusual time frame for a pre court matter.
- 2.31. The complexity of the case was compounded by the young person living abroad meaning cross border liaison was required. Merton YJT were required to come up with a robust package of support to address the sexually harmful behaviour and consider both the risk of re-offending but also risk of further harm being caused to the victim and/or others.
- 2.32. The case involved regular communication and correspondence with the victim who accessed counselling support throughout. Following consultation with a UK specialist a referral was made for therapeutic support to a Restorative Justice Organisation in the country where the young person goes to school. Whilst there was the option for international RJ work to occur, the victim chose not to proceed in this regard. However, RJ work will still proceed with the young person who caused the harm.
- 2.33. The victim's mother is very concerned of re-victimizing her daughter and fully believes that she herself is also a victim in this case due to all she has had to endure. She agreed to send an e-mail capturing her and her daughter's thoughts and feelings now but also what her daughter felt at the time of the offence. This helps to reveal what the family feel the on-going challenges are in the past, present and future following the offence. The aim is for this information to feed into restorative sessions abroad with the young person who caused the harm.

Reparation Projects

Merton YJT have a range of reparation projects outlined as follows:

- 2.34. Street Doctors - This is run by Junior Doctors from St George's hospital and covers how to deal with first response first aid; bleeding, burns, bandages and CPR. It aims to equip young people with life skills to assist others in the community who are in need of medical assistance and contact emergency services. It also aims to develop awareness of the links between substance misuse, violent crime and injury to self/others. Certificate are issued to young people upon completion.
- 2.35. The Dog Trust - This covers the legal status of dogs, breeding guidelines, spaying nurturing, training and definition of responsible ownership. The young people make dog toys/treats to be donated to the kennels at the Dog Trust. It promotes a sense of responsibility in the community re pet ownership and helps to develop an awareness of need and empathy, promoting kindness, respect & consideration for others. The extension to human relationships is a key theme of the course, making these pertinent

links. It also aims to help young people develop an awareness of illegal breeding and animal exploitation for financial gain.

- 2.36. Recycle a Cycle – Victims of bike theft are offered the opportunity to collect a restored bike that is donated by the Police from recovered / lost bikes. The session covers all aspects of repairing and maintaining a bike. The young people are present when a victim collects a bike and are able to see the worth of the project and the impact of stolen bikes on the community first hand. The young people are supported with an AQA certificate on completion of a number of sessions.
- 2.37. Food and Hygiene Cooking project – The food cooked is given to local nursing homes. The course also provides skills that could lead to careers in catering. This in turn reduces the risk of reoffending and makes a positive contribution to wider society.
- 2.38. Stable management – The maintenance of the stables is vital to ensure young people with disabilities are able to use the facilities. The bushes and trees along the local walk ways and access are also pruned as required by the young people involved which helps benefit the local community.
- 2.39. St Marys Church Court Yard gardening project - For many years we have helped the parishioners maintain the grounds. Many benefit from this project as the church is also a local historical attraction. Elderly community volunteers also assist the young people in this project which provides a shared learning process between those who have caused harm and the wider community. This brings about a sense of healing within the community and embraces historical restorative practices.
- 2.40. Gardening Renal Unit - Colliers wood Renal Unit have a garden funded by the national lottery for the patients who are having dialysis. Those who attend will therefore benefit from the maintained/improved grounds as a result of the gardening work.
- 2.41. The Garden at Vestry hall - Maintenance benefits local community who attend for a range of activities/projects/clubs and staff.

Community based offence projects

- 2.42. The YJT respond to rises in particular crime through Restorative processes and involving communities affected. The following projects were delivered in 2015-2018 and could be delivered again when needed or other projects may be developed in response to spikes in certain offences.
- 2.43. Shop Theft– the Reparation worker has delivered group work with young people when there is a rise in Theft from Shop offences. This involves a four week programme whereby the last session involves community representatives who will be able to hear presentations from young people about what they have learnt about the impact of shop theft on stores and the public. Following the delivery of these groups the team saw a drop in theft offences.

- 2.44. Moped theft and related crime - following a rise in moped theft in 2017 the Youth Justice team, together with Police and Ambulance services delivered two 'call in' sessions with young people identified as involved in moped crime. They were provided with hard hitting presentations about the impact of moped crime, including on themselves and the risk of accidents. All young people that attended were offered the opportunity to have their licence paid for and the 'Call in' was followed up with one-to-one sessions with the young people to apply for a licence offering further opportunity for reflection. These call-ins were highlighted by Police as a successful contribution to the reduction in moped crime in Merton.
- 2.45. Group violence – in response to serious incidents that can involve young people from rival groups the specialist workers in the service will utilise restorative questioning and practices to support those involved to consider the impact and what needs to happen next to resolve the issues. Together with proactive work by Police and allocated services, this approach has seen significant success after spikes in violent incidents in 2015/16 and in 2017/18.
- 2.46. We have identified that the next priority offence is Possession of Cannabis and have liaised with specialist services about their involvement in Pre-Court decision making panel and in delivering a bespoke group programme.

Training of staff

- 2.47. In the past Volunteer Panel Members completed the initial four day Restorative Justice training as part of Referral Order training. However, this training process has been revised and a new model is due to be implemented in 2020/21. RJ Operational Manager and Reparation Co-Ordinator are due to attend the 'train the trainer' in March at which stage a new Referral Order panel member recruitment process will be initiated.
- 2.48. All new staff within the Youth Justice Service are inducted on the Victim and R.J. procedure and offered the opportunity to complete R.J. training when available.
- 2.49. Moving forward it is hoped there will be a borough wide commitment for Restorative Practice across all services working with people who cause harm and those harmed. This can be as simple as a restorative conversation facilitated by a police officer for a low level offence, for example an altercation in a school corridor between pupils. A planned restorative meeting between two people or a full restorative conference for complex/sensitive and violent offences, including not only the harmed and harmer but immediate family and relevant agencies/services and local community.
- 2.50. The YJS has funding for specialist complex R.J. training for both the Youth Justice Team which took place in February 2020. The training offer was extended to partners to help encourage a collaborative, progressive approach to Restorative Practice.

- 3 ALTERNATIVE OPTIONS**
N/A
- 4 CONSULTATION UNDERTAKEN OR PROPOSED**
N/A
- 5 TIMETABLE**
N/A
- 6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**
N/A
- 7 LEGAL AND STATUTORY IMPLICATIONS**
N/A
- 8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**
N/A
- 9 CRIME AND DISORDER IMPLICATIONS**
N/A
- 10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**
N/A
- 11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**
N/A
- 12 BACKGROUND PAPERS**
N/A

Committee: Overview and Scrutiny Commission

Date: 18 March 2020

Wards: All

Subject: How council officers involved in procurement are made aware of Modern Slavery

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Dawn Jolley, Head of Commercial Services

Recommendations:

That the Overview and Scrutiny Commission discuss and comment on the report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. On the 18th November 2018 in support of a motion by Councillor Mundy and seconded by Councillor Henry, Council called on Cabinet to:
- Adopt the Co-operative Party's Charter against Modern day Slavery to ensure the Council's procurement practices do not support slavery.
 - Consider the wider impact of modern day slavery on the borough, and work to ensure that all forms of modern slavery are eliminated in Merton.
- 1.2 The Overview and Scrutiny Commission has asked for a report focusing on how council officers involved in procurement are made aware of and act in relation to Modern Slavery.

2 DETAILS

- 2.1. The Modern Slavery Act 2015 was designed to prevent slavery, servitude, forced or compulsory labour and human trafficking in organisations and their supply chains. The legislation supports government policy and aims to protect vulnerable people by raising awareness and protecting them from becoming victims and to ensure that public sector organisations are better prepared to reduce the harm that these crimes can cause.
- 2.2. The Act requires "commercial organisations" to disclose the steps they have taken to ensure human trafficking and slavery does not occur within them or their supply chains. Under section 54 of the Act, commercial organisations with a turnover of £36 million (Modern Slavery Act 2015 (Transparency in Supply Chains) Regulations 2015), must publish a statement for each financial year on or after 31 March 2016. The statement must be published on the organisation's website, with a link to the statement in a prominent place on their home page.
- 2.3. It is not a legal requirement for the Council to produce such a statement, as it is not a commercial organisation as defined by the Act.

2.4. There is also a duty under section 52 of the Act which requires specified public bodies (including Local Authorities) to notify the Secretary of State upon developing reasonable grounds to believe that a person may be a victim of slavery or human trafficking. The Public Contracts Regulations 2015 also requires the exclusion of any supplier which has itself committed a slavery offence.

2.5. The commitments required by the Charter are more specific than those required under the Modern day Slavery Act and the Charter asks each Council adopting it to:

- Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical procurement and Supply.
- Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern day slavery.
- Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
- Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern day slavery¹.
- Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern day slavery.
- Review its contractual spending regularly to identify any potential issues with modern slavery.
- Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
- Report publicly on the implementation of this policy annually.

2.6. With specific reference to how council officers at Merton, involved in procurement, are made aware of and act in relation to this issue:

2.6.1 All officers within Commercial Services have completed the CIPS online course on Ethical Procurement & Supply. This is completed each financial year and monitored by the Head of Commercial Services.

¹ Our Whistle Blowing policy is accessible to all via the Council's website <https://www.merton.gov.uk/council-and-local-democracy/plans-and-policies/whistleblowing-policy>. Currently, specific reference to Modern Slavery is not included. The Head of Internal Audit is looking at addressing this during the next review. This will need to be submitted to Standards and General Purposes for approval. It is anticipated that policy will be updated before April 2020.

- 2.6.2 Officers that have responsibility for procurement but that sit outside of Commercial Services are encouraged to complete the online CIPS course (through the four departmental Operational Procurement Groups and/or the Council's Procurement Forum). Information regarding Modern Slavery, how to identify it and what to do if identified is also promoted via the Council's Procurement Toolkit and Commercial Services information pages on the Council's intranet².
- 2.6.3 Should a provider be found in breach of the Modern Slavery Act 2015, contract termination would be a potential sanction for non-compliance.
- 2.6.4 As part of the Standard Selection Questionnaire (SQ) issued to all bidders in relation to tenders over the EU thresholds, we ask organisations whether they are required to produce a Modern Slavery Statement and provide a link to the statement on their website if they are in-scope. All tender processes require bidders to provide confirmation that they are compliant with the Act.
- 2.6.5 The response of the highest scoring bidder is then verified prior to recommending the award of the contract
- 2.6.6 All abnormally low-cost tenders are challenged.
- 2.6.7 The Council's terms and conditions of contract contain a clause prohibiting suppliers from preventing their staff from joining and participating in any trade union or association of their choice.
- 2.6.8 The Council's terms and conditions of contract contain clauses which require contractors to adopt and promote Merton's whistleblowing policy.
- 2.6.9 We regularly review contractual spending.
- 2.6.10 If identified, we will highlight for our suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed
- 2.6.11 We will refer for investigation, via the National Crime Agency's national referral mechanism, any of our contractors identified as a cause for concern regarding modern slavery.

3 ALTERNATIVE OPTIONS

- 3.1. None for the purpose of this report

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this report.

5 TIMETABLE

- 5.1. None for the purposes of this report

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of this report

7 LEGAL AND STATUTORY IMPLICATIONS

²

<https://mertonhub.merton.gov.uk/councilwide/policyproceduresandguidance/procurement/Pages/Modern-slavery.aspx>

7.1. Legal and statutory implications have been addressed in the main body of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. The main purpose and rationale of adopting the Charter is to demonstrate further the Council's commitment and reinforce its approach to tackling modern day slavery. Groups that are protected by the Public-Sector Equality Duty are disproportionately likely to be subject to modern slavery and adopting the Charter is designed to promote equality and foster good relations.

9 CRIME AND DISORDER IMPLICATIONS

9.1. Prevention and identification of crime relating to modern day slavery.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. Ensuring that during the procurement process that suppliers are aware of Merton's commitment to the issue of preventing and identifying modern day slavery and ensuring compliance with the Council's duties under the Act.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None

12 BACKGROUND PAPERS

12.1. None

Committee: Overview and Scrutiny Commission

Date: 18th March 2020

Wards: All

Subject: Contract Management Approach to Waste and Street Cleansing Service

Lead officer: Chris Lee – Director of Environment & Regeneration

Lead member: Cllr Tobin Byers - Adult Social Care, Health and the Environment

Chair of the Health and Wellbeing Board

Contact officer: John Bosley – Assistant Director of Public Space

Recommendations:

- A. The Committee discuss and comment on the contractual mechanisms in place to manage the environmental service contract that delivers the street cleansing service undertaken by our service provider Veolia.
- B. Further recommendations are welcomed on areas of improvement or focus for the service client management team to implement.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. To inform the Commission about the contractual management approach undertaken by the Council's client team to effectively manage and drive improvements with the service provider, Veolia.
- 1.2. To outline the contract and the mechanisms that are in place and applied to manage the contract governing the street cleaning service.
- 1.3. The report covers the contractual elements of the waste and street cleaning contract, with a focus on streets. This includes contract price, guaranteed income (revenue) and performance deductions. The report summarises how we measure the performance of the contractors and the financial mechanisms used within the contract to drive the correct behaviour.

2 DETAILS

Background and strategic contract management

- 2.1. In July 2016, Cabinet agreed to award a new environmental services contracts. The contract for waste collection, street cleansing, winter maintenance, gully cleansing and fleet maintenance was awarded to Veolia and is referred to as South London Waste Partnership (SLWP) Phase C, Lot 1.
- 2.2. Currently, the contract is managed through the South London Waste Partnership (SLWP) team with the Council actively managing the day-to-day operational interface with the supplier, residential case management of issues, Member enquiries and through the provision of inspections to assess the standards of the service that are being delivered.

- 2.3. The Authorised Officer for the contract is the SLWP Strategic Partnership Manager and there is a separate Contract Manager for the Veolia contract within the partnership team. These roles are responsible for the management of the contract across all four of the partner authorities, LB Merton, LB Sutton, LB Croydon and RB Kingston.
- 2.4. The SLWP contract Management team are directed by the Management Group which consists of the appropriate Assistant Directors from each borough. Regular contract management meetings are held between SLWP and the contractor in order to oversee and progress the delivery of the contract. These meetings form the formal governance controls in relation to the provision of the services operated under the service contract.
- 2.5. The current contract management arrangements have not been without its challenges and we have recognised and acknowledged that there are underlying intrinsic problems regarding responsibilities, roles and areas of accountability in the management of this contract.
- 2.6. To address this, the Partnership commissioned an independent review to look at the current governance arrangements and the client contract management functionality.
- 2.7. The review has highlighted a number of recommendations for the SLWP strategic management group to consider in relation to moving towards a localised contract management arrangement, moving to a more traditional direct management relationship between the Council and the service provider.
- 2.8. To address the principle accountabilities required to work effectively within a wider inter-borough partnership, the establishment and implementation of a new Joint Waste Officer Board (JWOB) has been agreed, which will comprise membership of the Head of Service (or equivalent) from each partnering borough.
- 2.9. The JWOB will be in effect from the next financial year, allowing the SLWP to focus on data analytics, strategic work, along with forward planning.

Contract monitoring and operational management

- 2.10. The operational performance of the contract is overseen and managed in a number of different ways in order to maintain and improve performance for the benefit of our residents.
- 2.11. Our Neighbourhood Client Team, consisting of three experienced Neighbourhood Client Officers (NCOs), monitor the contract through site visits and daily interaction with the contractors' Neighbourhood Environmental Managers, residents, stakeholders and local Members. They respond to customer requests, queries and complaints in order to resolve waste/ recycling collection, street cleaning or green space issues.
- 2.12. The Neighbourhood Client Team also gather business intelligence, performance information and analyse data held in the Council's customer management system. In addition, they have access to the contractor's operational business management systems in order to determine what resources are being used in order to deliver the services and when.

- 2.13. Through their work, they are developing strong relationships with key stakeholders as well as intricate service focused knowledge of their respective Wards for which they are responsible. This should enable them to pre-empt problems and resolve issues to minimise disruption and inconvenience to our residents. The regular outcomes of their data analysis and in-field reports provide the basis of the council's improvement focus points during the formal SLWP contract meeting and our local monthly operational meeting.
- 2.14. Good levels of communication between officers and managers in the client and contractor teams with a focus on continuous improvement drives the contractor/client relationship. Regular contract meetings take place on a monthly basis at both an operational and strategic level. These regular meetings are in addition to the daily liaison between the client teams and our contractors to resolve specific issues and continually improve working practices.
- 2.15. Effective contract management requires a good understanding of the contract and, in particular, the expected service standards and the incentives and disincentives for the contractor and client. Examples of those with a financial impact include, but are not limited to;
- a) Profit share once income guaranteed to the council is achieved, for example, from the commercial waste service.
 - b) The potential for step-in and ultimately termination in some circumstances where contractual obligations are not met.
 - c) Monthly monitoring of an agreed set of service performance indicators, where deductions are applied to specified elements of service performance that fail to meet requirements, for example, missed bins and fly-tips not cleared on time as per the contract service level agreements (SLAs).
- 2.16. It is important to note that not all service contracts will include performance related deductions and in any contract, punitive financial penalties are not lawful.
- 2.17. The SLWP Phase C, Lot 1 contract provides for financial performance related deductions up to a maximum of 10% of the total contract sum per annum in recognition of some of the additional costs that are incurred by boroughs in response to specified events. For example, the management of and rectification of reports of street cleansing operations that have failed to deliver the required street cleansing output requirement, missed waste collection or overflowing litterbins. Thus, performance deductions are by no means the sole driver of performance improvement; other mechanisms include the issuing of improvement notices, rights under the contract to step in and offset costs and even potential termination.
- 2.18. The management of client and service supplier relationship, however, has the ability to produce the most sustained improvement in service outcomes for all parties, especially our service users (residents, business owners and even visitors to the borough).

Street cleansing – Aims and scope of the Service

- 2.19. Merton Council is a 'principal litter authority' with a statutory duty under the Environmental Protection Act 1990 to ensure that 'relevant land' in its area is, so far as is practicable, kept clear of litter and refuse. In broad terms 'relevant land' is defined as all 'open land to which the public are entitled or permitted to have access with or without payment'. This includes cleaning responsibilities for adopted highways, but not private land and unadopted highways.
- 2.20. The 'Code of Practice on Litter and Refuse' published by the Department for Environment Food and Rural Affairs (DEFRA) gives guidance to the Council on how these duties should be discharged. In determining what standard of cleanliness should be achieved, the Council is required to have regard to the character and use of the land, as well as the control measures and cleaning regime that is practical in the circumstances. The Council is expected to set and implement cleaning regimes which meet these standards and provide adequate resources to restore areas falling below standard to an acceptable level, but the code does not place a requirement on how often to clean affected areas. This is also reflected in the contracted service arrangements which is based on 'outcomes' rather than specificity through dictated the inputs required – i.e. a specified schedule of cleansing.
- 2.21. In order to efficiently deploy the required resources to deliver the desired outputs, all public roads and assets requiring cleansing in the borough are subject to a routine, frequency-based schedule of cleaning that is designed to achieve the required standard.
- 2.22. Depending on a variety of factors, these assets are cleaned according to a variety of set frequencies which are routinely reviewed to ensure their effectiveness. The contractor delivers the routine street cleaning operations through a combination of mechanical and manual work, supported by seasonal staff for removal of autumn leaf fall (e.g. between October and January) and operating a weed control programme through a sub-contractor.
- 2.23. The timing of routine cleaning also has to be taken into account by the contractor to avoid contributing to traffic congestion, with certain activities programmed at night- time (e.g. road sweeping the boroughs main arterial roads) and weekends for areas heavily parked with commuter traffic.
- 2.24. Whilst litter has always been a social problem and an eyesore, it has been a particular area for concern over the last few years with one recent survey finding that 81% of people are angry and frustrated by the amount of litter lying all over the country with almost 30% of people finding litter a problem in their local area. (*Litter Strategy for England, HM Government, April 2017*)
- 2.25. Reports of littering tends to be particularly prominent in residential areas where it presents real challenges, in terms of the cleaning and removal due to the obstructions of heavily parked vehicles. In such situations the disproportionately high level of resources/cost required to undertake such deep-cleaning limits the number of streets which can be accommodated.

Outcomes of the service

- 2.26. The levels of cleanliness measured from regular inspections has been improving over the financial year as compared to the same period in 2018/19.

Chart 1. Street inspections results – combined grading of street litter, detritus and weeds as compared to 2018/19.

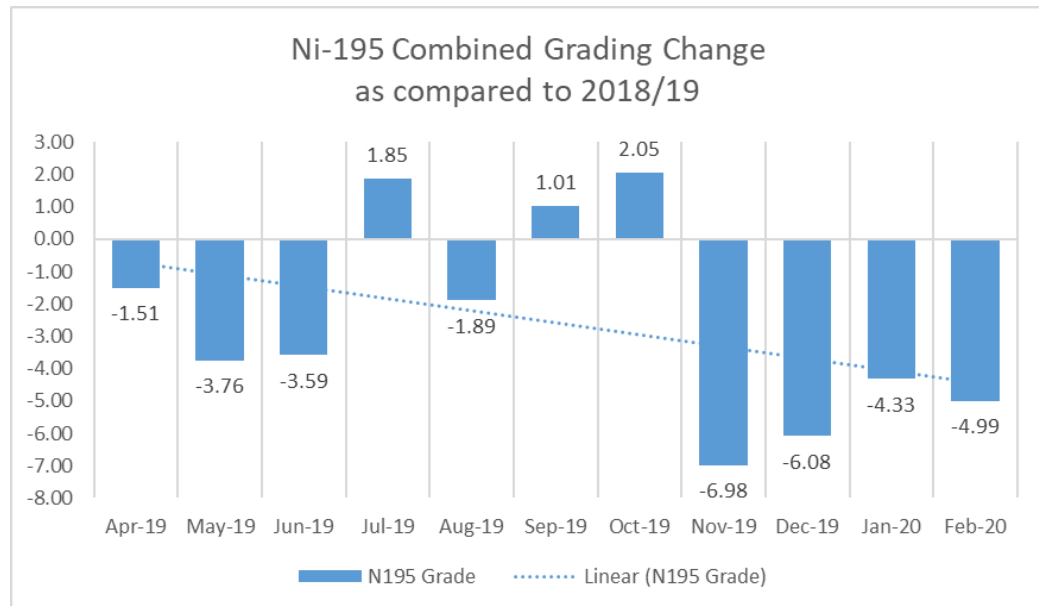
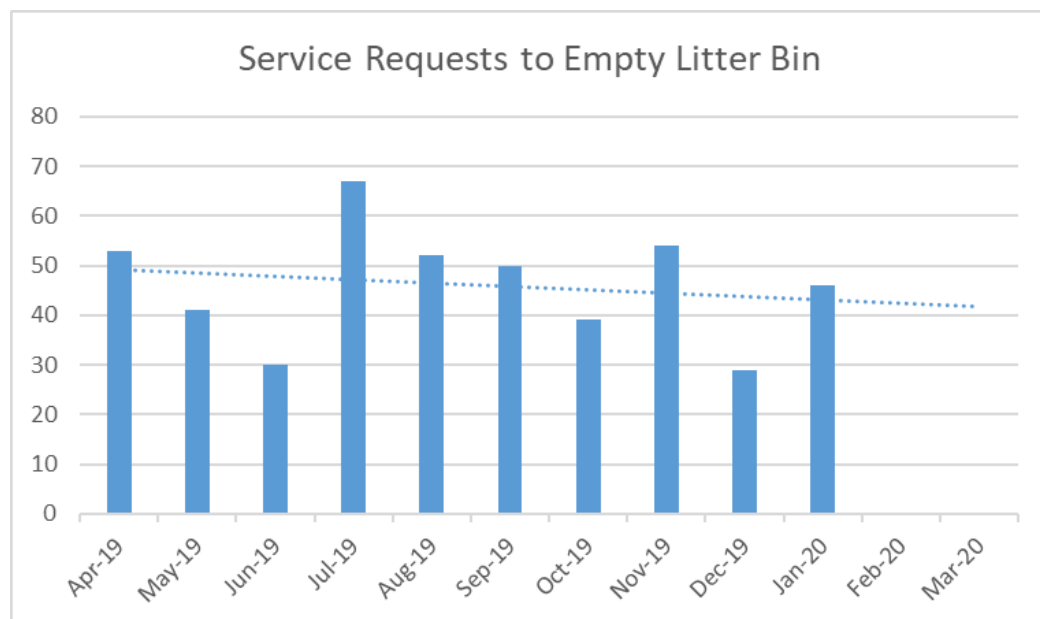


Chart 2. Decreasing trend in requests for servicing overflowing litter bins



- 2.27. In the same period, the client team has observed a steady improvement in decreasing complaints regarding the service with a 93% reduction in complaints in the last six (6) months as compared to the same period in 2018/19.
- 2.28. Whilst the 'green shoots of improvement' are promising, the client team is focusing on sustained improvements in proactive cleansing of known hotspots and a more focused attention to the issues affecting our communities, namely

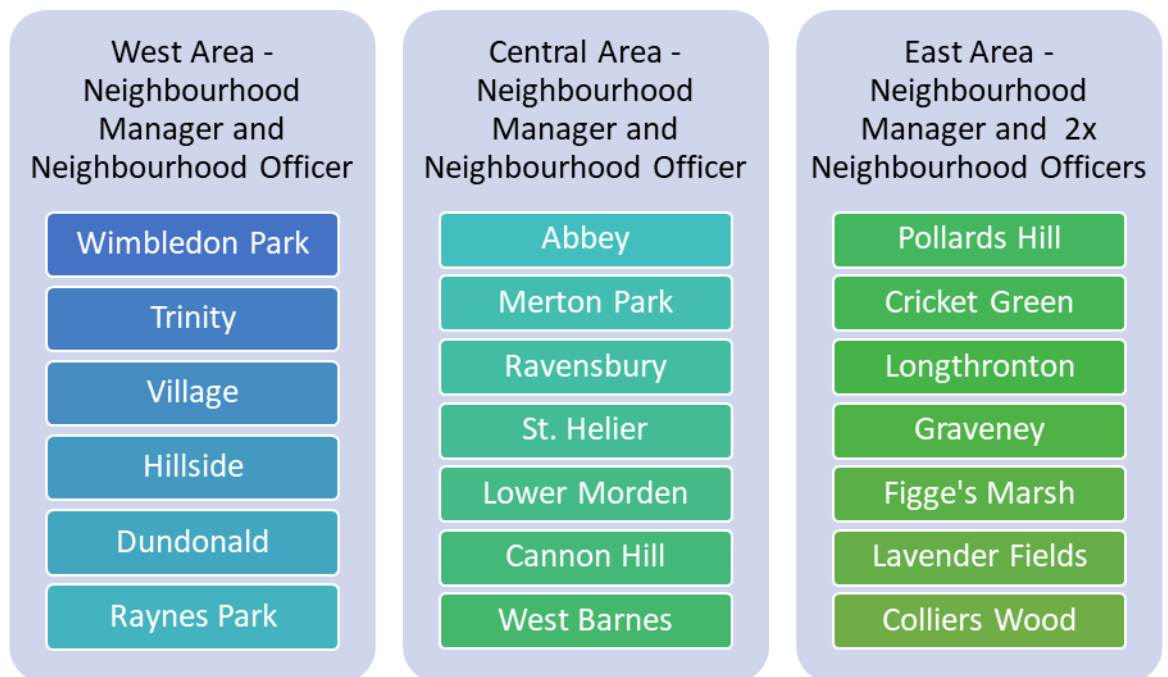
fly-tipping and cleansing of detritus, especially in areas of high density car parking.

- 2.29. The results of street cleansing inspections undertaken during the financial year (to date) are detailed in the table below. It should be noted that B- notifications are assigned where an inspection is liable to deteriorate to a C grade imminently or prior to the next scheduled cleansing activity and is used as a prompt to the contractor to attend before the standard fails.

Table 1. Inspections of street cleansing outcomes

	2019/20 *Year to Date				
	Q1	Q2	Q3	Q4	Total
Total Inspections	4698	5385	5405	3119	18607
B- Notifications	1285	1627	1196	559	4667
Graded Failures	158	199	89	46	492
	B- as "No Defect"		Graded Failures		
Average Performance	19.64%		2.07%		

- 2.30. The street cleansing services has scheduled 572,442 events to cleanse streets and assets in order to manage the delivery of the desired outcomes.
- 2.31. To further improve these outcomes for the service users and to improve our confidence that the contract is maintaining improvements, the client team is being redesigned through a Divisional restructure.
- 2.32. A priority focus in the business case to support the restructure is improvements to contract monitoring and management outcomes, being achieved by increasing the representative sample size of inspections across the whole of the service.
- 2.33. In terms of volume of inspections this means improvements in;
- **Timeliness**, ensuring inspections are conducted in a timely fashion in keeping with the fast paced environment of the Street Cleaning service demands as well as adapting to the seasonal requirements
 - **Reliability**, improving confidence and representativeness of the inspections with a minimum aim of ensuring that all residential roads are inspected bi-annually
 - **Variety**, ensuring that all streets, open spaces, public rights of way and service issues are inspected and monitored rather than focusing on the areas that generate the highest volume of customer contact(s)
 - **Value**, in relation to demonstrating high quality and an evidence based process for inspections and monitoring
- 2.34. The future directional of travel to support the above improvements in street cleansing contract management is being based on a neighbourhood approach with a focus on having officers '*in the field*' to further raise the focus of client management with the service provider and to improve the management of customer, residents and Member's needs.



- 2.35. The performance of the contractor is measured against a Service Performance Framework with a robust set of Service Performance Indicators (SPIs). Within the SPI framework there is a refresh period, which is applied, for a service failure not rectified within the agreed timeframe. It will have incurred a deduction as a consequence. A further period to rectify the failure is applied, should the service failure again not be addressed within the timeframe required further deductions are applied.
- 2.36. The total value of financial deductions that apply in the event of failure to achieve SPIs within the appropriate rectification period, are subject to an annual cap as outlined in 2.17.
- 2.37. Within the SPI framework, 29 separate indicators are used to drive improvements the performance and if necessary ensure to manage poor performance that the contractor rectifies under the performance required timescales defined in the framework.
- 2.38. Financial deductions are calculated in the event of failure to achieve an agreed SPI with the specified rectification period. The contract has provision for a three (3) month *grace* period at the start of the new contract or service change and, as such, no deductions were applied between April – June 2017 (across all areas of performance) and Oct – Dec 2018 for waste collection following the role out of the new waste collection service.
- 2.39. The examples below illustrate how in practice the deductions are applied;
- Fly-Tip - Failure to remove 100% of reported incidents of Fly-Tipped Material within 24 hours of notification excluding fly tips on private land.
 - Litter Bins - Failure to empty 100% of all street litter receptacles, to ensure that no litter receptacle is ever full or overflowing. This SPI covers all litterbins reported as overflowing, which are not rectified within 2 hours of the reported date and time.

- Street Below Grade - Failure to maintain cleanliness of residential roads to grade B standard. This SPI is for streets below grade, which are not listed within a town centre boundary and not rectified within 24 hours of reported date and time.

2.40. It is important to note that the performance management and deduction system relies upon reports of failure and in many instances the deductions are automatic if the contractor fails to rectify the failure within a specified time period e.g. within 24 hours for a street identified and reported below grade.

2.41. This reinforces the need for residents to report service requests on line or through our call centre utilising the Council’s CRM system to report service failure, since only through proper evidence can performance failure be rectified and any deductions calculated.

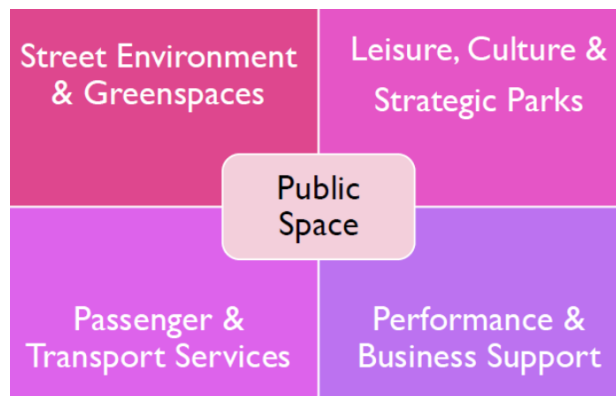
Improvements in contract management planned

2.42. Supported by the reorganisation of the client team through the current Divisional restructure being undertaken, the Public Space Division, in 2020/21, will be implementing a greater focus on contract monitoring, issue management and relationship management with key stakeholders in the community, Members and the service supplier.

2.43. To enable this, the restructure will be pooling current Divisional staff who perform data and administrative support to develop a Performance and Business Support team with the aim of improving the timely management of service data and reporting, thus enabling analytical driven decision making and improved governance.

2.44. The proposed Divisional changes are represented below, with the functions related to the management of the street cleansing contract being delivered through the Street Environment & Greenspaces team and the contract analytics, governance and performance data being prepared and tested by the Performance and Business Support team.

Proposed departmental work streams



2.45. The tangible benefits that arise from separating these functions is that there a constant focus on ‘real-time’ outcomes can be maintained by the client team, while the performance and governance functions are maintained and tested more rigorously in partnership with and as a critical friend to the service.

2.46. Lastly, the application of contract management standards will be refreshed and reframed to ensure that the information being managed, applied and undertaken by the client team is consistent, of quality and accessible to

improve the efficiency of the team, supporting the ability to make informed decisions on the current state of service delivery as well as identifying areas of poor performance.

Table 2. Contract Monitoring and Management Framework

Management Requirements
Requirements
Quarterly updated Contract Monitoring Summary Template
Risk register – regularly reviewed with service supplier
Service Provider - Monthly Monitoring Report to HoS
Service Performance Framework reviewed - Monthly
Compliance checks – Vehicle maintenance of Service Supplier & Plant equipment (LOLER)
Budget Analysis and cost of service – Budgeted, Actual and Variance (BAV)
VFM – Annual
User satisfaction
Risk Management
Annual Review Report
Contract Administration
Contract Summary Template – maintained
Subsequent variations and CCNs documented, authorised and signed copy held with original contract
Electronic copy of Original Contract –held on Shared drive with controlled accessed by all authorised officers
Contract Monitoring– updated Monthly
Contract management meeting agenda, minutes and actions arising available on shared drive (meetings attended by 2 Council officers)
Payments and Performance Deductions drafted and agreed at Monthly Contract Meeting, incorporating income collection where appropriate. Process to sample check figures from contractor in payment process.
Annual Price adjustments based on the outcome of Annual Review and Inflationary indices application applied to contract defined quantities and translated into annual estimated cost – checked by Accountancy
Year-end reconciliation – all issues resolved – agreed with Accountancy
Write offs – recorded and properly authorised (as required)
Divisional Risk Register-reviewed quarterly at a minimum
Performance Management
Performance Management Annual template
Annual Business Plan
Annual Report (as applicable)
Budget – Monthly analysis
Gateway reports (as applicable)
Performance data
1. Staffing
2. Publicity
3. QA
4. H&S
5. Assets – fleet and Capital
Relationship Management
Annual meeting with Contractor, DoE&R, HoS etc.- discussion on horizon setting in the industry, future issues and possible changes to improve service or address threats
Dispute escalation (as applicable)

3 ALTERNATIVE OPTIONS

3.1. None for the purposes of this report

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purposes of this report

5 TIMETABLE

5.1. The contract with Veolia commenced in April 2017 and expires in March 2025 with an option to extend twice, in each case, for a further 8 years totalling a maximum contract of 24 years.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. All capital assets remain the property of the council. Assets, such as depots and buildings are leased to Veolia, who are responsible for the rent and rates along with the maintenance cost of the buildings.

6.2. All vehicles are registered by Veolia and are operated under licence from the council. At the end of the contract, ownership reverts to the council.

Guaranteed Income

6.3. The core cost of the contract is reduced by the commitment of guaranteed income from four commercial activities managed on our behalf by the contractor. As shown below:

- Garden waste (fee set by Council)
- Sale of recyclable material
- Commercial waste collection
- 3rd party vehicle maintenance

6.4. This incentivises the contractor to ensure effective utilisation of the assets and the business developed by the London Borough of Merton.

6.5. It is important to note that the contractor is acting as an agent on behalf of the council and as such, the commercial services provided are exempt from VAT.

Revenue share - Lot 1 Veolia

6.6. Within the contract, there are three separate annual revenue share payments due from the contractor. These are for garden waste income, recycled material income and commercial waste income. The revenue share is only applicable if the contractor exceeds the guaranteed income from each of the three (3) commercial services. If excess revenue is achieved, then this profit margin is split between the contractor and the council.

6.7. It is important to note that the profit share is calculated on the total service area income and is not borough specific. The net position needs to exceed the combined guaranteed income before each borough receives their proportion of any revenue.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The London Borough of Croydon as the procuring authority awarded the contracts.
- 7.2. In order to safe guard the interest of the council, each of the Partnership boroughs have signed an inter authority agreement (IAA). The main principles remain consistent with existing agreements. The main elements of the IAA agreement include:
- 7.3. No savings achieved during the life of the contract shall lead to increased costs for any of the other partnership boroughs;
- 7.4. No changes to the scope of the contract shall add to any borough's costs without that Boroughs agreement
- 7.5. The split of costs and income by borough was agreed with the contractors and are the basis for the individual borough charges. These are the starting point for negotiations in how any changes to payments are to be apportioned through the life of the contract.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this report

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purposes of this report

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A - Overview and components of contract management – Contract Summary Template

12 BACKGROUND PAPERS

- 12.1. Cabinet Feb 2020 – Annual review

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Contract Management Approach to Waste and Street Cleansing Service

Appendix A – Overview and components of contract management

Contract Summary Template

Title	Environmental Services – Waste Collection and Street Cleansing South London Waste Partnership (SLWP) – Phase C, Lot 1	
Location of Contract	Hard copy – LB Croydon Legal Services held under seal. Soft copy – LB Merton Public space department Note: Redacted version is held on SLWP website for Public view http://www.slwp.org.uk/what-we-do/waste-collection/	
Contract Signed	<input type="text" value="Yes"/>	<input type="text" value="Date March 2017"/>
Contract Under Seal	<input type="text" value="Yes"/>	
Department	<input type="text" value="Environment and Regeneration - LB Merton"/> <input type="text" value="Public Place - LB Croydon (commissioning Authority)"/>	
Division	<input type="text" value="Public Space"/>	
Contract Manager	Natasha Epstein (SLWP) Contract Lead Officer, LB Merton – Charles Baker	
Contractor	Veolia ES	
Organisation Information	<input type="text" value="Large Organisation (>250)"/>	<input type="text" value="Other"/>
Contract Type & Tender Route	<input type="text" value="Term Contract"/>	<input type="text" value="Other"/>
OJEU and / or ProContract Reference	OJEU Reference: S 068-129457	ProContract Reference: N/A.
CPV Code	<ul style="list-style-type: none"> ▪ 90000000 : Sewage-, refuse-, cleaning-, and environmental services ▪ 90500000 : Refuse and waste related services ▪ 90600000 : Cleaning and sanitation services in urban or rural areas, and related services ▪ 34000000 : Transport equipment and auxiliary products to transportation ▪ 50000000 : Repair and maintenance services ▪ 77000000 : Agricultural, forestry, horticultural, aquaculture and apicultural services ▪ 79000000: Business Services: law, marketing, consulting, recruitment, printing and security ▪ 98000000: Other community, social and personal services 	
Procurement / Commissioning Status	<input type="text" value="No Action Required (Green)"/>	Review of service provision and future procurement strategy to be undertaken in Oct 2020

		Formal decision required by Cabinet 2022/23
Term	<i>Duration (years and months): (inc. any option to extend)</i>	8 year contract
	<i>Core Term: start and end dates</i>	April 2017 – March 2025
	<i>Extension options:</i>	Two options to extend each for 8 years. Total maximum contract length 24 years
	<i>Extensions taken: start & end dates</i>	None
	<i>Extensions taken beyond term of original contract</i>	None

Key Reports	<ul style="list-style-type: none"> • Cabinet 2015 – Procurement Strategy • JWC 2016 – Preferred Bidder • Cabinet July 2016 – Contract award (preferred bidder) • Sustainable and Scrutiny Overview Committee – 6-month Update on service performance. Next report March 2020 		
Purpose / Description	<p>The purpose of these reports was to agree the recommendations in approaching the market to design a new waste and street cleansing service and if financially viable to commission the service to deliver three (3) primary objectives</p> <ol style="list-style-type: none"> 1. Reduced operational cost (savings) 2. Improved street cleansing service 3. Reduced carbon footprint 		
Commissioning Reviews and Proposals	None at this time		
Material Changes	<ul style="list-style-type: none"> • Service provided by external contractor • New waste collection service including the introduction of wheeled bins and change in frequency of collection. • Output based service provision in which the contractor is accountable to maintain required service standards 		
Total Contract Value (estimate)	£144.8m (TCV with all exercised extensions)		
Inflation Index	RPIX	Indexation Base Year: 2015	
Non-Recoverable VAT	VAT	£N/A	

	Metrics	Description	Review period
Monitoring / Metrics	Primary Performance / SPIs	<p><i>The Publically viewable Service Performance Indicators are available on the SLWP website as per Schedule 1; Appendix A</i></p> <p>http://www.slwp.org.uk/wp-content/uploads/2017/10/Lot-1-Schedules-1-5-Redacted.pdf</p>	<p>Operationally reviewed monthly by the LBM Client team;</p> <p>Quarterly as part of the performance monitoring of the contract.</p> <p>Strategically reviewed Annually as part of the formal Annual Review process.</p>
	SPI Default Monitoring process	<p>The SPIs are managed as part of the routine and regular monthly management of the contract with standards in service delivery being assessed on pre-agreed performance standards as part of the Service Performance Framework.</p> <p>The resultant performance against the SPIs are reviewed each quarter and the appropriate /agreed deductions applied.</p>	<p>Monthly – LBM Client Team</p> <p>Quarterly – SLWP Operations Board</p>
	Compliance	<p>The Authority has a legal duty under the Environmental Protection Act 1990 to collect household waste and keep our land free of refuse and litter including fly-tipped materials.</p> <p>The contract covers both statutory and non-statutory (discretionary) services</p> <p>Waste collection – Statutory Commercial waste – Statutory Bulky waste – Statutory (on request) Garden waste – Statutory (on request) Clinical waste – Statutory Street Cleansing – Statutory Winter Maintenance – Statutory Fleet Maintenance – Non-statutory</p>	
	Finance Targets	To deliver £1.166m in revenue savings	
	Complaints	Complaints are managed by the service with input from the service provider.	

	Contractor Meetings	<p>From April 2020 a new Governance structure will be implemented.</p> <p>It is proposed that the operational management of the contract is undertaken by the individual boroughs in which they individual manage their element of the Partnership contract. This is a shift from the current position whereas the SLWP directly contract manage the service.</p> <p>The strategic delivery of the service will be undertaken by the Strategic Steering Group (SSG) which is led by the boroughs Environment Directors or deputies by the Assistant Director depending on the Boroughs structure.</p>	
	Performance Deductions / Claims	<ul style="list-style-type: none"> • 2017/18 = £409,762 • 2018/19 = £73,205 • 2019/20 = £20,385 (April-Dec) 	
	Other		
Benchmarking	<i>Value for money comparison data</i>		
Stakeholder Satisfaction & Complaints	The results of the 2019 Residents Survey have provided detailed insight in areas of improvement required by the service. Whilst the holistic service change to waste service collections has yielded substantial improvement in waste minimisation and improved recycling levels, a refreshed focus on the services client management team is required supported by an organisational restructure aimed at improving our resilience in managing the contract and improving resident satisfaction ratings.		
Audits	<p>Internal Governance review conducted Nov 2019.</p> <p>Financial Audit conducted 2019</p>		
Linked Strategies / Plans	<p>Fly tipping Strategy 2019</p> <p>Cleaner Merton programme 2020 (internal)</p> <p>Communications strategy - TBC</p>		
Linked Services / Contracts	IdVerde – Parks and grounds Maintenance contract – SLWP Phase C, Lot 2		

**Contract
Compliance /
Statutory
Requirements**

Statutory Basis (for service provision) –

- Environmental Protection Act 1990
- Waste Management Plan published by DEFRA 2013
- Waste Prevention Programme for England, published by DEFRA 2013
- Waste (England & Wales) Regulations 2011 (SI 2011/988)
- Waste (England & Wales) (Amendment) Regulations 2012 (SI 2012/1889)
- Waste (England & Wales) (Amendment) Regulations 2014 (SI 2014/656)
- Waste duty of care code of practice published by DEFRA (March 2016) (Environmental Protection Act 1990 section 34)
- Controlled Waste (England and Wales) Regulations 2012 (SI 2012/811)
- Controlled Waste (England and Wales) (Amendment) Regulations 2012 (SI 2012/2320)
- Environmental Permitting (England and Wales) 2016
- End of Life Vehicles Regulations 2003
- Waste Electrical and Electronic Equipment Regulations 2013 (SI 2013/3113)
- Waste Electrical and Electronic Equipment and Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations 2014 (SI 2014/1771)
- Waste Electrical and Electronic Equipment (Amendment) Regulations 2015 (SI 2015/1980)
- Animal By-Products (Enforcement) (England) Regulations 2013 (SI 2013/2952)
- Animal By-Products (Enforcement) (England) (Amendment) Regulations 2015 (SI 2015/1980)
- Hazardous Waste (England and Wales) Regulations 2005 (SI 2005/894)
- CLP Regulation 2008
- Hazardous Waste (England and Wales) (Amendment) Regulations 2009 (SI 2009/507)
- Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (SI 2015/1360)
- Guidance on the classification and assessment of waste (1st edition 2015) Technical Guidance (WM3)
- Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 (SI 2016/334)
- Packaging Waste Regulations 2007 (as amended)
- Packaging (Essential Requirements) Regulations 2015 (SI 2015/1640) enforced by the Local Authority Trading Standards Officers
- Finance Act 1996 Part III (FA 1996) (introduced Landfill Tax)
- Landfill Tax Regulations 1996 (SI 1996/1527) (as amended)
- Landfill Tax (Qualifying Material) (Amendment) Order 2012 (SI 2012/940)
- Landfill Tax (Qualifying Fines) (No 2) Order 2015 (SI 2015/1385)
- Landfill Tax (Amendment) (No 3) Regulations 2015 (SI 2015/1453)
- Landfill Tax (Amendment) Regulations 2016 (SI 2016/376)
- Landfill Tax (Amendment) Regulations 2017 (SI 2017/332) (sets the maximum credit landfill operators can claim against their annual liability.
- Control of Pollution (Amendment) Act 1989
- Clean Neighbourhoods and Environment Act 2005
- Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015 (SI 2015/426)
- Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015 (SI 2015/969)
- Highways Act 1980 section 130 (bins obstructing the highway)
- Scrap Metal Dealers Act 2013

	<ul style="list-style-type: none"> • Scrap Metal Dealers Act 2013 (Prescribed Relevant Officers and Relevant Enforcement Action) Regulations 2013 (SI 2013/2258) • Scrap Metal Dealers Act 2013 (Prescribed Documents and Information for Verification of Name and Address) Regulations 2013 (SI 2013/2276) • Waste Batteries and Accumulators Regulations 2009 (SI 2009 890) • Waste Batteries and Accumulators Regulations (Amendment) 2015 (SI 2015 1935) • Air Quality Directive 2008 • Fourth Daughter Directive 2004 • Deregulation Act 2015 • London Local Authority Act 2007 with specific reference to sections 19-26 • Air Quality Standards Regulations 2010 (SI 2010/1001) • Air Quality Standards (Amendment) Regulations 2016 (SI 2016/1184) • Animal By-Products (Enforcement) (England) Regulations 2013 (SI 2013/2952) • Animal By-Products (Enforcement) (England) (Amendment) Regulations 2015 (SI 2015/1980) • EU Directives e.g. Animal By-Products Regulation 1069/2009 • The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (SI 2013/1471) (RIDDOR) • Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 • The Road Vehicles (Construction and Use) Regulations 1986 (as amended) • Road Vehicles (Construction and Use) and Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (amendment) Regulations 2006 (deals with vehicle emissions) • The Greater London (Restriction of Goods Vehicles) Traffic Order 1985 • Carriage of Dangerous Goods Pressure Equipment Regulations 2009 • Road Traffic Regulation Act 1984 • The Borough Roads (London Safer Lorry Scheme) (Restriction of Goods Vehicles) Traffic Order 2015 • London Environment Strategy published by the Mayor of London (draft published August 2017) 		
Emerging Issues & Management Response	<p>Implementation of new governance arrangements following SLWP contract management review with SLWP Management group disbanded FEB 2020, followed by Joint Waste Operations Board implemented April 2020</p> <p>Delivery of Local Improvement Plan – outlined to Cabinet (Dec 2019) with performance review through Sustainable Communities Overview and Scrutiny Panel in Sept 2019 and March 2020.</p> <p>Annual Review process as per contract – Nov 2020; low risk as substantive review undertaken Dec 19.</p>		
Service Risk	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Reputation</td> <td style="width: 50%; padding: 2px;">Medium Risk (Yellow)</td> </tr> </table>	Reputation	Medium Risk (Yellow)
Reputation	Medium Risk (Yellow)		
Risk Management	Service risks managed on the Corporate risk register; Departmental risk register and Service-level risk register.		
Primary Contractor contact	Scott Edgell (General Manager)		
Risk Register	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">See attached</td> <td style="width: 50%; padding: 2px;">Review Frequency: quarterly</td> </tr> </table>	See attached	Review Frequency: quarterly
See attached	Review Frequency: quarterly		

Exit Plans	The service will develop service specific Exit Plans as required and as a result of strategic decision making regarding the application of extensions within the contract.
Critical ICT Systems & Information Governance	<p><u>Critical ICT Systems</u> CRM – Resident reporting of service requests Echo – Service provider’s operational management system</p> <p><u>Information Governance (GDPR Compliance) - YES</u></p>
Communications	<p>Daily – Operational service request between Client team (authorised Officer and Environment manager)</p> <p>Monthly – Operational contract meeting between Borough Lead Officer and Operations Manger</p> <p>Quarterly – Operational meeting and review of service performance and SPI</p> <p>Strategic Steering Group – Frequency Quarterly</p> <p>Annual Review – AD Director and Veolia Director and GM</p>
Business Continuity Plan	<ul style="list-style-type: none"> • Revised business continuity Plan March 2020. • Veolia BCP April 2017 • HRRC - Garth Rd BCP June 2019
Quality Systems	Asset data base Mayrise – street litter bins, NRC and street asset data

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Overview and Scrutiny Commission Work Programme 2019/20



This table sets out the Overview and Scrutiny Commission's Work Programme for 2019/20 that was agreed by the Commission at its meeting on 4 July 2019.

This work programme will be considered at every meeting of the Commission to enable it to respond to issues of concern and incorporate reviews or to comment upon pre-decision items ahead of their consideration by Cabinet/Council.

The work programme table shows items on a meeting by meeting basis, identifying the issue under review, the nature of the scrutiny (pre decision, policy development, issue specific, performance monitoring, partnership related) and the intended outcomes. The last page provides information on items on the Council's Forward Plan that relate to the portfolio of the Overview and Scrutiny Commission so that these can be added to the work programme should the Commission wish to.

The Overview and Scrutiny Commission has specific responsibilities regarding budget and financial performance scrutiny and performance monitoring which it has delegated to the financial monitoring task group – agendas and minutes are published on the Council's website.

Scrutiny Support

For further information on the work programme of the Overview and Scrutiny Commission please contact: -
Julia Regan, Head of Democracy Services, 0208 545 3864, Julia.regan@merton.gov.uk

Meeting date – 4 July 2019

Scrutiny category	Item/Issue	How	Lead Member/ Lead Officer	Intended Outcomes
Holding the executive to account	Leader and Chief Executive – vision, key priorities & challenges for 2019/20	Presentation	Leader of the Council Ged Curran, Chief Executive	Context for Commission’s work programme
	Merton Partnership annual report	Report	Chief Executive John Dimmer, Head of Policy, Strategy & Partnerships	Context for Commission’s work programme
	Discussion of questions for BCU Borough Commander			To agree approach to questioning for the next meeting
Scrutiny reviews	Analysis of Members’ annual scrutiny survey 2019	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services	Discuss findings and agree action plan for 2019/20
	Report of the road safety around schools scrutiny task group	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services	To agree report for submission to Cabinet
	Overview and Scrutiny Commission work programme 2017/18	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services	To agree work programme and task group reviews

Meeting date – 11 September 2019

Scrutiny category	Item/Issue	How	Lead Member/ Lead Officer	Intended Outcomes
Scrutiny of crime and disorder	Borough Commander – crime and policing in Merton	Report and in-depth discussion	Borough Commander	To hold Borough Commander to account on crime and disorder
	Safer Merton Update	Report	Neil Thurlow, Community Safety Manager	Progress report to focus on ASB, knife crime & street drinking
Holding the executive to account	Annual Residents Survey	Report/presentation	Kris Witherington, Consultation & Community Engagement Manager	To discuss results relating to Safer and Stronger strategic themes and corporate capacity
Scrutiny reviews	Review of the overview and scrutiny function	Report of review carried out by Centre for Public Scrutiny	Cllr Peter Southgate Julia Regan, Head of Democracy Services	To discuss review results and agree action plan
	Financial monitoring task group	Minutes of meeting on 17 July and 29 August 2019	Cllr Stephen Crowe, chair of task group Julia Regan	To note minutes of meetings

Meeting date – 13 November 2019

Scrutiny category	Item/Issue	How	Lead Member/ Lead Officer	Intended Outcomes
Holding the executive to account	Draft Sustainable Communities Plan	Report and discussion	John Dimmer, Head of Policy, Strategy and Partnerships	Opportunity for pre-decision scrutiny.
	Shared services – updated list of services	Report	Sophie Ellis, Assistant Director of Business Improvement	To assess whether there is a need for further scrutiny
	Universal Credit	Position statement	Caroline Holland, Director of Corporate Services	To discuss and comment on the report
Budget scrutiny	Business Plan 2020/24 - information pertaining to round one of budget scrutiny	Report	Cllr Mark Allison Caroline Holland, Director of Corporate Services	To send comments to Cabinet budget meeting 9 December
Scrutiny reviews	Local Democracy Week – joint scrutiny with the youth parliament on the climate emergency	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services	To receive report and agree next steps
	Road safety around schools task group	Cabinet response and action plan	Chris Lee, Director of Environment and Regeneration	To receive Cabinet response and action plan
	Review of the overview and scrutiny function – action plan	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services	To consider the action plan

Meeting date – 22 January 2020

Scrutiny category	Item/Issue	How	Lead Officer	Member/Lead	Intended Outcomes
Holding the executive to account	Call in of Cabinet decision on 11 November on the feasibility and costs of a council tax voluntary scheme	Report and witnesses	Cllr Mark Allison, Cabinet Member for Finance Caroline Holland, Director of Corporate Services		To determine whether to refer issue back to Cabinet for reconsideration
	Universal Credit	Position statement	David Keppler, Head of Revenues and Benefits		To discuss and comment on the report
	Demographic profile of councillors and senior officers	Report and witnesses	Caroline Holland, Director of Corporate Services		To review and consider next steps

Meeting date – 12 February 2020 – additional meeting for round 2 of budget scrutiny

Scrutiny category	Item/Issue	How	Lead Officer	Member/Lead	Intended Outcomes
Budget scrutiny	Business Plan Update 2020/24	Report – common pack for Panels and Commission	Cllr Mark Allison, Cabinet Member for Finance Caroline Holland, Director of Corporate Services		To report to Cabinet on budget scrutiny round 2
	Scrutiny of the Business Plan 2020-2024: comments and recommendations from the overview and scrutiny panels	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services		To report to Cabinet on budget scrutiny round 2
Scrutiny reviews	Review of the overview and scrutiny function – action plan	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services		Review of the overview and scrutiny function – action plan
	Cabinet response to youth parliament joint scrutiny on the climate emergency	Report	Chris Lee, Director of Environment and Regeneration		To receive Cabinet’s initial response to the recommendations plus a draft action plan
	Financial monitoring task group	Minutes of meeting on 14 January 2020	Cllr Stephen Crowe, chair of task group Julia Regan		To note minutes of meeting

Meeting date – 18 March 2020

Scrutiny category	Item/Issue	How	Lead Member/Lead Officer	Intended Outcomes
Holding the executive to account	Veolia contract – street cleaning	Report	Chris Lee, Director of Environment and Regeneration	Case study approach to contract management
Scrutiny of crime and disorder	Restorative justice	Report	Neil Thurlow, Safer Merton Roberta Evans, YOT MOPAC/RJ service provider	Discussion with providers and stakeholders
	Modern day slavery	Report	Dawn Jolley, Head of Commercial Services Fabiola Hickson, South London Legal Partnership	
Scrutiny of crime and disorder	Identify questions for the Borough Commander	Discussion	Cllr Peter Southgate Julia Regan, Head of Democracy Services	Plan line of questioning for meeting on 2 April

Meeting date – 2 April 2020

Scrutiny category	Item/Issue	How	Lead Officer	Member/Lead	Intended Outcomes
Scrutiny of crime and disorder	Borough Commander – crime and policing in Merton	Report and in-depth discussion	Borough Commander		To hold Borough Commander to account on crime and disorder
	Safer Merton Update	Report	Neil Thurlow, Community Safety Manager		Progress report to focus on domestic violence
Holding the executive to account	Equality and Community Cohesion Strategy 2017-20	Action plan	Evereth Willis, Equality and Community Cohesion Officer		To comment on progress made with action plan
Performance management	Overview and Scrutiny Annual Report	Report	Cllr Peter Southgate Julia Regan		To approve and forward to Council
	Member Survey Results (if available)	Report	Cllr Peter Southgate Julia Regan		To discuss results and agree action plan
	Planning the Commission's 2020/21 work programme	Report	Cllr Peter Southgate Julia Regan, Head of Democracy Services		To review 2019/20 and agree priorities for 2020/21
Scrutiny review	Financial monitoring task group	Minutes of meeting	Cllr Stephen Crowe, Chair of task group Julia Regan		To note minutes of meeting held on 05.03.20
	Commercialisation, revenue generation and income maximisation	Report of scrutiny task group	Chair of task group Julia Regan, Head of Democracy Services		To agree report for submission to Cabinet (on 15 June)

Forward plan items relating to the remit of the Overview and Scrutiny Commission

Draft Merton Community Plan 2020-2026

To consider the draft Merton Community Plan 2020-2026 and recommend to Council for adoption.

Decision due: 23 Mar 2020 by Cabinet

LGA Corporate Peer Challenge Feedback Report and Next Steps

To note the summary of the feedback from the LGA Peer Challenge and how the council is responding to the recommendations.

Decision due: 23 Mar 2020 by Cabinet

Award of Multi-Function Device Tender

This is to agree the award of the new Multi Function Device (MFD) tender. Report expected to contain some exempt information.

Decision due: 23 March 2020 by Cabinet

Adoption of the Co-Operative Party Charter on Modern Day Slavery

To adopt the Charter as called for by Council in November 2018

Decision due: 27 Jan 2020 by Cabinet - deferred

Print Managed Service Contract

To enter into a re-procured Print Managed Service contract for the supply and maintenance of corporate multi-function devices (photocopiers/printers/scanners) including replacement high volume Print room equipment. Report expected to contain some exempt information.

Decision due: 23 Mar 2020 by Cabinet

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