

# **Overview & Scrutiny**

## **Annual Report**



***May 2002 – May 2003***

This report is also available on our Intranet  
or our website at [merton.gov.uk](http://merton.gov.uk)

[scrutiny@merton.gov.uk](mailto:scrutiny@merton.gov.uk)



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# **Part A: Scrutiny Overview**

# 1 Foreword by the Chair of the Overview and Scrutiny Commission



July 2003

Like other local authorities, here in Merton we are still developing scrutiny, learning the lessons from our experience and trying to learn from the experiences of others. This report is another stage in our development and aims to set out what we have achieved over the last municipal year, what lessons we have learned and which areas we intend to develop over the coming year.

Last year, the Comprehensive Performance Assessment classified Merton as a 'weak' authority. This year we have set ourselves a target to become an 'excellent' authority by 2006 – to be achieved through a Journey to Excellence. Scrutiny has a major part to play in making this happen and our work programme in the coming year will reflect that. Our role will be to challenge the performance of the authority and identify how changes can be bought about. We need to make sure that the Council's Journey to Excellence is mapped out in the right way, that it is heading in the right direction, is on track and arrives on time.

Our scrutiny structures and processes will need to be continuously assessed to ensure we are better able to facilitate the Council's Journey to Excellence. With members support I am sure the outcomes at the end of this year will be significant.

We are developing ways to demonstrate that scrutiny matters in Merton and this report is one tool to achieve that. It is easy to see the decision-making process in a one-dimensional way: power can appear to be in the hands of those that make the decisions and so in the hands of the cabinet. But the process is more complex; it can also be seen to be in the hands of those who set agendas, or keep things off agendas. A third dimension is more subtle; power and influence rests with those that create an environment for change.

Far from divorcing scrutiny councillors from this process, I see no reason why our influence should not be enhanced as scrutiny councillors so that we can better influence changes to improve the services for those we represent. With this in mind, I see no reason why we cannot demonstrate a parity of esteem with the executive and as critical friends, play an equal part in achieving the Council's vision for the Borough.

Regards,

Cllr Ian Munn  
Chair, Overview & Scrutiny Commission

*PS If you have any comments or suggestions about this report or about scrutiny in Merton, please send them to [scrutiny@merton.gov.uk](mailto:scrutiny@merton.gov.uk) or to the address at the end of this Report.*

## **2 Background to scrutiny development May 2002 - May 2003**

Over the past year, changes have been put in place to reflect the lessons learnt from previous years. While the role of the Commission remained the same, a revised panel structure was put in place, moving from four panels to six: two new panels were introduced – a panel for street management and one for equalities and social inclusion.

The remits of the new panels, which was set out in the Constitution, are described below.

- **Care services and housing management**

The care services and housing management panel's remit included all adult and children's social care issues, housing issues and NHS/ health services. From January 2003, the power of health scrutiny was exercised through dedicated health meetings of the Commission.

- **Education and lifelong learning**

The education and lifelong learning panel's remit included the responsibility for all schools issues, schools' reorganisation, pre-school childcare and adult education.

- **Environment and regeneration**

The environment and regeneration panel's remit included street cleaning, refuse and recycling, environmental nuisance, environmental health, trading standards, strategic land-use planning, parks and open spaces, social regeneration, business partnerships, health promotion, leisure, arts, libraries, youth service, youth justice and community safety.

- **Finance and corporate support**

The finance and corporate support panel's remit included all finance and corporate support issues and included human resources, information technology, legal services and consultation.

- **Equalities and social inclusion**

The equalities and social inclusion panel's remit included monitoring the Council's equal opportunities and valuing diversity policy, the implementation of the race equality scheme and equalities standard for local government. It also included the implementation of the Disability Discrimination Act (DDA) action plan (following the DDA scrutiny panel's report), promotion of social cohesion and addressing of poverty and supporting mainstreaming of equalities in the work of the other panels.



- **Street management**

The street management overview and scrutiny panel's remit included street infrastructure improvement and maintenance, traffic and parking management schemes, transport planning, transport projects (including public transport improvements) and street trading.

### **3 New initiatives and experimentation**

The year brought changes in procedures as well as structures. Scrutiny panels experimented with new ways of working including greater use of task groups made up of subgroups of councillors of a panel in 'task and finish' styled policy reviews, which aimed for shorter, sharper reviews. Scrutiny members made use of site visits and interviews with 'witnesses' on site – such as used in the review of the disproportionate number of exclusions of ethnic minority pupils from mainstream schools.

Members made more use of working collaboratively both within the Authority and with our partners. Two panels worked together on one review and one panel held a joint meeting with a consultative forum to consider and make recommendations on the inspections of children's services. In the latter part of the municipal year, members took up the power of health scrutiny, which led to collaborative working with other local authorities – especially LB Sutton and Surrey CC.

Panels also made more use of alternative venues for meetings – getting out of the Civic Centre and, for instance, into the Chaucer Centre in Canterbury Road and to day centres. Members also made visits to other authorities including Eastleigh BC and LB Sutton. Scrutiny members looked at other ways to be more outward looking through listening and learning from others: more of this is explained in the last part of this report.

# **Part B: Progress over the year**

# 1 Reports from the Scrutiny Chairs



## Overview and Scrutiny Commission

Merton's Overview and Scrutiny Commission has played an important role in the development of the Council's priorities over the last year. The Commission established five panels to assist it in its work.

- Care Services and Housing Panel
- Education and Lifelong Learning Panel
- Environment and Regeneration Panel
- Equalities and Social Inclusion Panel
- Finance & Corporate Support
- Street Management

We delegated work to the panels where appropriate and they responded positively. The panels worked in a collaborative way where there were overlapping remits – the most obvious example of this was in progressing the review of the disproportionate number of ethnic minority pupils excluded from Merton schools.

At the Commission, members tackled some major issues. Just a few of those key issues for scrutiny on which we sent recommendations to decision-makers were:

- the Private Finance Initiative (PFI) for schools;
- the Social Services Annual Review of Performance and Star Rating;
- the draft London Plan;
- the consultation strategy.

The Commission also played a key role in Best Value. We provided member input on a number of Best Value reviews: revenue and benefits, waste management, ICT provision, customer interface and improving customer services. Members provided recommendations on each and most were accepted

We also worked with other bodies including the Children and Young People Advisory Committee (on the Joint Review of Social Services) and Sutton & Merton PCT and scrutiny councillors at LB Sutton (as part of the health scrutiny role undertaken by the Commission from January 2003).

In the coming year we aim to build on the experiences of 2002-3 set out in this Report. One particular area for development will be the budget process. Our attempts at encouraging the Panels and Commission to meet to discuss the budget in one meeting were not as effective or efficient as we had envisaged. Plans are in place to develop better methods for budget scrutiny for 2003/4.

The lessons on the working of scrutiny in 2002-3 have led to a number of recommendations, which were agreed by the Commission in June 2003. These recommendations are set out in summary in Appendix A. Other areas for development are set out in the Postscript at the end of this Report. Our aim is to make scrutiny in Merton better throughout the year by improving communication and encouraging improvement.

Cllr Ian Munn  
Chair, Overview and Scrutiny Commission (2002-3)

## **Care Services and Housing Overview and Scrutiny Panel**

### 1. Successes over the past year of the Panel:

(i) The Review of the Older People's Day Care Services showed that policies good in themselves were not implemented for a variety of reasons, including communication within the department, failure of different sections within departments to discuss, let alone, work together and no proper planning of what was needed to make the improvements.

This led to review the plans for other day care which helped to prevent some of the same mistakes happening and hopefully moved away from policies which are spin and hype but have not been either consultation with the people for whom the service is intended not even with the service providers.

(ii) Mental Health Bill. The Scrutiny Review of the very controversial Mental Health Bill during its consultation period and invited the users of Mental Health Services and professionals to advise the panel. Thirty professionals and users came to the meeting and discussed the issue at length and were very united in what they felt was good and what was bad about the bill. The panel then agreed to this being submitted as Merton's response to the consultation.

Both these and other consultations invited the users of service, carers and officers who work at the coal face and we felt this was something that this panel, not only did well, but was a very important part of the whole Scrutiny process.

### 2. Things that did not go as well as the Panel would have wished:

Too many reports, particularly from Housing, which had to be prepared and sent off as a deadline which, because the date of submission was one or two days away, meant Scrutiny was somewhat pointless.

The other major problems were staffing. The staffing was very committed and very hard working but far too much for the two very able staff members to do and this tended to limit the ability to scrutinise properly.

The Disability Discrimination Act Panel in particular also suffered because Merton had no officer with expertise in this field which meant that the Committee lacked a focus input which would have helped their consideration.

The lack of staff were also hampered by the calling of meetings and only three meetings were held in the first year after the Election who were mainly new

Members which meant that some of the work and discussion had to be repeated, (eg. difference between the social and medical model) and again the absence of a specialist officer within Merton which was identified as a problem did not help with this particular panel.

**3. Lessons learnt about Scrutiny during 2002/3**

Lessons have been learnt but I think they are somewhat irrelevant in relation to the changes that have been made.

Cllr Sheila Knight  
Chair Care Services and Housing Scrutiny Panel (2002-03)



### **Education and Lifelong Learning Overview and Scrutiny Panel**

The way the Council provides Education and Lifelong Learning will have a long lasting effect on the lives of our residents. A great place to live, work and learn is the vision of Merton. Education and Lifelong Learning has a key role to perform in supporting Merton to achieve this vision. The Education and Lifelong Learning Panel is charged with the responsibility of scrutinising the decisions of Cabinet and making recommendations in the interest of the residents of Merton.

The all party group of councillors on the panel was joined by representatives from parent governors, teachers and faith groups. Together we examined a number of policy issues including the Education Development Plan, the Schools Reorganisation Project, Inclusion and the Continuum of Learning, Admission Criteria and Admission Arrangements.

Other areas of work included:

- The Panel conducted a comprehensive review of transport arrangements for Special Educational Needs (SEN) pupils. The recommendations have been endorsed by the Cabinet and action against recommendations is set out in Appendix E of this report.
- The Panel scrutinised the Adult Learning Plan and its recommendations included putting checks in place to ensure the system could be monitored for ethnic background and the 'take up' of facilities by new users.
- The Authority is presently completing the extensive building and refurbishing of the Borough's schools. The focus is now being directed to raising the standards of educational performance and attainment of *all* our pupils.
- The budget setting was an extremely difficult and demanding exercise. The Panel recommended the passporting of the full schools' budget block to schools during the budget process.
- The Panel serves as a forum for groups to air and resolve their grievances. This was successfully achieved during discussion of expansion of schools catering facilities, when governors raised concerns

that building work may be taking place during exam times. The contractors took their comments into consideration and gave assurances of quiet time during these periods.

My thanks to Director Sue Evans and her officers for their dedication and hard work in providing information for the Panel. To my Councillor colleagues I extend my appreciation for their support and the critical manner in which they have conducted themselves. Thanks to the parent governors, teachers and faith representatives for their contribution to the Panel.

Scrutiny continues to be an evolving and learning process and we must strive to make it contribute effectively to strengthening the democratic processes. In particular we need to enhance scrutiny by finding further ways of engaging the public.

Councillor David Chung,  
Chair Education and Lifelong Learning Overview and Scrutiny Panel (2002-03)





## **Environment and Regeneration Overview and Scrutiny Panel**

Wards and residents' surveys have demonstrated how strongly local people feel about their environment. Regenerating our town centres and neighbourhoods can also have a huge impact on their feeling of well-being. So, the impact of work in the area covered by this panel had the potential to make a big difference to the lives of local people.

Some of the key issues that the panel scrutinised and provided recommendations on have included:

- The Community Plan
- Carrying out a review of the use of volunteers in tackling envirocrime
- New democratic structures for youth services
- The Annual Library Plan
- The McAlpine report on the new auditorium in Wimbledon and the proposed development of Wimbledon Broadway and Hartfield Road car park sites
- Successfully lobbied in budget process to reduce the level of cuts to the park rangers service
- The Borough mobile library service
- The Food Plan

At the start of the year, there was some uncertainty on what we might aim to achieve over the year – especially in the number of policy reviews we might expect to carry out. There was room for more guidance in this area and advice on how we might manage our workload over the year. Panel members coped well even though there was a shortage of resources in the scrutiny team. I feel though that more clarity has been established at the start of this municipal year and that we will develop this area.

I would like to thank all those who took part in our work over the year and especially to Vivian Cockman (Neighbourhood Warden), John Deer (LB Sutton Street Warden Manager), Sgt Jo Stanhope (Metropolitan Police) and representatives from residents' associations who took part in our review of using volunteers to tackle envirocrime.

Cllr John Nelson-Jones  
Chair Environment and Regeneration Overview and Scrutiny Panel (2002-03)



## **Equalities and Social Inclusion Overview and Scrutiny Panel**

### **Equalities and Social Inclusion Overview and Scrutiny Panel**

The panel members had a productive year as a cross cutting new scrutiny panel. Equality and social inclusion is recognised as a diverse area of work that includes every area of the Council's work. Hence the panel had to focus on key issues identified by officers and the Cabinet.

The panel was created in the year following the introduction of the Race Relations Act Amendment with a commitment placed on local authorities and other organisations to promote racial harmony. The need to create and monitor the Race Quality Scheme had to be balanced with important consideration like disability, gender, age, religion and sexuality.

The Council's commitment to the elderly, children, and our disabled community in particular could not be emphasised more. This is why the panel took a lot of time to monitor and scrutinise the inaction of the Stephen Lawrence Report, the councils Forward Plan and key performance indicators and their strategic objectives for 2003/2004. The panel played a part in driving the process forward, with a committed and proactive attitude. Some of the key work areas included scrutiny of:

- The Race Equality Scheme
- Key issues from the Commission for Racial Equality standard for local government audit relating to service access and delivery based activities.
- Progress on action day taken by Greenwich Leisure
- Access to and use of leisure facilities by casual visitors and members.
- The Councils ability to employ and moreover recruit and retain staff
- Working with stakeholders to consider the implementation and feasibility of the Disability Discrimination Act

The panel undertook two detailed scrutiny reviews that are at the point of conclusion – access to welfare benefits and the disproportionate number of exclusion of ethnic minority pupils from the Borough's secondary schools. There was recognition that the number of residents taking up benefits was low, a national as well as local problem. The uptake by hard to reach groups like the earlier needed to be looked at with a view to increasing and encouraging

participation. The exclusions review was undertaken with the Education & Lifelong Learning Scrutiny Panel. Both panels recognised the lower level of exclusions than other Boroughs but acknowledged that the figures were still disproportionate for particular groups of our community and best practice needed to be looked at in schools. The reviews took up a considerable proportion of the committees time, but were an enjoyable part of our year as hands-on visits where made to schools establishments and welfare benefit providers.

We also learnt lessons over the year that could help to improve scrutiny such as:

- being firmer on deadlines to avoid slippage of work and ensure maximum efficiency
- careful planning of the order of reviews meaning that the maximum is made of an opportunity for ongoing coherence.

The panels work will continue into 2004 with the implementation of recommendations as a result of the reviews but also with the introduction of the new Cabinet post for equalities.

Cllr Pauline Abrams

Chair, Equalities and Social Inclusion Overview and Scrutiny Panel (2002-03)



## **Finance & Corporate Support Overview and Scrutiny Panel**

Over the year, the panel examined a number of issues, which included the progression of two policy reviews – one review of the leasing of commercial property and another on the Council’s consultation strategy. The first set out a series of recommendations, which are reported back on in Appendix E of this Annual Report. The other has been the subject of regular monitoring and scrutinising by the panel and it’s successor on this issue, the Way We Work overview and scrutiny panel.

Other key issues scrutinised by the panel over the year included:

- The budget throughout the year including a focus on overspends and particular attention to teacher redundancy
- Performance indicators
- Area forums including the chairing of these forums
- The handling of Council complaints
- Staff sickness
- Use of consultants

The panel also referred a number of budgetary issues to the Joint Panel Scrutiny meeting to examine the budget.

Over the year, the panel invited a number of witnesses to provide evidence and some Cabinet members, including the Council Leader, who voluntarily appeared before the panel. The review on commercial leases heard from ten leaseholders from the Borough and the Consultation Review heard from an officer from another Borough.

I felt that the panel had a wide remit and dealt with it in a pragmatic way. Areas for development in the coming year might include calling more witnesses, better reporting back of action against recommendations and shorter reviews.

I would like to take this opportunity to thank all panel members for their contributions over the year. I would also like to thank those from other organisations who helped the panel in its work, including leaseholders from the St Helier Estate and the Corporate Consultation Manager from LB Southwark who came to talk with the panel on consultation.

Cllr Leighton Veale

Chair, Finance & Corporate Support Overview and Scrutiny Panel (2002-3)



## **Street Management Panel**

The main issue for Street Management Panel over the past year has been Controlled Parking Zones. This has involved the Panel scrutinizing a number of proposed CPZ's including Merton Park, Wimbledon Park, Haydons Road and South Wimbledon. Most meetings of the Street Management Panel concentrated on scrutinizing proposals for Controlled Parking Zones and analysing the results of the Council's consultation.

Due to the pressure of work that has been placed upon the Panel over the last year we have been unable to undertake any reviews. We had hoped to look at the area of Highway Maintenance and Crossovers, these reviews though were unable to proceed due to pressure on officer time and the numbers of issue that the Panel were faced with at each meeting. I welcome the decision that has been taken to remove scrutiny reviews from the work of Street Management Panel in the coming year.

I believe that the Panel effectively engaged with the public and we heard many representations over the past year both on Controlled Parking Zones and also on other issues including Sherwood Park Road Bus Scheme, Wimbledon Town Centre cycling and walking project and on Copse Hill. Listening to views is vital if we are to effectively engage with the public.

Along with planning matters, street management issues are among the most contentious that the Council deals with and so a high level of engagement and public participation in meetings will always be possible. The Panel has scrutinized many decisions over the past year and has on many occasions changed the recommendations after taking into account the views of the public. Likewise items that have gone through the Panel have been subjected to the call-in process when the Cabinet Member subsequently overturned the Panel's representations.

The coming year will bring it's challenges and major issues will again come to the fore, however I believe that the Panel is well equipped to undertake those challenges and to scrutinise fully street management issues.

Cllr Martin Whelton  
Chair of Street Management Panel (2002-03)

## **2 Action on scrutiny reviews**

The Overview & Scrutiny panels undertook a number of reviews during the year, some of which had started the previous year, and some taken through into 2003-4. Many reviews were undertaken as 'task and finish' reviews. This fast turnaround of a review meant that momentum was maintained during the review and members were soon able to see the effects of their work; the review of Special Educational Needs (SEN) Transport illustrates this well. There were reviews that did not achieve this momentum though and took longer to complete than was hoped.

### **Day Care Services for Older People (Care Services & Housing Management panel)**

This review was carried out to examine the implementation of the day care review within Merton, identify key issues concerning service provision in this area and make recommendations to facilitate effective implementation. Panel members on the review split up and made visits to day care centres in the Borough to find out the quality of services delivered, how staff in social services are implementing the strategy for day care which was agreed by the (former) social services committee in April 2002. The panel's report was agreed by the Commission in January 2003.

### **Employment Patterns in Social Services (Care Services & Housing Management panel)**

Due to be presented to the Commission in November 2003, this review scrutinised a number of issues. Focus was put on information on the employment of social workers and associated staff in Children's Services between April 2001 to July 2002; the number of employment tribunals held during the same period; and the number of consultants employed; and the reason for their employment. The review also considered the development of the Housing & Social Services Recruitment & Retention Strategy.

### **Schools Reorganisation (Education & Lifelong Learning panel)**

The review, which was completed during the previous municipal year, was monitored by the Education and Lifelong Learning Panel during its first year of operation. It was undertaken to monitor the implementation of schools' reorganisation project during finalisation of contracts. During the course of the review, recommendations were made and concerns raised - including on the cleaning contracts and completion of building work – which were responded to by the Local Education Authority (LEA).

### **Pupil Number, Pupil Places (Education & Lifelong Learning panel)**

The review of pupil number, pupil places is examining the procedure for allocation of school places and mechanisms for determining pupil projections. Key areas under examination include: admission patterns; forecast projections in Merton and cross London; housing and population developments (taking into account census information); exit interview on pupils leaving secondary schools

and references to tertiary places within Merton. This review is due to be presented to the Commission in November 2003.

**Recruitment & Retention of Staff in Schools (Education & Lifelong Learning panel)**

This review examines the Authority's procedure for recruiting and retaining staff in Merton's schools. Key areas under examination include: the number of vacancies in schools; the process of evaluation of newly qualified teachers; the process for exit interviews to be carried out; consideration of recruitment and retention of non-teaching staff as well as teachers and identification of options available for employment initiatives. The review is due to be presented to the Commission in November 2003.

**Transport Arrangements for SEN Students (Education & Lifelong Learning panel)**

At its meeting in October 2002, the Commission considered a request from the Cabinet for an urgent policy review of SEN transport arrangements, which was seen as an issue of local concern. The Commission agreed to the request and asked the Education & Lifelong Learning panel to undertake a review, which aimed to enhance the quality of the service. Task groups meetings were set up including a series of open sessions and specific appointments during the day and evening for parents of SEN students using the service. Over 450 questionnaires were sent out as part of the review to enable people affected to express their views.

This review, completed at the end of 2002, was approved by Cabinet in January 2003. Achievements against recommendations are set out in Appendix E.

**Use of Volunteers to Combat Envirocrime (Environment & Regeneration panel)**

This review, completed in May 2003, aimed to learn from good practice in attracting volunteers to help fight envirocrime. The recommendations centred on the good practice of London boroughs of Bexley, Croydon, Lewisham and Newham, which had been very successful in attracting local people to work in partnership with their local authority to clean up or clear up their Borough.

The aim of the recommendations in the review was twofold: it responded to the ward and residents' surveys that demonstrated the demands of local people that the Authority make the borough cleaner, greener and safer (reflected in one of the six corporate themes); the review also responded to a key priority of in the Community Plan, which described the need to restore civic pride.



**The Disproportionate Number of Ethnic Minority Pupils being Excluded from the Education System (Equalities & Social Inclusion panel and Education & Lifelong Learning panel)**

This report is due to go to the Commission in September 2003. The aim of the review is to examine what positive efforts are being made by the Council to reduce the disproportionate number of ethnic minority pupils being excluded from the education system and improve their attainment levels and make recommendations as appropriate.

**Access to Welfare Benefits (Equalities & Social Inclusion panel)**

Due to go to the Commission late in 2003, this review aims to learn from good practice and improve the way the Council can help people to access welfare benefits. The review is examining not just the benefits that the Council provides (housing and council tax benefits) but also benefits administered elsewhere.

**Corporate Consultation Practice (Finance & Corporate Support panel)**

The Finance & Corporate Support panel review of consultation across the Borough started in October 2002. The terms of reference of the review were, broadly, to consider Merton's consultation practice and activities, review principles in consultation and best practice experience from other local authorities, and to chart a way forward for consultation.

The review is taking place within a context of significant achievement in consultation. The Audit Commission has considered consultation in Merton as 'a strength'. Merton has a strong culture of consultation anchored in the annual consultation statement in the Best Value Performance Plan, consultation guidance in the Best Value Framework and effective consultation practice.

In the year preceding the review, residents' perception of the Council as a listening authority, that seeks to involve them in decision-making and informs them had improved substantially. The purpose of the review was to build on these strengths.

**Leasing of Commercial Properties (Finance & Corporate Support panel)**

The review was completed at the end of 2002. The recommendations have already started to be implemented and action against recommendations is set out in Appendix E.

**Disability Discrimination Act (DDA ad hoc panel)**

In November 2000, the Commission set up a scrutiny panel to review policy and current practice in implementing the Disability Discrimination Act (DDA). The panel was asked to review how effectively the DDA was being implemented within departments in relation to employment issues, service provision, and access to premises; what further activities are planned or will be required and the consequential implications on resources. The panel's report with its recommendations is due to be presented to the Commission in July 2003.

The completion of reviews - and even the acceptance of their recommendations by Cabinet – is, of course, only the first step to achieving scrutiny success. The real test is the consequences of a review on service delivery or the way the Council works. The time gap between review completion and action 'on the ground' can be frustrating and many review teams will not see the fruits of their work until the following municipal year. This Annual Report is therefore including report back on some reviews that were not necessarily worked on during the year 2002-3, but did see consequences of the review during that time.

Appendix E shows action against recommendation on the following reviews:

- Transport Arrangements for SEN students
- Commercial Leases
- Consultative Forums in Merton
- Area Forums in Merton
- Agency Staff Budgets
- The Stephen Lawrence Inquiry – Merton Council's response to the Macpherson report

### **3 Budget scrutiny**

The process for scrutiny of the budget for 2002/3, followed the same pattern as it had done for the previous year. Each panel met to consider budgetary proposals in areas of their remit, followed by a joint budget meeting of all panel and Commission members, followed by a meeting of the Commission.

Scrutiny members recommended a number of changes to proposals including the passporting of the full schools budget to schools, which was accepted by Cabinet and the Council.

After the budget was agreed by Council, a questionnaire was sent to scrutiny panel members to find out how the process might be improved in the following year. A number of areas for development were recommended including:

- enhanced opportunities for individual scrutiny members to be involved in the budget-setting process
- more time available for scrutiny members to assess budgetary proposals
- clearer, jargon-free language in budget reports
- clearer information on how the budget process works

These views have been forwarded to the Finance Department in preparation for their planning of the budget-setting process for 2004/5. The Overview and

Scrutiny Commission will then be consulted on these plans at their meeting at the end of July 2003.

## **4 Health scrutiny**

In January 2003, the Commission agreed to take up the power of health scrutiny and consider relevant issues at dedicated meetings of the Commission. Five meetings a year of a Health Commission meetings were timetabled and work got underway soon after.

In the first meeting, members agreed to a protocol that described the purpose of health scrutiny as to:

- scrutinise issues that relate to the health of the people of Merton;
- work with others including residents to develop policies to improve the health of local people;
- examine whether local people from all sections of our communities have equal access to health provision and services;
- act as a vehicle to drive the health concerns or needs of local people and engage local people in the matters that affect their health;
- act as a 'critical friend' to the whole health system – including any of the Council's services that impact on health;
- evaluate and review the effectiveness our work.

The protocol also set out general principles for health scrutiny.

To:

- Work in a way that displays shared responsibility, openness and accessibility, cooperation and accountability;
- create and maintain a positive and constructive relationship with local organisations that have an effect on the Borough's health;
- work in an inclusive way and hold all formal meetings in public;
- not duplicate work or responsibility of other bodies;
- as in all scrutiny processes, we will not work in a party political way;
- use the media responsibly.

The first key area of work was to consider draft proposals for a reconfiguration of local health services, set out in a document called, 'A Better Future For Your Local Health Service: health care in Merton, Sutton and Mid Surrey'. The chief executives of Epsom and St Helier NHS Trust and of Sutton and Merton Primary Care Trust came to a meeting of the (Health) Commission on 22 January 2003 to explain the proposed strategy. A set of recommendations followed from the Commission in March 2003 and was sent to our NHS colleagues.

Our approach to health scrutiny has been very collaborative. We intend to build on this and develop other aspects of our role. We have been learning with others including neighbouring borough, Sutton; regular health scrutiny network meetings take place with LB Sutton and Merton & Sutton Community Health Council. In these early stages of health scrutiny development, our work has inevitably been rather reactive: processes have now been established for a more pro-active approach through the setting of a work programme.

# **Part C: Taking Scrutiny Forward**

## **1 Involving the public**

Just like authorities in the rest of the country, overview and scrutiny in Merton is developing ways to involve and engage the public. We intend to build on this over the coming year.

All scrutiny meetings are currently held in public, unless there is very good legal reason not to – such as matters that are of a commercially sensitive nature. Many of the reviews carried out by the panels involved consultation with service users or non-users, through questionnaires, public meetings (such as with the voluntary sector), interviews and visits to people who would be affected by the review.

Early in 2003, the Council's website scrutiny pages were updated and the scrutiny team has made a commitment to keep them updated and expand them so that they become a more useful resource for people from other local authorities. Similarly, the council's intranet will be expanded over the coming year to provide a useful resource for officers and members of this Authority.

Apart from the scrutiny meetings considering Controlled Parking Zones (the Street Management Overview and Scrutiny Panel), few ordinary members of the public attended scrutiny meetings. This is an area for development over the coming year and plans are in place to better engage and involve the public in reviews and during and between scrutiny meetings. Those plans include bringing back councillor name plates to be used at meetings to encourage greater councillor visibility and accountability and so that members of the public are better able to identify the speaker in matters of interest to them. Those plans also include encouraging panel and Commission chairs to consider in advance matters such as:

- Is the venue right? Would it be better to get out of the Civic Centre? (e.g. school halls, community centres).
- Have we sent out invitations and agendas well in advance to peers or external people that we would like to invite?
- Can we ask area forums to put an issue on their agenda? (Have we thanked and fed back to those who contributed to the last meeting?)

## **2 Scrutiny learning**

One of the challenges facing scrutiny nationally is explaining to local people and council officers its role within local government. Like elsewhere, scrutiny in Merton has work to do in this area, demonstrating the relevance and value of scrutiny while improving its effectiveness. Plans are in place to explain scrutiny to council officers through our intranet pages (as described above), the council staff

magazine and information leaflets for staff. In so doing, when officers are asked to produce information, write a report or appear before a scrutiny panel or the Commission, they would have a better idea of what will be required of them and why. A Scrutiny Toolkit will also be available on the intranet that will explain some of the 'nuts and bolts' of the way scrutiny works and details on the processes involved. A copy will also shortly be available in the Members' Resource Room.

Members have expressed approval of the idea of the scrutiny team producing a scrutiny newsletter perhaps every month or bi-monthly to be circulated to all members. Resources permitting, this could be produced in the coming year and could enable members to find out:

- the issues coming up over the next month on the panels or at the Commission;
- progress made in areas of the scrutiny work programme;
- and what is happening across the Council that will have implications for the scrutiny work programme.

This newsletter could enable members to get involved or share their views on panels on which they are not a member and could better enable scrutiny to integrate its work into the work of the Council.

The scrutiny Internet pages need to be regularly updated too and perhaps learn from those authorities making use of their website to encourage local people to suggest reviews, suggest agenda items or participate in scrutiny reviews. We may make use of the Borough-wide council magazine sent to households to explain scrutiny and how local people can get involved in its work.

During the year, scrutiny members themselves developed their understanding of how scrutiny in Merton might develop. A workshop looking at Merton's approach to health scrutiny in November 2002, was one example of members talking to partners (in this case local Trusts and the CHC) on ways to develop their role. The budget scrutiny questionnaire is another example of how Merton is seeking to develop and improve its scrutiny practices.

We shared our learning and experience with Eastleigh BC for instance at the latter part of last year when they were looking to better establish their new political structures. Merton will also share its scrutiny learning with other local authorities by making available some of our scrutiny reviews onto the website of the Centre for Public Scrutiny ([www.cfps.org.uk](http://www.cfps.org.uk)), an organisation set up by the Improvement & Development Agency for Local Government (IDeA). This Annual Report will be available on our Council website for members and officers in other local authorities to share our learning.

### **3 Raising the profile of scrutiny**

We can raise the profile of scrutiny and enable others to understand scrutiny better through methods outlined in 'Scrutiny Learning' above and we can also do so by working to increase the profile of scrutiny through the local press. Some authorities have adopted a press protocol for this purpose, we need to explore opportunities to share our achievements and an understanding of our role with local people.

### **4 Challenges**

There are many challenges ahead for the Council and for scrutiny in particular. Part of the challenge will be for scrutiny to establish its role in ensuring Merton is a CPA-excellent authority by 2006. This role may centre on providing effective challenge, alternative solutions and playing its role in continuous performance.

To play such a role will mean:

- focusing on what counts with reference to the Community Plan and the corporate priorities;
- establishing effective arrangements for performance monitoring and performance challenge;
- working to improve scrutiny continuously throughout the year.

More on this is set out in the Postscript from the Chair later in this Report

### **5 Comments, links and feedback**

If you would like to comment or question any aspect of this report, please email [scrutiny@merton.gov.uk](mailto:scrutiny@merton.gov.uk) or contact Alanna Coombes on 020 8545 3662 or [alanna.coombes@merton.gov.uk](mailto:alanna.coombes@merton.gov.uk) or write to:

Alanna Coombes  
Scrutiny Team  
LB Merton  
Civic Centre  
Morden  
Surrey  
SM4 5DX

More information on scrutiny in Merton is available at [www.merton.gov.uk](http://www.merton.gov.uk)  
More information on the role of scrutiny in today's local government is available at [www.odpm.gov.uk](http://www.odpm.gov.uk) and [www.idea.gov.uk](http://www.idea.gov.uk)



# The Way Forward: Postscript from the Chair of the Overview and Scrutiny Commission<sup>1</sup>

July 2003

Dear Reader,

Merton, like all other authorities is continuing to develop scrutiny to make it work better. These changes can be seen most obviously in the changed panel structure and, I expect, in a changed way of working over the coming year.

We've had many successes over the past year and these have been reflected in this annual report. In the past year we have been ambitious, we've worked hard and have good reasons to be proud of our efforts. In the spirit of continuous improvement, I'd like to build on those areas where we have been successful and develop those areas that we feel could be improved.

If I had to identify the key area for improvement I'd say it is in our work programme. In being ambitious we have perhaps tried to do too much and so spread ourselves too thinly. In being conscientious we have not been willing to let some parts of the shop look after itself, even though we know it is capable of doing so. In working hard we have worn ourselves out trying to cover all the 'important' things and perhaps lost the focus on those matters in which we can really add value; but we have the capacity to achieve this.

I would like to see less of the 'breadth' of scrutiny and more 'depth'. I would like to see more focus on the things that matter *to us* and more delegation to others to look after the areas we think do not need our focus. Part of what we need to establish is what we want to focus on; the other part is what we must take off our agendas.

## **Focusing on what matters**

In choosing areas upon which to focus we need to look to the Community Plan, the Best Value Performance Plan and our weakspots identified by the Audit Commission in our Comprehensive Performance Assessment (CPA). We should also look to the residents' and ward surveys. The Journey to Excellence – our journey to become a CPA-excellent authority within three years - is one that I hope all members would wish to sign up to: I think scrutiny members could usefully contribute to setting the itinerary.

We must focus on our weak spots and on what counts to the people we represent. We should remain supportive of the Cabinet – though we are

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<sup>1</sup> This elements of this postscript was used as a basis for a Report from the Chair of the Overview and Scrutiny Commission to the Commission on 10 June 2003 – a summary of the recommendations of this report is set out in Appendix A

independent of it - and have a duty to determine our own work programme. A cross-party meeting held in early 2003 agreed a protocol for scrutiny, which will act as a guide in setting our work programmes.

A process has now been established that will better enable scrutiny councillors to focus on what counts. The following arrangements were put in place for the coming year.

- (i) Suggestions for items to be included in scrutiny work programmes were gathered at a Work Programme Planning meeting open to all councillors on 3 June 2003.
- (ii) Criteria were agreed for scrutiny reviews and agenda items by members at the Commission meeting of 10 June 2003. The aim of the criteria is to tighten up the breadth of scrutiny work and so better enable scrutiny members to provide more depth of scrutiny on what matters most.

It agreed that a scrutiny review will only be agreed if it has ALL these attributes:

- clearly contributes to the Council's corporate objectives
- the issues discussed are to be significant in terms of their effects on communities and groups of service users living or working in an area comprising one or more wards or electoral divisions in Merton Council
- does not replicate another review carried out by LBM
- is specific in aim
- carries an opportunity for improved performance
- is achievable in timescale and resources available and agreed by the Commission (5 - 6 months maximum start to finish)
- is capable of achieving tangible results
- is carried out wherever possible in a way that engages the public
- is balanced in terms of the departments involved and in terms of client groups affected
- each panel shall carry out reviews sequentially - i.e., one may not start until another has finished
- is led by either a member or group of members as appropriate to the scale of the review

That an item will reach our agenda only if it has one or more of these attributes:

- A weakness identified by CPA
- An issue of major concern of residents identified by ward or residents survey or complaints or serious service breakdowns
- A priority identified in the Best Value Performance Plan
- A red light issue on key performance targets (from indicators identified as key to achieving corporate or scrutiny priorities)

- In context with the rest of the work of the authority (to avoid duplication and overlap)
- An opportunity for substantial savings or service improvements or ways of working that will have a tangible or significant impact on social, economic or environmental well-being
- Priority must be given to items that will have a direct impact on achieving our corporate priorities as set out in our Journey to Excellence

Of course, call-ins may not conform to one of these four attributes. As has happened to date, members will still be free to call-in any items that conform to the usual requirements. (Performance information will be available to all councillors and will be a regular item on Commission agenda).

- (iii) A Commission meeting on 29 July 2003 will match the suggestion for scrutiny review items against the criteria for a review and so agree the start of the scrutiny work programme.

### **Agreeing what we don't focus on**

In agreeing this criteria, we will find that some matters will not appear on our agendas, so freeing us up to work on the things that matter more. I predict that some important plans may not therefore appear on our agendas (the statutory ones will go to full Council meetings anyway and members will have the opportunity to input). I am happy for this to happen only if we are confident that if performance slips, it will come on our agenda. In practice there will be documents that if we get wrong, there could be serious consequences. But if performance to date clearly suggests we have got it right, have no reason to think this part of the shop cannot look after itself, where there is a track record of getting it right and where performance information shows we are on track, why have a report on it?

### **Getting the right information**

To make this work, we may well need to change the way we work in other ways. We may want information – or an entire panel may want information - but there is no need to have it as an agenda item or to wait an entire cycle before we catch sight of what we want.

Members have now been encouraged to ask officers to circulate reports or plans in which they are interested in between meetings. I would like scrutiny members to feel encouraged to pick up the phone and ask officers for the information they want or ask that it be circulated to all panel members.

I want to be clear that while I do not want items on agendas that do not conform to our scrutiny priorities, I certainly do not want members denied the information they want. I don't want scrutiny members to wait a whole cycle for information

they want and to feel unable to influence policy until the next meeting: scrutiny happens between cycles too.

### **A scrutiny newsletter**

Resources permitting we may receive a monthly Scrutiny Newsletter to improve our communication. I'd like scrutiny members to know what's going on in the other panels without having to pick their way through piles of agendas. Summaries of what's coming up over the next week might better enable members to input into the work of a panel on which they are not a member, with less of a risk of drowning in paperwork before they get the chance. Such a newsletter could help communication across panels and also share the recent successes of the panels.

### **Performance monitoring**

I'd like to emphasize a few points about performance monitoring. This was a key area identified by our CPA that needed more work and is also a matter specifically for scrutiny councillors. The District Auditor's (annual) Management Letter identified the performance information going to members as an area that could be further developed. While the Commission has responsibility for scrutiny of performance management, I would like all scrutiny members to receive quarterly monitoring reports. I would like such information to be far more digestible; and encourage members to call a named officer using the direct number given next to the indicator for further information. It may be that in developing our scrutiny priorities we choose to focus on those performance indicators that reflect our priorities.

### **Lead scrutiny members**

While the opposition group has their shadow cabinet members and other spokespersons, I would like to see scrutiny lead members for priority areas or the main remits of the panels. The panels would of course decide these lead officers and how this might work.

### **Democratic engagement and better corporate engagement**

I would like to see more democratic engagement in scrutiny, with meetings being held outside the Civic Centre and more public involvement. A checklist for Chairs will be distributed soon which will recommend ways of better engaging and involving the public.

Where appropriate, panels should invite Cabinet members or expert witnesses to present information or answer questions. Expert witness could be an extremely useful resource; we must tap into this resource much more over the coming year. The initiative should not have to come from the chair; all scrutiny members should bring forward suggestions.

We need clearer information on what has happened to the recommendations that we put to decision-makers and should be formally reported to us. I don't just

mean what has been agreed, we should also see what impact our recommendations have had. That may mean we have a written progress chart but scrutiny chairs should speak to Cabinet colleagues and report back on discussions. The cross-party working group looking at the scrutiny protocol agreed that a standing item on each Panel should be where the relevant Cabinet portfolio folder reports back on meetings with relevant scrutiny chairs and on what the cabinet or cabinet decision-maker has done with recent recommendations from that panel.

### **More flexible reviews**

We've had successes with our reviews and I would like to build on this experience. I'd like to see more reviews take place, that reflect our priorities for the year, ones that take less time and are carried out in a way that is most appropriate to the emerging findings. The first stage of any review must be a fact-finding exercise, which will determine whether or not it is worth going ahead with a review. It may be that members decide to abandon reviews that they think are not going to produce targets that are specific, measurable, agreed, realistic (especially financially) and timetabled. Or we may choose to cut short a review or lengthen one as more opportunities emerge. There should be no sense of failure in any of these results if it reflects the priorities of all scrutiny members.

It must be borne in mind though that if a review does go beyond the planned end date, we will not be able to carry out reviews on our other priorities. It should also be borne in mind that in carrying out a review, it may leave development of that policy in limbo awaiting the scrutiny report. Scrutiny should not hold up - but rather improve - the work of the Council.

### **Focus on outputs of our scrutiny meetings**

Our chairs and vice chairs should monitor the number and weight of recommendations that are made on panels. I would hope that chairs will keep panels focused on 'how we can make this better' but encourage all members to feel able to prompt where they feel it is necessary for a more effective meeting. There has been at least one occasion when a panel met for the evening and not one recommendation was made – though of course this might just mean there was nothing that could be improved upon! Scrutiny is not just about making recommendations; it is about questioning and examining, which may not result in recommendations. But nevertheless we need it in balance and there may well be a case for focusing more on the output of each meeting – this of course applies to the Commission as well!

### **Better management of information going to panels**

I have asked heads of service to be aware of two principles that were also agreed by the cross-party group looking at the scrutiny protocol: that reports sent late to scrutiny with, 'reasons for urgency' will be kept to a minimum and that no 'for information' or briefing items are to go on agendas. The latter, as referred to above, can be circulated outside of the meeting.

**Where we go from here**

Scrutiny in Merton continues to develop and I would ask all members to continue to help make it work. Members should be outspoken when they think it is not working and suggest practical ways to improve matters. We need not wait until the end of the year to make changes, let's keep the information and learning going throughout the year.

Councillor Ian Munn  
Chair, Overview and Scrutiny Commission

## **Appendix A: Summary of recommendations made in the report to the Overview and Scrutiny Commission on 10 June 2003**

- 1 No items that are '**for information**' will go onto agendas. Agenda items will only be things that scrutiny members can make recommendations on.
- 2 **Scrutiny members will make more use of asking questions or asking for information in between meetings.** This may well mean that rather than an officer having to write a report for and attend a scrutiny panel or the Commission, some items could be dealt with by simply circulating information.
- 3 **Criteria has been set for agenda items** so scrutiny members stick to the important things and don't get bogged down with issues that are not priority. Potential agenda items will be measured against the criteria set out in the Postscript to this report.
- 4 **There will be tighter criteria for scrutiny reviews** for the same reason, these too are set out in the Postscript to this report.
- 5 Members will be seeking to develop better ways of **engaging and involving the public in scrutiny.** Suggestions from officers providing reports would of course be welcomed.
- 6 During scrutiny meetings, members will **focus to a greater extent on the number and weight of the recommendations.**

## **Appendix B: Roles of scrutiny, May 2002-May 2003**

### **History of Scrutiny in Merton under new democratic structures**

In May 2000 the Council introduced a pilot scrutiny function, its primary purpose being to assess and monitor the quality of those decisions made by the Executive Committee. In addition, through a process of review and monitoring, the scrutiny function sought to promote and maintain the Council's overall performance.

October 2001 saw the formal introduction of a decision making process based on a Cabinet, replacing the existing Executive Committee and Scrutiny structure. Between May 2002 and May 2003, the Cabinet consisted of nine members with the Leader of the Council designated as the Chair. Individual Cabinet members had an overview of defined areas of the Council's operation and, within a system of delegation, the power to make decisions.

### **Overview and Scrutiny Commission**

The Commission approved and co-ordinated the work programme of the Overview and Scrutiny Panels. The panels themselves decided which matters from the Forward Plan they wished to scrutinise. Any changes to panel meeting dates or additional panel meetings needed the agreement of the Chair of the Commission.

The Commission considered requests for scrutiny of decisions on the published decision list each cycle, received in accordance with the Constitution. The second meeting date is intended for scrutiny of called-in items (if not completed at the first meeting). A maximum of 4 decisions in each cycle can be called-in.

### **Overview and Scrutiny Panels 2002-3**

Between 2002 and 2003, the Council's scrutiny function was carried out by the Commission and six panels:

- Care Services & Housing Management
- Education & Lifelong Learning
- Equalities & Social Inclusion
- Environment & Regeneration
- Finance & Corporate Support
- Street Management

The six panels were established by the Council and were constituted as sub-committees of the Overview and Scrutiny Commission. They focused on:

- Offering views before a decision is made including on the proposed consultation process
- Policy development through carrying out a policy review



Panels do not scrutinise called-in decisions but can agree items from the Forward Plan for pre-decision scrutiny. Each panel had one meeting scheduled per cycle in the calendar of meetings.

The Commission and the panels could:

- influence decision-making;
- review and help develop council policy;
- monitor council performance.

Together the Commission and the panels held the Cabinet to account for their decisions, examining those decisions before and after they have been taken.

### **Role of scrutiny in influencing decisions**

Neither the Commission nor the panels make decisions; they are influencing bodies that pass their concerns, views and recommendations to the Cabinet.

The Commission considers requests from overview and scrutiny councillors who want to examine in detail any decision that the Cabinet is about to take or that the Cabinet has just taken. After looking at a list of decisions made by the Cabinet, the overview and scrutiny Commission can ask the Cabinet to re-think a decision - this is called the 'call-in' process. There are restrictions on the use of this process and strict time-limits on its use.

### **Reviewing the work of the Council**

The Commission and the panels also carry out reviews of Council policy. These reviews aim to develop Council policies that have already been put into practice to ensure they are working to the benefit of Merton. These reviews result in recommendations that are then put to the Cabinet which can accept or reject them bearing in mind the effects and resources available.

Topics for proposed policy reviews may arise from:

- A request from the Cabinet for the Overview and Scrutiny Commission to investigate a particular issue, to help inform its policy deliberations
- The Commission may itself decide that something warrants an in-depth review
- A panel proposes to the Commission a subject area for a policy review
- A public expression of concern may result in a subject for review being considered and recommended

During 2002-3, the Commission decided whether a particular policy review should take place, and its place within the work programme. Generally, the Commission would delegate it to a particular panel but could decide that an ad-hoc panel of Members would be most appropriate. The Commission would then agree the remit and scope of the policy review and the panels would report their findings and recommendations back to the Commission.

### **Monitoring Council performance**

Overview and scrutiny councillors also have a role in monitoring the performance of the Council through the 'Policy Management Framework' and monitoring of Performance Indicators thereby checking that the Council is on track to achieve its objectives.

### **Public involvement**

The rights of Merton citizens are set out in the Council's Constitution. A forward plan showing all key decisions that are to be taken by the Council over the next four months is updated monthly and available on the Council's website.

All meetings of the Overview and Scrutiny Commission and panels are open to public attendance. All agenda and minutes of these meetings are available to the public. There are occasions however when this openness is not possible - when for example an individual's personal circumstances are discussed.

A list of forthcoming meetings is published in the local Guardian newspaper and available on the website. If a member of the public would like to attend a meeting, they can simply turn up at the civic centre or contact the scrutiny team. If a member of the public is unable to attend a meeting but would still like to have their comments passed to the Panel they can do so by writing to the Chair of the Commission or appropriate Panel.

Local people have the right to contribute to the deliberations of the OSC and its Panels by way of deputation and may be invited to contribute to investigations by the Overview and Scrutiny Commission or its Panels.

### **Agendas and minutes**

Minutes and agendas are available for inspection on the Council's website.

### **Key decisions**

The Cabinet is the part of the Council that makes decisions on key issues. A Forward Plan is published each month, which shows the key decisions due to be made in the next four months. Key decisions (ie major ones that meet certain criteria) can be made in three ways, by:

- The Cabinet, made up of Majority Group Members
- Cabinet Members using delegated decision-making powers
- Chief officers using delegated decision-making powers

### **Membership of the Commission and Panels**

Members of the Overview and Scrutiny Commission and its panels are appointed by the Council at its annual meeting. Seats on the Commission and Panels are distributed amongst the political groups according to the total proportion of Council seats. Chairs of the Overview and Scrutiny Panels are usually Commission members and members of the majority group. Panel vice chairs are

usually members of an opposition group. Panels can co-opt additional (external) members. The membership of the Commission and the panels is set out in Appendix C.

## **Appendix C: Membership of the Overview & Scrutiny Commission and panels (March 2003)**

### **Overview and Scrutiny Commission**

Councillors: Ian Munn (Chair), David Williams (Vice Chair), Pauline Abrams, John Bowcott, David Chung, John Dehaney, Samantha George, Stephen Hammond, Richard Harwood, Sheila Knight, John Nelson-Jones, Judy Saunders, Terence Sullivan, Leighton Veale and Martin Whelton.

### **Care Services & Housing**

Councillors: Sheila Knight (Chair), Margaret Brierly, Dot Kilsby, Beth Mitchell, Dennis Pearce, Amanda Ramsey and Martin Whelton.

### **Education & Lifelong Learning**

Councillors: David Chung (Chair), Samantha George (Vice Chair), Jillian Ashton, Matt Bird, Oonagh Moulton, Amanda Ramsey, George Reynolds and Mike Tilcock.

#### *Co-opted representatives:*

Mr Andrew Boxall (Parent Governor Representative)  
Mr Alex Murray (Parent Governor Representative)  
Revd Tom Leary (Church of England Diocesan Representative)  
Mr Chris O'Connor (Roman Catholic Diocesan Representative)  
Mr Bob Cargill (Headteacher Representative)  
Mr Henry Macauley (Merton Governors Council Representative)  
Mr Bernard Lyons (Teacher Representative)

### **Equalities & Social Inclusion**

Councillor Pauline Abrams (Chair); Councillors, David Chung, Nick Draper, Deborah Shears, Gillian Lewis-Lavender, Leslie Mutch and Judy Saunders

### **Environment & Regeneration**

Councillor John Nelson-Jones (Chair); Councillors, John Dehaney, Nick Draper, Richard Harwood, Judy Saunders, Andrew Shellhorn, David Simpson, Mickey Spacey

### **Finance & Corporate Support**

Councillors: Leighton Veale (Chair), John Bowcott, Angela Caldara, John Cole, Andy Coles, John Dehaney and Corinna Edge.

### **Street Management**

Councillors: Martin Whelton (Chair), Stephen Hammond (Vice Chair), Fiona Bryce, Horst Bullinger, Mick Fitzgerald, Philip Jones and Mike Tilcock.

## Appendix D: Scrutiny Team at July 2003

The Scrutiny Team is part of the Scrutiny and Policy Division in the Chief Executive's Department. We are located on the 8<sup>th</sup> floor and our contact details are:

		<u>Ext</u>
Diane Bailey	Head of Scrutiny and Policy	3963
Alanna Coombes	Scrutiny Manager	3662
Barbara Jarvis	Scrutiny Officer	3390
Alison Goldsworthy	Scrutiny Admin support (July to September 03)	4685
(Penny Collins	Principal Policy Officer (Scrutiny) <i>(currently seconded to CPA)</i>	3243)
(Fauzia Ashraf-Malik	Scrutiny Officer <i>(maternity leave from June 03)</i>	4685)
(Mopelola Ogunsina	Scrutiny and Policy Co-ordinator (maternity leave from April 03)	3983)

## Consultative Forums in Merton

RECOMMENDATIONS	ACTIONS/ UPDATE JULY 2003
<p>1. The Democratic Services team should, in future, service all Council owned Consultative Forums. This would mean that those forums currently serviced by departments i.e. District Housing Panels; Housing Consultative Forum; Special Interest Groups and Town Centre Working Parties will be serviced by the Democratic Services team in addition to those currently administered by this team.</p>	<p>The Panel's recommendation that the Democratic Team should service all Council owned Consultative Forums was not adopted by the Executive Committee as it was estimated that to maintain current standards of service and extra 3 members of staff would be required as well as the identification of office space and the provision of equipment, and no provision for this growth existed. Staff in other departments continue to service the bodies in question.</p>
<p>2. That with the exception of those Forums listed at points 3-8 below all other existing Consultative Forums should continue to operate as currently. <i>(The Panel are aware that proposals are being developed to reconstitute the Town Centre Working Parties as formal partnerships later this year)</i></p>	<p>Having regard to the decision of the Executive Committee the status quo was maintained. The establishment of Town Centre Partnerships happened in 2003</p>
<p>3. That the <u>Arts Consultative Forum</u> continue but with a wider remit. The Panel suggested a 'Cultural Forum' should be introduced which should also include the Library Service within its remit.</p>	<p>The terms of reference of the Arts Consultative Forum were amended to indicate that it was to report to the appropriate overview and scrutiny panel on matters relating to the arts and library service. However the Forum does continue to concentrate on matters relating to the arts.</p>
<p>4. As the original concept of the <u>JCC</u> has changed it should be relaunched. The new body should be more representative of all minority groups and be formally constituted with representatives from invited groups (including those not currently members of JCC). This body should also review aspects of Council services and give an opportunity for the Council to consult ethnic minority organisations on service</p>	

<p>delivery. We should find more flexible ways of working with all ethnic minority organisations, including outreach work.</p>	
<p>5. <u>MAGRAH</u> should no longer meet as much of their work has been absorbed by other groups e.g. MPAC but the successful annual conference should continue to be held. Racially motivated crime should be a continuing priority of the Crime and Disorder strategy in order for it to remain a focus for MPAC.</p>	<p>The MAGRAH has been disbanded</p>
<p>6. The <u>Allotments and Leisure Gardens Consultative Panel</u> should be integrated into the Merton Environment and Safety Forum in order to raise its profile when environmental issues are being considered. In order to comply with the Councils duty to consult on Allotments issues, these matters should be included as an item on the agenda for each meeting of the forum.</p>	<p>This happened in October 2001. Merton's Environment and Safety Forum was restructured in February 2003 with revised objectives and aims but continues to deal with allotment issues.</p>
<p>7. The <u>Conservation Areas Advisory Committee</u> should widen its remit to become a Conservation and Design Advisory Panel, which would consider townscape matters, conservation issues and major planning applications</p>	<p>This happened in October 2001</p>
<p>8. The <u>Education Forum</u> should be retained, but become a more open forum. Membership of the Forum should be widened as a means of encouraging greater public participation and the terms of reference will need to be amended accordingly. The Panel suggests that the composition rules of the Education Forum are amended as follows</p> <ul style="list-style-type: none"> <li>▪ Cabinet Members should attend meetings but not sit as <u>members</u> of the Education Forum</li> <li>▪ Places should be allocated to <u>at least two</u> representatives from all groups entitled to attend meetings of the education</li> </ul>	<p>The membership of the Education Forum is kept under review. Cabinet Members continue to be full members of the Education Forum and this has not caused any difficulties. Each general group (eg counting the main churches as one group), entitled to attend Forum meetings has been allocated at least two places on the Forum, except for pupil/student or young people representatives, but the Forum in early 2002 did agree proposals for involving young people in the work of the Forum, including inviting young people to make presentations at Forum meetings, and holding meetings at schools, instead of the Civic Centre. Parent Teacher Associations and all faith groups (via</p>

<p>Forum.</p> <ul style="list-style-type: none"> <li>▪ Groups allocated places on the Education Forum should also include Parent Teacher Association, pupils/students and all faith groups.</li> </ul>	<p>SACRE) have been invited to join the Forum since early 2002.</p>
<p>9. Minutes of Consultative Forums should be less formal than they are at present. They should be presented as notes with clear action points and an indication of how these actions are to be progressed, both at an officer and decision-making levels.</p>	<p>Minutes of consultative bodies are less formal than decision making bodies and contain more information on what happened at the meeting especially as they are read by a wider audience.</p>
<p>10. Reporting Lines for Consultative Forums must be established, ensuring that these can feed into the decision making process. At the end of each meeting the Chair and Lead Officer should agree what actions are required and how these will be categorised for action at the appropriate level.</p>	<p>In place, though very few matters are referred up.</p>
<p>11. The Council should review the way in which Forums relate to and impact upon the council's decision making structures and in particular the need to develop mechanisms for ensuring two-way feedback on issues of mutual concern. Ways of informing the community and members of the Forums on progress of actions should be explored using a variety of methods of communication.</p>	<p>The Council use Area Forums and consultative bodies for consultation purposes whenever appropriate.</p> <p>A body comprising councillors and people with various expertise has been established to advise the Council on the development of the P3 and P4 sites in Wimbledon.</p>
<p>12. Mechanisms should be developed for keeping all Councillors informed of consultative forums deliberations and decisions</p>	<p>All councillors are involved with Area Forums and the minutes of meetings are public documents. Where appropriate views and comments (decisions) of consultative bodies are fed into the reports considered by Cabinet and overview and scrutiny bodies (eg Education Forum on the Council's budget)</p>
<p>13. When drawing up the agenda for Area Forums and Consultative Forums consideration should also be given to the placing of suitable items on each agenda.</p>	<p>Area Forums have been meeting since late 2001. Various practices have evolved involving ward councillors, organisations and the public in drawing-up agenda. Agenda for consultative</p>



	bodies are generally officer lead or arise from discussions at meetings.
14. Following recommendation 3, the Policy Review Scrutiny Panel for Primary Education and Children's Services & Secondary Education should be asked to look at Arts and Culture in the Borough as a result of widening the remit of the Arts Consultative Forum to include Library Services.	Progress unknown
15. Where a consultative body does not have sufficient members and is no longer serving a purpose, consideration should be given to its function being assimilated, where appropriate, into the function of another body. Officers should ensure that an annual statement is prepared by each Forum to include details of attendances, actions and outcomes over the past year.	Happening, for example the Play Forum was disbanded because it duplicated the work of the Early Years and Child Care Partnership. The Youth Committee has also been disbanded but more positive suitable alternative arrangements to meet current need have been put in place.
16. It is important that all Forum meetings take place as advertised and are not cancelled due to lack of business; strategies should be put in place to promote the Councils Forums and to seek examples of best practice demonstrated by local authorities.	Most meetings are held on scheduled dates. Occasionally meeting dates are changed to avoid clashes of meetings and to encourage attendance. For example meetings relating to education are not held when schools are closed. Consideration, as part of the Communication Strategy, is being given to greater publicity for Area Forum to encourage better attendance by the public, and good practice can be extended to other consultative bodies.
17. Strategies must be developed to manage this change in the Councils priorities and procedures for its Consultative Forums.	Officers are conscious of the pressures facing Members in attending meetings and continue to monitor the operation of consultative bodies to ensure Members' time is put to best use. Due account is also taken of the Council's identified priorities.

## Area Forums in Merton

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<ul style="list-style-type: none"> <li>4 Areas based on catchment areas shown at appendix 4</li> </ul>	4 areas based on recommended catchment areas established. Revised to take account of ward boundaries
<ul style="list-style-type: none"> <li>Area Forums to be consultative, advisory only. Forums will not therefore have any delegated powers or budgets</li> </ul>	Meetings are advisory and consultative in nature, no budgets or delegated powers. Some instances of Chair of Wimbledon Area Forum (also Leader of Council) determining he could make representations on behalf of the community
<ul style="list-style-type: none"> <li>Meetings to be scheduled on a quarterly basis</li> </ul>	Meetings scheduled for a quarterly basis
<ul style="list-style-type: none"> <li>Suitable venues to be identified in each area allowing for rotation within an area. Each venue must take a minimum of 100 people, have good access for people with disabilities and have good transport links</li> </ul>	Venue rotation limited somewhat owing to availability of suitable accommodation. Some proven benefits with this including familiarity and access to transport links.
<ul style="list-style-type: none"> <li>Attendance at forum meetings to be open to all people living, working or studying in the area or having an interest in the topic being discussed.</li> </ul>	Publicity included adverts in local newspapers, information posted on the website, agendas sent to all known residents associations in the catchment area and those asking to be placed on the distribution list
<ul style="list-style-type: none"> <li>Agenda to be agreed by Cllrs and officers but ensuring members of the public have the opportunity to suggest items for discussion</li> </ul>	Agenda agreed by the Chair. In addition the WAF Chair also provides draft agenda to all ward Cllrs for their comments; and the primary theme on this agenda there courtesy of response by the public to a questionnaire asking them to indicate issues they would wish to see appear on a future agenda
<ul style="list-style-type: none"> <li>Forum meetings to be chaired by ward Cllrs (who are not cabinet members)</li> </ul>	All bar one forum chaired by a cabinet member
<ul style="list-style-type: none"> <li>Chairs of Area Forums to share good practice and ensure co-ordination of issues and procedures.</li> </ul>	WAF has an agreed format, not largely the format adopted by other Forums.
<ul style="list-style-type: none"> <li>Members and Officers should ensure that Area Forums are a two way process for consultation/communication</li> </ul>	A good mix of issues presented by the Council, and an equal measure of opportunity for the public to advise and to put forward items of concern to them

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<ul style="list-style-type: none"> <li>Public participation must be facilitated/encouraged; this could include soapbox slots and/or separate question and answer sessions</li> </ul>	<p>The Chair allows every opportunity for the public to contribute to discussions and a soapbox slot is integral to the proceedings.</p>
<ul style="list-style-type: none"> <li>Refreshment break to be built into the agenda to allow time for informal discussion</li> </ul>	<p>Refreshments available at the meeting but there is not normally a break mid point. However there is a large amount of informal discussion prior to the commencement of the meeting and a significant amount at the close</p>
<ul style="list-style-type: none"> <li>Systems to be developed for reporting back to Scrutiny Commission and as appropriate Executive/Council and for providing information and updates for community and forum attendees</li> </ul>	<p>Notes of meetings are presented to the next meeting for information and in order to facilitate discussion on any matters arising. Whilst there is a route for reporting matters to the OSC this has not happened yet.</p>
<ul style="list-style-type: none"> <li>Annual evaluation of the impact of Area Forums should be undertaken to ensure they are effectively maintaining participation and interest and contributing to community cohesion.</li> </ul>	<p>Not aware that there have been any discussions at a committee level but there may have been discussions at a party level.</p>
<ul style="list-style-type: none"> <li>Consultation on this proposed model should be linked to consultation on democratic structures and should involve the Residents Panel</li> </ul>	<p>Not certain as to position with this.</p>
<ul style="list-style-type: none"> <li>The model agreed after this consultation to be implemented for one year to allow the review and further development as required.</li> </ul>	<p>This does not appear to have happened and there has been a certain evolving of the format for meetings arising generally from the direction and preference of the Chair</p>
<ul style="list-style-type: none"> <li>Terms of Reference and protocols for management and operation of Area Forum meetings should be developed</li> </ul>	<p>This has happened at WAF</p>
<ul style="list-style-type: none"> <li>Resource implications for running costs and officer support must be identified and budgeted for.</li> </ul>	<p>Any resource implications appear to have been absorbed.</p>

## Agency Staff Budgets

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<ul style="list-style-type: none"> <li>A target for each department to conduct a high percentage of Exit Interviews in order to find out why people are leaving (<i>The Scrutiny panel on the Macpherson report also recommended that departments should encourage all leavers to participate in an Exit interview</i>).</li> </ul>	<p>A new form for conducting/recording Exit Interviews was devised by Human Resources and is on the Councils intranet. Information extracted from the forms was submitted to the Equalities and Social Exclusion Overview and Scrutiny Panel.</p>
<ul style="list-style-type: none"> <li>Implementation of 'Promoting Attendance Strategy' to reduce levels of sickness absence and minimise use of agency staff; also to agree a shared corporate definition of 'long term sickness'.</li> </ul>	<p>Information is now recorded and produced in monthly reports and distributed to line managers on a monthly basis.</p>
<ul style="list-style-type: none"> <li>Speedier recruitment processes to reduce length of appointment of agency staff in line with equal opportunities policies.</li> </ul>	<p>The recruitment process has been redefined and a new, dedicated, recruitment team, with a recruitment manager is now in place. Selection procedure has been produced, it is on the Intranet. Training courses for managers are in place. A guide has been produced for managers and new processes have been put into place in an effort to speed up the process and to ensure that we have the necessary paperwork for audit/JRT/SSI and other inspections</p>
<ul style="list-style-type: none"> <li>Develop in-house pools of admin and secretarial staff to provide ready access to temporary staff who will build up experience of working for Merton</li> </ul>	<p>A bid has been submitted for funding for this. Research been done as to whether an in-house agency feasible and also looked at a "Master Servant" type relationship with just one employment agency.</p>
<ul style="list-style-type: none"> <li>Encourage greater use of the New Deal scheme for 18-24 year olds and 50+, with positive encouragement and support for people on the scheme and their managers to meet Council target of 36 placements and increase retention of New Dealers as permanent employees.</li> </ul>	<p>Rules have changed under New Deal but the principle of the recommendation has been carried over to the new arrangements. The council is doing work with Carshalton College (Employability Centre) – we provide placements and the College get the New Deal funding. Since we started in December 2002, we've had ten placements, one of</p>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
	<p>which has led to a permanent position. The effectiveness of this programme has been the initially the subject of concern for some while and was the subject of a review in June 2001 and a report to Executive Committee in September 2001.</p>
<ul style="list-style-type: none"> <li>• Maintain a list of ‘in-house leavers’ e.g. early retirees and people leave to care for dependants, who would be willing and available to return to work for short periods to cover emergencies or vacancies. This had been used by other organisations, but it would be necessary to ensure that jobs were offered on a fair and equal basis.</li> </ul>	<p>We are not undertaking this piece of work. In theory this is a good idea particularly if trends appear that the retirement age will be rising combined with a shrinking workforce. Agree this is a resource issue.</p>
<ul style="list-style-type: none"> <li>• Set up pool arrangement for people with disabilities to give work experience and cover staff vacancies, with the possibility of departments setting targets for employing more people with disabilities (<i>The proposed Scrutiny Panel on the Implementation of the Disability Discrimination Act should be asked to consider this further</i>)</li> </ul>	<p>This has been actioned. However, a better way of meeting the objective of this recommendation may be to work with the Job Centre to offer ‘secondment opportunities’ to people with disabilities to enable them to develop skills in a real work environment.</p> <p>In collaboration with the Employment Service, the Council currently has 17 supported work places for disabled people and is working towards further developing this relationship.</p> <p>Corporate HR is working on this with various outside agencies (Remploy Interwork, Disability Alliance Merton and others). In terms of employing more people with disabilities, we are now working in partnership with Remploy Interwork to attract people with disabilities to work for Merton. We state this on the recruitment application form, together with contact numbers for Remploy Interwork so that disabled applicants can resource help with applications from the very start of the process. We also send out a pamphlet advertising Remploy Interwork’s services with every recruitment pack.</p>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
	<p>In terms of assisting existing staff who may face disability issues throughout their working life, Remploy Interwork also assist with these aspects and their services are currently publicised via leaflets in Occupational Health Services</p>
<ul style="list-style-type: none"> <li>Consider running a corporate Open Evening and advertising vacancies on Council web site for recruitment purposes.</li> </ul>	<p>Done. HR Business Manager has attended Ethnic Media job fair.</p> <p>Housing and Social Services Dept open evening held in 2001.</p> <p>All Council vacancies now advertised on web site. Web based recruitment is the subject of further work by the HR team.</p> <p>A Recruitment Fair took place on 20 and 21 June 2003 which was very well attended by a good mix of applicants from the local area. People can apply for jobs on-line via the Council's website and also on "Jobs Go Public". It is estimated that we receive 25% of applicants applying directly on-line, 40% requests for packs by e-mail and the rest via voicemail.</p>
<ul style="list-style-type: none"> <li>Introduce a reward scheme for good attendance.</li> </ul>	<p>Not yet done This will be considered when the HR strategy is fully implemented</p>
<ul style="list-style-type: none"> <li>Tendering arrangements for an approved list of agencies, including block contracts, should be introduced to reduce overall number of agencies used especially those for admin and secretarial posts. This would allow economies of scale in negotiating rates of pay, commission and supply of management information.</li> </ul>	<p>Departmental managers should work more closely with departmental HR team to redefine the list of agencies they use to suit the particular needs of each department. In ES, HR book all agency staff and therefore are able to monitor usage</p>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<ul style="list-style-type: none"> <li>• Revise 'Protocol for use of Agency Staff' to ensure all managers use agency staff within policy framework.</li> </ul>	<p>This is under review.</p>
<ul style="list-style-type: none"> <li>• Agencies should be monitored to gauge the quality of their service and agency staff provided.</li> </ul>	<p>Under review. Departmental HR teams will work with departmental managers to asses quality.</p>
<ul style="list-style-type: none"> <li>• Ask agencies to pre-screen CVs and provide management information reports to departments.</li> </ul>	<p>Under review. Many agencies do this – but will be asked to do so if required. Departments will be recording and maintaining information to produce monthly reports of agency staff employed.</p>
<ul style="list-style-type: none"> <li>• Information on agency staff in post should be shared between/within departments to retain good people and benefit from their experience with the Council.</li> </ul>	<p>Under review. The policy on Agency Staff is being revised with the aim of appointments not exceeding 3 months. Sharing of information can be achieved by monitoring monthly departmental reports.</p>
<ul style="list-style-type: none"> <li>• Set a spending limit or a target for reduction on expenditure on agency staff for each department.</li> </ul>	<p>Not yet done. New policies and procedures should lead to a reduction in expenditure.</p>
<ul style="list-style-type: none"> <li>• Quarterly reports in a standardised corporate format, with clear and precise details of amount spent on agency staff and reasons for use, should be prepared to ensure regular monitoring by departmental management teams, Corporate Management Team and the Executive Committee</li> </ul>	<p>Not yet done but a quarterly composite summary will be produced from monthly departmental reports and will be presented to CMT</p>

## The Stephen Lawrence Inquiry – Merton Council’s response to the Macpherson report

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
• Adopt institutional racism definition across Council	Completed
• Update & review Equal Opportunities policy every 2 years	Completed
• Adoption of slightly amended LARRIE checklist for local authorities as local performance indicators	Completed
• Examine performance against statutory Performance Indicators related to race, benchmark & set targets	Completed
• Extra resources in Human Resources and Scrutiny & Policy Divisions	Completed
• Sympathetic consideration to Unison’s Stephen Lawrence Inquiry Guide	Completed
• Use Tenants’ satisfaction survey to respond to needs & aspirations of ethnic minority tenants	Completed
• Review of graffiti policy	Completed
• Adoption of racist incident definition	Completed
• Housing to inform victims of racial harassment of Victim Support (Merton)	Completed
• Housing officers to keep in contact with victims of racial harassment	Completed
• Develop 3 <sup>rd</sup> Party Reporting Procedure with Police	Completed
• Housing Associations to work towards same racial harassment guidelines as Merton Council	Completed



RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>Racial Incidents Panel to produce Annual Report</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Police statistics about ethnicity of racial incident victims and perpetrators to be analysed and evaluated yearly</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Inclusion of bilingual skills in job and person specifications where relevant</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Share strategies successful in increasing ethnic minority job applicants</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Departmental turnover statistics and reasons for leaving by ethnicity</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Set up a Corporate Black Workers' Group</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Carry out Staff Attitude survey</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Repeat staff attitude survey every 2 years</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Produce Religious Handbook, leaflet and update of faith calendar</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Identify worship area for Ramadan prayers and identify long term area for multi-faith worship</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Ethnic minority staff and councillors to be involved in designing and commissioning training</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Increase numbers of ethnic minority Councillors</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Tackling racially motivated crime to remain a priority in the Merton Partnership Against Crime Strategy</li> </ul>	Completed
<ul style="list-style-type: none"> <li>Supporting groups who assist with victim support, tackle discrimination &amp; racial harassment.</li> </ul>	Completed

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>Implementation Plan</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Develop Equalities Code of Practice for Service Delivery</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Procurement strategy to strengthen equality in contracting arrangements</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>All surveys to measure ethnic minority satisfaction</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Complaints system to be able to monitor discrimination &amp; complaints by ethnicity</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Equalities changes as result of Best Value Reviews to be reported in departmental service plans</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Racial equality to be more explicit in Tenants Compact</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Social Services Macpherson Action Plan to be delivered by September 2001.</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Departments to progress and review racial equality action plans including reporting ethnic minority satisfaction</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Encourage increase in ethnic minority teachers and governors working with ethnic minority voluntary organisations</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>School to provide information on racial incidents and exclusions</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Review job and person specifications for vacant posts to ensure they do not exclude certain groups.</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Review of Recruitment and Selection procedure and application form</li> </ul>	Recommendations well underway

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>Assessment of ethnic minority under-representation and appropriate legal positive action</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Race equality performance targets for CE, Directors and Heads of Service within appraisals</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Two-day workshop on managing diversity designed by Finance to be cascaded into the corporate training programme</li> </ul>	Recommendations well underway
<ul style="list-style-type: none"> <li>Carry out audit against CRE Standard for Race Equality &amp; achieve level 3</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Publicise successful action against perpetrators of racial harassment</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Prioritise IT support to schools for measuring attainment by ethnicity</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Introduce practical strategies to try and improve shortage in ethnic minority teachers</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Identify strategies by schools, voluntary groups and Merton Council to increase number of ethnic minority governors</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>CRE's <i>Learning for All</i> commended to schools</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>The Council to increase the capacity of FAME/JIGSAW projects</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Raising attainment of ethnic minority pupils (including travellers)</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Annual departmental action plans to achieve workforce representation</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Increase sample size of cases tracked from application to appointment</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Managers to attend Recruitment and Selection Training</li> </ul>	Recommendations Underway

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>At least two members of recruitment panels to have undergone recruitment &amp; selection training</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Ethnic minority person on selection panels</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Alternative ways of making job applications</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Managers to seek advice on positive action to address workforce imbalance.</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Check all career grade posts for discrimination in their use</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Encourage all leavers to participate in exit interviews and monitor experiences of race discrimination</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Review ethnic minority staff training opportunities</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Explicit race equality awareness training in Corporate Programme as well as being built into courses such as Customer Challenge, Recruitment etc</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Race equality objectives built into service specific job training</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Mentoring scheme to identify ethnic minority mentors</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Publication of Council workforce composition and schemes that offer work experience</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Supporting voluntary organisations wanting to respond to Stephen Lawrence Inquiry</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Carry out audit against CRE Standard for Race Equality &amp; achieve level 3</li> </ul>	Recommendations Underway

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<ul style="list-style-type: none"> <li>CRE's <i>Learning for All</i> commended to schools</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>The Council to increase the capacity of FAME/JIGSAW projects</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Raising attainment of ethnic minority pupils (including travellers)</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Annual departmental action plans to achieve workforce representation</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Increase sample size of cases tracked from application to appointment</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Managers to attend Recruitment and Selection Training</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>At least two members of recruitment panels to have undergone recruitment &amp; selection training</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Ethnic minority person on selection panels</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Alternative ways of making job applications</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Managers to seek advice on positive action to address workforce imbalance.</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Check all career grade posts for discrimination in their use</li> </ul>	Recommendations Underway

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>Encourage all leavers to participate in exit interviews and monitor experiences of race discrimination</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Review ethnic minority staff training opportunities</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Explicit race equality awareness training in Corporate Programme as well as being built into courses such as Customer Challenge, Recruitment etc</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Race equality objectives built into service specific job training</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Mentoring scheme to identify ethnic minority mentors</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Publication of Council workforce composition and schemes that offer work experience</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Supporting voluntary organisations wanting to respond to Stephen Lawrence Inquiry</li> </ul>	Recommendations Underway
<ul style="list-style-type: none"> <li>Housing Division to use statistics in more effective way</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>Greenwich Leisure Limited will accept and follow Council's commitment to eliminating race discrimination including monitoring service use &amp; operates fair employment practices.</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>Health Authority to speed up reporting on victims of racial harassment</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>Managers reminded of workforce profile &amp; targets to improve representation</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>Managing Diversity Course to be focused upon new entrants, unit managers and front line staff</li> </ul>	Initial stages

RECOMMENDATION	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATIONS
<ul style="list-style-type: none"> <li>• Basic skills to be added to corporate training programme</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>• 20% ethnic minority participation on corporate management development programme</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>• Review information provided to Council representatives about their role in promoting the Council's commitment to race equality</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>• Annual update on Police Best Value Performance Plan</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>• Merton Health Improvement Partnership Board to scrutinise response to diversity in health service delivery.</li> </ul>	Initial stages
<ul style="list-style-type: none"> <li>• Co-operate with voluntary groups in improving consultation with ethnic minority communities</li> </ul>	Initial stages

## Transport For SEN Pupils in Merton

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<ul style="list-style-type: none"> <li>That a, all drivers and escorts be required to have ID badges and these will only be issued by the authority, in order to retain central control; there should be written into the contract with cab companies that failure to comply with the display of ID badges will result in termination of the contract. Parents should also be advised that they have the right to request to see an ID badge clearly displayed and b, training should be provided to all escorts as a standard requirement and that this could be linked to the provision of ID cards.</li> </ul>	<p>Completed (this requirement was amended due to practical operational reasons and companies issue their own ID to a style and content agreed by the authority)</p>
<ul style="list-style-type: none"> <li>That all drivers and escorts should be checked once the backlog of checks has been cleared (hopefully to be completed by the end of March 2003); until this can be achieved every possible step should be taken to ensure that all escorts have been CRB checked prior to use on any journey involving an SEN pupil, but that if the escort has not been checked the parent is invited to be the escort until a check has been completed. This recommendation will help to ensure a proactive relationship between parents and the Authority, through collaborative working.</li> </ul>	<p>Completed</p>
<ul style="list-style-type: none"> <li>That it be made a requirement for drivers to be contactable at all times when they are transporting an SEN pupil and that all drivers relay information on journey delays. Also that various methods of fast</li> </ul>	<p>Completed (parents receive a letter advising them of indicative pick up and set down times this includes contact details)</p>



RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<p>communication be explored between the Transport Department and parents such as e-mail, text messaging and mobile phone contact</p>	
<ul style="list-style-type: none"> <li>• That the complaints procedure be made easier to understand and more user friendly, with clear guidelines attached.</li> </ul>	Completed
<ul style="list-style-type: none"> <li>• That using an example of good practice from the London Borough of Brent, there be a critical redrafting of the policy documents on SEN Transport to provide good quality information to parents, including an outline of broader alternative options for transporting pupils which should be explored. The options need to be outlined as soon as possible after the issue of the SEN Statement and officers will explore the options for parents to transport their own children in accordance with agreed procedures.</li> </ul>	Completed
<ul style="list-style-type: none"> <li>• That, in addition to the policy document, a booklet be produced and provided to all parents of SEN pupils, containing all the information needed in relation to the transport arrangements for their child and what to do in relation to the transport arrangements for their child and what to do in the event of particular circumstances arising; the leaflet should include a description of the details scrutinised in the Criminal Record Bureau (CRB) check.</li> </ul>	Completed, due for distribution August 2003. Information on CRB checks not included.
<ul style="list-style-type: none"> <li>• That, even though all cab companies are members of the Public Carriage Office, it should be a</li> </ul>	Completed (as part of the invitation to be included on the 'approved list of contractors' to commence in September 2003)

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
<p>condition of the contract that all documentation relating to the drivers employed by the minicab companies such as driving licences, references and MOT certificates for any particular vehicle should be made available on request, for checking by the Transport Department as part of regular monitoring, or in relation to any complaint received.</p>	
<ul style="list-style-type: none"> <li>• That, owing to the inconsistency which exists over parents receiving a notification letter about their transport arrangements, officers review more effective means for producing a letter for all parents, in advance of transport commencing, with a deadline date for complying with production of the letter should include the name and telephone number of the cab company being used together with the names of the driver and also the escort where one is provided; however, the advice to parents should be to contact the Transport Service in the first instance if the pupil is not going to school on any particular day.</li> </ul>	<p>Steps forward have been taken in notifying parents of potential travel arrangements, however there is scope for this initial mailing to include more accurate information.</p>
<ul style="list-style-type: none"> <li>• That a satisfaction survey/review should be undertaken every school year, with the findings made available to parents on request and presented to the Education and Lifelong Learning Overview and Scrutiny Panel as part of its monitoring role; in addition officer of the local authority will carry out random checks during the year.</li> </ul>	<p>Completed by October 2003</p>
<ul style="list-style-type: none"> <li>• That the tender process should seek to ensure that advertisements for expressions of interest should</li> </ul>	<p>Completed</p>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECOMMENDATION
include ethnic minority publications in the circulation, but in doing so ensuring that the tender process complies with equalities legislation	
<ul style="list-style-type: none"> <li>• That the feasibility of Merton Council becoming a minicab operator employing drivers with cabs directly, be fully explored, as a means to the authority retaining central control of the whole SEN Transport Service.</li> </ul>	Completed
<ul style="list-style-type: none"> <li>• That the possibility of the Transport Service working towards Investors in People status be considered with the cab companies signing up to the initiative.</li> </ul>	Transport Services is currently working to re-accreditation within Environment and Regeneration, although this initiative may be investigated in the future it is not practical at the current time
<ul style="list-style-type: none"> <li>• That officers be asked to develop local performance indicators to monitor the level of service provided</li> </ul>	To progress
<ul style="list-style-type: none"> <li>• That these recommendations are taken up as soon as possible, to ensure that the key questions identified in the review terms of reference are addressed.</li> </ul>	To progress

## Commercial Leases In Merton

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECCOMENDATION
<ul style="list-style-type: none"> <li>All future leases to be standardised and written in Plain English standards wherever possible. Existing leases to be written in Plain English as they are renewed.</li> </ul>	<p>The commercial shop lease is in the process of being redrafted to provide greater clarity and plainer English. In respect of lease renewals we are negotiating with each tenant subject to statutory constraints.</p>
<ul style="list-style-type: none"> <li>The Head of Legal Services to report on the feasibility of the standard form of lease being assessed against the Crystal Mark standard by Autumn 2003, especially if the new Land Registration Rules 2003 come into force in October 2003.</li> </ul>	<p>The redrafted commercial shop lease will be sent to the Crystal Mark organisation for a preliminary view during 2003.</p>
<ul style="list-style-type: none"> <li>Tenants to be advised to seek early advice and professional assistance as a matter of course.</li> </ul>	<p>An appropriate paragraph will be added to Heads of Terms when sent to prospective tenants and the same statement will be added to Property Management &amp; Review section web site when it is next amended</p>
<ul style="list-style-type: none"> <li>Lease documentation to clearly state means of rent calculation i.e.: open market valuation. The appropriate level of rent should depend upon market conditions, the location, type, age, size, character and condition of the premises, the duration of the lease and the burden of repairing obligations. Rent to be reviewed at stated intervals with negotiations being based on open market rental where the rent review clause in the lease is upon this basis (not applicable where leases are on another basis eg RPI or turnover).</li> </ul>	<p>This is being done.</p>
<ul style="list-style-type: none"> <li>Leases to clearly state:-</li> <li>The procedure for serving notice on the tenant</li> </ul>	<ul style="list-style-type: none"> <li>Notices related to matters at the discretion of the Landlord or Tenant are</li> </ul>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECCOMENDATION
<ul style="list-style-type: none"> <li>• Service charges to be recovered</li> <li>• A clear outline of grounds for forfeiture (the Council should maintain clear procedures for seeking such forfeiture.)</li> <li>• The terms on which any cash deposit are held.</li> </ul>	<p>included, for example, break clauses that can be implemented by the Landlord or tenant. Procedures regarding many other Notices would be contained in statute or contract, rather the lease.</p> <ul style="list-style-type: none"> <li>• This is being done</li> <li>• The Forfeiture clause is being redrafted.</li> <li>• This is contained in the standard rent deposit deed, which is entered into whenever a rent deposit is taken.</li> </ul>
<ul style="list-style-type: none"> <li>• Break clauses to be inserted into leases wherever judged to be in the interests of the Council or tenant.</li> </ul>	<p>This is current standard practice</p>
<ul style="list-style-type: none"> <li>• The appropriate level of rent should depend upon market conditions, the location, type, age, size, character and condition of the premises, the duration of the lease and the burden of repairing obligations.</li> </ul>	<p>Market forces, comparable evidence and many of the points identified establish the initial rent. The rent at review is established by the terms of the lease agreed when the lease is granted and may relate to some of the items identified.</p>
<ul style="list-style-type: none"> <li>• Merton to clearly outline appropriate responsibilities for repairs and services by property. Such responsibilities to be consistent with the Council's overall asset management strategy.</li> </ul>	<p>This is current practice which ensures that the repair and maintenance requirements are identified and allocated by agreement at the commencement of the lease</p>
<ul style="list-style-type: none"> <li>• Recommend as a matter of good practice shifting the responsibility for buildings insurance onto the Council with recoupment of premiums and other costs via service charges, so that where the building is owned by the Council, Merton is responsible for insuring the building and recharging premiums. (these will generally be for very long leases).</li> </ul>	<p>This has been adopted with insurance premiums being recouped from the tenant by way of additional rent.</p>
<ul style="list-style-type: none"> <li>• Need for clear processes by which Merton would determine whether or not to consent to subletting.</li> </ul>	<p>All leases contain a statement as to whether the tenant may sublet or not. The decision is made at the granting of the lease and will depend upon the</p>

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW RECCOMENDATION
<p>These processes to be made available to tenants.</p>	<p>individual property and management practice. E.g. the tenant of a shop with residential above would not be permitted to sub let the residential unit above. To do so could create a secure residential tenancy, which could exist beyond the lease term and could attract the Right to Buy provisions of the Housing Act.</p>
<ul style="list-style-type: none"> <li>• Develop a Customer Charter on how relationships will be managed and setting out relevant customer standards, such Charter to be available in community languages, Braille, and large print.</li> </ul>	<p>A draft is in preparation.</p>
<ul style="list-style-type: none"> <li>• Investigate the feasibility of providing an appropriate seminar in conjunction with, the local Chamber of Commerce on "how to be a good tenant".</li> </ul>	<p>Appropriate property bodies will be contacted to see if they can provide such a seminar in conjunction with the Chamber of Commerce.</p>
<ul style="list-style-type: none"> <li>• Place in an appropriate place on Merton's web site the Code of Practice or the link to the Code of Practice (possibly the Business Partnership page)</li> </ul>	<p>This will be placed on the Property Management &amp; Review web site when it is next amended</p>
<ul style="list-style-type: none"> <li>• Merton to provide leaflets on how tenants can appeal against business rates.</li> </ul>	<p>Leaflets produced by Corporate Resources would be made available.</p>
<ul style="list-style-type: none"> <li>• A generic pack to be devised containing sample leases, procedures etc to be made available to prospective tenants.</li> </ul>	<p>Sample Heads of Terms of leases and procedures are being developed along with the Customer Charter to comprise the information pack.</p>
<ul style="list-style-type: none"> <li>• Seek feedback once a year from existing and new tenants on their view of the quality of their dealings with the property division, i.e. Customer care.</li> </ul>	<p>A survey was completed in April 2003 and has been analysed. Steps that can be taken to address some of the issues are being considered. Most of the issues raised are of an environmental nuisance nature and are being addressed by other corporate initiatives. Due to relatively small number of commercial tenants, it is intended to carry out the survey every 3 years.</p>

## Use of Consultants

RECOMMENDATIONS	ACTION CARRIED OUT AGAINST REVIEW
<ul style="list-style-type: none"> <li>The Code of Practice on the Engagement of Consultants should be properly implemented and followed by all officers involved in selecting and recruiting staff.</li> </ul>	<p>Completed. All Chief officers are aware of the code of practice and that it needs to be followed before employing a consultant. The policy is available on the Intranet at <a href="http://intranet01/LBMIntranet/Chief_Executive/Legal_Services/procurement.asp">intranet01/LBMIntranet/Chief_Executive/Legal_Services/procurement.asp</a>. Training courses have been provided.</p>
<ul style="list-style-type: none"> <li>Implementation of the Code of Practice should be regularly monitored by departmental management teams and overseen by Legal Services to ensure that a register of consultants appointed is maintained within departments and corporately and that all requirements of the Code of Practice are followed consistently across all Council departments.</li> </ul>	<p>Legal Services Facilitates the Corporate Procurement Group, which meets on a monthly basis. This group has been asked to take responsibility for contract registers in the departments. Legal Services, when asked to prepare a consultants contract will always check with the client that the Code is being followed.</p>
<ul style="list-style-type: none"> <li>Expenditure on and outcomes of work by consultants should be regularly monitored. This should be done initially within departments who should prepare and submit summary information to the Director of Financial Services and to the Finance and Corporate Support Overview and Scrutiny Panel on a quarterly basis.</li> </ul>	<p>Actions completed and ongoing. Reports submitted to Panel quarterly.</p>
<ul style="list-style-type: none"> <li>Specific budget codes for expenditure on consultants should be created and used consistently to aid the monitoring process.</li> </ul>	<p>Completed.</p>

<ul style="list-style-type: none"> <li>• Use of consultants should not be considered as a first option. Managers should consider whether the required skills exist within a department or across the Council and look at all options for deploying or reallocating existing staff resources before commencing procedures to appoint a consultant.</li> </ul>	<p>Included as part of training and as part of the engagement procedure. Points 1 and 14b of the code of practice apply. Chief Officers must justify why the authority needs the skills of a consultant and why the task cannot be undertaken using directly employed staff. This could be staff shortage, new initiatives, or a particular expertise.</p>
<ul style="list-style-type: none"> <li>• Contracts for consultants should generally be on a 'task and finish' basis and should not be issued for more than 6 months. In exceptional cases, if it is likely that a project/contract will continue for more than 6 months, justification must be made to Legal Services before a contract is agreed and the Finance and Corporate Support Overview and Scrutiny Panel should be consulted to seek approval. If it becomes apparent after a contract is issued that it may need to be extended beyond six months, Legal Services and the Panel should be alerted as soon as possible.</li> </ul>	<p>The code of practice clearly states that 'task and finish' is a requirement. The appointment of consultants pro forma must be completed with details of the estimated number of days of work, including a start and finish date. There are some outstanding consultants, egg PFI, whose contracts have been for longer than six months. These have all been reported to the panel.</p>
<ul style="list-style-type: none"> <li>• Market testing rates of pay for consultants should be undertaken before a contract is tendered</li> </ul>	<p>Market testing is undertaken as part of each tendering exercise. Different testing regimes apply for different contract levels.</p>
<ul style="list-style-type: none"> <li>• The Director of Financial Services should be asked to ensure that these recommendations are built into the Code of Practice on the Engagement of Consultants.</li> </ul>	<p>Completed.</p>