

Policy and Performance Scrutiny Committee - 17 September 2015

Non-confidential minutes of the meeting of the Policy and Performance Scrutiny Committee held at on 17 September 2015 at 7.30 pm.

Present: **Councillors:** Gallagher (Chair), O'Halloran (Vice-Chair), Ismail, Kay,
O'Sullivan, Poyser, Russell and Andrews
Also Present: **Councillors:** Hull and Convery

Councillor Troy Gallagher in the Chair

- 142** **APOLOGIES FOR ABSENCE (Item 1)**
Councillors Doolan, Klute and Ismail for lateness
- 143** **DECLARATION OF SUBSTITUTE MEMBERS (Item 2)**
Councillor Jeapes for Councillor Doolan
- 144** **DECLARATIONS OF INTEREST (Item 3)**
None
- 145** **TO APPROVE MINUTES OF PREVIOUS MEETING (Item 4)**
RESOLVED:
That the minutes of the meeting of the Committee held on 29 June 2015 be confirmed and the Chair be authorised to sign them
- 146** **MATTERS ARISING FROM THE MINUTES (Item 5)**
None
- 147** **PUBLIC QUESTIONS (Item 6)**
The Chair outlined the procedure for Public questions and the filming and recording of meetings
- 148** **CHAIR'S REPORT (Item 7)**
The Chair stated that following discussions, a further report on Regrading of Chief Officers would be considered at the next meeting of the Committee. In addition, consideration of the sickness absence figures, as detailed in the Quarter 1 Performance report, would now be deferred that evening to the next meeting of the Committee, in order that further information could be provided, and he added that both these items would be included in the future work programme
- 149** **SCRUTINY REVIEW - TAX AVOIDANCE - WITNESS EVIDENCE/SID (Item 8)**
Steve Key, Service Director Finance and Property Services was present for discussion of this item, together with Peter Horlock, Head of Strategic Procurement, Finance and Property Services Department.

During consideration of the report the following main points were raised –

- The Committee noted the revisions to the SID laid round

- The Committee noted that Tax Evasion and Tax Avoidance were not interchangeable terms and that Tax Avoidance is taking steps to minimise tax liabilities and is legal, provided that there is no objection from HMRC and you have been open about your action. It is often considered to be taking measures for a tax advantage. On a small personal scale this is ensuring the correct tax code may be used, money is transferred to an ISA, artificial unnecessary transactions for business etc. On a large scale this could be paying a tax expert to find legal loopholes in the system. Tax Evasion is taking deliberate steps to falsify, mislead or defraud the payment of tax. Tax evasion is illegal and may lead to individuals being subject to 10 years imprisonment. Examples of this have included hiding money offshore, significant physical or virtual(online) trading and not declaring the income, failing to file a tax return, actively filling in a false return i.e. not including your full income, hiding taxable assets
- Tax avoidance is legal however tax evasion is illegal so it would be difficult to take action against anyone avoiding tax and it was stated that the Chief Contracts Lawyer would be attending the next meeting to advise the Committee on the legal scope for action available to the Council in relation to dealing with tax compliance during the procurement process
- The Committee expressed the view that bidders should be advised with immediate effect of the responsibility of bidders for contracts to be mindful of their obligations in respect of evasion of tax
- Members were of the view that whilst their powers may be fairly limited it would be useful to get legal opinion as to what action the Council could take in order to preclude contractors and their parent companies that have been found guilty of tax evasion from bidding for contracts. In addition there may be future legislation from Government looking at this area
- In response to a question it was stated that currently that he was not aware whether there is a register of companies who had been found guilty of tax evasion that could be accessed but he would look into this
- If a contractor makes a false declaration however then action could be taken
- Members were of the view that there should be a pan London approach to any action that could be taken against companies found guilty of tax evasion

RESOLVED:

That the Chief Contracts Lawyer be requested to attend the next meeting to give legal advice on the scope for action available to the Council in relation to dealing with tax compliance during the procurement process and to respond to the points raised above

150

PERFORMANCE REPORT/QUARTER 1/SICKNESS ABSENCE (Item 9)

Councillor Andy Hull, Executive Member Finance and Performance, was present for discussion of this item and outlined the report.

Annette Hobart, Corporate Strategy and Performance Manager was also present.

During discussion of the report the following main points were raised –

- There had been good performance in school admissions where 100% of applications were now on line and there had been improvements in planning applications and Business and Council Tax collection rates
- The Registrars service was now on line however there were still improvements that needed to be made in on line parking permit applications

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- There were also problems with the performance of enabling adults to stay out of hospital and foster carer recruitment was not on target
- There was also the problem that some tenants subject to the bedroom tax were accruing arrears and at some point there would be a need to address this. The Committee stated that they would like an update on the measures proposed in relation to this
- A Member referred to paragraph 6.8 of the report and the children missing from care and Councillor Hull stated that he would ensure that Members received a response on the action taken and response of the Council when a child goes missing from care
- A Member expressed the view that there should be a PI relating to physical incapacity and Councillor Hull stated that he would raise this at the next monthly performance indicator meeting
- In response to a question it was stated that the number of PI's the Council measured had reduced, however some were not solely in the control of the Council but involved multi agency working and were felt to be about right
- Councillor Hull stated that he would wish to see faster progress on channel shift to reduce the number of visits to the Customer Care centre
- Reference was made to employment and Councillor Hull indicated he would provide details of unemployment figures broken down on a ward basis

RESOLVED:

- (a) That the report be noted
- (b) That Councillor Hull be requested to inform Members of the information relating to unemployment statistics on the basis of ward, and children missing in care
- (c) That the EM Housing and Development and Director of Housing and Adult Social Services be requested to inform Members on the proposals for action with regard to tenants who get into rent arrears

151 REPORT OF PROCUREMENT BOARD (Item 10)

Steve Key, Service Director Finance and Property Services Department and Peter Horlock, Head of Strategic Procurement were present for discussion of this item and outlined the report.

Councillor Andy Hull, Executive Member Finance and Performance was also present.

During consideration of the report the following main points were made –

- With regard to paragraph 3.7 and 3.8 of the report more work had been undertaken around the Procurement strategy and there were challenges in respect of each individual procurement and these took place before the contract went out to tender
- The way the contract is designed took into account social value and commissioners were advised on how best to draw up the contract specification
- There are liaison meetings held regularly with the voluntary sector
- There is a social value champion who is a member of the Procurement Board

RESOLVED:

That the report be noted

152 SCRUTINY REVIEW - BEST TEAM - FINAL REPORT (Item 11)

Nicky Freeling, Business Engagement and Employment Support Manager was present for discussion of this item.

During consideration of the report the following main points were raised –

- It would be useful for the Committee to ascertain how the various areas of employment both departmentally and at Executive Member level linked together in order to see if the work is being co-ordinated effectively
- The Committee congratulated officers on the assistance that they had provided in compiling the report

RESOLVED:

- (a) That the report be approved and referred to the Executive for consideration
- (b) That a report be submitted to a future meeting of the Committee detailing the responsibilities for employment and how it is co-ordinated, as referred to above.

153

SCRUTINY REVIEW - KNIFE CRIME, MOBILE PHONE THEFT - PRESENTATION/SID (Item 12)

Catherine Briody, Victim and Offenders Support Manager, and Cathy Blair, Children's Services were present for discussion of this item. Catherine Briody made a presentation to the Committee, copy interleaved.

Councillor Paul Convery, Executive Member for Community Safety were also present.

During consideration of this item the following main points were made –

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- Concern was expressed that it appeared that younger children were becoming involved in criminal activity than was the case previously
- It was noted that in August crime levels had fallen as the Police had allocated additional resources to the borough and arrests had been made
- There were 3000 named individuals under 25 committing at least 8000 crimes
- Levels of phone snatch reached unprecedented levels, around 300 per month
- Serious youth violence increased by 40% and knife crime by 16%
- 21% of all victims of crime were under the age of 25
- There are 5 established gangs in the borough and three are ranked in the MPS top 20 for risk. The most arrested group are 15-17 year olds and there has been a significant increase in arrests of 10-14 year olds
- In 2014/15 LBI ranked 30 out of 32 London Boroughs for highest crime levels
- LBI had the worst youth reoffending rates in London
- LBI is 81% higher than any other London Borough for theft person snatch offences
- LBI has the highest first time entry rates in London and the second highest rate of young people in custody
- LBI is currently offering early help and family support strategy in partnership with the voluntary sector, activities for young people, safer school plans in partnership with the Police, specialist services such as targeted youth support, the youth offending service, 18-24 Gangs Transition service, child sexual exploitation focus, integrated offender management, employment support, the Ben Kinsella exhibition about knife crime, targeted ASB campaign in hot spots across the borough, intelligence gathering and sharing and targeted communications aimed at young people
- There is provision of Early Help to young people and their families to address the underlying risk factors that may lead to crime and anti – social behaviour and respond promptly at the first signs of an issue
- There are sanctions, enforcement and reintegration that increase the chances of achieving positive behaviour and life changes for those that have committed crimes by delivering effective and high quality integrated offender management, youth offending service and 18-24 Gangs Transition service
- There is community engagement that supports the wider community to be part of the solution, share responsibility, lead by example and actively make streets and outside spaces where everyone can go confidently about their daily life
- There is now an integrated Gangs Team based at Tolpuddle Street Police station
- The view was expressed that often a grouping of young people were referred to as a gang when this is not really the case, however it was stated this is the term used by the Police
- A Member stated that there was a need to target bike theft as this is usually the method of snatching phones and to look at where people were selling the phones to
- There is a need to use more community intelligence to identify mobile phone thieves and the link between these thefts and the drug trade and to encourage businesses, especially at hotspots to publicise action that the public should be taken to restrict mobile phone theft
- Young people were aware that the Police will not chase them if they threw their crash helmets away because of safety concerns and this needed to be looked at. Councillor Convery stated that he would circulate details to the Committee on the action being taken in relation to moped theft
- Reference was made to children in alternative provision and that because they did not attend for a full day it left them free to be on the streets and potentially get involved in criminal activity. It was felt that there was a need to look at this and to target families and preventative strategies for those at risk of offending

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- Members were informed that the Children's Services Scrutiny Committee were currently commencing a scrutiny review on alternative provision
- The view was expressed that it would be useful to advertise the dangers of mobile phone theft on the information screens on estates and at stations and hotspots in the borough and in a variety of languages
- A Member enquired whether was cross border work going on with other Boroughs and the Police and that this is essential to reducing crime
- In response to a statement about the youth offer Councillor Convery responded that only a small percentage of the top 180 offenders actively engaged and there were detached youth workers working on estates and many of the youths committing crime would not attend a youth club. However it was difficult to engage in many cases
- In response to a question as to whether it was felt that youth workers had the right skills to engage difficult young people at risk of offending it was stated that it was stated that a report could be submitted on the scale of work carried out and its effectiveness
- In response to an enquiry as to what has gone wrong that has led to an increase in crime in the borough, the Executive Member Community Safety stated that he felt that before the recent deaths the Police had not concentrated resources in the same way as other boroughs and whilst there were warning signals these had not been acted upon
- It was stated that it was felt that in the past 6 months all the agencies involved in crime reduction were working more effectively together and agreed on the measures take to reduce criminal activity
- There is a need to establish an effective offender management plan in place when offenders come out of prison and diversionary services in place
- It was felt that there was a need for children felt to be at risk of offending to be identified at an earlier age by primary schools and families given the necessary support and that the creation of Families First, which is an early intervention scheme could assist in this and every school now had a Families First representative. There was also a service which worked with adolescents who had more intense difficulties and parents but often by this stage it was too late so early intervention was vital
- There is a need to share information between agencies
- In response to a question the Executive Member Community Safety stated that whilst all agencies were now co-ordinating action it was difficult to ensure that this would solve the problem as the criminals involved often belonged to very chaotic families who had a history of criminal activity in the family. The children becoming involved were getting younger, 12/13 year olds
- A Member expressed the view that a number of these children had witnessed domestic violence, traumatic situations which made them more likely to offend and responses need to be tailored
- A member of the public stated that he was concerned that a lot of resources were being directed towards children and families who committed criminal behaviour, however children who were well behaved got nothing and this did not seem fair
- The view was expressed that although this maybe the case it was important to recognise that often criminal activity resulted from trauma and abuse
- The Executive Member Community Safety stated that it may be advisable if the Committee considered the new Youth Crime Strategy that had been agreed at the November meeting when the Borough Commander would be present to discuss it

RESOLVED:

That the Youth Crime strategy be discussed at Annual Crime Disorder meeting of the Committee in November

154 **MONITORING REPORT (Item)**

RESOLVED:

That the report be noted and the items on Regrading of Chief Officers and sickness absence referred to earlier in the meeting be added to a future meeting of the Committee

The meeting ended at 9.50p.m.

CHAIR