



## Overview and Scrutiny Committee

### The Establishment of Task and Finish Groups

**Date:** 4 July 2023

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Director of Law and Corporate Governance (Head of Scrutiny and Policy)

### Outline and recommendations

The purpose of this item is for the Overview and Scrutiny Committee to establish three time limited Task and Finish Groups and agree the membership of each body.

## 1. Summary

1.1. The intention of this item is for the Overview and Scrutiny Committee to establish three time limited Task and Finish Groups (TFGs) and agree the membership of each body. The TFGs will aim to end by 31 March 2024 (so last for approximately 9 months). However TFGs are intended to be a flexible resource and, following the scoping process, it may become clear that the proposed TFGs require less or more time. TFGs cannot last longer than 12 months.

## 2. Recommendations

2.1 Members are asked to agree that:

(a) Three time limited task and finish groups are established to look at improving scrutiny; private renters; and youth provision.

(b) The following memberships for each group are agreed:

## **Improving Scrutiny**

- 1. Cllr Mark Jackson (nominated Chair)**
- 2. Cllr Sian Eiles**
- 3. Cllr Mark Ingleby**
- 4. Cllr James Rathbone**
- 5. Cllr Aliya Sheikh**

## **Private Renters**

- 1. Cllr Will Cooper (nominated Chair)**
- 2. Cllr Bill Brown**
- 3. Cllr Jack Lavery**
- 4. Cllr Rosie Parry**
- 5. Cllr Sakina Sheikh**

## **Youth Provision**

- 1. Cllr Edison Huynh (nominated Chair)**
- 2. Cllr Yemisi Anifowose**
- 3. Cllr Laura Cunningham**
- 4. Cllr Oana Olaru**
- 5. Cllr Hau-Yu Tam**

*(The membership of any TFG looking at an education matter is open to the statutory parent governor and diocesan representatives. Not all representatives have responded to the invitation to become a member of the Youth Provision TFG yet, their membership will be confirmed at the meeting.)*

### **3. Policy context**

- 3.1 The three TFGs will support the Council's corporate priorities (outlined in the current Corporate Strategy 2022-26), in particular:
  - Quality Housing (including supporting private tenants)
  - Children and Young People (including enabling all children to thrive)
  - Open Lewisham (including actively engaging with our communities).
- 3.2 The proposed Scrutiny TFG will build on previous policy work including the Local Democracy Review; the scrutiny review that followed that work and established TFGs; and the more recent LGA Peer Review; and constitution review.
- 3.3 The proposed Private Renters TFG is closely linked to the commitment in the corporate strategy to *"provide more support to renters through further landlord licensing and enforcement of poorly managed homes, holding landlords to account and giving a voice to renters across the borough"*

3.4 The proposed Youth Provision TFG has links to the Council's emerging youth strategy and the play strategy.

#### 4. Task and Finish Groups

4.1 It has been agreed that:

- The Overview and Scrutiny Committee will agree which TFGs should be established and their duration; but TFGs will not last longer than 12 months.
- Each TFG will meet at least twice in public (one meeting to scope out the work required and one to agree a final report and recommendations).
- Evidence will be collected in between formal meetings in a variety of ways. Methods will include, but will not be limited to, desktop research, telephone/MS Teams conferences, site visits, good practice visits and a wide range of engagement activities. Some evidence may be collected at a formal, public meeting of the TFG where expert witnesses are asked to give evidence.
- The Overview and Scrutiny Committee will agree the membership of TFGs on the basis of political party nominations. The membership will be politically proportionate.
- Each TFG will have five members. However, the membership of any TFG looking at education matters will be open to the statutory parent governor and diocesan representatives, who can choose to sit on the group (as full members with voting rights) if they wish. Such TFGs will therefore have more than 5 members.
- TFGs are effectively time limited Select Committees with the same constitutional powers as standing Select Committees. This includes the power to make reports to the Executive.
- The TFG will conduct an investigation into the issue it was established to scrutinise, agree a report on the basis of the evidence heard and report directly to Mayor and Cabinet / the relevant external organisation for a response within two months.
- TFGs will focus on producing a small number of focused, evidence-based recommendations.
- A copy of each TFG's final report will be circulated by email to the Overview and Scrutiny Committee to note, and the Chair of Overview and Scrutiny may suggest that the report is presented to full Council to allow for wider debate, in addition to it being considered by the Mayor and Cabinet for an executive response<sup>1</sup>.
- The TFG will be disbanded once it has made its final report. Its final set of minutes will go to the Overview and Scrutiny Committee for agreement.
- The Mayoral response to the TFG will be considered by the Overview and Scrutiny Committee. The relevant TFG Members will be invited to lead the discussion on the response. The Overview and Scrutiny Committee may request an update on the implementation of agreed recommendations in six or 12 months' time to itself or an appropriate Select Committee.

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<sup>1</sup> Statutory Scrutiny Guidance suggests that full Council should be informed of the work of scrutiny and that one way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. It does not, however, prescribe this, stating that "*Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner*".

## 5. Proposed Groups

5.1. Three groups have been proposed:

**Improving Scrutiny: *How can we improve scrutiny at Lewisham: participation, performance and outcomes?***

**Private Renters: *How we can improve our services for, and communication and interaction with, private renters across Lewisham?***

**Youth Provision: *How can we join up youth provision across the borough to ensure an accessible offer for all and how can we prepare young people for opportunities in the future?***

5.2 The detailed draft proposals for each of these groups, prepared by the proposing councillor, can be found in the appendix to this report.

5.3 The following officer comments have been made in relation to the proposals:

### **Improving Scrutiny:**

- Lewisham's approach to scrutiny has been reviewed and considered extensively in recent years. It will be important for this group to build on the work already undertaken, with the aim of building a consensus on any proposed changes in approach.

### **Private Renters:**

- As part of the scoping process it will be helpful to articulate the council's duties and powers in this space. The council has a statutory responsibility to investigate residents' reports of harassment, illegal eviction and disrepair in their properties, and to take action where we find evidence of these issues. We also have a duty to prevent homelessness and provide housing advice to help prevent homelessness. The scoping process/investigation should also articulate the level of third sector support and advice that is available.
- The scoping process should consider homelessness, and the impact this work could have on it. Positive impacts such as tenants being able to access early advice about their tenancy rights and/or support to prevent an illegal eviction helps to prevent homelessness; and also negative impacts. Whilst private rented sector (PRS) enforcement and advice overall has a positive effect on renters, there will be instances in which the involvement of the private sector licensing and housing enforcement team could lead to an increase in homelessness - for example where the council has to prohibit an unsafe property or refuse to license a property which is currently occupied. In these circumstances it is vital tenants are being provided with homelessness prevention support (the PRS team has established good partnership working to support that).

### **Youth Provision:**

- The proforma states that youth services are not a statutory service. However, local authorities have to provide targeted services that can be classed as 'youth services', so it is perhaps more accurate to state that youth services can often be overlooked (and are vulnerable to cuts) due to how they are

viewed alongside other statutory tier 3/4 statutory offers for children, such as social care.

## **6. Proposed Membership and time frame**

- 6.1. Nominations for membership of each of the groups are set out in the report recommendation. The membership of any TFG looking at an education matter is open to the statutory parent governor and diocesan representatives.
- 6.2. Statutory scrutiny guidance suggests that scrutiny bodies may wish to work with independent local experts who can provide advice and assistance in *understanding and evaluating evidence* (not in formulating recommendations – this is for members). Such experts would be appointed as technical advisors to the scrutiny body. This is different from engaging experts who *provide evidence*. To date, experts have generally been used to provide rather than evaluate evidence. Appointing technical advisors can have resource implications as it can require paying a daily allowance (per diem) to cover the advisor's expenses and/or a fee, although some experts may provide support for free as part of their organisation's commitment to Corporate Social Responsibility. It is suggested that technical advisors are not appointed these TFGs, but experts are engaged to provide evidence. However this matter can be further explored during the scoping process.
- 6.3. The TFGs will hold their first formal meetings in early September to allow time for scoping papers to be developed in consultation with Members. It is envisaged that the groups will complete their work by the end of March 2024. They cannot last longer than 12 months. The Overview and Scrutiny Committee will consider the response to any recommendations made by the groups and consider whether any follow up work / progress updates on recommendation implementation are required.

## **7. Financial implications**

- 7.1. Scrutiny work is managed within existing budgets. Formal recommendations to the Mayor arising out of any TFG investigations; specific work items within select committee work programmes; or items considered by the Overview and Scrutiny Committee are evaluated in the usual way through the process of formal reports. There are no direct financial implications arising from this report.

## **8. Legal implications**

- 8.1. The Council's Constitution provides at paragraph 6.9, Article 6 that the Overview and Scrutiny Committee may from time to time appoint sub-committees, to be known as task and finish groups which will exist for a period of no less than 3 months, nor more than 12 months from the date of their creation. It further adds that "Any task and finish group shall consist of 5 members and be established for the purpose of examining a particular issue in depth. The terms of reference of any task and finish group shall be agreed by the Overview and Scrutiny Committee which shall also appoint members to it."

## **9. Equalities implications**

- 9.1. The delivery of the Council's equalities objectives is to be achieved through the delivery of all of the Council's strategies, plans and procedures. As such, scrutiny bodies, when planning their work and scrutinising items, bear in mind the delivery

of the Council's equality objectives.

- 9.2. Scrutiny tries to make sure that its work reflects the diversity of Lewisham's communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work support the Council's corporate strategy and reflect the needs of local residents.
- 9.3. The proposed TFGs will specifically consider matters of equality. As noted in the proformas put forward by Members:

The scrutiny task and finish group will seek to ensure that the council's decisions are more representative and reflective of the needs of the borough's diverse communities.

As part of their investigation into the private rented sector, Members will ensure that their engagement reflects the demographics (including socio-economic position) of Lewisham renters. The group will also consider how to protect renters from discrimination (the Equality Act provides protection to people from direct, indirect, harassment and victimisation discrimination, and this applies to private landlords and letting agents).

Good youth provision can help young people feel included in their local area and enable them to better access the support they need as they progress towards adulthood. Members have indicated that they want to make sure that youth provision in the borough remains accessible to all and that any recommendations made are reflective of the council's commitments to equalities.

## **10. Climate change and environmental implications**

- 10.1. There are no direct climate change or environmental implications arising from this report. However the work of the TFGs, in particular the private renters group, may encompass consideration of climate change matters. Tenants in the private rented sector are likely to have a lower ability to adapt to climate change and extreme weather events compared to home owners. This is partly as a direct result of their living arrangements and the condition of privately rented housing stock, but also due to the fact that tenants may also have a range of other characteristics, such as lower income levels, which further increase their vulnerability.

## **11. Crime and disorder implications**

- 11.1 There are no direct crime and disorder implications arising from this report. However the work of the TFGs, in particular the youth provision group, may encompass consideration of crime and disorder issues such as diversion from anti-social behaviour and offending. Good youth provision can empower young people to progress and engage in employment, education and training, and to take a positive active role in their local communities.

## **12. Health and wellbeing implications**

- 12.1 There are no direct health and wellbeing implications arising from this report. However the work of all three TFGs may have positive health and wellbeing implications via the making of recommendations which increase democratic participation, improve living conditions in the private rented sector,

and improve access to opportunities that will benefit the wellbeing of young people.

### 13. Glossary

Term	Definition
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Overview and Scrutiny Committee	<p>The Overview and Scrutiny Committee is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive councillors.</p> <p>The main functions of OSC are looking at key strategic and cross-cutting issues; reviewing key decisions once they have been taken but not yet implemented (call-in); coordinating and approving the overall scrutiny work programme; allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body; and establishing task and finish groups.</p> <p>Three parent governors and two diocesan representatives sit on OSC, alongside the councillor members, when education matters are discussed. This is primarily when key decisions that are education matters are reviewed (called-in).</p>
Task and Finish Group	A time limited scrutiny body which gathers evidence in relation to a topical issue of concern in order to make recommendations to improve outcomes for residents.

### 14. Report author and contact

Charlotte Dale, Head of Scrutiny and Policy, 0208 31 48286,  
[charlotte.dale@lewisham.gov.uk](mailto:charlotte.dale@lewisham.gov.uk)