

**Notice of Meeting**

**OVERVIEW AND SCRUTINY COMMITTEE**

**Wednesday, 8 November 2023 - 7:00 pm**  
**Council Chamber, Town Hall, Barking**

**Members:** Cllr Glenda Paddle (Chair); Cllr Dorothy Akwaboah (Deputy Chair); Cllr Andrew Achilleos, Cllr Donna Lumsden, Cllr Fatuma Nalule, Cllr Ingrid Robinson, Cllr Paul Robinson, Cllr Muazzam Sandhu, Cllr Phil Waker and Cllr Mukhtar Yusuf

**Co-Opted Members** (for education matters only): Glenda Spencer, Sarfraz Akram, Sajjad Ali and Richard Hopkins

Date of publication: 27<sup>th</sup> October 2023

Fiona Taylor  
Chief Executive

Contact Officer: Leanna McPherson  
Tel. 020 8227 2852  
E-mail: leanna.mcpherson@lbdd.gov.uk

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**AGENDA**

**1. Apologies for Absence**

**2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

**3. Minutes - To confirm as correct the minutes of the meeting held on 11 October 2023 (Pages 3 - 8)**

**4. Fly Tipping Status Update (Pages 9 - 16)**

**5. Housing for Vulnerable People: Update Report (Pages 17 - 25)**

6. **Work Programme (Pages 27 - 28)**
7. **Any other public items which the Chair decides are urgent**
8. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

#### **Private Business**

The public and press have a legal right to attend Council meetings such as the Overview & Scrutiny Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

9. **Any confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

**ONE BOROUGH; ONE COMMUNITY;  
NO-ONE LEFT BEHIND**

Our Priorities

- Residents are supported during the current Cost-of-Living Crisis;
- Residents are safe, protected, and supported at their most vulnerable;
- Residents live healthier, happier, independent lives for longer;
- Residents prosper from good education, skills development, and secure employment;
- Residents benefit from inclusive growth and regeneration;
- Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods;
- Residents live in good housing and avoid becoming homeless.

To support the delivery of these priorities, the Council will:

- Work in partnership;
- Engage and facilitate co-production;
- Be evidence-led and data driven;
- Focus on prevention and early intervention;
- Provide value for money;
- Be strengths-based;
- Strengthen risk management and compliance;
- Adopt a “Health in all policies” approach.

The Council has also established the following three objectives that will underpin its approach to equality, diversity, equity and inclusion:

- Addressing structural inequality: activity aimed at addressing inequalities related to the wider determinants of health and wellbeing, including unemployment, debt, and safety;
- Providing leadership in the community: activity related to community leadership, including faith, cohesion and integration; building awareness within the community throughout programme of equalities events;
- Fair and transparent services: activity aimed at addressing workforce issues related to leadership, recruitment, retention, and staff experience; organisational policies and processes including use of Equality Impact Assessments, commissioning practices and approach to social value.

## **MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE**

Wednesday, 11 October 2023  
(7:00 - 9:26 pm)

**Present:** Cllr Glenda Paddle (Chair), Cllr Dorothy Akwaboah (Deputy Chair), Cllr Ingrid Robinson, Cllr Paul Robinson, Cllr Muazzam Sandhu, Cllr Phil Waker and Cllr Mukhtar Yusuf;

**Apologies:** Cllr Andrew Achilleos, Cllr Donna Lumsden, Cllr Fatuma Nalule, Glenda Spencer, Sarfraz Akram, Sajjad Ali and Richard Hopkins

### **18. Declaration of Members' Interests**

There were no declarations of interest.

### **19. Minutes - To confirm as correct the minutes of the meeting held on 13th September 2023**

The minutes of the meeting held on 13 September 2023 were confirmed as correct.

### **20. Working with Faith Communities in Barking and Dagenham - Action Plan and reporting template**

The Head of Participation and Engagement presented a report on Working with Faith Communities in Barking and Dagenham.

The Committee were advised that Barking and Dagenham was one of the most ethnically and culturally diverse communities in London with a rich diversity of faiths and beliefs. Over 75% of residents had identified as having a faith in the 2021 census. Faith organisations were regularly and increasingly working outside of their “traditional” functions, to become a hub for community activity, social action, and to deliver essential services to the most vulnerable people in our communities. Working with faith communities was a core part of the Councils community and engagement aims.

A multiphase action plan was built to directly link the principles and themes that were explored in the Faith Builds Community Policy and to strengthen the progress made so far. As part of the action plan, the Closed Collective otherwise known as the Faith Leaders Network was established under BD Collective. The Faith Leaders Network was publicised on BD Collective website.

In response to a question on who the current 18 members of the Faith Leaders Network were, the Director of Community Participation and Prevention advised the committee that an open invite was circulated to all faith groups across the Borough. There were 18 faith groups who chose to come together to form the Faith Leaders Network. The membership of the Faith Leaders Network included Barking Churches Unite, Powerhouse International, Al Madina Mosque, St Chad’s Church and, Lifeline Faith Action. Lifeline Faith Action worked as a facilitator for the network, which had funding to do so.

The report suggested that there were ten areas within the Borough in which residents with no religion had been the second highest group. A question was asked if residents with no religion were represented within the faith groups. The Faith Network was open to all including Atheists and Agnostics. There had been work undertaken on the locality of the organisations for residents to know where they can go for support. There were networks such as BD Collective which brought together voluntary and community organisations across the borough that can service both the broader community and individual communities.

One suggestion from the report was to invite faith groups to give awareness training to LBBD staff to help promote inclusion. The Council could invite faith organisations to take up the training opportunity to staff, and in response to a question advised that this would also be extended to Councillors.

In response to a question regarding youth faith communities and schools, the Participation Manager (Partnerships) responded that there was not currently a focus on the youth faith communities within the action plan. However, there was a wide range of faith organisations that had provisions for youth services. It was proposed for the Director of Community Participation and Prevention to hold a discussion with members of the Youth Forum regarding the engagement of youth faith communities.

The Borough had many faith organisations, a concern was raised on whether the Council was working only with the Faith Leaders Network, or if it maintained a good working relationship with all faith organisations. The Committee were advised that there was a broad range of work that included other faith organisations with contact to faith leaders daily. The 18 members within the faith leaders' network were those that wanted to join the network. There was a desire to increase the membership of the faith leaders' network to 30 members through the health funding.

A question was raised on whether there was a criteria that faith organisations needed to meet to join the faith leaders' network. The Committee were advised that there was no set criteria, constitution or governing documents needed for a faith organisation to join the network. It was an open invitation to all faith organisations to join the Faith Leaders Network. There were procedures in place to monitor the participation of Faith Leaders within the network.

There was no exact definition of faith only definitions of faith. In terms of charity law, there was a definition of religious benefits and religious beliefs. In a wider dialog, faith forums and SACRE had a wider representation from many different faith groups.

In response to a question regarding the guidance on tackling health and inequalities given to faith organisations, the Head of Participation and Engagement advised the committee that working closing with faith leaders allowed better communication and engagement of messages from the council to being within the faith organisations. The main function of the health and inequalities fund was to address health and inequalities within the borough and to deepen the understanding of health and inequalities.

The Council offered a wide range of support around managing tensions. There was an urgent communications WhatsApp group that involved the faith leaders across the borough. There was also a tension reporting tool available on the Council's website in which faith leaders were encouraged to use if there are tensions arising within the faith communities. SACRE actively engaged with schools across the borough and offers advice on how to deal with tensions between faith communities.

The Engagement Champions Program was a program in which senior Council officers were working with officers across the Council to improve better engagement with residents and faith organisations. There was around 79 members of staff that were a part of the engagement champions program.

Training was already in place to encourage a working relationship between children's safeguarding services and faith communities. In terms of foster care, the children's safeguarding services would attempt to match the child with carers of the same faith. For instances in which the foster carer would not share the same faith as the child, the safeguarding service would facilitate a wider network of carer connections that would match with the child's faith.

The report referred to £40,000 from ringfenced council funding given to the Faith Leaders Network. A question was asked if the fund was discretionary and what the implications would be if the fund was to be removed. In response to the question, the Participation Manager (Partnerships) advised the committee that removing the fund would lead to underfunding of work undertaken for health and inequalities including the loss of the network and social value.

The Faith Leaders Network was formed to improve coordination between faith groups. A question was raised on the metrics that the Council would use to determine if the new vehicle succeeded in its aim. Qualitative data, narratives and connections that had been formed between faith organisations would be reviewed in due course.

The Chair requested for a meeting to be arranged for the Committee to meet with the Faith Leaders Network

The Committee noted the report.

## **21. Report on the OFSTED Inspection of Children's Services and arrangements for publishing the Council's OFSTED Improvement Plan**

The Operational Director Children's Care and Support and the Commissioning Director for Care and Support presented a report on the OFSTED inspection of Children's Services and arrangements for publishing the Council's OFSTED Improvement Plan.

In July 2023, the Council's was subject to a Standard Inspection under the OFSTED Inspection of Local Authority Children's Service (ILACS) framework. The inspection itself occurred over a course of three weeks with a lot of preparations made before the inspection. The inspection included heavy scrutiny from the team of inspectors as well as meeting and observing the work of frontline officers.

The overall judgement of the OFSTED inspection was that the services for children required improvement which was the same during the last inspection in 2019. The experiences and progress of care leavers however was rated as “Good” which was the first time it had been achieved in the Council.

The areas that were rated as “Requires improvement to be good” were:

- The impact of leaders on social work practice with children and families.
- The experiences and progress of children who need help and protection.
- The experiences and progress of children in care.
- Overall effectiveness.

OFSTED identified eight key recommendations where they felt improvement was most strongly required. These were:

- Timeliness of strategy meetings.
- The capacity, quality, consistency and impact of supervision and management oversight.
- Assessment and decision-making for children experiencing neglect.
- Timeliness of pre-proceedings pathways.
- Consistency of response to 16- and 17-year-olds who present as homeless.
- Oversight of children’s placements in unregistered children’s homes.
- Application of threshold in early help.
- Life-story work and permanency planning.

The context within which the findings of the inspection that must be considered such as the rapid growth of the boroughs population which had increased by 18% since the 2011 census. The borough also had high levels of deprivation and child poverty, with the COVID pandemic and the current cost-of-living crisis also added to an increase in pressure for children’s services.

In response to a question on whether the children’s mental health played a role in the OFSTED inspection, the Operational Director for Children’s Care and Support advised the Committee that OFSTED investigated the mental health of care leavers and children in care. There was a therapy team that supported the emotional wellbeing and mental health of young people and bridge the gap between children and adults’ services. There was also an emotional wellbeing care worker who focused on care leavers.

The recruitment and retention of social workers was a constant challenge to the Council. The use of agency staff within children’s services was lower compared to other boroughs. Social workers would want low caseloads, good supervision, good work-life balance and health and wellbeing support. Caseloads for social workers had been reduced however, compared to other boroughs that were rated good in OFSTED inspections, the caseloads at LBD were still high. There were specialist intervention services along with other services that work alongside social workers to ensure the social workers were not alone in dealing with caseloads.

The Committee noted that there were areas that had improved since the last OFSTED inspection. However, there are areas that still required improvement with the Council being in a similar position as the 2019 OFSTED inspection. Although the judgement from OFSTED had not changed since 2019, there had been a significant shift within children’s services.



It was suggested for future reports to include more detail on how the improvements would be implemented. A question was raised on whether the Council received an independent review on the service before the OFSTED inspection and in response the Committee were advised that an external auditor monitored the services.

Concerns were raised on whether children's services could tackle the rapid growth of the borough including increasing issues around overcrowding housing. The growth of the borough had proven difficult for the Council to find the necessary level of investment to cope with the level of growth children's services with experienced staff. Overcrowding in housing would have an impact on families as children would not have their own spaces and their ability to learn would be impeached. There was a vulnerable housing panel that would review the more worrying cases of overcrowding.

Children with disabilities often were more complex and required a multiagency response. Care packages would be more expensive which had impacted the services. There had been a significant increase within the borough with more children required to have an education health care plan, the demand had more than doubled within the past five years.

There was a good working relationship between children's services and known care homes within the borough. There was a provider quality inspection team that worked across the care sector. However, it is a limited resource, so children's foster placements had been prioritised. Once an unknown provider had been identified, the Council would attempt to work with the provider and conduct a program of announced and unannounced inspection visits. Recommendations and suspending the use of the premises would be made in instances where the quality of care was below standard. There was a recent change in legislation in which local authorities were not allowed to operate in an unregistered fashion. Local authorities must notify OFSTED if a child was placed in an unregistered placement.

A question was asked on how social workers were managed. The issue was around maintaining a stable management group. The council had embarked on a supervision program that worked with both the social workers and managers to achieve consistency throughout the services. The turnover of social workers was one of the biggest contributing factors to the quality of social work. There were issues around agency staff who had not had the same history with families as council staff and had worked with difference practices and procedures, therefore there was a need for training to be consistent with council staff. There had been recruitment from abroad such as Zimbabwe with the aim to retain staff.

The Youth Justice team worked together with community safety partners and police to help get children to exit gangs. There was a weekly ending gangs and youth violence meeting where the team strategised plans to remove children from gangs. The Council also helped families relocate to other boroughs for safety. However, parents often did not want to relocate due to the disruption of siblings which had resulted with the child in question being placed into care.

Families then had experienced homelessness would bring instability to the

children. There was a lot of movement of families with children moving into the borough due to lower costs in housing and rent. Children that had experienced homelessness tended to lose the ability to get school placements straight away therefore they would miss school. The Housing Strategy would need to have children and vulnerable people at the forefront.

There was a recurring theme from the OFSTED reports of 2014, 2019 and 2023 with the judgements such as management oversight being the same. Permanency planning for children's services was impacted by the courts. To remove a child from the family home was a decision made by the courts, who were still dealing with backlogs caused by the COVID-19 pandemic.

The Committee noted the report.

*Standing Order 7.1 (Chapter 3, Part 2 of the Council Constitution) was suspended during consideration of this item to enable the meeting to continue beyond the 9pm threshold).*

## **22. Work Programme**

The committee noted the work programme.

## OVERVIEW AND SCRUTINY COMMITTEE

8 NOVEMBER 2023

<b>Title:</b> Fly tipping status update	
<b>Report of the Cabinet Member for Public Realm and Climate Change</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Rebecca Johnson – Director of Public Realm	<b>Contact Details:</b> E-mail: Rebecca.johnson@lbbd.gov.uk
<b>Accountable Director:</b> Rebecca Johnson – Director of Public Realm	
<b>Accountable Strategic Leadership Director:</b> Leona Menville – Strategic Director of My Place	
<p><b>Summary</b></p> <p>Fly-tipping is one of the top environmental challenges faced by many local authorities in this country. It is a crime, a nuisance and a hazard, with significant costs – both financial and environmental.</p> <p>This report provides information on the current status, issues and challenges around fly tipping within the Borough, along with the actions and strategies being taken to address moving forwards.</p>	
<p><b>Recommendation(s)</b></p> <p>The Overview and Scrutiny Committee is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Note the contents of the report and the actions being taken to address fly tipping within Barking and Dagenham; and</li> <li>(ii) To endorse the formation of the Cleaner Communities approach to collaboratively addressing fly tipping and associated issues within the Borough</li> </ul>	
<p><b>Reason(s)</b></p> <p>Fly tipping is an issue that creates a negative aesthetic and perception of an area and by endorsing the Cleaner Communities approach to collaboratively addressing these issues supports the Council's objectives around creating a cleaner, greener and safer place to live, work and visit.</p>	

### 1. Introduction and Background

1.1. Fly-tipping is one of the top environmental challenges faced by many local authorities in this country. It is a crime, a nuisance and a hazard, with significant costs – both financial and environmental. Around a million fly-tipping incidents are reported in

England every year and almost two-thirds of all recorded fly-tips are made up of household waste. Despite resources going into tackling fly-tipping – education, monitoring, enforcement and removal – incidents of fly-tipping continue to create an environmental and aesthetic issue for the country.

1.2. Based on Government guidance and legislation, fly tipping can be classified as anything from one or more bags (domestic or otherwise) left in unsanctioned locations i.e. potentially anything outside of a bin. Fly tipping can be anything from a black bag up to mattresses, sofas, building waste and more. All of which create unsightly and often hazardous conditions. The photos below are just some examples of the fly tipping that teams tackle on a daily basis across the Borough and show the variance of types and quantity.



1.3. LBBD reported 2,714 instances of fly tipping in 2021/22, ranking 30 out of the 33 London Boroughs for total number of fly tips. This was a 22% reduction from 2020/21. 2022/23 figures have not been officially released, however our indicative figures show that the number of fly tips reported has increased over the last reporting year, with a 42% increase in reports from 2021/22 to 2022/23.

1.4. Whilst services in LBBD work tirelessly to address fly tipping, increasing population, financial pressure and a moral obligation to improve the environment means that more is required to ensure operational clarity and placing greater emphasis on preventative actions with greater accountability.

## 2. Data and performance

2.1. Fly tipping is formally reported via a form on the LBB council website, which allows Borough users and employees to report incidents of fly tipping on both public and private land. The form also allows detail on type of fly tipping reported e.g. black bags, white goods, tyres etc.

2.2. Reports are generally split into three operational categories for clearance:

- a) Public land
  - (i) No evidence – passed to the Street Cleansing team where it is cleared within 48 hours
  - (ii) Evidence – passed to Enforcement Service for investigation before then reported back to Street Cleansing service for clearance
- b) HRA land – passed to the Caretaking Service for clearance
- c) Private / unregistered land – as a general rule is responsibility of the landowner and the clearance outcome of this is more bespoke to the situation. Enforcement Service investigate and address as applicable

2.3. Reported fly tipping is collected by a dedicated fly tipping team within the Street Cleansing service and that is what is formally recorded and reported as such. However recent changes to the operational model within the service mean that across the residential areas of the Borough, teams undertake a one-pass approach to cleansing. This means that during a teams scheduled work they will not only clean an area of litter, but also empty any litter bins and collect any fly tipping that they come across. Whilst this is a more efficient use of resources and creates a cleaner borough, it means that the proportion of fly tipping within that is not recorded as such and may not give a true indication of the issues.

2.4. Table 1 shows the total number of formally reported fly tips by year and the tonnage of those collected.

Year	Total no. incidents reported	Fly tipping collected (tonnes)
2012-13	2417	2732
2013-14	1282	2244
2014-15	2564	772
2015-16	2361	737
2016-17	2423	1245
2017-18	2628	669
2018-19	2901	524
2019-20	3794	690
2020-21	3494	532
2021-22	2714	393
2022-23	3845	1622

Table 1

2.5. The data shows that the number of fly tips reported has increased over the last reporting year, with a 42% increase in reports from 2021/22 to 2022/23. It is important to note that the number reported includes both private and public land and also may include duplicate reports of the same fly tip. 2022/23 has seen a peak in reports, which

in conjunction with the increase in tonnage suggests an increase in challenges for the Borough around this issue.

2.6. Whilst the formal route for reporting fly tips is via the website, it is recognised that other unofficial routes are also utilised for reporting and collecting fly tips including Members Feedback, complaints and by the frontline staff who clear without official reports. Currently, due to the nature of how these are reported, they are not currently recorded and therefore may not sufficiently represent the level of fly tipping issues across the borough.

2.7. Where applicable, enforcement action is undertaken to help address the fly tipping issue within the Borough.

Year	Fly tipping / rubbish related reports received	No. waste/litter related FPN's issued	Waste offences prosecutions
2019	1519	746	3
2020	1404	370	4
2021	1611	391	22
2022	867	287	25

Table 2

2.8. Table 2 shows that the number of fly tipping/rubbish related reports received dropped in the last year, but it is important to note that some of these reports may be duplicates of those reported under the street cleansing reports.

2.9. The number of FPN's issued data shown in table 2 covers elements other than just fly tipping, but also includes littering and waste commercial enforcement action that can often be a contributory factor in fly tipping incidences. Whilst table 2 also shows that the number of FPN's issued has dropped in recent years, it is important to note that the Service undertakes significant interventions that do not necessarily result in an FPN being issued. The objective is always to try and eliminate the root cause and prevent further issues and often an FPN is not the best or most logical solution.

2.10. There is a significant cost associated with fly tipping as a Borough-wide issue, a proportion of which can't be easily calculated due to the span of services that it impacts. In simple terms, based on tonnage collected via the dedicated fly tipping team, in 2022/23 it cost the Council £283,850 in disposal costs alone. This includes fly tipping from public land only and does not take into account the proportion of dumped waste on HRA land that is collected by the caretaking dedicated bulk waste crews, or any fly tipping that is collected via the street cleansing residential teams. The true cost of fly tipping is unknown but is likely to be significant if the additional disposal, resources and officer time is truly taken into consideration.

### 3. Challenges

3.1. When considering an approach to addressing fly tipping within the Borough, it was important to understand the challenges and obstacles to creating a cleaner street space. Service stakeholders within LBBD were brought together to establish what those challenges were and accept accountability on how to address and seek solutions as a co-operative.

3.2. The group established that these challenges/obstacles could be grouped into three key areas:

(i) Operational process and policy

- a. Challenges around cross-service working due to inefficient processes and lack of clear policy, particularly around issues such as private and unregistered land
- b. Increasing population and visitors to the Borough creating financial pressure on service delivery

(ii) Data, insights and systems

- a. Challenges around quality of data available for suitable analysis and performance management
- b. Lack of sufficient digital solution to enable intelligent use of data for improved service delivery

(iii) Behaviour change and engagement

- a. Perception and understanding around waste – what to do with it and the impact of incorrect disposal
- b. Borough user behaviour around waste disposal
- c. Insufficient engagement and work with the community around this area to stimulate effective behaviour change

3.3. Fly tipping and the illegal disposal of waste is particularly a problem in Houses of Multiple Occupation (HMO's) which are residential properties housing multiple tenants in a single house. Barking and Dagenham is unique as it requires all landlords of all types of privately rented properties to be licensed under delegated authority of the Housing Act 2004. This is a useful tool that allows the Private Sector Housing Team to carry out compliance checks which assists in combatting fly tipping from these property types.

3.4. Following a scrutiny audit carried out in September 2020, the local authority applied new licensing conditions stating that both landlords and tenants have a responsibility to ensure waste is managed appropriately. During compliance inspections, officers will educate the tenants on how to manage and dispose of waste appropriately. One of the key challenges of fly tipping within HMO's often reported by officers is a lack of accountability and ownership of responsibility. With multiple people residing in properties, there is an increase of waste, and this increase contributes to fly tipping in communal areas of our communities.

3.5. Licensing and Enforcement is one strand of work conducted by the enforcement team and the service does utilise fines and legal penalties for offences committed, however fly tipping is a complex problem and one that demands a multifaceted approach to find solutions. Property licensing is a valuable tool in providing regulatory oversight, education, and inspections to achieve compliance.

## **4. Cleaner Communities**

4.1. During 2021/22 a joint task force of key stakeholder service areas, led by the Strategic Director of My Place at the time undertook a project called Keeping Our Streets Clean (KOSC). The project consisted of a number of pilot ideas with a focus on behaviour change and addressing some initial system and operational challenges.

4.2. The project had a number of successes, including the Cleaner Greener Campaign that led to an increase in positive messaging and actions around tackling elements such as littering and fly tipping. It also led to an improved customer experience around reporting fly tipping which has helped the service reduce some operational inefficiencies. KOSC created a foundation of knowledge and intelligence which has now developed into the commissioning of Cleaner Communities.

4.3. The purpose of Cleaner Communities is:

- a) To create a multi-faceted and multi-agency approach to delivering a cleaner community
- b) To create a strategy that brings about a change of attitude for the Council, focusing on an integrated approach involving cross-departmental working as well as involving our communities and businesses
- c) To develop a framework that provides operational clarity but also places greater emphasis on preventative actions to tackle the root cause of litter and fly tipping, therefore improving environmental quality and reducing costs
- d) To adopt a more intelligence-led approach to addressing the street scene with clearly defined policies, procedures, roles and responsibilities that effectively manages key stakeholder expectations

4.4. The group consists of Public Realm services along with Enforcement, Landlord Services, Highways, Communications and Participation and Engagement to collaboratively address the key three challenge areas identified in 3.3.

4.5. The work has been split into two key working groups, one around operations and the second around behaviour change (communications and engagement).

4.6. Operational working group

- Identified the key operational issues around fly tipping that require a process or policy change
- Looking at the strategic direction for operational services around addressing fly tipping
- Commissioning a system strategy to look at how we further digitalise the Public Realm services to improve data gathering and operational delivery
- Have created a definitive and shared hotspot list for fly tipping across the Borough
- In the process of commissioning a Task and Finish Group that will develop individual action plans for the hotspot sites (based on a prioritisation criteria), exploring creative solutions for historically challenging sites – taking 5 sites as a pilot with a vision to creating a permanent group with its own budget for addressing these issues moving forwards
- Commissioning a project to look at how we address the streetspace in regard to the HRA and public realm interaction, with a view to taking an alternative approach to collaborative operations

4.7. Behaviour Change working group

- Commissioned a 12-month communication and engagement programme with key messaging around what users of the borough do with their waste to incite behaviour change and ultimately reduce instances of litter and fly tipping



- Looking at how we improve perception by our community in regard to cleanliness, how do we use the community to be an extension of our services and how can we improve customer service and delivery
- Working with the community to develop engagement opportunities and champions to positively affect behaviour change

4.8. Cleaner Communities is a key example of how several services can come together to address a Borough wide and national issue such as fly tipping. It is recognised that this is an issue that cannot be dealt with by silo working and demonstrates the benefits of collaborative action.

## **5. Consultation**

5.1. The formation of Cleaner Communities and its priorities has been formed via consultation and joint working with the key service areas within the organisation.

5.2. The content of this report were considered and endorsed by the Executive Team week commencing 23 Oct 2023.

5.3. Formal consultation is not required at this time

## **6. Financial Implications**

Implications completed by: Joel Gandy – Finance Business Partner

6.1. The cost of fly tipping is a challenge for Councils across the country. Measuring the cost of this activity is not easy as it is often carried out as an activity within different service teams rather than one specific unit. At LBBB, clearance on HRA land is the responsibility of the Caretaking Service whereas on other public land it is the responsibility of the Street Cleansing Service.

6.2. The authority offers within its fees and charges a bulky waste collection service. This report references that approximately two thirds of the waste is housing waste, and not from trade. This means the authority is also potentially missing out on income from bulky collections.

6.3. The cost of fly tipping impacts on many other service teams as well such as Highways, Landlord Services and Enforcement. The latter may well receive income from charging notices, but this is unlikely to cover the wider cost of this illegal activity.

6.4. The level of tonnage in 2.4 for 2022/23 is a cause for concern given the authority has not experienced levels like this since 2013/14. It stands to reason that the more fly tipping that occurs, then the more our existing limited resources are pulled away from their core duties, to respond.

## **7. Legal Implications**

Implications completed by: Dr Paul Field Principal Standards & Governance Solicitor

7.1. The Environmental Protection Act 1990 (the Act) Section 33 makes it an offence to “deposit controlled waste, or knowingly cause or knowingly permit controlled waste to

be deposited in or on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence". It is also an offence to store controlled waste without a similar licence.

- 7.2. The penalties for such offences were increased by the Clean Neighbourhoods and Environment Act 2005 from £20,000 to £50,000 and it carried a potential prison sentence of up to 12 months at the Magistrates Court or at the Crown Court a prison term of up to 5 years plus a fine. Alongside this increase in penalties other provisions were made such as the power to require landowners to clear fly tips from their land, the power to recoup costs for clearing fly tips and the power to seize vehicles that have been involved in fly tipping. The Act also extended the powers to prosecute householders whose waste turns up fly tipped and therefore places the responsibility on them to ensure anyone that takes their waste away is a registered waste carrier.
- 7.3. Section 34 of the Act relates directly to businesses and places them under a Duty of Care to manage their waste in a proper and legal manner. In detail this means that waste must be stored securely and only put out when it is due for collection. If refuse escapes due to a ripped bag or tipped over bin etc, then the owner of that waste must retrieve it. The owner of the waste is responsible for their waste at all times until it is handed over to a person or organisation authorised to receive it.
- 7.4. There is also a power under the Town and Country Planning Act 1990 section 215 to serve a notice requiring landowners to clear up their sites irrespective of who deposited the waste. It provides a local planning authority (LPA) (the Council) with the power, to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area. A section 215 notice will set out the steps that need to be taken, and the time within which they must be carried out. LPAs also have powers under s219 to undertake the clean-up works themselves and to recover the costs from the landowner. The use of such notices is discretionary, and it is therefore up to the Council to decide whether a notice under these provisions would be appropriate in a particular case, taking into account all the local circumstances such as example, the condition of the site, the impact on the surrounding area. Section 215 action can be taken against both land and buildings as section 336 of the Town and Country Planning Act states the definition of 'land' includes a building.

**Public Background Papers Used in the Preparation of the Report:** None

**List of appendices:** None

## OVERVIEW AND SCRUTINY COMMITTEE

8<sup>th</sup> November 2023

<b>Title:</b> Housing for Vulnerable People: Update Report	
<b>Report of the Director of Children’s and Adults’ Services</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b>	<b>Contact Details:</b>
<b>Accountable Strategic Leadership Director:</b> Elaine Allegretti, Strategic Director for Children’s and Adults’ Services	
<p><b>Summary</b></p> <p>In September 2019, Corporate Strategy Group endorsed the Housing for Vulnerable People programme, led by Inclusive Growth and Community Solutions, to support the whole Council, but primarily Childrens’ and Adults’ Services. This programme was focussed on understanding demand, aligning this with supply, and creating effective and joined up processes around the provision of accommodation for vulnerable cohorts.</p> <p>This report provides an update on this programme of work.</p>	
<p><b>Recommendation(s)</b></p> <p>The Overview and Scrutiny Committee is recommended to note the update provided and following the presentation, discuss any issues that need further exploration with officers.</p>	
<p><b>Reason(s)</b></p> <p>The Overview and Scrutiny Committee requested a progress update be given on the vulnerable housing programme, and this report seeks to provide that. The matters discussed within this report also relate to the Council priorities of “Prevention, Independence and Resilience”.</p>	

### 1. Introduction and Background

- 1.1 In September 2019, Corporate Strategy Group endorsed the Housing for Vulnerable People programme. Led by Inclusive Growth and Community Solutions, this programme was focussed on understanding demand, aligning this with supply, and creating effective and joined up processes around the provision of accommodation for vulnerable cohorts. While the programme recognised that vulnerability could stem from a wide range of potentially overlapping factors, its focus has been on the provision of housing for members of the following cohorts:

- People with mental health difficulties;
- People with disabilities;
- Older People;
- Care Leavers;
- Households with vulnerable children; and
- Homeless 16/17-year-olds.

1.2 The stated aim of the programme was to deliver savings and value for money for the council and improved outcomes for vulnerable people. In the 4 years that the programme has been running progress has been made. Its successes have largely been with the establishment of embedded operational processes and joint-working practices between different service areas within the council.

1.3 An update on the Vulnerable Housing Programme went to Corporate Strategy Group in March 2022 which outlined the work undertaken to that date and made recommendations about the priorities going forward. This report made recommendations across 5 workstreams:

**Workstream 1: Demand modelling – financial and people**

Deliver robust demand modelling that can be reviewed and revisited regularly as the population and or policy changes to ensure it is kept up-to-date and responsive.

**Workstream 2: Process and operational improvements**

Create new processes and enhance existing process around allocation, placements, lettings, and move-on planning.

**Workstream 3: Ratification and monitoring of housing pathways**

Joint agreement of the overall process and user journey – connecting demand, process, policy, and supply

**Workstream 4: Policy**

Ensure the needs and aspirations of vulnerable residents are captured in relevant policy and strategy frameworks, with policies clearly articulating how the available supply is apportioned to ensure that we are using our available resources in the best possible way.

**Workstream 5: Supply**

Deliver accommodation supply, through the Be First and HRA new build programmes, to meet the needs of the demand models and the pathways articulated in this programme and reduce both the resource and financial implications for Care and Support in particular.

1.4 As well as the recommendations by workstream, the review also recommended a project management resource to drive forward this work. The review further recommended dedicated resource to progress the care leavers work. The resource to deliver the care leavers work is in place, with the scope widening to include other vulnerable children groups. However there is no project management capacity for

this programme. This has narrowed the scope of the programme to focus on the operational workstreams (workstreams 1-3) which are discussed in this report.

- 1.5 Despite the scope of the Vulnerable Housing Programme reducing, the programme has embedded a culture of joint-working and built stronger relationships across services. Principles of joint working have also been strengthened in the processes that have been established through the programme, including accommodation panels and regular working groups such as the Housing for 16–25-Year-Olds Strategic Working Group

## 2. Demand Modelling- Financial and People

- 2.1 Prior to the Vulnerable Housing Programme data was held across services about vulnerable groups, but there was little understanding of the pressures across the whole system or a united response to the issues identified. The work of the programme has enabled a better understanding of these demands and facilitated joint work across Care & Support and Community Solutions to focus on areas which deliver the best value in terms of either cost avoidance or improved outcomes for residents, or ideally both. This information was then used to allocate resources funded through the income generated.

- 2.2 In terms of modelling the following table provides a picture of measures at the start of the programme compared to the current position in response to care leavers:

Programme Start	Current Position	Outcome/s
147 care leavers in paid-for accommodation	71 care leavers in paid-for accommodation (51.7% reduction) 20 further social tenancies becoming available between Nov 23-Jul 24	201 care leavers moved from paid for accommodation in period*. 127 moves into a social housing option and 74 into a private sector/other offer. Work represents cost avoidance of £1,680,533.90 on placement costs over the period Target to reduce paid-for number to under 65 by year end (55.8% reduction)
No electronic rent accounts	Electronic rent accounts for all placements	Generates income of £182,182 per year

\*It is necessary to move more than 2 young people for the number to decrease, to account for the number that will turn 18 and join the cohort in the period.

- 2.3 The report to CSG in March 2022 identified that in terms of demand modelling the priorities for the next period of the programme should be:

- The programme should include a push to explore opportunities for future demand modelling, including the potential for OneView to produce insight into vulnerable households;

- A more structured approach to accommodation panels across the whole of Care and Support, promoted to the staff to utilise with cases referred on a regular basis for step down; and
- Electronic rent accounts should be introduced for residents in supported accommodation (mainly within the Mental Health Service) to mirror the process that has been introduced for Care Leavers.

2.4 In terms of the priorities identified, the following progress has been made:

Priority	Progress	Next Steps
Oneview to produce demand modelling insight to inform strategic planning	Forecasting demand in CSC and ASC over the coming 5 years	Analysis being used to resource plan
More structured approach to accommodation panels	Administration and recording of panels in place providing clear record of cases and outcomes agreed	Reporting lines for information produced need to be confirmed to ensure oversight of work
Electronic rent accounts (mental health)	Agreed priority and clear on work required but resource issues have prevented delivery	Business case for additional resource to be made on invest to save basis

### 3. Process and Operational Improvements

3.1 There have been process and operational improvements since the last review of the Vulnerable Housing Programme in March 2022. These are shown below:

	Improvement Identified	Progress
Mental Health supported step-down	Strategic plan mirroring that for care leavers to be developed with regular operational meetings to track progress	Identified those customers ready for move-on and regular meetings taking place to progress this
Homeless 16-17 year olds	Inconsistent recording of joint assessments and non-compliance with protocol	Face to face training sessions booked and work on-going to improve recording system for staff and quality assurance mechanisms
Accessible Housing	Lack of clarity around the matching and prioritisation of households requiring accessible accommodation	Joint matching and prioritisation of households now in place.
Households with vulnerable children	Routine process to problem solve cases where housing required to support social care step-down or prevent escalation	Vulnerable childrens' panel meeting monthly and processes for referrals clear to teams
Vulnerable perpetrators of ASB	Clarity around circumstances in which eviction would be considered for vulnerable residents acting antisocially	Clear process of case review and consultation between ASB Team and support services now in place.

3.2 It is recognised that there remains work to be done. The current key priorities in terms of process and operational improvement are:

- Speed of providing specific adaptations for households delaying move-in to accessible housing- This is being addressed through the matching of properties before being ready to let, providing a greater lead-in time for these adaptations to be completed. Exploring opportunities to deliver before handover process and as part of build;
- Homeless 16-17 year olds and recording- system changes and face-to-face training are being delivered to improve the recording of joint assessments and compliance with the protocol; and
- Identifying resource to enable work on the mental health cohort- it is recognised that the speed of work in this area has not matched that of care leavers, which has dedicated resource funded through the income generated through rents. This model is being developed for the mental health cohort, albeit at a smaller scale.

#### **4. Ratification and Monitoring of Housing Pathways**

- 4.1 The current housing allocations policy was agreed by Cabinet in 2020 with one of the key changes being the ability to make direct offers of accommodation to vulnerable groups (section 34.0). Housing panels across key vulnerable groups were set-up to identify and prioritise any vulnerable households who required support outside of the allocations bidding process.
- 4.2 When the Vulnerable Housing Programme was reviewed in 2022 it was recognised that the key success of the programme to that point was that it had facilitated this joint work across services to address the needs of some of our most vulnerable residents. There are accommodation panels for vulnerable children, accessible housing and mental health and each works in a similar way; with the service working with the household identifying them as having a housing need which cannot be addressed through other means and nominating them for discussion. The panel develops a plan for the family in terms of the housing options available.
- 4.2 Cases heard at the Vulnerable Childrens' Panel are usually to prevent placement, enable step-down from placement or to facilitate either a foster care or family placement of a child or children. The case study below is an example of a vulnerable housing panel case where children leaving foster care back to the care of their mother was being prevented by mum not having suitable accommodation. This case study shows the benefits of this approach to families and also to the Council.
- 4.3 Case Study
- AA suffered a mental health episode and was hospitalised. During admission AA's 2 children were placed in foster care. AA lost accommodation during her stay in hospital. AA left hospital and secured accommodation with family and continued her recovery, working with her social worker who assessed her as ready to return to caring for her children with support, as long as AA had suitable accommodation. Case came to Vulnerable Children Panel as the family required self-contained accommodation close to support network quickly to facilitate step-down from foster care placement. Direct offer of accommodation in Barking made close to childrens' school and family support in scheme with security and on-site support.
- This outcome had positive impacts on the family as mum was able to care for her children and re-build their relationship. There were also significant benefits to the Council in terms of the reduced placement costs. Two children in a foster care placement costs around £1194 a week.
- 4..4 The review of the Vulnerable Housing Programme in 2022 recommended that there was a more structured approach to the accommodation panels and this has been implemented. The panels have an administrative resource and clear records of the cases discussed and actions agreed, the process for referral is clear and those present have the authority to enact the decisions made. It has been identified that the onward reporting of the work of the accommodation panels could be improved to highlight the good work in this area, and this is being progressed.



## 5. Conclusions and Next Steps

5.1 The work around the Vulnerable Housing Programme continues with the operational priorities over the next six months being:

- Improvements to the process for adaptations to accessible units;
- Improvements to recording joint assessments for homeless 16-17 year olds;
- Mental health cohort- step-downs and rent accounts; and
- Ensuring the lines of governance for the accommodation panels are clear.

5.2 Furthermore the LAC Sufficiency Strategy provides detail on our plans for care leavers in particular. Ofsted recently gave LBBD a 'good' rating for our work with care leavers, which includes our Local Offer to Care Leavers, in which their accommodation options are contained. Ofsted said:

*'The accommodation needs of care leavers, including those who are coming out of custody, are well met. A significant number of care leavers secure tenancies in housing association properties, enabling their move into accommodation. Tenancy support helps to prevent tenancy breakdown. Practical, emotional and budgeting assistance also helps care leavers manage their finances and transition to adulthood successfully.'*

5.3 Whilst we are extremely proud of the quality of our Local Offer to Care Leavers, we continue to strive for improvement, with the following workstreams underway:

- **Rent Guarantor Scheme**

Cabinet agreed a rent guarantor scheme for Care Leavers, whereby we, as corporate parents, act as guarantors for their private rental agreements. So far, we have had limited uptake, in part because of improvements in moving care leavers into LBBD housing, but we are working to better publicise this offer.

- **Vineries procurement strategy**

In addition to the duties set out for care leavers, the Council also has additional duties as outlined in the Southwark Judgement (case law) which places a duty on children's social care to assess young people aged 16 and 17 who present to the Local Authority as homeless. Following assessment, if the young person is assessed as a 'child in need' and if so, requires accommodation, the young person must be accommodated under section 20 of Children Act 1989.

LBBD has a Homeless 16/17-year-old Joint Working Protocol which is a partnership response to how both Children's Care and Support services will work with the Homeless Prevention Team within Community Solutions when a 16 or 17 year presents as homeless. The protocol works towards a trauma informed approach which aims to get those YP at risk, the right assistance as soon as they need it.

The Vineries is our provision of choice for these young people as the service provides 24-hour provision offering low to medium support (5 hours per week) which enables the young person to receive accommodation and support. All

customers are given individual tenancy agreements provided by the Housing provider – Clarion Housing.

This service will be retendered in 2024.

- **Ofsted Regulation**

Ofsted began registering previously unregulated providers from 28 April 2023 and it became mandatory for all providers from 28 October 2023. Any supported accommodation provider accommodating a looked after child or care leaver aged 16 or 17 must be registered with Ofsted prior to this date or they will be committing an offence. There is a transitional period whereby providers who submit a full application to Ofsted before 28 October 2023 can continue to operate until that application has been determined.

Under the new regulations, providers will also be required to complete a review of the support they are offering young people every six months. This review will have to include the views and experiences of the children and young people living in the accommodation and will be used to make sure the accommodation meets the needs of everyone who lives there. Reviews will be submitted to Ofsted, which will inspect accommodation at least once every three years.

Commissioners have been monitoring the registration process and supporting our providers and currently all our providers have applied for registration. We continue to monitor this as we use new providers.

- **Habitat House Project**

Prior to September 2019, the Council owned several dilapidated flats above shops within its General Fund portfolio which were incapable of being commercially let as returning the upper parts back into use would have required significant capital investment.

At the time, the Empty Property Unit investigated proposals that would address this and an approach to a global charitable community housing group called Habitat for Humanity was proposed that offered a possible solution. As a result of subsequent discussions with HfH, a pilot project was proposed at 35b East Street Barking, which refurbished properties that were subsequently let to vulnerable people (in this case, unaccompanied asylum-seeking children (UASC), care leavers from the Children's Care & Support Service), who would use the properties for independent living.

HfH was chosen because they were a global charity who provide decent, affordable homes for vulnerable people in housing need in locally appropriate ways around the world. This revolves around their values of empowerment and partnership by engaging different sectors of society (voluntary, private and public) in helping communities to provide local solutions to housing and community needs. HfH work in London carrying out a range of construction-based projects to bring empty and underused buildings back into good community use as affordable rented homes for groups in local need such as vulnerable women and disadvantage youth. HfH have secured grant funding

from nationwide foundations to provide on-site construction skills training for young people in colleges to learn practical on-site construction skills. This unique model is therefore more than just a construction related project as the method of delivery, provides much wider social and community value working with an ethical and responsible partner with access to interest free grant funding.

The model is aimed at bringing back into use several properties in poor condition, whilst creating social and community benefits during the construction phase and providing accommodation for care leavers. This was the model used at the pilot project at 35b East Street and was the model to be adopted on the three additional properties agreed by Cabinet in September 2019 (496 Gale Street, 16a Woodward Road and 4-5 Royal Parade).

Due to the success of the pilot scheme at East Street and the three schemes within Phase 1, it is proposed that the scheme is expanded to a further 2 properties with the possibility of a (subject to current discussions HfH), which if all were completed, would have the potential to have a portfolio of 7 properties (see next slide) which would support an additional 16 care leavers / UASC

5.3 Decisions need to be reached about the elements of the Vulnerable People's Housing Project not covered in the workstreams discussed in this report and what can be continued in the current financial climate. There remains the ambition to make improvements for our vulnerable residents. These ambitions include:

- Project management resource to drive strategic work;
- Asset review of sheltered sites to identify opportunities to repurpose stock for other vulnerable groups;
- Extensions programme to existing stock;
- A decision-making matrix laying out the process to be followed when it is identified that projects currently underway are not delivering sufficient adapted housing at the right rates; and
- Be-First working closely with services to review the households on the waiting list and build properties in line with their needs.

## **6. Financial Implications**

6.1 Funding for the continuation for the Housing for Vulnerable People Programme has been met through existing budgets.

## **7. Legal Implications**

7.1 The Vulnerable Housing Programme was developed to support the Council's statutory obligations under social, homeless and housing legislation. This includes housing/homelessness duties under Part 7 of the Housing Act 1996 and powers and responsibilities under the Childrens Act 1989.

**Public Background Papers Used in the Preparation of the Report:** None

**List of appendices:** None

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### Overview and Scrutiny Committee: Work Programme 2023/24

Officers must ensure reports are cleared by the relevant internal board and include legal and financial implications at least

Meeting	Agenda Items	Officer(s)	Cabinet Member/Presenter	Executive Board Deadline	Governance Service's Final Deadline
<b>5 December 2023</b>	Metropolitan Police Item (Update on actions arising from Baroness Casey Review/progress of Metropolitan Police Turnaround Plan)	Borough Commander/Superintendent Rhodes/Gary Jones	Councillor Ghani	12pm, Thursday 9 November	12pm, Friday 24 November
	Medium-term Financial Plan	Strategic Director Finance	Councillor Twomey		
<b>24 January 2024</b>	Budget Scrutiny	Strategic Director Finance	Councillor Twomey	12pm, Thursday 14 December	12pm, Friday 12 January
	BDTP and BDMS Update Report	Leona Menville	Councillor Ashraf		
<b>14 February 2024</b>	Compliance Update Report: 2 years on (from self-referral to the Regulator of Social Housing)	Leona Menville	Councillor Ashraf	12pm, Thursday 18 January	12pm, Friday 2 February

<b>13 March 2024</b>	Housing Offer for Vulnerable People: Accessible Properties	Katherine Gilcreest	Councillor Jones	12pm, Thursday 15 February	12pm, Friday 1 March
	OFSTED: Update on Improvement Plan	April Bald/Chris Bush	Councillor Jones		
<b>17 April 2024</b>	TBC			12pm, Thursday 21 March	12pm, Friday 5 April
<b>12 June 2024</b>	Update: How are we incorporating Race & Social Justice work into our schools' education programmes?	Jane Hargreaves/Natasha Cock/Martin Russell/Ben Spinks	Councillor Kangethe	12pm, Thursday 16 May	12pm, Friday 31 May
	Update: Quality of Schools' Recovery Post Covid-19	Jill Baker/Jane Hargreaves			