

# GENERAL PURPOSES COMMITTEE

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Wednesday, 14 September 2016 at 7.00 p.m.

CR1, Mulberry Place, 5, Clove Crescent, London E14 2BG

This meeting is open to the public to attend.

**Members:**

Chair: Councillor Danny Hassell

Vice-Chair: Councillor Denise Jones

Councillor Khaled Uddin Ahmed, Councillor Shah Alam, Councillor Craig Aston, Councillor Aminur Khan, Councillor Muhammad Ansar Mustaqim, Councillor Helal Uddin and Councillor David Edgar

**Deputies:**

Councillor Asma Begum, Councillor Andrew Cregan, Councillor Marc Francis, Councillor Peter Golds, Councillor Shiria Khatun, Councillor Candida Ronald and Councillor Andrew Wood

[The quorum for this body is 3 Members]

**Contact for further enquiries:**

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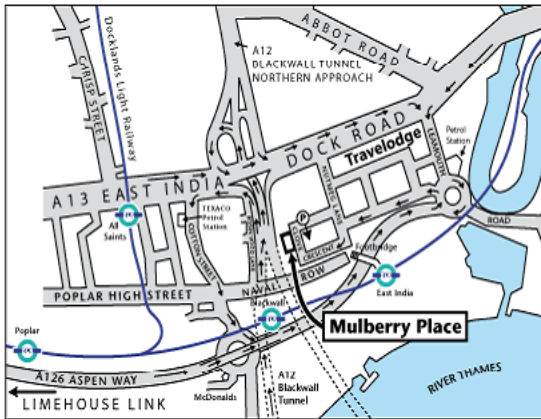
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## **APOLOGIES FOR ABSENCE**

- 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS** **1 - 4**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992.

See attached note from the Monitoring Officer.

- 2. MINUTES** **5 - 22**

To agree the unrestricted minutes of the Human Resources Committee meeting held on 13 April 2016 and of the General Purposes Committee meetings held on 15 June and 29 June 2016.

- 3. REPORTS FOR CONSIDERATION**

- 3.1 Elections Update**

To receive a verbal update on elections matters, including the June 2016 Referendum.

- 3.2 Organisation Structure** **23 - 40**

This report recommends that formal consultation commence on a revised organisational structure to direct the future shape of managerial leadership and Directorates. The report makes proposals for the senior leadership of the Council, the first two tiers – that is the Chief Executive, Directors and those reporting directly. Further reports will be brought for the remainder of the management tiers to rationalise reporting lines and posts as part of the medium term financial strategy.

- 3.3 Workforce Diversity** **41 - 48**

This report provides a summary of the findings of the 2015/16 equalities report and key actions that have been identified to further promote the diversity of the workforce.

- 3.4 Local Authority Governor Applications** **49 - 54**

The report sets out for Members the details of applicants who have expressed an interest in being appointed to local authority school governor positions at Tower Hamlets schools. The Committee is asked to endorse or reject the nominations for appointments set out in the report.

#### **4. EXCLUSION OF THE PRESS AND PUBLIC**

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

#### **EXEMPT SECTION (Pink Papers)**

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

#### **5. RESTRICTED MINUTES 55 - 60**

To agree the restricted minutes of the previous meetings held on 15 June and 29 June 2016.

#### **6. EXEMPT REPORTS FOR CONSIDERATION**

##### **6 .1 Exempt Appendices for Local Authority Governor Applications 61 - 98**

The report sets out for Members the details of applications of applicants who have expressed an interest in being appointed to local authority school governor positions at Tower Hamlets schools.

##### **6 .2 Council Organisational Structure - Staffing implications 99 - 106**

To consider staffing implications of the Organisation structure report considered in the unrestricted part of the agenda.

#### **Next Meeting of the Committee:**

Wednesday, 23 November 2016 at 7.00 p.m. in CR1, Mulberry Place, 5, Clove Crescent, London E14 2BG

# Agenda Item 1

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Melanie Clay, Director of Law, Probity & Governance & Monitoring Officer, Telephone Number:  
020 7364 4801

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE HUMAN RESOURCES COMMITTEE**

**HELD AT 7.00 P.M. ON WEDNESDAY, 13 APRIL 2016**

**ROOM MP701, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Clare Harrisson (Chair)  
Councillor Dave Chesterton (Vice-Chair)  
Councillor Rachel Blake  
Councillor Julia Dockerill  
Councillor Shafiqul Haque  
Councillor Sirajul Islam

**Officers Present:**

Simon Kilbey, (Service Head, HR and Workforce Development)  
Sarah Williams, (Team Leader, Legal Services)  
Charles Yankiah, (Senior Committee Officer, Democratic Services)  
Seye Aina, (Committee Services Officer, Democratic Services)

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

No declarations of disclosable pecuniary interests were made.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

The unrestricted minutes of the Human Resources Committee held on 21 January 2016 were presented for approval.

**RESOLVED**

That the unrestricted minutes of the meeting of the Human Resources Committee held on 21 January 2016 be agreed and signed by the Chair as a correct record of the proceedings.

**Matters Arising:**

**1. 3.1 - Human Resources & Workforce Development Update**

Simon Kilbey (Service Head, Human Resources & Workforce Development) informed the Committee that arrangements are being made for an officer involved in recruiting apprenticeships to give a presentation to Members.

## **2. 4.3 - Pay Policy 2016/17**

Simon Kilbey informed the Committee that the additional information requested relating to the National Insurance changes would be circulated.

## **3. REPORTS OF CORPORATE DIRECTOR, RESOURCES**

### **3.1 Workforce Strategy**

Simon Kilbey (Service Head, Human Resources & Workforce Development) presented the report on a new Workforce Strategy which covers a five year period from 2016/17 to 2021/22. The Strategic plan sets out the priority outcomes from 2016 - 2019 and links into the corporate policy procedures and the organisational change Best Value Improvement Plan.

The activities of the Workforce Strategy for the next 5 years include:

- Some of our services will be 'Integrated'.
- We will operate from a new Civic Centre in Whitechapel with a local presence at John Onslow House. These will be supported by small offices in the community.
- We will have a 'mixed market' of service provision.
- We will continue to reduce the total workforce expenditure.
- More of our back office services will be consolidated into single teams.
- We will have a flatter management structure.
- We will undertake open recruitment for the majority of our positions.
- Our workforce will have the skills to deliver public sector services in the future.
- Apprenticeship placements will form part of our service structures.
- Improvements in digital technology will change the way we engage with our customers.

The vision of the Workforce Strategy is:

- Great people
- Great performance
- Great place
- Great partnerships

The Chair welcomed the report and noted that the Corporate Management Team (CMT) has agreed the new Workforce Strategy. At the invitation of the Chair, the Members enquired about the following:

- How the Workforce Strategy timetable fits in with the financial plans for 2017 and the planned move to the Civic Centre.

- How do we ensure that the Workforce Strategy is reflective of the community.
- Are we preparing the workforce to be more technically-minded.
- How was the information for the Workforce Strategy compiled.
- Were there any difficulties in accessing the workforce.

In response to the questions from Members, Simon Kilbey agreed that details of the re-organisation plan needs to be clearer and more information included in the Workforce Strategy. The Workforce Strategy does not capture every single action but should include information on staff costs and financial savings. Separate information will be provided to the Committee on the saving plans for each year and on the terms and conditions review. The Service plan for Human Resources will include each service and capture more actions including the move to the Civic Centre, customer management, the workforce and customer access.

Simon Kilbey agreed that information on how the Workforce Strategy was compiled and access to the workforce is missing from this report. He confirmed that there had been a consultation process but no focus groups. He also stated that the Authority had taken steps year on year to make improvements to the workforce and make sure it is more reflective of the community. He also informed the Committee that Louise Russell's team had conducted a lot of research in this area.

Councillor Shafiqul Haque stated that the Authority need to move away from being insular and be more outward looking. He stressed the need to reach out more and in particular engage with the Somali community who are currently under-represented in the workforce. Members agreed that how we brief recruitment agencies is a key factor if we wish to attract a diverse pool.

During discussions Members agreed that if the Authority is making improvements in digital technology this work needs to be joined with the work on improvements to our customer access link to employment.

**Resolved that:**

1. The report be noted.
2. Additional comments made by the Committee Members on the Workforce Strategy be reported back to the Corporate Management Team (CMT).
3. A Service plan for Human Resources be reported to the next meeting.

### **3.2 Pay Policy Update**

Simon Kilbey (Service Head, Human Resources & Workforce Development) presented an update on the Pay Policy 2016-17 report, considered at the last committee meeting on 21 January 2016. The Pay Policy statement for

2016/17 was approved by Council at its meeting on 3 March 2016. At the meeting, the Committee were provided with an additional paper with Benchmarking information on London Borough pay ratios for 2016 - 17. The pay ratio for Tower Hamlets from the highest median to the lowest median is compared to 20 other London Boroughs.

At the invitation of the Chair, the Members enquired about:

- London Living Wage
- The single status issue
- Lower grades
- The senior management grades

In response to questions from the Members, Simon Kilbey informed the Committee that it will be a decision for Council whether to include the 2 staff based at Gorsefield in the London Living Wage (LLW) increase. Any decisions or updates on this issue will be reported to a future meeting.

Simon Kilbey informed the Committee that the LLW issue may not be an issue depending on the outcome of the pay award. The Employers side has offered a two-year pay award with a 1% increase in 2016 and 2017. He further stated that the pay award for Chief Executive is 1% for the next two years, with the pay set to increase from next year.

**Resolved that:**

1. The report be noted.
2. Any additional updates on the pay policy or further legislative changes be reported at a future meeting.

### **3.3 Senior Manager Recruitment Update**

Simon Kilbey (Service Head, Human Resources & Workforce Development) presented the update on current senior management vacancies and actions being taken to secure permanent appointments are concluded as soon as possible. The report provided further information on the Chief Executive performance management arrangements with details on the progress on recruitment to Senior Management vacancies, the position in relation to continuation/termination of the current interim arrangements for covering senior management vacancies and the arrangements for appraisal of the Chief Executive.

Additional information was provided at the meeting with a report setting out the executive search timetable for the posts of the Service Head Legal and Democratic Services, Service Head Corporate Strategy and Equality and the Service Head Education and Partnerships.

At the invitation of the Chair the Members enquired about:

- The long gap from the close of applications to shortlisting.
- The necessary for Councillors to be on the Appointments Panel.
- What other Councils do regarding senior appointments.

In response to questions from the Members, Simon Kilbey informed the Committee that the closing dates for applications for the posts of the Service Head Legal and Democratic Services, Service Head Corporate Strategy and Equality and the Service Head Education and Partnerships is on 15 April 2016. Councillor representation is being canvassed and this will be followed by longlisting. He acknowledged that it can be onerous for Councillors to be on the Appointments panel, some Councils adopt the same appointments process as we have whilst others are devolved.

Simon Kilbey informed the Committee that the arrangements for the appraisal of the Chief Executive are being implemented alongside the conclusion of the probationary process for the Chief Executive. Appraisal training has commenced and the next stage is to set objectives. There has been a slippage in the planned timetable to review the objectives but a meeting on this is planned for 13 May 2016. Arrangements are also being made to appoint an Independent Advisor to the process.

The Chair welcomed the update on senior management vacancies and on the Chief Executive performance management arrangements. Committee Members made the following additional comments:

- Councillor Julia Dockerill expressed the view that as part of the governance review Members should have a voice on the level of their involvement in senior appointments.
- Councillor Dave Chesterton expressed the view that a proper record of the appraisal of the Chief Executive is important. It is key that this is carried out by an Independent person.
- Councillor Julia Dockerill expressed the view that as part of the induction process it would be nice for Members to meet the new Senior Managers.

**Resolved that:**

1. The report be noted.
2. Comments made by the Committee Members on the Senior Management Update/Recruitment to Vacancies be reported back to the Corporate Management Team (CMT).

### **3.4 Closed Recruitment in the Public Sector**

Simon Kilbey (Service Head, Human Resources & Workforce Development) presented the report on the Business Innovation and Skills consultation and 'call for evidence' on the closed recruitment practices in the public sector. The closing date for the consultation is 15 April 2016.

The Committee received and noted the response of the Local Government Association (LGA) and the Council's draft response to the consultation. The Committee agreed that there is a similar approach in both responses and agreed with the Council that there is a need for greater transparency which would require regular reports to Government on the amount of internal recruitment undertaken.

**Resolved that** the report be noted.

### **3.5 Human Resources Committee Work Programme**

Simon Kilbey (Service Head, Human Resources & Workforce Development) presented the report setting out a draft Human Resources Committee Work Programme 2016/17.

**Resolved that:**

1. the report be noted.
2. an updated work programme report be considered at the next meeting which should include:
  - a. The workforce and the planned move to the Civic Centre.

### **4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

There was no other business which the Chair considered urgent.

### **5. DATE OF NEXT MEETING**

The next meeting of the Committee will be held on Wednesday 27 July 2016 at 7.00pm in Room MP701, 7<sup>th</sup> Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

The meeting ended at 8.30 p.m.

Chair, Councillor Clare Harrisson  
Human Resources Committee

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE GENERAL PURPOSES COMMITTEE**

**HELD AT 7.00 P.M. ON WEDNESDAY, 15 JUNE 2016**

**CR1, MULBERRY PLACE, 5, CLOVE CRESCENT, LONDON E14 2BG**

**Members Present:**

Councillor Danny Hassell (Chair)  
Councillor Khaled Uddin Ahmed  
Councillor Shah Alam  
Councillor Craig Aston  
Councillor Denise Jones  
Councillor Aminur Khan  
Councillor Muhammad Ansar Mustaqim  
Councillor Helal Uddin  
Councillor David Edgar

**Other Councillors Present:**

Mayor John Biggs

**Officers Present:**

Melanie Clay	– (Corporate Director, Law Probity and Governance)
Simon Kilbey	– (Service Head, Human Resources and Workforce Development)
Will Tuckley	– (Chief Executive)
Louise Stamp	– (Electoral Services Manager, Chief Executive's)
Zena Cooke	– (Corporate Director, Resources)
Matthew Mannion	– (Committee Services Manager, Democratic Services, Law, Probity and Governance)

**1. APPOINTMENT OF VICE-CHAIR FOR THE MUNICIPAL YEAR**

Councillor Khaled Uddin Ahmed **moved** and Councillor Danny Hassell **seconded** that Councillor Denise Jones be nominated as Vice-Chair of the General Purposes Committee for the 2016/17 municipal year. There were no other nominations and the Committee:

**RESOLVED**

1. That Councillor Denise Jones be elected as Vice-Chair of the General Purposes Committee for the 2016/17 municipal year.

## **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

None were declared.

## **3. MINUTES**

Officers requested that the minutes of the Human Resources Committee meeting held on 13 April 2016 be withdrawn for revision.

The Committee agreed and therefore only considered the minutes of the General Purposes Committee meeting held on 16 March 2016 and the minutes of the Appeals Committee meeting held on 29 July 2015.

### **RESOLVED**

1. That the minutes of the General Purposes Committee meeting held on 16 March 2016 be agreed and signed by the Chair as a correct record of the proceedings.
2. That the minutes of the Appeals Committee meeting held on 29 July 2015 be agreed and signed by the Chair as a correct record of the proceedings.

## **4. REPORTS FOR CONSIDERATION**

### **4.1 General Purposes Committee, New Terms of Reference**

Members considered the report setting out the new Terms of Reference for the Committee now that it had been amalgamated with the former Human Resources Committee and the Appeals Committee.

The Committee were content to note the new Terms of Reference.

### **RESOLVED**

1. To note the Terms of Reference, Quorum, Membership and Dates of Future Meetings of the General Purposes Committee for 2016/17 as set out in Appendices 1, 2 and 3 to the report.

### **4.2 Establishment of Appointments Sub-Committee**

The Committee reviewed the report setting out the proposed establishment of the Appointments Sub-Committee to consider from time to time the appointment of statutory and non-statutory Chief Officer and Deputy Chief Officer appointments.

There was a short discussion on the procedure for setting up Appointment Sub-Committee meetings, especially around whether a meeting was always required to conduct the shortlisting of candidates. Officers reported that they would review this process and report back if necessary although it was noted

that the General Purposes Committee could agree to alter the procedures to an extent if required. The Committee agreed the recommendations as set out in the report.

### **RESOLVED**

1. To agree the terms of reference for Appointments Sub-Committees for the remainder of the municipal year 2016/17 as set out at paragraph 4.1 of the report.
2. That the arrangements for nominating Councillors to serve on an Appointments Sub-Committee be agreed as set out at paragraph 4.2 below and the Service Head, Legal and Democratic Services be authorised to agree the dates of Appointments Sub-Committee meetings and the membership of the Sub-Committee for each appointment that is required in accordance with nominations from the Group Leaders and Mayor; and
3. That the Committee note the process for appointment to Chief Officer and Deputy Chief Officer posts as set out at paragraph 5 of the report.

#### **4.3 Establishment of (Employee) Appeals Sub-Committee**

The Committee considered the report setting out proposals to agree the establishment of the Employee Appeals Sub-Committee to consider appeals against dismissal by Council employees.

The Committee agreed the recommendations but asked that the Governance Review Working Group be asked to review the work of the Sub-Committee to determine whether a Member Sub-Committee was the most appropriate forum for considering employee appeals.

### **RESOLVED**

1. That the General Purpose Committee establish an Employee Appeals Sub Committee for the municipal year 2016/17 with the attached terms of reference (Annex A to the report) and hearing structure.

#### **4.4 Feedback from Electoral Services**

Will Tuckley, Chief Executive, introduced the item providing an opportunity to give verbal feedback to Members on the recent work of Electoral Services with particular reference to recent elections held in the Borough. He highlighted that this was the first discussion since he had joined the Council and been appointed the Returning Officer by the Commissioners.

He was pleased to report that, thanks to the hard work of the Electoral Services team, the recent Greater London Authority elections had passed smoothly and that this was a tribute to all involved. The team were now engaged in preparation for the European Union Referendum and, again, this

was on schedule. Finally he noted that the electoral system was essentially still a Victorian era process with add-ons and that this presented a significant challenge to administer.

Louise Stamp, Head of Electoral Services, then provided Members with more details about a number of areas, starting with the work officers were undertaking on the electoral register. She reported that, after the change to bring in the Individual Electoral Registration process, there had been a significant reduction in registered voters and officers were now working hard to tackle this. Indeed, there had been a 10.53% rise in registrations over the past 6 months. The number of postal votes had also increased to over 34,000. There had also been a large number of online applications, many of which were duplicates that officers had to administer.

In response to questions, Louise Stamp reported that:

- Postal vote applications had to be accepted on their own merits but checks were made at elections, for example on matching signatures.
- Canvassers were not allowed to ask for ID, this had been checked with the Electoral Commission.
- Significant data matching exercises did take place, for example when voters changed address.
- Officers would provide information on the number of young voters.
- The last annual canvass went very well and the new target for this year was to achieve a 90% response.

It was noted that, with a high churn in population and with many not eligible to register, the number on the register would never match the population of the Borough.

Turning to the Greater London Authority elections, Louise Stamp reported that:

- The vote was delivered successfully.
- Many lessons had been learnt from the 2015 elections.
  - These lessons would also be applied to the upcoming European Union Referendum.
- The exclusion zones outside polling stations worked well.
- The postal vote rejection rate was down following efforts to collect new signatures.
- A linkup had been arranged with registrars to receive information when residents change their nationality.

Finally, turning to the European Union Referendum, it was noted that:

- There were complications as to voter eligibility with EU voters not being entitled to vote.
- Additional Poll Clerks were available for busy stations/times.
- Postal vote returns were high.
- A high level of communications activity was being undertaken.
- Polling places were reviewed from time to time. Notices should be in place at old locations with directions to new locations.

Following the discussion, Members thanked Louise Stamp and her team for their hard work and dedication in this most important service.

## **RESOLVED**

1. To note the discussion.

### **4.5 Organisation Design Principles**

Will Tuckley, Chief Executive, introduced the report on reviewing the Council's organisational structure making use of specific Organisational Design Principles. He highlighted the good progress the Council had made in recruiting permanent staff to senior roles which provided good stability for the organisation. It was now time to start reviewing the wider staffing structure and the report set out an overview of the benefits of the review and the principles to be followed.

Stuart Young, Interim HR Transformation Manager, would be driving the process.

Particular targets of the review were to:

- Focus the structure on service outcomes.
- Ensure appropriate managerial capacity.
- Improve the Council's culture.
- Encourage cross-council working.
- Improve efficiency.

A further report would be presented to the September meeting of the Committee setting out more details. If any specific decisions were required that were urgent, officers would discuss those with the Chair with a view to calling an extraordinary meeting.

Members proceeded to discuss the report, they requested more information on what implementation of the design principles would look like in reality. The Committee also noted a number of points including:

- The need to reduce any feelings of 'not my job' from officers; the Council must operate as one.
- Communications were vital, both internally and externally.
- The importance of the Council's structure matching up with the Executive's service priorities.

In response to questions raised, it was noted that:

- Will Tuckley was undertaking a series of Roadshow events to talk to staff.

- It was important to check with residents as to their expectations and experiences of Council services but that they shouldn't be expected to need to understand the Council's internal structures.
- Staff induction was an important way of embedding required behaviour and style.
- There was a need to ensure all staff felt included and that included those working with partners. It was also important to ensure that the Council structure was conducive to partnership working.
- The 'workforce to reflect the community' statistics were being monitored and progress was being shown.
- Developing the skills of existing staff was important and the Council's learning and development programme needed to be targeted in the right way to achieve the best outcomes.

#### **RESOLVED**

1. To note the report.
2. To note that a further report would be presented to the September meeting.

#### **4.6 Appointment of School Governors**

This item was deferred.

#### **4.7 HR Committee Work Programme 2016/17**

The Committee considered the proposed work programme of reports in relation to the Council's Human Resources Service. It asked to receive an update on the 'Workforce to Reflect the Community' monitoring.

#### **RESOLVED**

1. To note the report.

#### **4.8 Senior Management Update / Recruitment to Vacancies**

Simon Kilbey, Service Head, HR and Workforce Development, introduced the regular update report on Senior Management recruitment. He took Members through the report and in particular the progress on recruiting to a number of listed Service Head posts. In respect of the Service Head, Legal and Democratic Services, it was reported that no candidates had been shortlisted and so officers were considering how to follow this up.

In relation to the Service Head, Corporate Strategy and Equalities, the shortlisting panel would be meeting this evening.

He then moved on to talk about the Performance and Appraisal Arrangements for the Chief Executive. He reported that the appraisal process and targets

were published in the agenda and these would be monitored. They could also be amended should that prove useful.

Turning to the process for dismissing Statutory Chief Officers, it was explained that a report would be presented to a future meeting following national work to amend the model disciplinary process set out in the JNC Handbook.

Members discussed the report, they welcomed the permanent appointment of senior staff and the transparent Chief Executive appraisal system.

Following questions, it was reported that:

- The report to the September meeting would provide more details on the timetable to recruit to the post of Service Head Commissioning and Health.
- The Chief Executive appraisal process included engagement with the Mayor and other Group Leaders.
- Consultants were not routinely used below Service Head level. Effectiveness of agencies was monitored and they could be changed if needed.

#### **RESOLVED**

1. To note the report.
2. To note the progress on recruitment to senior management vacancies.
3. To note the position in relation to continuation/termination of the current interim arrangements for covering Senior Management vacancies.
4. To note that the performance appraisal of the Chief Executive has taken place and the agreed objectives/targets set for 2016/17 as published in the appendices to the report.

#### **5. EXCLUSION OF THE PRESS AND PUBLIC**

#### **RESOLVED**

1. That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting on the grounds that the remaining agenda item contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government Act 1972.

**5.1 Review of Service Head post in Resources Directorate (consideration of an individual's employment position)**

The Committee considered the report in relation to a Service Head post within the Resources Directorate. Members discussed the report and then agreed the recommendations as set out.

The meeting ended at 8.45 p.m.

Chair, Councillor Danny Hassell  
General Purposes Committee



**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE EXTRAORDINARY GENERAL PURPOSES COMMITTEE**

**HELD AT 7.02 P.M. ON WEDNESDAY, 29 JUNE 2016**

**CR1, MULBERRY PLACE, 5, CLOVE CRESCENT, LONDON E14 2BG**

**Members Present:**

Councillor Danny Hassell (Chair)  
Councillor Denise Jones (Vice-Chair)  
Councillor Shah Alam  
Councillor Craig Aston  
Councillor Aminur Khan  
Councillor Muhammad Ansar Mustaqim  
Councillor Helal Uddin

**Apologies:**

Councillor Khaled Uddin Ahmed  
Councillor David Edgar

**Officers Present:**

Melanie Clay	– (Corporate Director, Law Probity and Governance)
Zena Cooke	– (Corporate Director, Resources)
Will Tuckley	– (Chief Executive)
Graham White	– (Interim Service Head, Legal Services, Law, Probity and Governance)
Matthew Mannion	– (Committee Services Manager, Democratic Services, Law, Probity and Governance)

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

None were declared.

**2. MINUTES**

The minutes of the General Purposes Committee meeting held on 16 March 2016 were considered. It was noted that they had previously been agreed at the meeting held on 15 June 2016 but that it had subsequently been noted that there was an ambiguity in the recommendations to 3.2 (Application for Membership on the Standing Advisory Council for Education).

Following discussion, led by the Members who were present at the meeting on 16 March 2016 it was confirmed that the first recommendation should be struck through as only the second recommendation was correct.

### **RESOLVED**

1. That the first recommendation listed under agenda item 3.2 (Application for Membership on the Standing Advisory Council for Education) be struck through as incorrect and the original recommendation 2 remain as the sole recommendation reading:

- 1. That the British Humanist Association continue to be a co-opted member of SACRE and consulted fully by the Agreed Syllabus Conference (ASC)*

### **3. EXCLUSION OF THE PRESS AND PUBLIC**

### **RESOLVED**

1. That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting on the grounds that the remaining agenda item contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government Act 1972.

### **4. REPORTS FOR CONSIDERATION**


#### **4.1 Review of Directorate of Communities, Localities and Culture (CLC) as forerunner to organisational change (consideration of an individual's employment position)**

Will Tuckley, Chief Executive, presented the report considering organisational issues within the Communities, Localities and Culture Directorate.

Members discussed the report and agreed the reasons for urgency and recommendations as set out.

The meeting ended at 8.15 p.m.

Chair, Councillor Danny Hassell  
General Purposes Committee

Non-Executive Report of the:  <b>General Purposes Committee</b>  14 September 2016	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Will Tuckley, Chief Executive	<b>Classification:</b> Unrestricted
<b>Organisation Structure</b>	

<b>Originating Officer(s)</b>	Stuart Young - HR, OD & Transformation Manager
<b>Wards affected</b>	All wards

## Summary

This report recommends that formal consultation commence on a revised organisational structure to direct the future shape of managerial leadership and Directorates. The report makes proposals for the senior leadership of the Council, the first two tiers – that is the Chief Executive, Directors and those reporting directly. Further reports will be brought for the remainder of the management tiers to rationalise reporting lines and posts as part of the medium term financial strategy.

## Recommendations

- a) Agree the organisation structure described at paragraphs 3.21-3.25 and the attached chart for release to formal consultation.
- b) Note that the formal consultation period will commence with effect from 19<sup>th</sup> September and end on 28<sup>th</sup> October to provide sufficient time for comprehensive staff and union engagement.
- c) Ask full Council on 21<sup>st</sup> September to consider a report amending Part 4.9 (Officer Employment Procedure Rules) of the Constitution so that the requirement to establish Sub Committees comprising relevant members for appointments and dismissals will only apply to Chief Officer posts. This will therefore enable the Chief Executive to appoint to Deputy Chief Officer posts in this restructure and to implement the new organisational structure, subject to significant changes being reported to the GP Committee. The proposed amendments are at Appendix 3
- d) Note that any consequential amendments required following changes agreed by full council under C above will be effected by the General Purposes Committee/Director of Law, Probity and Governance as appropriate, in accordance with Part 3.3.1 of the Constitution.
- e) Note that a series of enabling projects will be delivered as described at paragraph 3.28 and where required staffing decisions brought back to this Committee.

### 1. REASONS FOR THE DECISIONS

- 1.1 The attached organisation structure is proposed to best deliver the outcomes

and priorities of Members and the Mayor. In addition, the Medium Term Financial Strategy identifies a need to reduce budgets by £60 million over the coming three years. The proposals in this report commence a Council wide review of structures and will contribute by reducing the workforce paybill.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The organisational structure could be left unchanged but this would not deliver the necessary benefits to deliver the Council's strategic priorities.

## **3. DETAILS OF REPORT**

- 3.1 The Mayor in Cabinet approved the Council's Strategic Plan which sets out the Council's priorities and objectives for the next three years.

The Strategic Plan sets out how Tower Hamlets will be:

- A Great Place to Live
- A Fair and Prosperous Community
- A Safe and Cohesive Community
- A Healthy and Supportive Community

- 3.2 In delivering this vision the Mayor has identified the following priorities:

- Creating opportunity by supporting aspiration and tackling poverty
- Creating and maintaining a vibrant, successful place
- A transformed council, making best use of resources and with an outward looking culture

- 3.3 The staffing structure needs to be fit to deliver the priorities and outcomes. The reason for bringing forward a report at this stage is because the priorities and operating environment of the Council have changed. It is appropriate therefore for Members to consider how best to decide on a revised staffing structure.

- 3.4 An organisational structure serves two purposes: to arrange functions in the most efficient manner to deliver resident outcomes; and to translate corporate priorities into operational services. Effective structures are accompanied by excellent service planning; performance management and staff development.

- 3.5 At Tower Hamlets our new structure will bring the following benefits:

- Align our managerial capacity to deliver Council priorities
- Better match our political and managerial leadership
- Improve our performance by collaborating on outcomes
- Reinforce a one Council approach with a can-do, open culture
- Deliver efficiencies and modernise our ways of working

- 3.6 At the same time challenges remain. The landscape of local government continues to change as public spending is further reduced. Our medium term

financial plan identifies a funding shortfall of £60 million over the next three years.

- 3.7 In response a set of transformation principles and activities were agreed by Cabinet on 5<sup>th</sup> April 2016 as part of the Strategic Plan. The principles are Better targeting –the right people at the right time; Re-design and integration for better outcomes; Empowering communities and citizens; Harnessing economic growth; Economies of organisation.
- 3.8 General Purposes Committee at the meeting in July 2016 adopted the following organisational design principles:
- 3.9 **Public Service** – we put the customer at the heart of all we do. We will organise services to encourage single points of customer contact. We will group services to make it easier for residents to transact with us.
- 3.10 **Performance** – a structure that better enables improvement by more closely assigning Council priorities to services. The alignment of political and managerial leadership is a key enabler to ensuring that high performance is sustained. Closer alignment to priorities will bring a collective sense of purpose and better facilitate partnership working. The structure will enable a positive One-Council, can-do culture.
- 3.11 **Accountability** – we will hold people to account at the right level of responsibility. We need to enable our middle managers to deliver, to be clear in what is expected of our services and hold our managers to account. Our future structure can encourage greater accountability by bringing clarity of function. Being accountable will form a tenet of the future working culture.
- 3.12 **Collaboration** – the structure should encourage a One-Council approach to working. We will enable work groups to form, do business and reform more rapidly. This agile way of working will bring refreshed pace and energy to delivery.
- 3.13 **Transparency** – The future structure will be clearly linked to delivering our priorities. The grouping of services and partnerships will be focussed and clearly arranged around delivery of priorities. Management will be more transparently accountable to Councillors as services and Member portfolios are better aligned.
- 3.14 **Efficiency** – current staffing costs will be benchmarked and reduced as the future organisation streamlines tiers and layers of management. The proposals will limit the number of layers from Chief Executive to point of delivery and recommend spans of managerial control.
- 3.15 The wider context for this restructure is the environment in which we will operate over the coming years. Our population is set to increase to an estimated 337,000 by 2020; our resident demographic suggests that demands on public services will increase; yet it is likely that public funding will reduce to the point where local authorities are no longer reliant on central grants. We

are fortunate to be the home of the most significant economic and physical growth in London. The growth and service delivery agenda need to be managed and coordinated across the Council so that residents benefit from our unique positioning in the Capital.

- 3.16 Members and Officers are working towards a confident, collegiate, outward facing culture. Encouraging Council wide working through cross cutting themes will enable joined up delivery of our priorities. In practice this means locating functions in the most appropriate formation and taking forward programmes of improvement. Flexibility in how we deploy senior staff is key to this new way of working. Directors and those that report to them need to be deployed on programmes of change and delivery of the day-job. Managing change successfully will be a core part of senior roles. It is proposed that functions work closely together across the council structure on commissioning, cohesion and the customer. These cross functional clusters will further encourage collaborative styles of working.
- 3.17 To enable the Council to manage demand for services and ensure community outcomes are realised we will need to collaborate with partners. In practice this means pulling together into one place the co-ordination of how we work with health, police, the community and voluntary sectors. Our strategy, research and policy making activity needs to be closely aligned to partnership working. There is sense in co locating these functions.
- 3.18 A stronger organisational core to support service design, delivery and partnership will bring added capacity for the Council to plan over a longer horizon. Moving the organisation from a largely reactive method of operation to one which is confident to look further ahead is critical to the design of services in a rapidly changing local government environment. Pooling of resource is also a method of maintaining capacity during period of budget constraint. The MTFS identifies significant budget reduction over the coming three years.
- 3.19 In summary the philosophy of the restructure is:
- Organise to deliver community and Council priority outcomes
  - Provide a strategic and policy capacity that enables greater partnership
  - Consolidate a strong set of core functions supporting services to deliver
  - Coordinate commissioning to make best use of resources
  - Create cross functional groupings on cohesion and the customer
- 3.20 The form of the Council should enable the functions it plans to deliver. The suggested groupings are:
- 3.21 A **Place Directorate** will bring together all our environmental and economic activity. It will enable a joined up approach to delivering a vibrant, successful place. Our Council priority of economic development/skills/employment will be led from this Directorate. The new Directorate will combine parts of the current CLC and D&R services. Economic growth, prosperity and housing are closely aligned and therefore housing needs, temporary accommodation and options will operate from the Place Directorate forming a client function to THH. This

grouping will enable a fresh look at the services THH manage on our behalf. Our asset management and delivery of major capital programmes will sit alongside delivering a great public realm. The Directorate will bring together Enforcement and Regulation functions to enable greater collaboration.

- 3.22 A **Children's Directorate** will continue to deliver education and social care to our young people. We will further develop our partnership with schools. In addition and to recognise the important contribution that youth activity and sports play in wellbeing, it will be responsible for Sports, Leisure and Culture. The Youth Service will be a part of the directorate formalising the arrangement of the past few months. Learning & Achievement will remain an important part of the Directorate. Children's social care commissioning will remain and will form part of a wider connected hub, co-ordinating how we shape and commission services. The directorate will deliver our aspiration for young people to realise their potential.
- 3.23 An **Adults Directorate** will deliver our intention for more people to live healthier and independently for longer. Adult social care will continue to be provided together with integrated health and the Public Health service. Community Safety and the DAAT will move into the Directorate joining up our adult wellbeing service offer. Public Health will continue to work in partnership across the Council and partners to deliver health outcomes. Adult social care commissioning will continue from the directorate and work with children's and place commissioners.
- 3.24 A **Resources Directorate** will deliver our priority to transform by making best use of resources with an outward looking, can do culture. Our programme of improvement will be coordinated in this directorate with a newly established Programme Management Office. The HR function will be refocused to also ensure that organisational change is embedded. The Directorate will take responsibility for putting the customer at the heart of our services by joining up the various channels used by residents to access services such as face to face principally through Idea Stores. Finance, IT, Revenues and Benefits will remain in the service to ensure that progress on Grants is maintained. Audit will continue to play a critical role in ensuring that organisational governance and standards are maintained. To retain their independence a dotted line functional reporting will remain to the Director.
- 3.25 A **Governance Directorate** will continue to provide the democratic, legal and communications functions. In addition, it will be a hub for equalities, policy and strategy activity working closely with Services to improve our Council wide policy making and research capacity. Partnership working will be led through the Directorate to bring together our capacity to work with others in delivering outcomes. Liaison with the voluntary and community sector will be led from this Directorate. Executive Support will be coordinated from the Directorate. Registrars will continue to be provided from this Service.
- 3.26 An organisation chart is attached at appendix 1.

3.27 It is proposed to adopt consistent naming conventions to better reflect the roles as described at appendix 2.

3.28 The timetable for delivering the restructure is:

<b>Date</b>	<b>Action</b>
July	GP Committee agree Org. Design Principles
August	Informal staff & trade union engagement
August/Sept.	Produce job profiles
14 <sup>th</sup> Sept	General Purposes Committee
19 <sup>th</sup> Sept	Formal consultation commences
28 <sup>th</sup> Oct	Formal consultation ends
Nov/Dec	Assimilation interviews/change management
1 <sup>st</sup> Jan	Go live with new structure
Jan-Mar	Redeployment and outplacement
31 <sup>st</sup> Mar	End of Notice period for leavers

3.29 The organisational changes will be implemented in phases with middle management and staffing changes enabled by projects as follow:

- A business support review – to identify and review support functions such as Finance, HR, IT, FM, Admin and Secretarial activities.
- A policy & strategy review – to create a coordinated research, policy, commissioning and strategy function
- An enabled manager programme – to restate the role of management and ensure that our systems, processes and development are appropriate for the future role of a local government manager.
- A review of managerial spans and layers – to assess the number of tiers in the Council and ensure our organisational design principles are applied.
- A refresh of the Council employee values – to engage staff in ways of working.

3.30 It is proposed that the Chief Executive be asked to implement the structure for the top three tiers, including staff appointments and only required to report back to the Committee if significant changes occur to the attached organisation chart as a result of consultation. The consequent change in constitution is attached at Appendix 3 for referral to full Council.

3.31 The Council's Organisational Change policy will apply. It is anticipated that the number of senior leadership posts will reduce by approximately 5/6. Formal staff consultation will include the method of assessment and assimilation of staff to the revised structure. Staffing changes will take place in the Autumn/Winter to be completed by March 2017.

3.32 Job profiles will be provided as part of the formal consultation, evaluated using the LGA job evaluation scheme. Directors will work to generic profiles to enable greater flexibility of deployment and cross Council collaboration.



#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 The Chief Finance Officer has been consulted in the preparation of this report. Based on the proposed structure there is an estimated on-going saving of £500k which will be included as part of the Council's Medium Term Financial Strategy proposals.
- 4.2 To the extent that there are additional one-off costs arising from the restructure proposals (e.g. redundancy and early retirement costs) these will be met from the existing severance reserve held by the Council.

#### **5. LEGAL COMMENTS**

- 5.1 The Interim Service Head for Legal has been consulted on the contents of this report. This report proposes to make changes to a number of senior management roles and will lead to the potential redundancy of some of these employees.
- 5.2 An employee is dismissed if the contract under which he or she is employed is terminated with or without notice (Employment Rights Act (ERA) 1996, section 95). Dismissal by reason of redundancy occurs where the requirements of the business for employees to carry out work of a particular kind has ceased or diminished (ERA 1996, section 139(b)(i)).
- 5.3 Redundancy is a potentially fair reason for dismissal under section 98(2)(c) of the ERA 1996. However, an employee can bring a claim for unfair dismissal in circumstances where suitable alternative employment is available and is not offered by the employer. A suitable alternative post is one that the employee has the qualifications and aptitude to do immediately, or will have in the near future with reasonable training. What constitutes suitable alternative employment may depend on how similar the work is to the previous role, the terms being offered, the pay, status and hours as well as the employee's skills, abilities and circumstances in relation to the job being offered. Consideration is not limited to what the employee's current role comprises, but would also include consideration of the employee's previous experience and skillset.
- 5.4 The Officer Employment Procedure Rules (OEPR) in Part 4.9 of the Constitution specify the Council's rules and procedures applying to both the appointment and dismissal of Chief Officers. These are relevant to the circumstances of both Chief and Deputy Chief Officers who are affected by this restructure. It is proposed that the Constitution be amended so that the OEPR only apply to Chief Officer posts. As a consequence of this, the Handling Organisational Change procedure will also require amendment so that it applies to Deputy Chief Officers if the OEPR no longer applies to them.
- 5.5 The current rules and procedures for appointing to Chief and Deputy Chief Officer post are set out in sections 5 and 6 of the OEPR

- 5.6 The rules and procedures for dismissing a Chief Officer are set out in section 9 of the OEPR
- 5.7 The employee has a right to appeal against a decision to dismiss. It would not be unreasonable to require any person being considered for a new Chief or Deputy Chief Officer role to be subject to an interview process to determine their suitability for the role. As set out above, the appointment process in the OEPR requires an interview. Further, an interview may be considered a fair method of testing the person's suitability for the role, which should support both the Council's obligation to appoint on merit in section 7 of the Local Government and Housing Act 1989 and the Council's obligations under the Equality Act 2010 not to discriminate and to promote equality of opportunity. It may also be relevant to take into account that this would not constitute a direct assimilation situation were the Handling Organisational Change procedure applicable.
- 5.8 The current post holder could be considered for the new roles in advance of any external recruitment process as an alternative to compulsory redundancy. Interview questions for the internal candidate would need to give some consideration as to what would constitute suitable alternative employment under the redeployment guidance (see below) taking into account the skills and experience of the current postholder who will be otherwise redundant following the deletion of their current post.
- 5.9 The Council's Handling Organisational Change procedure does not apply to Chief Officers (but may be applicable to deputy Chief Officers following the proposed amendment to the Constitution) but regard should nevertheless be had to normal custom and practice in respect of selection for redundancy and criteria for redeployment in respect of the Chief Officer post changes. The Council has also published Redeployment Guidance, which is intended to apply to the Chief Officer posts covered by this report (subject to confirmation into post in the way set out in the Officer Employment Procedure Rules if the alternative role is at the level covered by the Rules).
- 5.10 The Redeployment Guidance provides that an employee who is issued with notice of redundancy as a result of a restructure will be asked to complete an employee profile. This will include details of the person's knowledge, skills and experience together with any relevant qualifications. This pro forma will be used to consider redeployees against vacant posts which may offer suitable alternative employment. There is no reason why this should not be applied to potentially redundant Chief and Deputy Chief Officers and the information provided may be used when considering suitability for other posts.
- 5.11 Redeployed staff should normally be offered a post on the same grade, but if the only suitable alternative is a lower graded post, the employee's pay should be protected at the level of the spinal column point applicable to them at the end of the previous job for two years. Salary protection will not exceed two grades. Given that salary protection is offered in the Council's Redeployment Guidance, then this should be offered if Chief or Deputy Chief officers are assimilated into one of the new posts and it is at a lower grade than the

current role. If an employee unreasonably refuses an offer of suitable alternative employment they would not be entitled to a redundancy payment (ERA 1996, section 141(4)).

- 5.12 When carrying out the reorganisation, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). It must take care not to discriminate or otherwise act unlawfully within the meaning of the Equality Act. A proportionate level of equality analysis is required in order to discharge the Council's duties and reference is made to this in the report.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The organisational design principles set out in this report will support the One Tower Hamlets objectives.

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The proposals will add value to the efficiency and effectiveness of the Council. The future staffing organisation will contribute to each of the Best Value Action Plan areas.

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no direct SAGE implications arising from this report.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The proposals to be brought forward on staffing will provide a secure foundation for the delivery of the Council's main plans and strategies therefore reducing risk of not realising our planned resident outcomes.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 There are no direct Crime and Disorder implications arising from this report.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE

#### **Appendices**

- Organisation chart

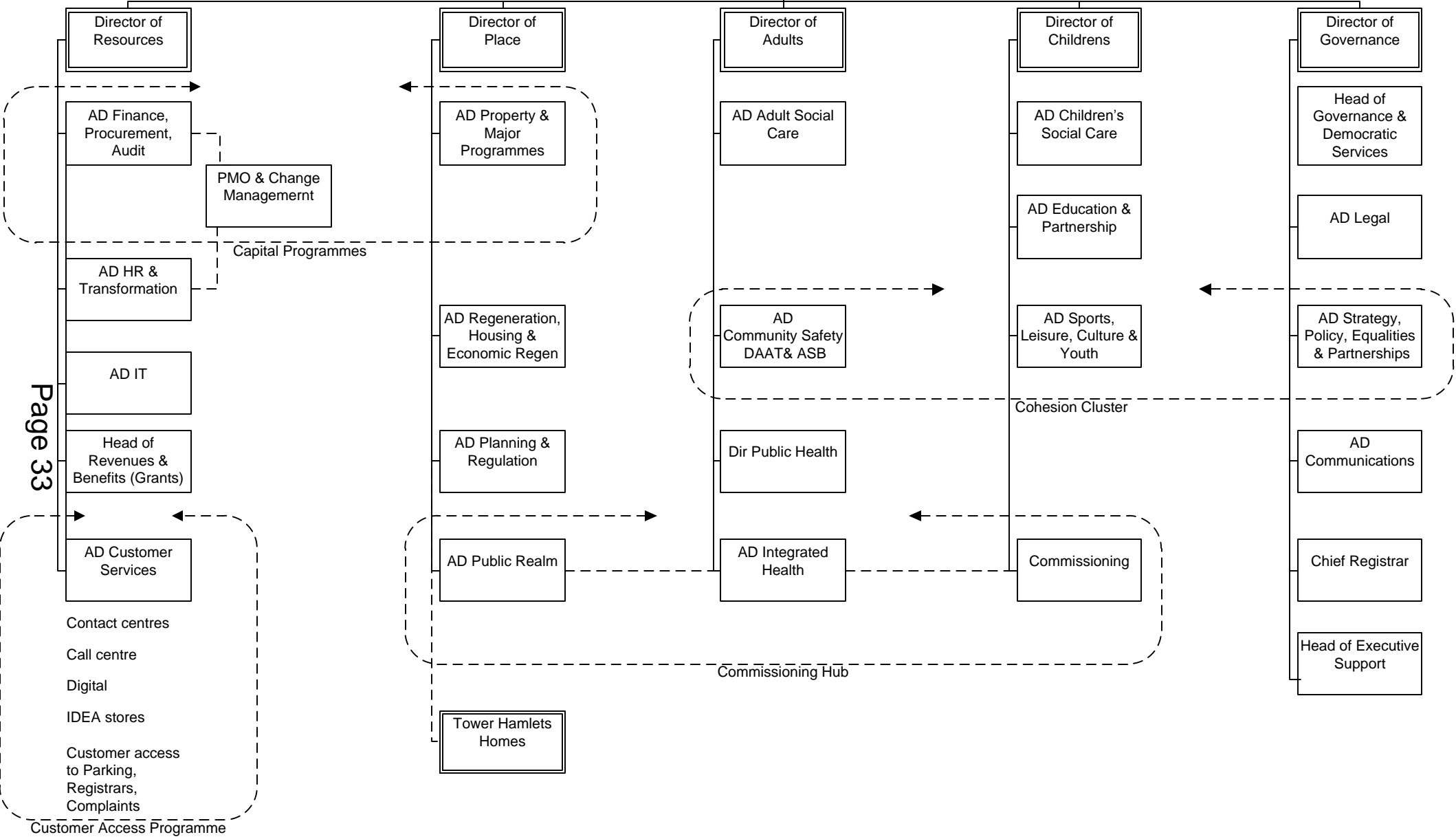
- Summary of roles by tier
- Proposed constitutional changes for full Council

**Officer contact details for documents:**

- N/A

Chief Executive

Appendix 1



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## Summary of Role Profiles for Top Tiers

### **Directors**

These are accountable for the achievement of the Council's priorities and outcomes, within agreed resource constraints. This involves the development and delivery of the council's corporate medium to long term strategies to achieve outcomes. These jobs lead the organisation ensuring that a responsive, resident focused culture, ways of working and systems/ processes exist. They reach outside the organisation to ensure strong partnership working within Tower Hamlets and across London, creating opportunities for service reforms and improvements. They support and advise the council on strategic matters. They ensure strong achievement and improvement through corporate performance management including in the use of resources and the management of risks. They are accountable for ensuring legal and other duties are fulfilled.

### **Assistant Directors**

These are chief officer jobs accountable for the achievement of designated priorities and outcomes, within agreed resource constraints. This will involve the development and delivery of medium term, outcome focused strategies for groups of services. These jobs contribute to leading the organisation, including specific accountability for designated services, ensuring a responsive, resident focused way of working through our systems and processes. They will ensure that services and activities across the council and with partners are closely integrated and joined up to better achieve outcomes efficiently as well as improve residents' experiences. They reach outside the council to ensure strong partnership working and service integration where appropriate. They support and advise the council on strategic and significant operational matters. They ensure strong achievement and improvement in the delivery of outcomes through effective performance and risk management including in the use of resources. They may ensure that our legal and other duties are fulfilled

### **Heads of Service**

These jobs are accountable for the delivery of high quality, resident focused services that contribute to the delivery of the council's priorities and planned outcomes. This will involve ensuring effective service strategies and plans are developed and implemented. These jobs contribute to the leadership of the organisation through management of services, ensuring both responsive, resident focused ways of working and systems/processes. They will ensure that services are joined up for the benefit of residents by close and open collaboration with colleagues from across the organisation as well as with partners. They support and advise the council on technical, professional and operational matters. They ensure strong achievement and improvement of services through effective performance and risk management including in the use of resources. They may ensure our legal and other duties are fulfilled.

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**5. APPOINTMENT OF CHIEF OFFICERS AND ~~DEPUTY CHIEF OFFICERS~~**

- 5.1** The Chief Executive will establish Appointments Sub Committees upon criteria approved by the Human Resources Committee comprising relevant Members to make appointment to Chief Officer and ~~Deputy Chief Officer~~ posts. Any Appointments Sub Committee established in accordance with this rule must include at least one Member of the Executive.
- 5.2** Engagement of Chief Officers, to permanent positions or interim positions of over three months, will be through the normal recruitment process overseen by the HR Committee.
- 5.3** An offer of employment as a chief officer ~~or deputy chief officer~~ shall only be made where no well-founded objection from any Member of the Executive has been received. Subject to Rule 5.5 below, in these Rules, chief officers are defined as:
- (a) the Chief Executive (as Head of Paid Service)
  - (b) the statutory Chief Officers, (including the Chief Financial Officer, Corporate Director, Children’s Services, Corporate Director, Adults’ Services, and the Monitoring Officer)
  - (c) the non-statutory chief officers which are:
    - (i) Officers for whom the Chief Executive is responsible (other directors);
    - (ii) Officers who report to or who are directly accountable to the Chief Executive by virtue of the nature of their duties; and
    - (iii) Officers who report to or who are directly accountable to the Council itself or any committee of the Council by virtue of the nature of their duties.
- 5.4** Subject to Rule 5.5 below, in these Rules, deputy chief officers are defined as officers in departments who, by virtue of the nature of their duties, either report to or are directly accountable to the statutory or non-statutory chief officer responsible for that department.
- 5.5** Rules 5.3 and 5.4 do not apply to:
- (a) officers whose duties are solely secretarial and clerical or are in the nature of support services; or
  - (b) Head Teacher and Deputy Head Teacher posts in schools with delegated budgets.
- 5.6** The procedure in this section for appointing chief officers and ~~deputy chief officers~~ shall only apply to the following post within the Law, Probity and Governance Directorate:

- Corporate Director of Law, Probity and Governance

**5.7** The appointment of a statutory chief officer may not occur unless the prior written agreement of the DCLG Commissioners has been obtained for such an action.

**5.8** Appointments to all other posts shall be the responsibility of the Head of the Paid Service or a person nominated by her/him.

## **6. PROCEDURE FOR THE APPOINTMENT OF CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS**

**6.1 Appointments Sub-Committee Membership.** The Chief Executive, will set up an Appointments Sub Committee upon criteria approved by the General Purposes Committee comprising relevant Members to make appointments to chief officer ~~and deputy chief officer~~ posts.

**6.2 Appointment Process.** The following process will apply after an Appointments Sub Committee has interviewed all shortlisted candidates:

- (a) If the Sub Committee agree on a candidate suitable for the post, they will indicate their 'provisional intention to make an offer' to the Chief Executive.
- (b) The Sub Committee will inform the Chief Executive of the name of the candidate to whom they wish to make an offer together with any other particulars which the Sub Committee considers relevant in making the appointment.
- (c) The Chief Executive will notify the Mayor and each other Member of the Executive within twenty-four (24) hours of:
  - (i) The name of the person the Sub-Committee wish to make an offer to.
  - (ii) Any other particulars relevant to the appointment notified by the Sub-Committee.
  - (iii) The period within which any objection to the making of the offer is to be made by the Mayor on behalf of the Executive to the Chief Executive.
  - (iv) The period of objection will normally be two (2) working days. If the period of objection is to be shortened, then notification will be by telephone and e-mail.
  - (v) If:
    - (1) The Mayor, within the period of objection, notifies the Sub-Committee that neither s/he or any other Member of the Executive has any objection to the making of the offer; or
    - (2) The Chief Executive notifies the Sub-Committee that no objection has been received by him/her within the objection period from the Mayor,


the 'provisional intention to make an offer' will become a firm offer and the offer of appointment may be made without the need for the Sub-Committee to re-convene.

- (vi) If an objection is received within the objection period from the Mayor on behalf of the Executive, the Sub-Committee will reconvene to consider the objection. If the Sub-Committee is satisfied that any objection received from the Mayor is not material or is not well founded, they may confirm their decision and a formal offer will be made.

## **7. OTHER APPOINTMENTS**

- 7.1** Officers below ~~Deputy~~ Chief Officer. Appointment of officers below ~~deputy~~ chief officer (other than any assistants to the political groups and any Mayor's assistant as defined at (e) and (f) respectively of Rule 1.2 above) is the responsibility of the Head of Paid Service or her/his nominee, and may not be made by the Mayor or Councillors.
- 7.2** Assistants to Political Groups. Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- 7.3** Mayor's Assistant. Appointment of a Mayor's Assistant shall be made in accordance with the wishes of the Mayor.

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<p>Non-Executive Report of the:</p> <p><b>General Purposes Committee</b></p> <p>14 September 2016</p>	
<p><b>Report of:</b> Zena Cooke, Corporate Director Resources</p>	<p><b>Classification:</b> [Unrestricted]</p>
<p><b>Workforce Diversity</b></p>	

<b>Originating Officer(s)</b>	Stuart Young, Interim HR, OD and Transformation Manager
<b>Wards affected</b>	All

## Summary

The Workforce Strategy, agreed by CMT March 2016 and presented to HR Committee for information on 15<sup>th</sup> April 2016, contains the following strategic aim:

- We will promote and celebrate the equality and diversity of our workforce, ensuring we are recognised internally and externally as a diversity friendly employer.

The annual equalities report is used to analyse and monitor the council's workforce against each of the protected characteristics, as defined by the Equalities Act (2010). This report provides a summary of the findings of the 2015/16 equalities report and key actions that have been identified to further promote the diversity of the workforce.

## Recommendations:

General Purposes Committee is recommended to:

1. Note the summary of the annual equalities report on workforce diversity and the programmed development activities to promote diversity, increase opportunity, raise awareness and provide support to all employees in the council.

## **1. REASONS FOR THE DECISIONS**

1.1 This is an information report. No decision is required.

## **2. ALTERNATIVE OPTIONS**

2.1 This is an information report. No alternative options are presented.

## **3. DETAILS OF REPORT**

3.1 Under the Public Sector Equality Duty, the council is required to consider all individuals when carrying out its day to day work in shaping policy, in delivering services and in relation to its own employees. It is required to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out its activities.

3.2 The Equalities Act (2010) introduced nine protected characteristics for which the council must show due regard. These protected characteristics are: age; disability; sex; gender reassignment; pregnancy and maternity; race; sexual orientation; religion or belief; and marriage and civil partnership.

3.3 The council's commitment to equalities is an important cross-cutting theme that runs through all strategies and is integral to everything that we do. The Single Equality Framework stands alongside the Strategic Plan as the council's corporate strategy for understanding diversity, tackling inequality and promoting cohesion.

3.4 In March 2016 the Corporate Management Team agreed the council's Workforce Strategy for 2016 – 2021. The strategy was presented to HR Committee for information in April 2016.

3.5 The Workforce Strategy replaces all other strategies concerning the workforce. Thus, the strategic aims and objectives of the previous Workforce to Reflect the Community strategy, the People Strategy (and associated frameworks, such as staff engagement) and the Learning and Development strategy were reviewed, updated and combined within the Workforce Strategy.

3.6 The Workforce Strategy provides the following statement in relation to workforce diversity:

“We continue to be recognised as a ‘positive about disability’ employer and are currently ranked as number 30 in the Stonewall Index of the top 100 best employers for lesbian, gay, bisexual and trans staff. We have been accredited as Silver by Investors in People (IiP) and will be aiming to achieve Gold accreditation in our next assessment in 2017. When comparing our senior management teams to other London boroughs, we have the fourth highest proportion of our top earners that are disabled. We also have the third highest proportion of our top earners that are Black, Asian or minority ethnic (BAME). We recognise that to serve our community fully, we need to have a workforce

that broadly represents the diverse make-up of our borough. We review this every year in our workforce equalities report along with other measures to ensure we have a fair and equitable workplace and that we are meeting our equalities obligations as a public body.”

- 3.7 The workforce equalities report for 2015/16 has been produced. A summary of the key findings for workforce overview and by salary level is detailed below. The report uses 31<sup>st</sup> March 2016 data where a snapshot of annual performance was required. Figures quoted in the report exclude schools staff and agency workers and include zero hour/casual and hourly paid workers.
- 3.8 The council recently introduced monitoring of transsexual staff and has drafted a gender-variant, transsexual and transgender policy. As yet, too few council employees have identified themselves as transgender or undergoing gender reassignment to undertake analysis of this protected characteristic within the equalities report.

#### **4 COUNCIL WORKFORCE DIVERSITY SUMMARY**

- 4.1 The workforce continues to contract, both in terms of headcount and full-time-equivalents, with a decrease from over 4,500 (FTE) to c. 3,750 between 2011 and 2016. This process is likely to continue for the foreseeable future. This means that changes in the make-up of the workforce in terms of ethnicity, sexuality etc. will be more difficult to achieve, given the reduced number of new recruits to the council. However, small changes in the make-up of the workforce will, as the number of employees falls, have greater impact.
- 4.2 The gender ratio of council staff, whilst heavily biased to women, is not appreciably different to that of comparable councils. This is due to a high number of posts offered as part time and term time opportunities, which follows the national trend of higher levels of females with caring responsibilities.
- 4.3 The age profile of staff is biased towards younger people, when compared with the median age profile of London councils. This reflects the age profile of the Tower Hamlets population, which is significantly younger than that of other London boroughs.
- 4.4 A quarter of staff have not supplied information on their sexuality. 3.3% of staff (4.3% of those who identified their sexuality) declared that they were gay, lesbian or bisexual. Employees identifying themselves to be gender variant, transsexual or transgender are sufficiently few as to make analysis impossible. No information is available from either Tower Hamlets or London councils to act as a comparator.
- 4.5 The percentage of BME (Black and minority ethnic) employees is the third highest in London, and at over 55% is slightly higher than the percentage of BME people in Tower Hamlets.

- 4.6 With regard to religion, the make-up of the council broadly reflects that of the local population, though the proportion of Muslims (34.5%) to Christians (27.1%) in the population is reversed (27% - 32%) in the workforce. The increase in the number of Muslims in the workforce reflects a reduction in both white employees and white residents of the borough over time.
- 4.7 The percentage of employees identified as having a disability, 4.9%, is higher than the percentage of people of working age in the borough (4.1%). This is reflected in London-wide information, where Tower Hamlets had a significantly higher number of disabled employees than the London-wide median.

### **Workforce by Salary Level**

- 4.8 Women make up 64% of the workforce, and should, therefore occupy 64% of posts at all salary levels. In fact, women are hugely over-represented in the lowest (<£20,000) salary band, reflecting that a number of posts at this level are part-time and/or term-time only, which follows the national trend of higher level of females with caring responsibilities. In posts attracting salaries of between £20,000 and £70,000, female representation is slightly below the 64% that would be expected, though with a descending trend. Above this level men predominate, with 57% being male and 43% female.
- 4.9 Older staff are increasingly prevalent as salary levels rise, with younger employees concentrated at lower salary levels. Whilst there is a clear disparity, given the career arcs of the vast majority of working people, this is neither unexpected nor an issue that requires attention.
- 4.10 Bangladeshi staff are over-represented at the £20,000-£30,000 salary band and under-represented at higher salary level, whilst Black staff are similarly over-represented at the <£20,000 salary level. It is notable that the Bangladeshi age profile is significantly younger than the overall profile of staff, a disparity that is even more pronounced when Bangladeshis are compared to White employees. It may be that at least some of the under-representation at higher salary levels is better explained by age than by ethnicity.
- 4.11 There is a significant proportion of the workforce (25%) whose sexual orientation is 'not stated'. This does not vary hugely at different salary levels, though is significantly higher for zero hours workers.
- 4.12 Given the relatively small numbers of employees in each of the salary bands, it is difficult to come to any overarching conclusions regarding the representation of LGBT staff at various salary levels. However the salary levels of gay men, lesbians and bisexual people are not so far from the expected distribution to cause major concerns.
- 4.13 Disabled staff are under-represented at the lowest 2 salary bands and over-represented in every salary band in the 30k – 70k range and again at the highest (£100,000+) band. The council, like all employers, could always do more, but this distribution would suggest that the council's long-term equalities policies towards people with disabilities are broadly successful.



- 4.14 Muslims are under-represented at all salary levels above £30,000, while Christians broadly conform to the expected distribution (though less so in the lowest salary band). Of all religion/belief systems, those employees with no religion perform best at the most senior levels within the council, representing 31% of staff at the £60k+ level, despite forming only 14% of council staff overall.

## **5. WORKFORCE DEVELOPMENT ACTIVITIES**

- 5.1 The above summary highlights that, in general, the council's recruitment practice is broadly reflective of the community make-up. However, these new starters tend to be younger and therefore lack the experience and/or qualifications to work at senior levels; making it more important to provide an effective and appropriate development offer to council employees.
- 5.2 A review of corporate learning and development, including leadership development, is currently underway. The aim of the review is to identify the skills and attributes that all employees, at all levels, will require to deliver council services in the future. Leadership and management development is key and a programme of training, mentoring, network events and partnership working is planned to enable employees to share learning and best practice. A report will be presented to the Corporate Management Team (CMT) in September 2016 to provide an overview of the programme and a plan detailing short, medium and long term actions. Once approved a learning and development strategy will be developed and launched with staff.
- 5.3 The annual submission for the Stonewall Index is currently being completed. This provides the evidence from which Stonewall determine the top 100 LGBT friendly employers. The council is aiming to maintain or improve on the current place of 30<sup>th</sup> in the list. Activities undertaken this year include raising visibility of LGBT issues by providing rainbow lanyards to staff and flying the rainbow flag during the Pride Festival; the provision of training on a range of equality and diversity issues for Your Voice Ambassadors; continued provision of learning and development opportunities relating to LGBT awareness for staff and managers; and work with the LGBT staff forum on initiatives and events, including a number linked to the International Day Against Homophobia, Transphobia and Biphobia (IDAHOT) and Pride.
- 5.4 There is also work being undertaken by the Employers Network for Equality and Inclusion (ENEI), funded by the Local Government Association (LGA), for which Tower Hamlets will be one of three pilot authorities. This work will look at more inclusive recruitment practices that break down barriers, e.g. for disabled staff, and also production of a business case as to the benefits of carrying out equality and diversity work, including the return on investment it produces.
- 5.5 An action for next year under the Workforce Strategy is to sign up to the London Healthy Workplace Charter, which provides a framework for action to help employers build good practice in health and wellbeing and work in their

organisation. The framework reflects best practice and is endorsed nationally by Public Health England. Work is currently being undertaken to produce a submission for the entry 'commitment level' before going for the intermediate 'achievement' level next year. This includes work around:

- Corporate support for wellbeing
- Attendance management
- Health and safety requirements
- Mental health and wellbeing
- Tobacco
- Physical activity
- Healthy eating
- Problematic use of alcohol and other substances.

5.6 The council achieved 'highly commended' in this year's Municipal Journal Awards, under the category of Disability Confident, for the work it has done to reduce stigma and promote confidence around disability. This included work done in relation to learning difficulties, mental health, hidden disability and physical disability, in relation to both staff and residents.

5.7 A Time to Change Employers Forum was established at the beginning of 2016, which includes as members:- Clinical Commissioning Group; Gateway Housing; Mind; Barts Health; Queen Mary University Student Union; Canary Wharf Group; Metropolitan Police; East London Foundation Trust; THCVS, as well as the council. The aim is to reduce stigma and discrimination around mental health and this will be achieved through the following 3 work streams: -

1. Develop a business case for different organisations in Tower Hamlets, outlining the approach and return on investment
2. Make best use of resources and best practice based on case studies that can be shared with local employers
3. Develop a communications strategy and joint promotion campaign to share what we are doing with local employers.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 This report is for information only; there are no financial implications arising from this report.

## **7. LEGAL COMMENTS**

7.1 This is a noting report in respect of the annual equalities report summary and the programmed equality activities. The report has reference to the public sector equality duty which is set out in the body of the report.

7.2 The council's Workforce Strategy identifies a number of protected characteristics (as defined by the Equality Act) against which employment targets are measured. Where the Strategy provides for developmental activities to improve the representation of certain groups with protected characteristics, the council will also need to review this going forward to

ensure that it remains necessary to take action to improve the workforce balance once identified equality imbalance has been dealt with.

- 7.3 The council must take care to ensure that policies and initiatives are implemented in a manner that remains within the permissible range of positive action under the Equality Act 2010 and not to interpret policies and guidance in such a way as to disadvantage those persons whom are not part of those initiatives and who do not share the targeted protected characteristic.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 The public sector equality duty is embedded in all areas of the council's work and ensuring that the council attracts and develops a diverse range of employees is crucial to providing excellent services to the community.

## **9. BEST VALUE (BV) IMPLICATIONS**

- 9.1 The council has a duty to promote equality and diversity. The annual equalities report monitors the impact of the council's approach across each of the protected characteristics. Where areas of inequality are identified through the annual report an action plan is developed to mitigate these concerns.

## **10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1 There are no implications.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 There are no direct risk management implications arising from this report.

## **12. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1 There are no implications.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE.

#### **Appendices**

- NONE

#### **Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report**

- NONE.

#### **Officer contact details for documents:**

- Stuart Young, Interim HR, OD and Transformation Manager, 020 7364 4922

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<p>Non-Executive Report of the:</p> <p><b>General Purposes Committee</b></p> <p>14 September 2016</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Debbie Jones, Corporate Director (Children's Services)</p>	<p><b>Classification:</b> [Unrestricted]</p>
<p><b>Local Authority Governor Applications</b></p>	

<b>Originating Officer</b>	Runa Basit
<b>Wards affected</b>	All

### Summary

This report sets out for Members details of applicants who have applied to be nominated as the local authority governor at Tower Hamlets maintained schools.

### Recommendation:

The General Purposes Committee is recommended to:

1. Consider the applications and agree to nominate the applicants to the positions that are available for local authority governors at maintained schools in Tower Hamlets.

## **1. LOCAL AUTHORITY GOVERNOR NOMINATIONS AND APPOINTMENTS**

- 1.1 The General Purposes Committee is responsible for the nomination and revocation of local authority school governors.
- 1.2 The School Governance (Constitution) (England) Regulations 2012 set out the process for the appointment of local authority governors to maintained schools. The Regulations allow for the local authority to nominate a person to fill the position of local authority governor. It is for the governing body to appoint that person if the governing body considers the person meets any eligibility criteria that it has set.
- 1.3 Applications to be nominated as the local authority governor to five schools are attached as Appendices to this report in the restricted area of the agenda.

## **2. APPLICATIONS**

### **Application for re-appointment**

- 2.1 Leonie Fleming has completed one term of office (four years) and has applied to continue serving as the LA Governor at Shapla School. The Governing Body, and the Headteacher recommend that Leonie Fleming is nominated for appointment as the LA Governor as during her term of office Ms Fleming has contributed greatly to a number of important issues within the school. Ms Fleming's application is provided at **Appendix 1**.
- 2.2 Michael Coleman is the Chair of Governors at Hague Primary School and has served one four year term of office as the Local Authority Governor. Mr Coleman wishes to re-apply for a further term and this is fully supported by the Governing Body and the Headteacher. Mr Coleman has chaired the Finance and Resources Committee in the past and continues to sit on this Committee; he is also a Link Governor for Year One. Mr Coleman has attended 21 out of the 25 Committee and Governing Body meetings since 2014 and his attendance continues to be consistent. The Headteacher commented that Mr Coleman is an active Governor and is committed to ensuring that children at Hague are able to achieve well and make great progress. The Governing Body wishes to retain Mr Coleman's particular expertise in school premises management and finance, especially as the school has a number new governor and is due for an OFSTED inspection. Mr Coleman's application is provided at **Appendix 2**.
- 2.3 Oliver Rice has completed one four year term of office and has applied to continue serving as the LA Governor at Children's House Nursery. The Governing Body recommends that Mr Rice is nominated for re-appointment as the LA Governor as he has contributed greatly to the school. Mr Rice's application is provided at **Appendix 3**.
- 2.4 Sirajrul Islam has completed his most recent four year term of office and has applied to continue serving as the LA Governor at John Scurr. Mr Islam has served as a governor for over 15 years. Mr Islam is a local resident and has

worked in various roles in Public Service. Mr Islam has significantly contributed to the governing body and has held the senior leadership to account. Mr Islam is a Councillor and is currently the Deputy Mayor for Tower Hamlets. The Governing Body recommends that Mr Islam is nominated for re-appointment as the LA Governor. Mr Islam's application is provided at **Appendix 4**.

### **New applications**

- 2.5 Mr Mark Butcher is applying for the LA Governor vacancy at Cubitt Town Junior school. Mr Butcher has visited the school and met with the Chair and Headteacher. Both the Chair and Headteacher welcomed the application and commented that Mr Butcher's knowledge of Maths and analysis of school performance data, as well as knowing the national expectations, would be helpful in order to hold the senior leaders to account with his knowledge. Mr Butcher's application is provided at **Appendix 5**.
- 2.6 Rebecca Harvey is applying for the LA Governor vacancy at Olga Primary School. Ms Harvey is passionate about education and wants to be involved in supporting the local community. Ms Harvey has experience in project management, quality management and carried out education based research. Ms Harvey also has previous experience of OFSTED inspection and recruiting a Headteacher whilst she was a Chair of Governors at a primary school in Islington. The Chair of Governors at Cubitt Town Juniors has commented that Ms Harvey is a parent at the school and knows the school well. The Chair would like her to join the Governing Body as she is keen to contribute to the work of Governors and has previous experience as a governor. Ms Harvey lives within close proximity to the school and would be able to attend meetings at short notice. Her application is at **Appendix 6**.
- 2.7 Dr Larissa Moniz is applying for the LA Governor vacancy at Redlands School. Dr Moniz has spent much of her career as a research scientist. Dr Moniz has experience of data analysis and research skills. Dr Moniz has strength for communicating complex information in a clear and engaging manner. Dr Moniz has also previously mentored numerous undergraduates and graduate students. The Headteacher and Chair of governors are in support of the application and wish for Dr Moniz to join the governing body. Her application is at **Appendix 7**.

### **3. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 3.1 There are no financial implications arising from the recommendations in this report.

### **4. LEGAL COMMENTS**

- 4.1 Section 19 of the Education Act 2002 requires each maintained school to have a governing body, which is a body corporate constituted in accordance

with the Regulations. Each maintained school is required to have an instrument of government, which specifies the membership of the governing body. Regulations require a governing body to include person appointed as a local authority governor and for a number of associated matters.

4.2 The School Governance (Constitution) (England) Regulations 2012 detail the composition of the governing body and the appointment of governors, including local authority governors. The 2012 Regulations provide that there can be only one local authority nominated governor. A local authority governor is a person who is nominated by the local authority and is appointed by the governing body after being satisfied that the person meets any eligibility criteria set by the governing body. It is for the governing body to decide whether the Local Authority nominee has the skills to contribute to the effective governance and success of the school and meets any eligibility criteria they have set. If the governing body has set eligibility criteria, then these should be notified at the meeting, so the Committee can consider them before making a nomination.

4.3 Schedule 4 to the 2012 Regulations set out the circumstances in which a person is qualified or disqualified from holding or continuing in office as a governor, details of which are as follows –

- A person who is a registered pupil at a school is disqualified from holding office as a governor of the school.
- A person must be aged 18 or over at the date of appointment to be qualified to be a governor.
- A person cannot hold more than one governor post at the same school at the same time.
- A governor who fails to attend meetings for six months without the consent of the governing body becomes disqualified from continuing to hold office, and cannot be reappointed for 12 months from the date they are disqualified.
- A person is disqualified from holding or continuing in office if: (1) his or her estate is sequestered (under bankruptcy) or the person is subject to a bankruptcy restrictions order or an interim order; (2) he or she is, broadly speaking, disqualified from being a company director; (3) he or she has been removed from office as trustee of a charity; (4) he or she has a criminal conviction of a specified kind within a specified time period; (5) he or she is subject to a specified prohibition or restriction on employment, such as being barred from 'regulated activity' relating to children under the Safeguarding Vulnerable Groups Act 2006; or (6) he or she refuses to apply for a criminal records certificate when requested to do so by the clerk to the governing body.
- A person is disqualified from appointment as a local authority governor if he or she is eligible to be a staff governor.

4.4 Once appointed, a governor will hold office for a fixed period of four years from the date of appointment, except in a limited number of circumstances. This does not prevent a governor from being elected for a further term. A



governor may resign, be removed or be disqualified from holding office in the circumstances specified in the relevant Regulations.

- 4.5 In determining whether to appoint an authority governor, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The Committee will wish to be satisfied that the process of selection is fair, open and consistent with furtherance of these equality objectives.
- 4.6 The Council's Constitution gives the General Purposes Committee responsibility for appointment of local authority school governors.

## **5. ONE TOWER HAMLETS CONSIDERATIONS**

- 5.1 Local Authority Governors are drawn from all sectors of the community. There is a mechanism in place to ensure, as far as possible, that the composition of governing bodies reflects the makeup of the school and wider community.

## **6. BEST VALUE (BV) IMPLICATIONS**

- 6.1 There are no best value implications arising from the report.

## **7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 7.1 There are no SAGE implications in the report.

## **8. RISK MANAGEMENT IMPLICATIONS**

- 8.1 Governors have a crucial strategic role in promoting school improvement and supporting Headteachers and staff in their work. Their statutory responsibilities and duties require a range of skills. There is a risk that the local authority will not be able to meet governing body requirements for particular skills. The LA engages in a number of activities to ensure a range of applications from the community and local business.

## **9. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 9.1 The proposals in the report do not have an impact in relation to the reduction of crime and disorder.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE.

### **Appendices**

- Appendices 1 –7 [EXEMPT]. LA Governor Application Forms
- NONE.

### **Local Government Act, 1972 Section 100D (As amended) List of “Background Papers” used in the preparation of this report**

- NONE

### **Officer contact details for documents:**

- Runa Basit

# Agenda Item 5

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