



Meeting of the

# Tower Hamlets Council

## Agenda

**Wednesday, 18 November 2020 at 7.00 p.m.**

### **VENUE**

Online 'Virtual' Meeting - <https://towerhamlets.publici.tv/core/portal/home>

### **Democratic Services Contact:**

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Directorate of Governance

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**To the Mayor and Councillors of the London Borough of Tower Hamlets**

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **ONLINE 'VIRTUAL' MEETING -**  
**[HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home) at 7.00 p.m. on**  
**WEDNESDAY, 18 NOVEMBER 2020**

Will Tuckley  
Chief Executive



## Public Information

### Viewing Council Meetings

Except where any exempt/restricted documents are being discussed, the public are welcome to view this meeting through the Council's webcast system.

Physical Attendance at the Town Hall is not possible at this time.

### Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

### Electronic agendas reports and minutes.

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To access this, click [www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee) and search for the relevant committee and meeting date.

Agendas are available on the Modern.Gov, Windows, iPad and Android apps.



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smart phone  
users

## Public Information – ‘Accessing and Participating in Remote’ Meetings

In line with recent Government legislation, the Council meeting will be held as a ‘remote meeting’ through the Microsoft Teams app and broadcast live on the Council’s website. This guidance provides details about how the meeting will work. The meeting will follow as far as possible the standard procedures for Council meeting except where they conflict with the Council Procedure Rules – Virtual Meeting Addendum’ Full Council is made up of the Mayor and the 45 Councillors. The agenda typically comprises:

- Apologies for absence from Members
- Declarations of Interests.
- Minutes of the previous meeting.
- Announcements from the Speaker or the Chief Executive of the Council.
- Petitions.
- Mayor’s report followed by Opposition Leader’s response.
- Administration and opposition debates
- Reports requiring Council approval
- Member Questions (30 minutes)
- Motions from Members received on notice.
- Any Urgent motions from Members. The same rules of debate that apply to motions with notice apply to these motions.

The process for considering these items is set out on the covering reports for the agenda item.

### How can I watch the meeting?

Except when an exempt item is under discussion, the meeting will be broadcast live for public viewing via our Webcasting portal <https://towerhamlets.public-tv/core/portal/home>. Details of the broadcasting arrangements will be published on the agenda front sheet. The meeting will also be available for viewing after the meeting. Physical Attendance at the Town Hall is not possible at this time.

If during the meeting a technical error occurs with the live webcast stream which cannot be resolved within a reasonable period of time, then the meeting will be closed and the remaining business will be deferred to a subsequent meeting of the Council on a date to be determined, and notified through the publication of the agenda on the Council’s web site.

### Publication of Agenda papers and meeting start time.

Electronic copies of the Council agenda will be published on the Council’s Website on the relevant Committee pages at least five clear working days before the meeting. In the event of a technical difficulty, the meeting arrangements may need to be altered at short notice (such as a delay in the start time). Where possible any changes will be publicised on the website.

To view meeting papers and to be alerted when agendas have been published visit:

[www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee)

Council documents are also available on ‘Mod.Gov’ iPad, Android and Windows tablet apps downloadable for free from their respective app stores.



### **Publication of tabled papers**

Any additional documents (such as the Mayor's report, amendments to motions and urgent motions) will normally be **published on the Council meeting website** either shortly before or during the meeting.

### **Procedure at the virtual meetings.**

The Speaker of the Council is the Chair of the meeting and is in charge of the debate. Their role is to control the meeting, including the order of speakers, and to ensure that the business is carried out properly. The Speaker will confirm the expected meeting etiquette for a virtual Council meeting, including the following:

- That participants may speak at the invitation of the Speaker.
- All participants microphones must be **muted** when not speaking.
- Where necessary, participants may switch off their cameras when not speaking to save bandwidth.
- Participants **must alert** the Democratic Services contact if they experience technical difficulties, particularly a loss of connection, or if they need to leave the meeting, as soon as possible.

### **Order of business**

The Speaker may agree to change the order of business at the meeting. In addition, the Speaker may adjourn the meeting for a period of time or agree an extension to the time limit for the meeting (by up to half hour beyond the three-hour limit).

### **Voting**

The items requiring a decision will normally be determined by the Speaker confirming that Members agree with the recommendation. Where necessary, the Speaker may conduct a roll call vote. Democratic Services will read out the name of each Councillor present and will ask them to confirm whether they are in favour, against or wish to abstain.

### **Decisions and Minutes**

The decisions will be published on the website 2 days after the meeting. The draft minutes will be published around 10 working days after the meeting.



# London Borough of Tower Hamlets

## Council

Wednesday, 18 November 2020

7.00 p.m.

PAGE  
NUMBER

**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

9 - 10

Members are reminded to consider the categories of interest, identified in the Code of Conduct for Members to determine; whether they have an interest in any agenda item and any action they should take. For further details, see the attached note from the Monitoring Officer.

Members are also reminded to declare the nature of the interest at the earliest opportunity and the agenda item it relates to. Please note that ultimately it is the Members' responsibility to identify any interests and also update their register of interests form as required by the Code.

If in doubt as to the nature of an interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services.

**3. MINUTES**

11 - 34

To confirm as a correct record of the proceedings the unrestricted minutes of the Annual General Meeting of the Council held on 30<sup>th</sup> September 2020

**4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE CHIEF EXECUTIVE**

**5. TO RECEIVE PETITIONS**

35 - 40

The Council Procedure Rules provide for a maximum of four petitions to be discussed at an Ordinary Meeting of the Council.

The attached report presents the received petitions to be discussed. Should any additional petitions be received they will be listed to be noted but not discussed.



## **6. MAYOR'S REPORT**

The Council's Constitution provides for the Elected Mayor to give a report at each Ordinary Council Meeting.

A maximum of six minutes is allowed for the Elected Mayor's report, following which the Speaker of the Council will invite the leader of the opposition group to respond for up to two minutes should he so wish.

## **7. ADMINISTRATION MOTION DEBATE 41 - 44**

To debate a Motion submitted by the Administration in accordance with Rules 11 and 13 of the Council's Constitution. The debate will last for a maximum of 30 minutes.

## **8. OPPOSITION MOTION DEBATE 45 - 48**

To debate a Motion submitted by the Opposition Group in accordance with Rules 11 and 13 of the Council's Constitution. The debate will last for a maximum of 30 minutes.

## **9. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**

### **9.1 Annual Report of the Standards Advisory Committee 2019-20 49 - 88**

To consider the Annual Report of the Standards Advisory Committee.

### **9.2 Annual Report of the Audit Committee 2019-20 89 - 104**

To consider the Annual Report of the Audit Committee.

### **9.3 Annual Report of the Overview and Scrutiny Committee 2019-20 105 - 134**

To consider the Annual Report of the Overview and Scrutiny Committee.

## **10. OTHER BUSINESS**

### **10.1 Governance Model Referendum 135 - 148**

To consider the report of the Corporate Director, Governance and Monitoring Officer on a number of options relating to the Council's Governance Arrangements. This includes options to hold a referendum on the Council's Governance Model.



**11. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL** 149 - 152

The questions which have been received from Councillors to be put at this Council meeting are set out in the attached report. A maximum period of 30 minutes is allocated to this agenda item.

**12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL** 153 - 162

The motions submitted by Councillors for debate at this meeting are set out in the attached report.





# Agenda Item 2

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

### **(i) Disclosable Pecuniary Interests (DPI)**

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

**DPI Dispensations and Sensitive Interests.** In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

### **(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)**

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

### **(iii) Declarations of Interests not included in the Register of Members' Interest.**

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

### **Guidance on Predetermination and Bias**

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

### **Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting**

In such circumstances the member may not vote on any reports and motions with respect to the matter.

**Further Advice** contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,  
Tel: 0207 364 4800.

## **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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either—  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (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.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE COUNCIL**

**HELD AT 7.15 P.M. ON WEDNESDAY, 30 SEPTEMBER 2020**

**ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)**

**Members Present:**

Mayor John Biggs	Councillor Rabina Khan
Councillor Faroque Ahmed	Councillor Tarik Khan
Councillor Rajib Ahmed	Councillor James King
Councillor Sabina Akhtar	Councillor Eve McQuillan
Councillor Sufia Alam	Councillor Ayas Miah
Councillor Amina Ali	Councillor Harun Miah
Councillor Shah Ameen	Councillor Puru Miah
Councillor Asma Begum	Councillor Abdul Mukit MBE
Councillor Rachel Blake	Councillor Victoria Obaze
Councillor Kevin Brady	Councillor Mohammed Pappu
Councillor Mufeedah Bustin	Councillor Kyrsten Perry
Councillor Kahar Chowdhury	Councillor John Pierce
Councillor Shad Chowdhury	Councillor Leema Qureshi
Councillor Dipa Das	Councillor Zenith Rahman
Councillor David Edgar	Councillor Candida Ronald
Councillor Marc Francis	Councillor Dan Tomlinson
Councillor Peter Golds	Councillor Helal Uddin
Councillor Ehtasham Haque	Councillor Abdal Ullah
Councillor Danny Hassell	Councillor Motin Uz-Zaman
Councillor Mohammed Ahbab Hossain	Councillor Val Whitehead
Councillor Asma Islam	Councillor Bex White
Councillor Denise Jones	Councillor Andrew Wood

**The Speaker of the Council, Councillor Victoria Obaze in the Chair**

The Speaker of the Council opened the meeting by saying a few words about the impact of the Covid – 19 pandemic on the Borough. She wished to pay tribute to all those who have worked tirelessly to support key services to residents during this pandemic. The Speaker also expressed condolences to all those, including council staff, who have lost their lives through the horrible illness. The Council's thoughts and prayers were with their families at this difficult time.

The Council then observed a minutes silence to remember those affected

## 1. ELECTION OF SPEAKER

The Speaker of the Council, Councillor Victoria Obaze addressed the meeting about her year of office. She thanked Mayor John Biggs and Councillors for giving her the opportunity of being elected as the first black, female First Citizen of this borough.

She advised, that she had the honour of attending and supporting a range of events and activities promoting the Borough and bringing her own cultural heritage to her work. Examples included: a fundraising event for Black History Month, and participating in the Black Lives Matters campaign in the Borough. As a strong supporter of women's rights, she had also held an event for International Women's Day.

Other highlights included:

- Numerous awards ceremonies and celebrations showcasing the achievements and talent in the borough. They included events at the London Muslim Centre, the Chinese School, as well as music from the Tower Hamlets Arts and Music Education Service.
- Accompanying his Royal Highness, Esu Bwari to visit the Federal Capital Territory of Abuja in Nigeria. During the visit, she met a number of local dignitaries to discuss Tower Hamlets.
- A range of celebration events.
- Navy and Cadet events.
- Commemorative events including the Remembrance Day at Tower Hill and Martyr's Day at Altab Ali Park.
- Participating in National Democracy Week and chairing the Youth Council, providing great opportunities to promote involvement in the democratic process.

She was pleased to say that she held a very successful Charity Ball in December, including performances from the Sir John Cass and Redcoat School Steel Orchestra. She gave a special thankyou to all of the people and organisations who supported the fundraising events especially the sponsors for each.

Despite not being able to carry out all the planned fundraising, she still hoped to be able to make generous donations to her chosen charities. There were:

- the Alzheimer's Society Dementia Project
- Providence Row
- the Bangladeshi Parents and Carers Association.

She stated that had enjoyed every bit of her time in office and thanked the Council again for the opportunity.

Following the Speaker's address, Mayor John Biggs addressed the meeting. He thanked Councillor Victoria Obaze for her service, as Speaker of the Council over the year. It had been a great privilege to work with Councillor Obaze. She had served the Council with dignity and symbolises the Council's diversity. He also praised her honesty, her humility and her

community work. Councillor Peter Golds (Leader of the Conservative Group) echoed these sentiments, particularly welcoming the personal qualities that she brought to the role.

The following Councillors also paid tribute to Councillor Victoria Obaze, reflecting on her year in office:

- Councillor Sabina Akhtar
- Councillor Rabina Khan
- Councillor Asma Islam
- Councillor Rachel Blake
- Councillor Kahar Chowdhury
- Councillor Abdul Ullah

Referring to her appointment as the first black female Speaker, they considered that she had been an inspiration to many and a great role model. The Councillors also praised her humanity and compassion and that she had provided leadership, especially during this difficult time. She had brought people together and had worked hard to promote equalities and to help vulnerable people. They particularly valued the Speaker's role in supporting the Black Lives Matters movement, and for acting as a great advocate for women. Members also praised Councillor Obaze's approach to presiding over Full Council meetings in a fair and impartial way. She had also been an excellent ambassador for the Borough and her ward and had made residents proud.

She had been an outstanding speaker of the Council.

The Speaker then called for nominations to serve as Speaker of the Council for the coming year.

It was moved by Mayor John Biggs, and seconded by Councillor Asma Islam, and unanimously:

### **RESOLVED**

1. That Councillor Mohammed Ahab Hossain, be elected to serve as Speaker of the London Borough of Tower Hamlets Council until the Annual Council Meeting in May 2021.

The Mayor John Biggs and Councillor Asma Islam stated that they were delighted to support Councillor's Mohammed Ahab Hossain nomination as Speaker. The Mayor stated that Councillor Hossain was a strong advocate of community causes and he was proud of Councillor Hossain's achievements. He would make an excellent Speaker of the Council. Councillor Asma Islam echoed these points,

The Speaker advised that due to the pandemic and social distancing restrictions, the full ceremony would take place at a later date subject to any restrictions.

A short video played demonstrating the handover.

**The Speaker of the Council, Councillor Mohammed Ahab Hossain in the Chair**

The incoming Speaker, Councillor Mohammed Ahab Hossain thanked the Mayor and the Council for electing him as Speaker. He also thanked Councillor Victoria Obaze for all the wonderful work she had carried out on behalf of the borough over the past 17 months. He stressed the importance of working together especially over these difficult times. He would continue to work hard to represent the Borough to ensure everyone's voice was heard and to promote achievement and the Council's values.

He advised that he intended to announce his charities in due course. As a keen supporter of cultural, sports and youth organisations, it was his intention to ensure his choice of charities reflected this.

He would be accompanied by his wife Rohima Begum and his consorts: good friends Mohammed Sunahar Ali and Abdul Latif.

**2. ELECTION OF DEPUTY SPEAKER**

The Speaker sought nominations to serve as Deputy Speaker of the Council for the forthcoming municipal year. It was moved by Mayor John Biggs, seconded by Councillor Dan Tomlinson, and:

**RESOLVED**

1. That Councillor Zenith Rahman be elected to serve as Deputy Speaker of the London Borough of Tower Hamlets Council until the Annual Council meeting in May 2021.

**3. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor Sirajul Islam
- Councillor Gabriella Salva-Macallan

Apologies for lateness were also received from Councillor Val Whitehead.

**4. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

There were no declarations of Disclosable Pecuniary Interests.

**5. MINUTES****RESOLVED:**

1. That the unrestricted minutes of the ordinary Council Meeting held on 11 March 2020 be confirmed as a correct record and the Speaker be authorised to sign them accordingly

**6. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE CHIEF EXECUTIVE**

The Chief Executive addressed the meeting. He thanked the outgoing Speaker, Councillor Victoria Obaze and congratulated the new Speaker Councillor Mohammed Ahbab Hossain.

He made a number of announcements regarding:

- The Council's response to dealing with the pandemic. He thanked staff and partners for their continued efforts in tackling Covid - 19, but recognised that there were challenges ahead.
- Congratulated Councillor Dan Tomlinson who had recently married.
- He welcomed to the Council, James Thomas, as the Corporate Director, Children and Culture.
- With great sadness, reported on the death of two longstanding Council employees: Mike Marcus (Social Care, Senior Information Governance Officer) and Jim Glover (Income Operational and Verification Team Manager). The Council expressed condolences to their families at this difficult time.
- Congratulated the Council's Planning Department on winning awards at the Royal Town Planning Institute.
- He provided details of the forthcoming LGA peer review in November, future Ofsted Visits and a Special Educational and Needs disabilities Inspection.
- He was pleased to highlight that the Council was in the running to receive a number of awards at the Municipal Journal and the Local Government Chronical Virtual Awards.

**7. MAYOR'S CABINET AND EXECUTIVE ARRANGEMENTS**

The Council considered the report of the Corporate Director, Governance setting out the Mayor's Cabinet appointments and other arrangements in respect of Executive Decision Making.

The recommendation was agreed.

**RESOLVED**

1. That the Mayor's Executive Decision Making scheme be noted.

**8. PROPORTIONALITY AND ALLOCATION OF PLACES ON COMMITTEES OF THE COUNCIL 2020/21**

The Council considered the report of the Corporate Director, Governance proposing the establishment of the Council's committees for 2020/21 and setting out the review of proportionality and the allocation of places on those Committees. An amendment was noted whereby the Overview and Scrutiny Committee should be listed with 9 Members with 8 for the Labour Group.

The recommendations were agreed.

**RESOLVED**

That the Council agree:

1. The review of proportionality as at Section 3 of the report and the allocation of seats on Committees and Panels for the Municipal Year 2020/21 as set out at paragraph 3.6 of the report.
2. To establish the Committees set out for the municipal year 2020/21, and for places to be allocated on those Committees, as set out at Paragraph 3.6 of the report.

**9. APPOINTMENTS TO COMMITTEES AND SUB-COMMITTEES OF THE COUNCIL**

The Council considered the report of the Corporate Director, Governance regarding the appointment of members to the Council's Committees, and Chairs where appropriate, (including those established under item 8 above). The list of nominations were circulated in a supplementary agenda.

Following the receipt of two nominations for the position of Chair of the Overview and Scrutiny Committee and Chair of the Audit Committee, the nominations were put to a recorded vote. For ease of reference, Members were asked to state their nominations for both positions at the same time.



Councillor James King was elected to the position of Chair of the Overview and Scrutiny Committee and Councillor Val Whitehead was elected to the position of Chair of the Audit Committee. (The results of the vote are set out at the end of these minutes).

The recommendations in the report were agreed.

**RESOLVED:**

The Council agree to:

1. Appoint members and substitute members to the committees and sub-committees of the Council and other bodies for the municipal year 2020/21 as set out in the list of nominations circulated in the supplementary agenda;
2. Appoint the Chairs of Committees for 2020/21 as set out in the list of nominations circulated in the supplementary agenda subject to the appointment of:
  - Councillor James King as Chair of the Overview and Scrutiny Committee
  - Councillor Val Whitehead as Chair of the Audit Committee
3. Agree that in relation to any unfilled places within the seats allocated to a particular political group, the Council note that the Corporate Director, Governance has delegated authority subsequently to agree the appointments to those places in accordance with nominations from the relevant political group.

**10. COMMITTEE CALENDAR 2020/21**

The Council considered the report of the Corporate Director, Governance setting out a revised calendar of meetings for the Council, Committees and other meetings for the municipal year 2020/21.

At the request of Members, the Speaker agreed to explore with Officers the possibility of adding an additional Council meeting to the calendar in view of the recent break in meetings due to the special circumstances the Council had been operating under.

The recommendations in the report were agreed.

**RESOLVED:**

That the Council:

1. Approve the proposed calendar of meetings for the municipal year 2020/21 as set out in Appendix A including amended standard start times where appropriate.

2. Delegate to the Corporate Director, Governance the authority to agree meeting dates for any new Committees or Panels that are set up subsequent to this report being presented to Council, subject to appropriate consultation with Members.
3. To note that the Constitution provides for the Monitoring Officer to agree to cancel, amend a meeting or arrange new meetings where required, subject to the requirements of the Council Procedure Rules.
4. To note that the Council procedure rules agreed in relation to the operation of 'virtual' or 'remote' committee meetings (Section 26A of the Constitution) allow for these meeting locations and arrangements, including start time, to be adjusted as required including after the agenda has been published.

## **11. USE OF SPECIAL URGENCY PROCEDURES**

The Council considered the report of the Corporate Director, Governance setting out when Special Urgency provisions have been applied to Executive Key Decisions.

The recommendation was agreed.

### **RESOLVED:**

1. That the report on the use of special urgency provisions in relation to Executive Key Decisions be noted

## **12. VIRTUAL COMMITTEE MEETING PROCEDURES**

The Council considered the report of the General Purposes Committee setting out proposed Virtual Meeting Procedures.

The recommendations were agreed

### **RESOLVED**

That the Council:

1. Endorse the Council's response to the requirement to hold Committee meetings 'virtually'.
2. Agree the proposed Virtual Meetings procedures set out at Appendix 1 to the report for inclusion in the Council's Constitution.

**13. TO RECEIVE PETITIONS****13.1 Petition regarding Locate and reinvest money from sale of estate land**

Mohammad Rakib addressed the meeting on behalf of the petitioners, and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition. He advised that he and colleagues had visited the estate and had met with the Tenants and Residents Association. He expressed a willingness to further engage with the Petitioners and the TRA to remedy the issues.

**RESOLVED:**

1. That the petition be referred to the Corporate Director, Place, for a written response within 28 days.

**13.2 Petition regarding provide all households in Tower Hamlets with food waste recycling service.**

Petition not presented due to the absence of the Petitioner

**RESOLVED:**

1. That the petition be referred to the Corporate Director, Place, for a written response within 28 days.

**13.3 Petition regarding Re – Open Old Ford Road.**

Petition not presented due to the absence of the Petitioner

**RESOLVED:**

1. That the petition be referred to the Corporate Director, Place, for a written response within 28 days

**13.4 Petition Debate - requesting that the Local Council stop using the blunt instrument of road closure to stop rat running through Tower Hamlets.**

Anne Ambrose and Carlton Boulter addressed the meeting on behalf of the petitioners and the Council then debated the matters raised by the petition.

Mayor John Biggs responded to the Petition. He advised that a detailed consultation exercise had been carried out and he was aware of the strength of feeling on the issues. He also noted the need to implement solutions that achieved the right balance between preventing rat running and allowing essential care use.

**RESOLVED:**

1. That the petition be referred to the Corporate Director, Place, for a written response within 28 days.

**13.5 Petition Debate – Parking change in mini zones from 1<sup>st</sup> September.**

Jakir Hussain addressed the meeting on behalf of the petitioners and the Council then debated the matters raised by the petition.

During the debate, Councillor Andrew Wood **moved** and Councillor Rabina Khan **seconded** a motion (as set out below).

Motion:

This Council notes:

That in late July (the date is uncertain) a change to the parking rules was noticed on the Council website. It was announced that the changes would go live on the 1st September. It was initially unclear what was changing but it generated a lot of comment on social media. At the time there was no opportunity for residents and Councillors to ask questions about this change not least what had prompted it.

The Mayor later confirmed that he had chosen not to consult on this change during questions at the last Ask the Mayor event. It had not gone through any of the normal channels e.g. Cabinet, Forward Plan, allowing for comments and scrutiny. The changes are now live but for the first month nobody will be fined under these new rules but we assume that this will change tomorrow morning.

It resulted in three separate petitions. In late July, a Change.org petition was created which has attracted over 6,099 signatures (as at 27th September) of which over 900 have been validated as being from Tower Hamlets residents (Change.org does not require you to input an address when completing their petitions but can be added when first signing up to Change.org).

Cllr Puru Miah and Cllr Andrew Wood submitted two separate petitions which were combined into one petition on the Council website. This received 2,121 signatures between 29th July and 9th September 2020.

Of note 27,294 parking permits have been issued by the Council across Tower Hamlets – that depending on the size of extended families that perhaps 50,000 to 100,000 residents maybe affected by this change (clearly more work needs to be done to verify these numbers) as many families are reliant on intergenerational support, in particular the elderly. The latest statistics published by the Ministry of Housing, Communities and Local Government in 2019 showed that Tower Hamlets remains the local authority with the highest levels of income deprivation in the over 60s.

But there are only 24,537 on street parking places, a gap of 2,757 spaces (in addition a number of other people, for example in car free homes, will be parking at night and at weekends).

That of 16 mini-zones, 12 have more permits than parking spaces, which means that cars have to be driven elsewhere during the daytime for this to work (which contradicts measure to reduce car use).

That in some areas like Shadwell & the north-west of the Borough the problem is particularly acute with many more permits than spaces.

This Council further notes:

That subsequently to the Council petition starting, that point 1 was delivered as the Council did write again to all permit holders with more information including a map of the mini-zones.

That a briefing note was supplied to Councillors on the 26th August, five days before go-live.

This Council resolves:

1. That this change to mini-zones be reversed.
2. That if the Mayor does continue with this policy that the changes to the proposed mini-zones be put on hold (by not issuing any fixed penalty notices) until:
  - a. The national coronavirus alert level has been lowered to 2 or 1 (it is currently 4)
  - b. An independent Equality Impact Assessment has been carried out with a particular focus on the socio-economic inequalities impact.
  - c. That we talk to and consult residents on how street parking in Tower Hamlets should work in total, rather than making isolated incremental changes, for example by consulting on:
    - i. The hours of operation in particular whether they should be extended
    - ii. The boundaries of parking zones given new residential areas
    - iii. This proposed change to restricting all day parking to mini-zones
    - iv. Whether parking permits should be issued based on need rather than address
    - v. How we encourage electric vehicle car charging
    - vi. Car club parking
    - vii. Taxi stands & where taxis and private hire vehicles can wait for trade
    - viii. Car-free development rules
    - ix. How to access underutilised private car parks next to roads packed with cars
    - x. How long temporary COVID parking permits should be made available for
    - xi. Whether HMO's should be car free or not?

3. That in future Tower Hamlets Council commits itself to consulting on all such changes in advance with a clear programme of communication and advance notification.
4. That such consultations follow the guidance from the Consultation Institute detailed in the "All Members Seminar: Engagement and consultation Executive Briefing for members on the 16th September 2020"
5. On a separate note this process has highlighted weaknesses in the Council petition system especially related to the spacing and formatting of text that makes them hard to read. This should be resolved.

Mayor John Biggs proposed to refer the motion to the Cabinet for discussion. With the consent of the proposer and the Council, this was **agreed**.

Mayor John Biggs then responded to the Petition. He stated that he fully recognised the concerns of residents and welcomed a debate on the issues. He considered that the Council operated a very flexible parking control scheme, however it was important to take further action to tackle the serious issues with congestion and car pollution.

In view of the issues raised, he advised that he was willing to hold any action in abeyance pending further considered of the issues at an upcoming Cabinet meeting.

**RESOLVED:**

1. That the petition be referred to the Corporate Director, Place, for a written response within 28 days.

**Procedure Motion**

Councillor Peter Golds **moved** and Councillor Rabina Khan and Mayor John Biggs **seconded**, a procedural motion "that Procedure Rule 13.1 be suspended to enable an urgent motion regarding the Chinese Embassy to be considered.

Having considered the motion and received advice from the Monitoring Officer, the Speaker ruled that he did not consider that this matter was urgent enough to accept for this meeting. Members were welcome to present this matter at the next meeting should they wish.

**14. MAYOR'S REPORT**

The Mayor presented his report to the Council. Following which:

Councillor Peter Golds, Leader of the Conservative Group, responded briefly to the Mayor's report.

The Mayor responded briefly

**15. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**

**15.1 The Annual Report of the Corporate Parenting Board**

The Council considered the report of the Corporate Parenting Board.

**RESOLVED**

That the Council:

- 1 Note the contents of the Corporate Parenting Board Annual Report 2019-20

**16. TO NOTE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL**

Procedural Motion – Guillotine procedure

The Speaker of the Council drew attention to Council Procedure Rule 9.1 regarding the conclusion of a meeting after a 3 hour time period. (The time being 10:15pm). In accordance with this rule, the Speaker stated the guillotine had now fallen. Therefore, the remaining item of business (item 16 Member Questions) would be put to the meeting without discussion. Written responses would be provided on the Council's agenda page on the website.

The meeting ended at 10.15 p.m.

Speaker of the Council

Vote on Nominations for Chair of the Overview and Scrutiny Committee and Audit Committee

Nominations for Chair of the Overview and Scrutiny Committee:  
Councillor Andrew Wood and Councillor James King

Nominations for Chair of the Audit Committee:  
Councillor Andrew Wood and Councillor Val Whitehead

<b>COUNCILLOR</b>	<b>FOR</b> Councillor James King Councillor Val Whitehouse	<b>FOR</b> Councillor Andrew Wood	<b>ABSTAIN</b>
Councillor Faroque Ahmed	x		
Councillor Rajib Ahmed	x		
Councillor Sabina Akhtar	x		
Councillor Sufia Alam	x		
Councillor Amina Ali	x		
Councillor Shah Ameen	x		
Councillor Asma Begum	x		
Councillor Rachel Blake	x		
Mayor John Biggs	x		
Councillor Kevin Brady	x		
Councillor Mufeedah Bustin	x		
Councillor Kahar Chowdhury	x		
Councillor Shad Chowdhury	x		
Councillor Dipa Das	x		
Councillor David Edgar	x		
Councillor Marc Francis	x		
Councillor Peter Golds		x	
Councillor Ehtasham Haque	x		
Councillor Danny Hassell	x		



Councillor Mohammed Ahabab Hossain	x		
Councillor Asma Islam	x		
Councillor Denise Jones	x		
Councillor Rabina Khan		x	
Councillor Tarik Khan	x		
Councillor James King	x		
Councillor Eve McQuillan	x		
Councillor Ayas Miah	x		
Councillor Harun Miah			x
Councillor Puru Miah	x		
Councillor Abdul Mukit MBE	x		
Councillor Mohammed Pappu	x		
Councillor Kyrsten Perry	x		
Councillor John Pierce	x		
Councillor Leema Qureshi	x		
Councillor Zenith Rahman	x		
Councillor Candida Ronald	x		
Councillor Dan Tomlinson	x		
Councillor Helal Uddin	x		
Councillor Abdal Ullah	x		
Councillor Motin Uz-Zaman	x		
Councillor Bex White	x		
Councillor Andrew Wood		x	

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### **Question from Councillor Leema Qureshi**

Can the cabinet member please provide an update on Test and Trace in the borough?

### **Response from Deputy Mayor for Adults, Health and Wellbeing, Cllr Rachel Blake:**

Like many areas some residents in Tower Hamlets have faced major challenges getting access to vital Covid-19 tests as a result of the national shortfall in testing capacity. We know how important these tests are to allowing residents to go about their daily life and we are committed to supporting residents to access a test if they have covid-19 symptoms.

Over recent weeks the Mayor and I have lobbied Government for additional resources for test and trace to ensure it is working effectively and to end the unacceptable delays our residents have faced.

As a result, the Department of Health and Social Care recently opened a test centre in the borough at Watney Market Idea Store and we expect another to open in Mile End very shortly. While this is positive, we still need to see an urgent increase in testing capacity in London and across the country.

The council is offering additional support to complement the national service by establishing a local team to contact covid-positive residents which NHS Test and Trace have struggled to reach. Local social prescribers, advocates and interpreters will contact cases to check they are self-isolating, and signpost them to any relevant services that can support them and their households to isolate.

### **Question from Councillor Peter Golds**

Having cancelled Oktoberfest in Millwall Park this year due to the damage caused last year to the grass playing surface, will the Mayor confirm that following the evidence of violence, disorder and anti social behaviour at last years event from the Met Police,, he will not be hiring out Millwall Park to Oktoberfest in future years?

### **Response from Cabinet Member for Culture, Arts and Brexit, Cllr Sabina Akhtar:**

This council takes residents' concerns seriously which is why the recent licence review of this event resulted in a number of new conditions being imposed on the Oktoberfest that were designed to mitigate the issues of previous events.

These included a cap on number of people attending at 1,500, a condition CCTV must be in place and that no alcohol can be taken off the licenced area.

The organiser has indicated that they are able to adhere to these new conditions and may consider submitting a new format event to the council which we would consider like any other event. Given the current uncertainty around large scale events and the many unknown factors caused by the pandemic this clearly is unlikely to happen for some time.

If there was such an event a decision around its licensing would be taken, as you know, by the Council's Licencing Committee looking at the evidence in a quasi-

judicial capacity rather than by the Cabinet, however given the problems we have experienced previously, in my opinion it's difficult to see how a similar event would be welcomed without stringent measures in place to improve behaviour.

**Question from Councillor Dipa Das**

Could the cabinet member update members on the recently launched Tower Hamlets Black, Asian and Minority Ethnic Inequalities Commission?

**Response from Deputy Mayor for Community Safety, Youth and Equalities, Cllr Asma Begum:**

Tower Hamlets' Black, Asian and Minority Ethnic Inequalities Commission was successfully launched on 16th September. The commission will focus on areas of inequality faced by our Black, Asian and Minority Ethnic residents.

Tower Hamlets is a diverse borough with a proud history of fighting racism and fascism as well as our continued commitment to diversity. However, recent events have once again shined a spotlight on racial inequality.

The Commission will engage and operate at the heart of Tower Hamlets' communities to hear people's lived experience and solutions, specifically Black, Asian and Minority Ethnic women and young people who experience higher levels of inequality, work with institutions to advance and prioritise race equality and influence local, sub-regional and regional leaders.

This Commission has appointed a panel of expert commissioners from various institutions to lead the engagement and evidence gathering.

The three priority areas of focus are Community Leadership, Health and, Employment & Education with a report due to be published in early 2021 with clear and tangible actions we can all collectively take to address the inequality our communities face.

**Question from Councillor Andrew Wood**

What future (if any) do St Georges and Tiller road leisure centres have?

**Response from Cabinet Member for Culture, Arts and Brexit, Cllr Sabina Akhtar:**

Thank you for your question Cllr Wood, I understand that similar questions were also submitted by Cllr Jones and Cllr Ullah with reference to St George's leisure centre as I know this is a matter of real importance to our residents.

We know that our leisure centres are an important service for residents. That is why on 29th July Cabinet made the decision to provide £774,000 in financial assistance to cover the leisure centre costs incurred during lockdown and permit a phased opening of the borough's leisure centres.

This phased opening was designed to maximise the leisure offer to local residents, whilst ensuring that the centres could be operated in a safe, Covid-secure manner and were financially viable once opened with reduced usage and income generation due to social distancing and other Covid-19 management measures.

The funding provided by Cabinet meant that Mile End, Poplar Baths, York Hall and John Orwell leisure centres were able to once again open their doors in a Covid-secure manner.

Unfortunately, St. George's and Tiller Leisure Centres cannot currently be operated in a Covid-secure, financially viable manner due to their configuration and significant operational subsidy required. The layout of the gyms and studio areas makes the implementation of 2m social distancing extremely problematic. In addition, both centres were operating at a considerable subsidy before lockdown, which would increase significantly given the reduction in customers due to Covid-19 social distancing.

We should also be clear that the delayed reopening of these centres is temporary, and no decision has yet been regarding their longer-term future.

Leisure centre operations during the pandemic are being regularly monitored and are under constant review to enable the Council and GLL to adapt to changing circumstances, including the potential impact of a second wave with further social restrictions, which are currently being implemented. We lobbied government to step in and help and I attach a letter to the Prime Minister and the reply we recently received.

A full review of our leisure offer and the ongoing impact of Covid-19 will be carried out ahead of the wider leisure contract retendering due in the coming years.

#### **Question from Councillor Val Whitehead**

What support has been made available to vulnerable residents throughout the Covid-19 pandemic?

#### **Response from Deputy Mayor for Adults, Health and Wellbeing, Cllr Rachel Blake:**

The council has worked proactively in partnership with the NHS and other partners, services across the borough, and of course with local people, community and faith groups, to ensure that vulnerable residents have been supported during the pandemic. This vital work will continue and we are constantly reviewing and assessing our approach to ensure that residents receive the support they need.

Our response to Covid-19 covers a large number of areas, but some key ways we have supported vulnerable residents include:

- We continue to work closely with our care home and domiciliary care providers to ensure that access to guidance, information and training on infection control has been in place. Our care homes have had 'wrap around' support from NHS colleagues including GPs, hospital clinicians, mental health professionals and pharmacists to ensure that residents are getting the health care support they need; and carers within those services have had additional wellbeing support provided.
- We established a 'mutual aid' scheme for PPE (personal protective equipment) – supplying PPE to all carers who needed this within care homes, domiciliary care agencies, those shielding and those who purchase care through a direct payment or personal health budget. This also included advice and training on the correct use of PPE.
- The pandemic has exposed existing health inequalities. We have worked with partners to better understand the disproportionate impact of Covid-19

on Black, Asian and Minority communities, and we have lobbied the Government to take this more seriously. We have worked directly in partnership with community groups to reach the whole community to provide support and advice

- For residents in the borough who have a direct payment, we put in place a 10% contingency budget to support them. We are providing advice and support across the board working closely with our local disabled people's organisation, the local provider of direct payment support and others.
- For those residents who accessed support through our day centres or Linkage Plus centres, we re-focused the way that support was provided through use of doorstep visits and technology. Where needed, we adjusted packages of care to ensure needs were met.
- Over 7,200 people were contacted by a team of council, NHS and voluntary sector staff because they were extremely vulnerable and shielding. We provided food, medication, advice and social support when needed, with the support of volunteers and community organisations
- For residents being discharged from hospital, we worked with colleagues in the NHS to develop an 'integrated discharge hub' to ensure timely and smooth discharge, and we provided a number of extra interim placements for people who could not immediately return to their home or care home.
- We have worked with partners to better understand the disproportionate impact of Covid-19 on BAME people, and we have lobbied the Government to take this more seriously.
- We continue to offer advice and support to residents on low incomes through our Tackling Poverty measures and our 100% Council Tax Reduction Scheme.
- We continue to lobby the Government for the funding that local authorities need to respond to the virus.

Throughout the pandemic, the community spirit in Tower Hamlets has really shone through, with residents and community groups working tirelessly to support one another. We will continue to support that effort, which will be more important than ever over the next few months as the number of cases rise and as we enter into the winter period in what will be an extremely challenging time for the country and for the borough.

### **Question from Councillor Rajib Ahmed**

What is the council's best estimate of the economic impact of Covid-19 on the borough, both in terms of the impact on the council's finances and the local economy generally?

### **Response from Cabinet Member for Work and Economic Growth, Cllr Motin Uz-Zaman:**

As is the case across the whole country, the impact of the pandemic in Tower Hamlets has been significant.

The latest ONS data shows that on 31st July there were 47,600 Tower Hamlets residents receiving support through the government's furlough scheme which is equivalent to 29% of eligible residents. In addition, at the end of August there were 9,100 residents claiming self-employment support, which is 62% of those eligible.

The number of residents receiving of out of work benefits increased from 8,010 in January to 20,325 in August.

As the furlough scheme is withdrawn at the end of October and replaced by less generous employment support package announced by the chancellor last week, one of our concerns is the potential for a significant increase in unemployment, particularly as further restrictions have been implemented for the hospitality sector.

From the council's perspective, we have distributed government-allocated grants to 5,240 local business, worth a total value of over £76m. The council also distributed an additional £3m of discretionary funding to small businesses, including market traders, which missed out on the funding from central government mentioned above.

Work is still on-going to establish the precise impact of the pandemic on the council's finances, but clearly the impact has been severe as spending has increased and our income declined. Disappointingly, the government hasn't committed to reimbursing councils for all pandemic-related spending despite initial promises.

### **Question from Councillor Gabriela Salva Macallan**

Will the Mayor reconsider the implementation of the Tower Rewards scheme in light of the strength of opposition from residents, workers and UNISON, as well as the growing national concern around the use of Section 188?

### **Response from Mayor John Biggs:**

The Tower Rewards package invests roughly £2.3 million more in pay and conditions.

The package increased pay and annual leave for many staff, introduced a new rent deposit scheme and standardised overtime and on call pay to ensure fairness. It updated special leave provisions, including to increase bereavement leave to up to 5 days and introduced new categories including for victims of domestic abuse.

The pay increases invested in roles which had fallen behind market median, including 'hard to fill' posts, like social workers. For example, the new pay scales mean a pay increase of £2,358 for an entry grade PO1 social worker.

Since January 2019 there has been regular engagement with unions, and directly with staff, to ensure that the views of our workforce are heard and responded to with over 1,000 staff engaged through email, face to face briefings and open Q&A sessions.

The feedback we received allowed management to make a wide range of amendments to the package at multiple stages in the process in response to concerns. For example, initial proposals on flexitime, working hours, redundancy notice, pay protection and progression were all withdrawn or significantly amended following feedback.

Alongside this, anyone adversely affected by any element of the changes will see their pay protected for two years or until increments in pay rises mitigate any loss and those already in restructures approved by CLT before the introduction will continue to benefit from the previous severance scheme.

It is important to recognise that over by July 1,400 staff had proactively opted into the contracts before they were implemented. This far exceeded the 656 Unison members who voted for strike action. I appreciate there remain some areas of concern and I remain disappointed that a collective agreement was not possible. Last week I once again wrote to Unison to offer to meet to discuss how we could address their remaining concerns about the implementation of the changes.

Withdrawing the contract is not however an option as it would mean another protracted process and would result in pay cuts, reductions in annual leave and other new benefits, which I am sure nobody wants to see.

**Question from Councillor Marc Francis**

Will the Lead Member for Public Realm Services provide an update on the Mayor's review of the Car Free Zone policy, including dates of the working group's meetings in the past 12 months and an indication when proposals for reform are likely to be brought forward?

**Response from Cabinet Member for Environment and Public Realm (job share), Cllr Dan Tomlinson:**

Thank you for your question. There is not a specific working group on Car Free Zones or Car Free Developments. We keep all our parking policies under review and on this specific policy I expect that we will look at it again next year and I'd be happy to keep you informed on this.

**Question from Councillor Kahar Chowdhury**

What support has been provided to homeless individuals and families since the beginning of the pandemic and how many have received this support?

**Response from Deputy Mayor for Housing, Cllr Sirajul Islam:**

The council took significant steps to support homeless families and those sleeping rough and protect them from the threat of the pandemic.

During the height of the first lockdown until the end of July, 153 complex needs rough sleepers had been accommodated by the Council directly from the street into commercial hotels.

To enable practicing of social distancing and self-isolation as required, 111 single people who have been at risk of rough sleeping or who were claiming to be rough sleeping have also been accommodated by the Council in B&Bs and other temporary accommodation during Covid-19. These individuals have no priority need which means the Council owes them no housing duty and would not normally have accommodated them. As of August, a further 49 individuals had been accommodated who had no recourse to public funds.

The Council is committed to an the 'in-for-good' principle to ensure individuals taken in during Covid move-on in a planned co-ordinated way without the need to return to the streets. Rough sleepers are being supported to access suitable supported accommodation, or medium-term homes in the private rented sector for those with lower needs. The Council is also ensuring individuals with 'no recourse to public funds' have an offer of support.

**Question from Councillor Kyrsten Perry**

How many 'school streets' have been launched and what are the next steps?

**Response from Cabinet Member for Environment and Public Realm (job share), Cllr Dan Tomlinson:**



Six School Street schemes are in the process of being launched in Tower Hamlets. These include:

- Ben Jonson Primary and Harry Roberts Nursery, Stepney Green – closed to motor vehicles (except residents) at drop-off and pick-up times.
- Blue Gate Fields Junior, Shadwell – new zebra crossing.
- Elizabeth Selby Infants and Lawdale Junior, Bethnal Green – Old Bethnal Green road closure to reduce through-traffic, traffic calming in Pollard Street to follow.
- English Martyrs Primary, Whitechapel – improved pavements, one-way system and pedestrian and cycle zone at drop-off and pick-up times.
- Globe Town Primary, Bethnal Green - closed to motor vehicles (except residents) at drop-off and pick-up times.
- Malmesbury Primary, Bow - closed to motor vehicles (except residents) at drop-off and pick-up times.

Five more schemes are now being taken into the implementation stage after already completing public consultation as part of other projects. Public consultation is being planned on a further 7 School Street Projects for October/November

### **Question from Councillor Rabina Khan**

Tower Hamlets Children missed out on school for almost 5 months during Covid-19 lockdown and many could not access education online, unable to study at home due to cramped conditions and did not get the right support. Is the Mayor preparing a strategy to ensure that children educationally disadvantaged by the lockdown do not fall even further behind in their education and are given the support they need to fulfil their potential?

### **Response from Cabinet Member for Children and Schools, Cllr Danny Hassell:**

We believe in giving Every Chance for Every Child and recognise the risk of our most vulnerable children falling behind under the exceptional circumstances of the pandemic.

In addition to the work of schools, within the council this concern was reflected in the establishment of Bronze level groups on socially vulnerable children, medically vulnerable children and on mental health.

The work in schools continues to be led and delivered through the Tower Hamlets Education Partnership whose staff are working closely with school leaders and practitioners to support pupil learning and to continue to narrow the gap.

This work has included supporting schools in delivering home learning strategies and enabling more children to have access to IT; supporting schools in responding to any gaps they have identified and constructing the curriculum to meet those gaps; schools are proactively taking steps to support pupils to catch up on missed lessons, as well as a focus on activity to promote physical and wellbeing.

The government has promised schools catch up funding, but this has not been distributed yet – once it is, THEP will support schools in maximising the impact of this additional resource and we'll work with teachers to ensure our children deliver their full potential.

### **Question from Councillor Harun Miah**

In recent months, the rough sleepers in our borough are increasing in an alarm rate, particularly in and around Shadwell Overground and DLR.

Can the cabinet member tell us what is been done to eradicate this menace?

**Response from Deputy Mayor for Housing, Cllr Sirajul Islam:**

This administration does not see rough sleepers as a 'menace to be eradicated'. We understand that for many individuals, rough sleeping is a sign of people in crisis and in need of support.

At the beginning of the Covid 19 lockdown the number of people found rough sleeping increased across the capital. This was for a number of reasons including people suddenly losing their jobs, sudden evictions and family or friends no longer able to support them.


Our Rough Sleeping Team along with our commissioned Street Outreach Response Team have continued to work throughout the pandemic conducting outreach shifts, assessing new referrals, completing welfare checks, identifying support needs, and securing a pathway off the street for those found rough sleeping.

Not all individuals accept the offer of support and accommodation for various reasons including substance misuse issue, difficulty in trusting people due to past trauma and/or poor mental health. Our outreach team continue to work with these clients and encourage them to accept the support available.

Rough sleeping is not a crime and no one can be forced to accept accommodation however where anti-social behaviour (ASB) is identified alongside the rough sleeping, evidence is gathered and enforcement action are taken by the council and the police to reduce the ASB and encourage clients to accept support.

Shadwell DLR, Shadwell Overground station and the surrounding area has been identified as a hotspot and a number of actions have been taken. The location has been discussed at the Shadwell Ward Panel meeting and identified as one of the top three priorities for the local Safer Neighbourhood Team. The council's Rough Sleeping team and Street Outreach Response Team continue to work with the local Police Teams, British Transport Police, Tower Hamlets Enforcement Officers (THEOS) and the local social housing teams around the Shadwell hotspot and individuals - obtaining evidence of the ASB and taking enforcement action where appropriate. Alongside the enforcement action clients are always offered and encouraged to accept support.

# Agenda Item 5

Non-Executive Report of the:  <b>Council</b>  Wednesday 18 November 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Petitions to Council for presentation.</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All wards

## SUMMARY

1. This report sets out details of the valid petitions submitted for presentation at the Council meeting on Wednesday 18<sup>th</sup> November 2020.
2. The Council's Constitution provides for up to four petitions to be heard at each ordinary Council meeting. These are taken in order of receipt, except that petitions for debate (those in excess of 2,000 signatures) will take precedence. Should more than four petitions be received, all remaining petitions will be listed to be formally noted by Council.
3. Three petitions have been received for presentation at the meeting and the following process applies to these petitions:
  - a. Petitioners may address the meeting for no more than 3 minutes.
  - b. Members may then question the petitioners for a further 4 minutes.
  - c. Finally, the Speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the petition for up to 2 minutes. The petition will then be referred to the relevant Corporate Director for attention who will provide a written response within 28 days of the date of the meeting.
4. Members, other than a Cabinet Member or Committee Chair responding at the end of the item, should confine their contributions to questions and not make statements or attempt to debate.
5. For Petition listed as to be noted, petitioners may not address the meeting. The Speaker will state where they will go for a full response.
6. Responses to all petitions will be sent to the lead petitioner and displayed on the Council's website.

## **PETITIONS TO BE HEARD**

### **5.1 Petition requesting all options to be investigated to fully refurbish and update St George's Pools submitted by Amanda Day and others**

In the spirit of invest to save, will the Mayor agree to set up a working group of officers, councillors and residents to conduct a feasibility study.

### **5.2 Petition requesting an enquiry into the treatment of residents at Aspen Court Care Home submitted by Amanda Henry and others**

We are calling for an enquiry into the treatment of residents at Aspen Court care home.


### **5.3 Petition regarding Hold a referendum on 6<sup>th</sup> May 2021 to replace the 'Directly Elected Mayor and a cabinet' system by a 'Leader and cabinet' system submitted by Khwaja Qureshi and others**

We the undersigned petition the council to:

1. Debate at a Full Council meeting a change in governance arrangements and hold a referendum to replace the 'Directly Elected Mayor and a cabinet' system by a 'Leader and Cabinet' form of governance.
2. Pass a resolution at the Full Council to hold a referendum to replace the 'Directly Elected Mayor and a cabinet' system by a 'Leader and Cabinet' form of governance.
3. Hold a referendum on 6th May 2021 to replace the 'Directly Elected Mayor and a cabinet' system by a 'Leader and Cabinet' form of governance.

## **PETITIONS TO BE NOTED**

There are none.

<p>Non-Executive Report of the:</p> <p style="text-align: center;"><b>Council</b></p> <p style="text-align: center;">18 November 2020</p>	 <p style="text-align: center;"><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Asmat Hussain, Corporate Director, Governance and Monitoring Officer</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Petition Debate</b></p> <ul style="list-style-type: none"> <li>• <b>Petition regarding Covid Test Centre in Watney Market</b></li> </ul>	

## 1. INTRODUCTION

1.1 The Council's Petition Scheme provides that where a petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough, the petitioners may request that a debate be held about the petition at the full Council meeting. This is additional to and distinct from the provision in the Council's Constitution that a petition with at least 30 signatures may be presented to (but not debated by) the Council. The relevant extract from the Petition Scheme is attached at Appendix A.

## 2. PROCEDURE FOR CONSIDERING PETITIONS FOR DEBATE

2.1 The standard format for a Petition Debate for debate is as follows.

- The petitioners to present their petition for a maximum of three minutes.
- Questions and answers for four minutes.
- Debate for 15 minutes. All speeches are limited to a maximum of three minutes
- The Speaker will invite the Mayor or (at the Mayor's discretion) a Cabinet Member to respond to the matters raised
- If no motion is moved during the debate, the petition will stand referred to the relevant Corporate Director for a written response.
- If a motion is moved during the debate, the motion will be put to the vote. The petition will stand referred to the relevant Corporate Director for a written response.

### **3. MOTIONS ON THE PETITION**

- 3.1 During his or her speech any Member may move a motion for the Council's consideration relevant to matters in the petition (this does not require the suspension of standing orders). It is requested that Motions relating to the petition be submitted to Asmat Hussain, Corporate Director, Governance and Monitoring Officer in advance of the meeting to allow full circulation.
- 3.2 Following the petition debate, any motions moved will be put to the vote.
- 3.3 In relation to executive functions, the Council does not have powers to override any executive decision of the Mayor or substitute its own decision. The Council may however pass a motion expressing a view on the matter or referring the matter to the Mayor, calling on him to take some action, or consider or reconsider a decision, with recommendations to inform that consideration. Officers will advise on the constitutional validity of any motion that may be moved

### **4. CONTENT OF THE PETITION**

- 4.1 The following petition containing over 2,000 signatures has been received for consideration at the Council meeting.

The text of the petition is below:

#### **Petition regarding Covid Test Centre in Watney Market submitted by Jakir Hussain and others**

We the undersigned petition the council to remove the Covid test Centre from Watney Market to somewhere less congested and more suitable with consultation from the local residents

### **APPENDICES ATTACHED**

Appendix A – Extract from the Council's Petition Scheme.

## **APPENDIX A – EXTRACT FROM THE COUNCIL’S PETITION SCHEME:**

### **5. PRESENTATION OF A PETITION TO ELECTED COUNCILLORS**

Subject to your petition containing sufficient signatures as set out below, you may request to present the petition to a meeting of elected councillors. There are a number of ways in which this can be done.

#### **Debate at a Council Meeting**

If your petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough you may request that a debate be held about the petition at the full Council meeting. The Council will endeavour to consider your petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. We will tell you the date of the meeting at which the debate will take place once this is confirmed.


At the meeting, the petition organiser or another signatory to the petition will be given three minutes to present the petition. The person who presents the petition must live, work or study within the borough. The petition will then be debated by Councillors for a maximum of 15 minutes. Following the debate, the Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council’s Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. As the petition organiser, you will receive written confirmation of this decision, which will also be published on our website.

In the event that two or more petitions which are substantially the same are received from different petition organisers, the Chief Executive may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.

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Non-Executive Report of the:  <b>COUNCIL</b>  Wednesday 18 November 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance and Monitoring Officer	<b>Classification:</b> Unrestricted
<b>Motion for debate submitted by the Administration</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All wards

## SUMMARY

1. Council Procedure Rule 11 allows for time at each Ordinary Council meeting for the discussion of one specific Motion submitted by the Administration. The debate will follow the rules of debate at Council Procedure Rule 13 and will last no more than 30 minutes.
2. The motion submitted is listed overleaf. The Administration Motion is submitted by the Labour Group.
3. Motions must be about matters for which the Council or its partners has a direct responsibility. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. Notice of any proposed amendments to the Motions must be given to the Monitoring Officer by Noon the day before the meeting.

## MOTION

Set out overleaf is the motion that has been submitted.

## **7 – Administration Motion for Debate - The Government Have Failed our Children and Young People**

Proposer: Councillor Danny Hassell

Secunder: Mayor John Biggs

### **This Council notes:**

1. The Government's exams fiasco which saw a large number of teacher predictions for A-levels and GCSE exam results – particularly in more deprived areas – downgraded by an algorithm until the Government performed a U-turn and permitted teacher assessed grades to be used;
2. The exams fiasco caused a huge amount of unnecessary uncertainty and upset for many young people across the country, as well as jeopardising their futures;
3. The Government's failure to continue its Free School Meals (FSM) programme throughout the October half-term holiday, despite the pandemic and the jobs crisis causing hardship for many families who were already struggling;
4. That charities, individuals, community groups and local authorities – including Tower Hamlets – had to fill the gap left by the Government's failure to continue FSM over the holiday;
5. That children and young people have suffered more than most throughout the austerity programme introduced by the Conservatives and the Liberal Democrats in 2010, through the rise in child poverty, cuts to youth services, cuts to school funding, failure to properly fund special needs education, cuts to council budgets, welfare reforms, the coalition's decision to treble tuition fees despite the Lib Dem promise to abolish them, and more;
6. That welfare reforms, including the Universal Credit rollout, the 5-week-wait, the benefit cap, the two-child limit and the Government's plans to scrap the Universal Credit uplift meaning families will lose over £1,000, have all had a significant impact on children and young people;
7. The Government's failures on Covid-19 testing have left pupils out of school when they do not have symptoms but cannot access a test, worsening the attainment gap;
8. That the Department for Education informed some schools last month that the number of laptops they were promised had been cut by 80% after changes to the allocation process;
9. That the Government has failed to prepare and respond to the challenge of the Covid-19 situation in universities;
10. The Government's threat to remove free travel for under 18s as part of a TfL deal, which was rejected by the Mayor of London Sadiq Khan;
11. Tower Hamlets Council funds a wide range of tackling poverty measures, including providing a Council Tax Reduction Scheme with council tax reductions of up to and including 100% depending on circumstances (meaning the most disadvantaged don't have to pay a single penny of council tax), of which nearly 32,000 households in the borough receive some level of council tax discount. The council also funds holiday hunger programmes and provides universal FSM to all primary school pupils, going significantly beyond the Government-funded FSM programme which only funds FSM for some children;
12. That our Tackling Poverty work and other support schemes are under increasing threat unless the Government adequately funds the council.


**This Council believes:**

1. That since 2010, austerity has significantly affected our children and young people, with child poverty on the increase;
2. That the Government's approach to supporting people during the pandemic – leaving families to sink or swim – is having a devastating impact;
3. The Government has failed our children and young people.

**This Council resolves:**

1. To condemn the Government for its failure to tackle child poverty;
2. To ask the Mayor and Cabinet Member to write to every member of the council, setting out how Tower Hamlets Council is tackling poverty in the borough, supporting families, and how the council is working to seize every chance for every child or young person to be healthy, safe and successful;
3. To demand that the Department for Education responds to the points raised in this motion, and to warn that Tower Hamlets Council's Tackling Poverty work and other support schemes are under increasing threat unless the Government adequately funds the council;
4. To continue to lobby the Government for proper funding for our schools, councils and youth services, and to continue to lobby against detrimental changes to the welfare safety net.

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Non-Executive Report of the:  <b>COUNCIL</b>  Wednesday 18 November 2020	
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance and Monitoring Officer	<b>Classification:</b> Unrestricted
<b>Motion for debate submitted by an Opposition Group</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All wards

## SUMMARY

1. Council Procedure Rule 11 allows for time at each Ordinary Council meeting for the discussion of one Motion submitted by an Opposition Group. The debate will follow the rules of debate at Council Procedure Rule 13 and will last no more than 30 minutes.
2. The motion submitted is listed overleaf. In accordance with Council Procedure Rule 11, submission of the Opposition Motion for Debate will alternate in sequence between the opposition groups. This Opposition Motion is submitted by the Conservative Group.
3. Motions must be about matters for which the Council or its partners has a direct responsibility. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. Notice of any proposed amendments to the Motions must be given to the Monitoring Officer by Noon the day before the meeting.

## MOTION

Set out overleaf is the motion that has been submitted.

## **8 – Opposition Motion by the Conservative Group – Regarding Fire Safety & The Security of The Housing Sector in Tower Hamlets**

Proposer: Councillor Andrew Wood

Seconder: Councillor Peter Golds

This Council notes:

That 282 buildings in Tower Hamlets have registered for the government's £1bn building safety fund to fix cladding issues. That the local authorities with the next highest numbers of affected buildings were Manchester with 136 buildings, 130 in Newham, 127 in Westminster, 126 in Southwark, 102 in Greenwich.

That this list does not include most housing association properties which have a separate application process.

That this list also does not include other buildings with non-ACM cladding issues but where there are other fire safety issues. And it also does not include any building under 18 meters in height.

It is therefore probable that the total number of buildings affected by fire safety issues in Tower Hamlets may be between 300 and 400. Tens of thousands of residents must be affected by this.

That there is almost no information in the public domain about which buildings are affected except for some examples quoted in Council documents (Maltings and Brewster) or where residents have advertised their problems.

That some of these buildings were built by developers still active in the Borough although some buildings affected were built decades ago.

The NLA Tall Building Survey 2020 shows 78 tall buildings in the planning pipeline in Tower Hamlets with 18 completed in 2019. Both numbers substantially in excess of any other Borough.

It is clear that Tower Hamlets is the home of both the most tall buildings (as well as tallest) and the greatest number of buildings with fire safety issues

This Council further notes:

That residents face huge uncertainty in two areas;

1. Living in buildings whose fire safety is suspect or where regulations are now different, who may now have 247 fire wardens and emergency evacuation procedures;
2. Living with huge financial uncertainty that could result in bankruptcy, inability to sell their properties, increased service charges or financially crippling bills;

That housing associations may also face financial pressures for similar reasons.

The draft Building Safety Bill which puts the financial onus on homeowners rather than those who built, approved, signed off or regulated those buildings.

That some buildings were approved by Tower Hamlets Council own building control team.

That as yet except for national charities like Age UK, Household Knowledge Partnership and

neighbour assisting neighbour there is no local help nor advice available. Residents are having to become experts on these issues but with no support nor assistance.

That on the 13<sup>th</sup> November 2019 an amended motion 11.1 Motion regarding Restoring Fairness to the Leasehold System was adopted by Tower Hamlets Council and that the CMA issued its investigation report in February 2020.

This Council resolves:

- That we need to compile a database of every affected building of all types, so that we capture in detail the kinds of problems, types of buildings, height etc;
- That list needs to be published in a summarised and anonymised way so that we understand the scale of the issue in Tower Hamlets, how many residents live in unsafe buildings?;
- That where developers are submitting new planning applications but have unresolved issues in their older buildings which they have chosen to not help resolve that they justify why they should be allowed to build again;
- That we establish using s106 or New Homes Bonus funds a Help & Advice team for a time limited period (3 years tbc), whose role it is to advise residents and to keep them informed as well as ensure developers and managing agents are aware of their responsibilities;
- That LBTH provide assistance with access to planning permission/building regs if required for Fire Remediation and also access to technical drawings for older buildings which are not on the LBTH portal for free if the purpose is to deal with fire safety issues;
- That the High Density Living Supplementary Planning Document be expanded to focus on the management issues caused by tall buildings as well as fire issues even if it can only include recommendations;
- That we ask government to expand the funding available to deal with these issues as it cannot be right for home owners to foot the bill for failures in regulation and oversight by professionals and government;
- That where a building has fire safety issues and where the s106 remains unspent that it be spent on resolving these issues, it would be unfair for residents to have to pay s106, which remains unspent and then again to fix their homes;
- That the same is done for any buildings that gained New Homes Bonus for us.

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<p>Non-Executive Report of the:</p> <p><b>Council</b></p> <p>Wednesday, 18 November 2020</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Corporate Director, Governance and Monitoring Officer</p>	<p><b>Classification:</b> Open (Unrestricted)</p>
<p><b>Annual Report of the Standards Advisory Committee 2019-20</b></p>	

<b>Originating Officer(s)</b>	Janet Fasan – Divisional Director, Legal Services Matthew Mannion – Head of Democratic Services
<b>Wards affected</b>	All Wards

## Executive Summary

To this cover report is attached the Standards Advisory Committee’s Annual Report to Council.

It is considered best practice for Council to receive an annual report in relation to standards. The provision of an annual report highlights the importance Council places on the profile of ethical standards across the organisation and affords the opportunity to highlight areas of good practice and identify any requirements for improvement.

## Recommendation:

The Council is recommended to:

1. Consider and note the Standards Advisory Committee’s Annual Report.

### 1. REASONS FOR THE DECISIONS

- 1.1 It is considered best practice in many authorities for the full Council to receive an annual report in relation to standards. The provision of an annual report of the Committee’s business will increase the profile of ethical standards across the organisation and affords the opportunity to highlight areas of good practice and identify any requirements for improvement.

### 2. ALTERNATIVE OPTIONS

- 2.1 Council can make such comment as it sees fit in relation to the Annual Report.

### **3. DETAILS OF REPORT**

- 3.1 The Standards Advisory Committee, at its meeting on Thursday 30 July 2020 considered its draft Annual Report. The Committee agreed that it be presented to Council and so Council is now asked to review and note the report.
- 3.2 It is in line with best practice Council consider such an annual report covering the work of the Independent Persons and the Standards Advisory Committee.
- 3.3 This Annual Report sets out the key issues dealt with by the Committee during the past municipal year and identifies the priorities for 2020/21.
- 3.4 The Annual Report is set out at Appendix 1 to this Cover Report.
- 3.5 The Committee have also asked that Council's attention be drawn to a number of other specific matters:
- The report presented to the Committee at its meeting held on 15 October 2020 setting out work to meet the recommendations of the recent report of the Committee on Standards in Public Life. This report is reproduced as Appendix 2 to this Cover Report.
  - A background briefing note circulated to all Members setting out the legal implications of the recent 'Holborn Studios' case which impacts on how Members should deal with submissions received in relation to planning applications.
  - The Committee's workplan for 2020/21 as presented to the Committee on 15 October 2020 is attached as Appendix 3 to this report. Note that the Committee will continue to update its workplan as the year progresses.

### **4. EQUALITIES IMPLICATIONS**

- 4.1 There are no immediate equalities implications arising out of this report.

### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.

5.2 Robust ethical governance arrangements help to ensure the proper, efficient and effective discharge of the Council's functions and contribute to compliance with the requirement to achieve best value.

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

6.1 There are no immediate financial implications resulting from this report.

## **7. LEGAL COMMENTS**

7.1 The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority

7.2 Sections 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about an alleged breach of the Code that has been investigated

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

#### **Linked Report**

- NONE

#### **Appendices**

- Appendix 1 – Annual Report to Council
- Appendix 2 – Council response to the CSPL review into the Code of Conduct
- Appendix 3 – Committee Workplan 2020-21

#### **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:**

- N/A

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**London Borough of Tower Hamlets**  
**Standards Advisory Committee – Annual Report to Council**  
**Year May 2019 to May 2020**

**Introduction**

1. This is the second Annual Report of the Advisory Committee. It sets out the key issues dealt with by the Committee during the past municipal year and identifies the priorities for 2020/21.

**Membership**

2. During the municipal year 2019/20 the Committee comprised 5 elected members and 5 independent co-opted members (one position being currently vacant). The Council's Constitution provides that an independent co-opted member be appointed Chair of the Committee.

Elected Members:

- Cllr. Sufia Alam
- Cllr. Mufeedah Bustin
- Cllr. Rabina Khan
- Cllr. James King
- Cllr. Abdal Ullah

Independent Co-opted Members

- Fiona Browne
- Nafisa Adam (Vice Chair)
- Mike Houston
- John Pulford MBE (Chair)
- Vacant (appointment made October 2020)

**Independent Persons**

3. The Council has appointed two statutory Independent Persons (IPs) under the Localism Act 2011. Ms Elizabeth Hall served an initial term of 5 years until June 2018 and has been re-appointed as an IP until 18 September 2021. Ms Rachael Tiffen was appointed in June 2018 and her term of office will expire on 16 January 2022.

4. The principal role of the IP is to give an independent view on governance issues in general and specifically in relation to alleged breaches of the Code of Conduct for Members. Both IP's work closely the Monitoring Officer and her

Deputies, considering all complaints and whether an alleged breach of the Code meets the criteria for investigation.

5. It is also a statutory requirement to consult the IP before deciding on the outcome of an investigation into a complaint and whether to impose any sanction. The Member complained about may also at any stage of the process seek a view from the IP and in order to avoid any conflict of interest the Council has appointed two IPs.

6. The Council is fortunate to have appointed two IPs with a sound understanding of the ethical framework who both act as advocates for the Council in promoting ethical standards and of high standards of conduct. Although not members of the Standards Advisory Committee, they attend meetings and play an important role in the proceedings. Both IPs also contribute to and participate in the Council's mandatory Ethics & Probity training programme. In this report I would like to acknowledge the continuing invaluable work and support of Elizabeth Hall and Rachael Tiffen.

### **Officers**

7. The Committee's lead officers were:

- Asmat Hussain – Corporate Director Governance & Monitoring Officer
- Mark Norman – Legal Adviser & Deputy Monitoring Officer
- Janet Fasan – Divisional Director, Legal Services and Deputy Monitoring Officer
- Matthew Mannion – Head of Democratic Services

### **Terms of Reference**

8. The current terms of reference for the Standards Advisory Committee are contained in Part B Section 19 of the Constitution, with the Committees procedures set out in Part D. These are attached as Appendix A to this report.

### **Meetings**

9. The Standards Advisory Committee held three meetings during the 2019/20 municipal year on the following dates:

- 20 June 2019
- 17 October 2019
- 30 January 2020

10. A fourth meeting was scheduled for 30 April 2020 but was cancelled due to the Covid-19 pandemic.

## **Standards Advisory Committee Work Programme 2019/20**

11. The Committee agreed a work programme at the first meeting of the municipal year on 20 June 2019. It was updated throughout the year. The key areas of business considered during the year are listed below:

### **Code of Conduct for Members – Complaint Monitoring:**

12. The Committee received quarterly monitoring reports on complaints of alleged breach of the Code of Conduct for Members. There were 18 complaints from May 2019.

13. 16 of the complaints were made by members of the public and 2 by local councillors. Following consultation with the IP it was not necessary to refer any of the complaints for investigation, although in 1 of the cases it was agreed that the Monitoring Officer would issue additional guidance to members about behaviour during meetings. This guidance was reflected in the Speaker's script for Full council meetings which was amended (March 2020).

14. The Committee continue to monitor whether there are lessons to take from complaints monitoring. They continue to monitor remedial actions and that outcomes are reported to the complainant, to give assurance that maintaining ethical standards is given full organisational support.

### **Dispensations:**

15. The Committee received bi-annual reports on dispensations granted by the Monitoring Officer under section 33 of the Localism Act 2011 in respect of disclosable pecuniary interests (DPI's). There is a continuing General Dispensation to all Members to be present, speak and vote where they would otherwise have a DPI in the following matters:

- (a) Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council if the matter does not relate to the particular tenancy or lease of the Councillor (their spouse or partner).
- (b) Council Tax: setting the council tax and related matters including setting precepts and agreeing council tax reduction schemes; and
- (c) Determining an allowance, travelling expense, payment or indemnity for Councillors.

Note – at the 30 January meeting the Committee agreed to expand the definition of (c) to include occasions where Members discuss issues relating to officer pay which could have consequential impacts on Member Allowances.

16. A specific dispensation may also be granted where the Monitoring Officer is satisfied that:

- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- (c) granting the dispensation is in the interests of persons living in the authority's area; or
- (d) it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify the duration of the dispensation up to a maximum of 4 years.

The regular reporting to the Standards Advisory Committee allows Members to maintain oversight of any specific dispensations that are granted.

17. Two specific dispensations were reported up to the Committee during the year, both relating to debates at meetings of Council. The first at the meeting of 13 November 2019 allowed Members with leaseholder interests to take part in a debate around issues in the leaseholder system and the second was at the meeting of 15 January 2020 to allow debate on a motion proposing an increase in officer pay which would have had an impact on rates of Members Allowances. It was this second dispensation which triggered the agreement set out above to expand the definition of the General Dispensation to allow for such debates in the future.

### **Gifts & Hospitality:**

19. The Committee received quarterly reports on the requirement contained in the Code of Conduct to register gifts and hospitality received or declined with an estimated value of £25 or above.

20. In total 38 declarations were made within the reporting periods of the June 2019, October 2019 and January 2020 meetings. The total number of declarations were slightly lower than a similar period the previous year.

21. Many of the declarations made related to the Speaker's Ball. In advance of that event the Committee agreed that this was a good opportunity to remind Members of the importance of declaring invitations to events by other parties (such as developers or local companies) where a paid ticket was required.

22. During the year the Committee also monitored the speed of the declarations made, taking interest in whether declarations were made within the 28-day deadline. The Committee were pleased to note that the vast majority were made within this time but did note occasions where that was not the case and in particular noted that two Members had been reminded of this when submitting late declarations in relation to the Speaker's Ball. Given it was an issue raised in the previous internal audit of the gifts and hospitality process the Committee will continue to monitor compliance.



23. The Committee noted that acceptance of gifts and hospitality by councillors is not merely an administrative issue. Acceptance can impact on member reputation and on the council as a whole. Members need to show they are acting in the public interest and do not gain personally from receiving gifts.

24. The Committee remain concerned about levels of declarations and are continuing to monitor the issue. It was agreed that work should continue to raise awareness of the issue. After these discussions all Members have been written to by the Chair of the Standards Advisory Committee in July 2020 on the issue and information has been placed in the Member bulletin. As an additional measure officers will also implement a new regular 'nil return' process so that where Members do not have declarations to make this can be actively recorded. The suggestion of a nil return came from a Member. The Committee will continue to monitor this issue and will receive quarterly update reports.

### **Member Learning and Development Programme:**

25. The October meeting of the Committee received a report providing an update on the Member Learning and Development Programme listing events that had taken place since the end of the 2018 Member Induction programme.

26. The Committee saw that a wide range of information sessions and training events had taken place covering many different areas of Council work. The 50 programmed sessions included required training for Committee members, information sessions on particular issues and also training sessions requested by Members.

27. It was noted that some sessions had received good levels of attendance from Members (e.g. the New Build Seminar) but that many information briefings had very low attendance (for example those for the South Dock Bridge, the new Constitution and the Youth Consultation which each had four or less attendees). The Committee considered it important that Members attended as many sessions as possible, but they did note that Members would also be busy with their many other commitments.

28. There will be a further report on this topic in the autumn for the Committee to consider and explore in more detail attendance levels and the cost against benefit of various types of training style.

29. It has been noted that both Member Briefing sessions and Member Learning Development sessions were paused from March 2020 due to the Covid-19 Pandemic and that they started again from July 2020 with some initial virtual information briefing sessions.

30. The Committee welcomed the early indications that attendance at virtual Member Training sessions were significantly higher than for physical meetings, with an average of 19 attendees at early virtual sessions compared with an average of around 7.5 at physical sessions earlier in the year. This indicated there was likely to be a benefit to continuing to provide virtual sessions in the future.

### **Strengthening Local Democracy:**

30. At the October 2019 meeting, the Committee considered a briefing report on the Strengthening Local Democracy (SLD) project. Whilst this is under the guidance of the General Purposes Committee, it was useful to have a report presented to the Standards Committee due to the overlap with the Code of Conduct and the work of Members.

31. The report set out how the SLD project operated and the different partners, officers and Members who had been involved. The report then outlined the Ward Councillor Support Framework which had been developed setting out the various actions and tasks to be completed.

32. The Committee welcomed the report and confirmed its desire to be involved. The Committee have requested that update reports are provided to future meetings at appropriate times.

### **Social Media Policy Update:**

33. The Committee had previously been involved in the drafting process for the Council's new Social Media Policy and it was pleased to be given a final view at its January meeting. The final policy was set out and was discussed in depth at the meeting.

34. The creation of the policy and that it applied to Members as well as officers was well received. The Committee on Standards in Public Life had placed great importance of dealing with issues around social media and recognised the good practice that the Council was tackling this with the creation of the new policy.

35. The policy should prove valuable should the need arise to deal with any complaints against Members in relation to social media use, providing clear guidelines around such use.

### **Development of the Members Hub and Members Bulletin**

36. The Committee was also pleased to receive a report at its January meeting on the ongoing work to improve and develop the Members Hub and Member Bulletin. The Hub, launched in 2018, was already proving successful as a store of useful information for Members on a wide range of topics from borough wide statistics through to member briefing information and guidance on regulatory matters. This Hub has been shared with other London authorities as good practice.

37. The Hub will continue to improve and the Committee debated a few potential target areas for this work including continuing to try and link the Hub to other useful sources of information.

38. The Committee received a report on the revamping the Council's Member Bulletin email newsletter. It heard that the Bulletin had been operating for many years and, whilst it provided a wide range of information, the 'open rate' statistics

suggested it did not appear to be well read. It was noted that it would benefit from increasing the topicality of content and that there could be opportunities to automatically pull in a wider range of information. Plans were also set out to look to integrate the Bulletin more closely with the Hub so that content would link across seamlessly.

### **Member Bulletin and Covid-19 Pandemic**

39. The Covid-19 Pandemic began near the end of the year covered by this report. The Committee welcomed the many stories of how Members have been supporting the Council and the wider community in tackling the impact of the virus. In relation to the specific work of the Committee, it was pleasing to see the important role that the Member Bulletin and Hub played in providing information and updates to Members. The, often daily, email briefings were extremely valuable and informative, and the 'open rates' for these increased significantly during the early stages of the pandemic suggesting Members were finding them useful. The Hub has been used to provide a store of information and links for use by Members.

40. It was noted that, whilst 'open rates' were not available to measure all types of access to email bulletins, indications were that each Bulletin was being read by at least 50% of Members (and Co-opted Members), significantly higher than the traditional 10-20% read rate.

### **Local Government Ethical Standards Review:**

40. As previously reported the Committee on Standards in Public Life (CSPL) conducted a review of local government ethical standards between January and May 2018. The review considered all levels of local government in England and its terms of reference were to:

- examine the structures, processes and practices in local government in England for:
- maintaining codes of conduct for local councillors
  - investigating alleged breaches fairly and with due process
    - enforcing codes and imposing sanctions for misconduct
    - declaring interests and managing conflicts of interest
    - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of Councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

41. CSPL review initiated in January 2018, included a public stakeholder consultation particularly aimed at local authorities' standards committees, local authority members and local authority officials, as well as local government think tanks, academics and representative bodies. The Committee agreed a response to the consultation in March 2018.

42. The Committee continues to monitor both areas of work and looking at developments in relation to these matters. Where necessary these will be reported back to Council for further action.

43. In June 2020, the Local Government Association (LGA) launched a consultation on a draft Model Code of Conduct. The Committee has provided feedback and the outcome of the consultation and the review of the Draft Code of Conduct will be reported to the Committee at a future date.

44. The draft Model Member Code incorporates recommendations from the Committee on Standards in Public Life's work on Local Government Ethical Standards. Part of the Committee's recommendations were the introduction of sanctions for breaches of the code, alongside an appeals process. Some of the recommendations will require legislative changes by Government. The draft code also includes 12 specific obligations on the part of members. The LGA is continuing to take soundings from the sector on the issue of sanctions in anticipation of a Government response to the Committee's recommendations.

45. In July 2020, a letter was received from the Committee on Standards in Public Life regarding the 15 Best Practice Recommendations (BPRs) that had been established in January 2019. The letter acknowledged that an immediate response may not be possible in light of the Covid 19 Pandemic. However, a response from each local authority including LBTH is required by Autumn 2020. LBTH's progress regarding the recommendations is currently being reviewed. The Committee noted that the council meets most of the Best Practice Recommendations including the requirement for councillors to comply with any formal standards investigation (BPR 2), the appointment of two independent persons (BPR 7) and the requirement for those independent persons to be consulted when undertaking a formal investigation on allegation (BPR 8).

[Author's Note – a report on progress against the CSPL recommendations was presented to the Standards Advisory Committee on 15 October 2020 and is presented to Council for information alongside this Annual Report]

### **Standards Advisory Committee Work Planning for 2020-21**

46. The Committee intends to undertake a substantial work programme during 2020-21, including looking at the following items.

- Quarterly monitoring of complaints of alleged breach of the Code of Conduct for Members.
- Quarterly monitoring of gifts and hospitality registered.
- Bi-annual reports on DPI dispensations.
- Code of Conduct matters in relation to planning matters
- Impact of Covid-19 on support for Members
- Consultation on the Draft Model Code of Conduct
- Members training programme update.
- Implementation of CSPL best practice recommendations.
- Update Strengthening Local Democracy.

- Practical guidance for Members handling confidential information.
- Members Rights of Access to Information.
- News on ethics matters elsewhere including areas such as good practice, case law, ombudsman and quasi-judicial proceedings and similar.
- Members attendance at meetings.
- Third annual report to Council.
- Annual review of the code

47. The 2020/21 work programme aims to continue to embed behaviours that support the seven principles in public life described in the Nolan report by encouraging Members to apply ethical standards in their day-to-day duties and to look at how these should influence their approach to discharging their responsibilities in their individual and collective capacities.

## **Conclusion**

48. As Chair of the Committee I wish to thank my fellow committee members, both Independent Persons and the Monitoring Officer for their contributions to the Committee's business and their commitment to promoting and maintaining high standards of ethical conduct across the Council. I also wish to thank the officers of the Council for their work in supporting the Committee during the year.

49. I would particularly like to highlight how important it is that the Council has such dedicated co-opted Members who are active contributors to the Committee's discussions and have demonstrated commitment to the role of Standards in the authority. The involvement of co-opted Members should be considered as 'good governance'. We are ahead of many local authorities in this area.

**John Pulford MBE**  
**Independent Chair**

**Standards (Advisory) Committee – Terms of Reference and Procedures**

(As agreed at the Standards Advisory Committee on 20 June 2019)

**17. Standards Advisory Committee – Terms of Reference**

**Summary Description:** The Committee performs a number of functions to maintain high standards of conduct in public life including promoting the Members Code of Conduct and considering potential breaches of the Code of Conduct.

The Committee may establish Sub-Committees to consider certain matters as set out in the ‘Functions’ below.

The Committee and any of its sub-committees may meet in private in accordance with relevant legislation as advised by the Monitoring Officer. Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.

**Membership:** 5 elected members of the Council (not including the Mayor or more than 1 Cabinet member),

**Co-opted Members**

Plus up to 5 independent co-opted members.

Co-opted members will be entitled to vote at meetings under the provisions of section 13(4)(e) of the Local Government and Housing Act 1989. The Standards Advisory Committee (SAC) shall be chaired by an independent co-opted member.

Independent Co-opted members shall be appointed by full Council on the recommendation of the Monitoring Officer. The term of appointment shall be 4 years unless otherwise determined by Council. Co-opted members may serve as many terms of appointment as the Council considers appropriate.

**Note – Independent Persons**

The Council has appointed two statutory Independent Persons to assist in dealing with complaints of alleged breach of the Code of Conduct for Members under section 28(7) of the Localism Act 2011. They are not co-opted member of the SAC but may attend and observe any meeting of the Committee or a sub-committee established by it.

<b>Functions</b>	<b>Delegation of Functions</b>
1. Promoting and maintaining high standards of conduct by the Mayor, councillors and co-opted members of the Council.	None

<ol style="list-style-type: none"> <li>2. Advising the Council on the adoption or revision of the Code of Conduct for Members.</li> <li>3. To monitor and advise the Council about the operation of the Code of Conduct for Members considering best practice and changes in the law.</li> <li>4. Advising, training or arranging to train the Mayor, councillors and co-opted members on matters relating to ethics and probity and the Code of Conduct.</li> <li>5. To appoint sub-committees for the purpose of discharging any of the Committee's functions including the consideration and determination of complaints of breach of the code of Conduct for Members.</li> <li>6. As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.</li> <li>7. To deal with any reports from the Monitoring Officer on any matter relating to standards of conduct.</li> <li>8. Other functions relating to the standards of conduct of members under any relevant statutory provision or otherwise.</li> </ol>	
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**Quorum:** A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or Sub-Committee are present for its duration and such quorum must include at least one councillor and at least one independent co-opted member.

**Additional Information:**

- Constitution Part A, Section 11 (The Standards Advisory Committee and the Code of Conduct for Members)
- Constitution Part C, Section 31 (The Code of Conduct for Members)
- Constitution Part D, Section 53 (Standards Advisory Committee Procedures)

## **Standards Advisory Committee Procedures**

### **1. Composition**

1.1 The Standards Advisory Committee shall be comprised of 5 Members of the Council (not including the Mayor or more than 1 Cabinet Member) and each political group may appoint up to 3 substitutes, appointed by the Council in accordance with the requirements of political proportionality; and up to 7 persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members).

1.2 The Co-opted member(s) will be entitled to vote at meetings under the provisions of section 13(4)(e) of the Local Government and Housing Act 1989. The Standards Advisory Committee shall be chaired by a Co-opted member.

1.3 The Committee shall establish Hearings and other Sub-Committees in accordance with its terms of reference and these procedures.

### **2. Appointment of Co-Opted Members**

2.1 A person may not be appointed as a Co-opted member of the Standards Advisory Committee or one of its sub-committees unless the appointment is approved by Full Council. The term of appointment shall be for 4 years unless otherwise determined by Council or the Co-optee does not continue to fulfil any required conditions as may be determined by the Authority from time to time. Co-opted members may serve as many terms of appointment as the Council considers appropriate.

### **3. Roles and Functions**

3.1 The Standards Advisory Committee has the following roles:

(a) To recommend to the Monitoring Officer whether or not any complaint of a breach by the Mayor, a Councillor or a co-opted member of the Members Code of Conduct should be referred for investigation by the Monitoring Officer or an investigator appointed by the Monitoring Officer; and where a complaint has been subject to such investigation, to recommend whether or not the complaint should proceed to hearing. Where the Monitoring Officer considers that a complaint should not be subject to investigation or should not proceed to hearing, s/he shall convene an Investigation and Disciplinary Sub-Committee of the Standards Advisory Committee comprising at least 3 different Members of the Standards Advisory Committee (comprising 2 of the co-opted members and 1 Councillor) which shall make the final decision on the matter;

(b) To receive regular quarterly reports from the Monitoring Officer on the numbers of complaints of the Code received, the decisions taken by the Monitoring Officer (in consultation with the Independent Person) on such complaints and investigation



outcomes where the investigation determines there was no evidence of a failure to comply with the code or where the investigation outcome recommends a local resolution;

(c) To convene a Hearings Sub-Committee of 3 Members of the Standards Advisory Committee comprising 2 of the co-opted members and 1 Councillor to consider any matter where the investigation finds evidence of a failure to comply with the Code and a local resolution is not possible or appropriate;

(d) To make such recommendations to Council in respect of the matter as the Hearings Sub-Committee considers appropriate as a result of any matter referred including;

(i) Reporting its findings to Council for information;

(ii) Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) removal from any or all Committees or Sub-Committees of the Council;

(iii) Recommending to the Mayor removal from the Executive, or from particular Portfolio responsibilities;

(iv) Recommending the Monitoring Officer arrange training for the member;

(v) Recommending removal from outside appointments to which s/he has been appointed or nominated;

(vi) Recommending withdrawing facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;

(vii) Recommending excluding the member from the Council's offices or other premises, except for meeting rooms as necessary for attending Council, Executive Committee and Sub-Committee meetings;

(viii) Recommending the Member to contact the Council via specified point(s) of contact;

(e) To convene a Hearings (Appeal) Sub-Committee of at least three different Members of the Standards Advisory Committee (comprising 2 of the co-opted members and 1 Councillor) to consider any appeal against a finding of, or sanction recommended by, the Hearings Sub-Committee;

(f) To receive reports on compliance with any recommendation(s) made for sanctions to be applied in respect of any member;

(g) Promoting and maintaining high standards of conduct by the Mayor, Members of the Council, co-opted members including church and parent governor representatives and where the Committee considers that there may be issues of concern recommending that the Monitoring Officer considers and reports on the issues raised;

(h) Assisting the Mayor, Members of the Council, co-opted members including church and other faiths and parent governor representatives to observe the Council's Code of Conduct for Members;

(i) Advising the Council on the adoption or revision of the Code of Conduct for Members;

- (j) Monitoring the operation of the Code of Conduct for Members;
- (k) Advising, training or arranging to train the Mayor, Members of the Council and co-opted members including church and other faiths and parent governor representatives on matters relating to the Code of Conduct for Members;
- (l) To act as an advisory body in respect of any matters referred to the Standards Committee by the Local Strategic Partnership (LSP) or Community Forums in respect of probity issues arising out of the codes and protocols applicable to relevant members of the LSP and Community Forums as set out in the Community Forum handbook and as may be amended from time to time;
- (m) To advise on allegations of Member breaches of the Protocols set out in the constitution as may be referred to the Committee by the Monitoring Officer and to make recommendations with regard to such allegations as maybe so referred;
- (n) Advising on local protocols for both Officer and Member governance;
- (o) To monitor and review Member and Officer Procedures for registering interests and declaring gifts and hospitality;
- (p) To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and complaints; and
- (q) As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.

#### **4. Validity of proceedings**

4.1 A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or Sub-Committee are present for its duration and such quorum must include at least one councillor and at least one co-opted member.

4.2 Part VA of the Local Government Act 1972 applies in relation to meetings of the Standards Advisory Committee or its Sub-Committees as it applies to meetings of the Council.

#### **5. Hearings Sub-Committee and Hearings (Appeal) Sub-Committee**

5.1 Any Hearings Sub-Committee or Hearings (Appeal) Sub-Committee shall comprise a minimum of three Members of the Standards Advisory Committee at least two of whom shall be co-opted members.

5.2 The Hearings Sub-Committee shall consider complaints referred to it that the Mayor, an elected or co-opted Member of the Council may have failed to comply with the Council's Code of Conduct for Members or local protocol where the complaint has been subject to an investigation arranged by the Monitoring Officer and shall make recommendations accordingly. The Hearings Sub-Committee shall decide at

the outset of the meeting whether it is in the public interest that the Hearing is held in a public or private session in accordance with relevant statutory guidance as advised by the Monitoring Officer.

5.3 The membership of the Hearings (Appeal) Sub-Committee shall not include any member who served on the Hearings Sub-Committee that considered the same complaint.

5.4 The Independent Person, or if that person is unable to act a reserve Independent Person, shall have the right to attend all meetings of the Hearings Sub-Committee or Hearings (Appeal) Sub-Committee as an observer but may not vote or participate in the decision making.

## **6. Attendance Requirements**

6.1 In the event that any Member of the Committee does not attend three or more consecutive meetings of the Committee, the Committee may draw the attention of the Council to such non-attendance and may recommend that the member concerned be replaced on the Committee.

6.2 The Committee shall not do so without first giving the absent Member an opportunity to make representations (which may be made in writing) as to their non-attendance and any matters they wish the Committee to take into account.


## **7. Procedures**

7.1 The Committee shall maintain these procedures to enable it to discharge the arrangements under its Terms of Reference.

## **8. Confidentiality**

8.1 The Committee and any of its Sub-Committees may meet in private in accordance with the relevant legislation as advised by the Monitoring Officer. Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.

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Non-Executive Report of the: <b>Standards Advisory Committee</b> Date: 15 <sup>th</sup> October 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Implementation of Best Practice Recommendations by CSPL</b>	

<b>Originating Officer(s)</b>	Janet Fasan, Divisional Director of Legal Services Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All (All Wards);

### **Special Circumstances Justifying Urgent Consideration**

This report was not ready for publication with the agenda because it took longer than expected to gather all the relevant data. However, it is still considered important to present the report to this meeting of the committee as it provides a timely update on progress to meet the best practice recommendations and enables Members to comment and guide the work.

### **Executive Summary**

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. The CSPL is an advisory non-departmental public body, sponsored by the Cabinet Office. This report informs Members of the progress of LBTH in implementing the recommendations from the 2019 report and the actions still to be taken.

### **Recommendations:**

The Advisory Committee is to consider and note the content of the report.

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

1.1 This report does not require a decision.

#### **2. ALTERNATIVE OPTIONS**

2.1 This report does not require a decision.

### **3. DETAILS OF THE REPORT**

- 3.1 The CSPL review of local government ethical standards considered all levels of local government in England and its terms of reference were to:
- Examine the structures, processes and practices in local government in England for:
    - Maintaining codes of conduct for local councillors;
    - Investigating alleged breaches fairly and with due process;
    - Enforcing codes and imposing sanctions for misconduct;
    - Declaring interests and managing conflicts of interest;
    - Whistleblowing
  - Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
  - Make any recommendations for how they can be improved;
  - Note any evidence of intimidation of councillors and make recommendations for any measures that could be put in place to prevent and address such intimidation.
- 3.2 The review included a public stakeholder consultation particularly aimed at local authorities and standards committees, local authority members and local authority officials, as well as local government think tanks, academics and representative bodies.
- 3.3 Following the consultation and recommendations of the CSPL review in 2019, LBTH has made progress in implementing the report's recommendations. The progress for each recommendation is detailed in the chart at Appendix 1 of this report.
- 3.4 In terms of recommendations 1 and 3, these are currently being addressed with a proposed amendment to the Code of Conduct for Members. In accordance with Recommendation 1, the proposed amendment includes a definition of bullying and examples detailed in an appendix. The suggested text and appendix are at Appendix 2 of this report.

### **4. EQUALITIES IMPLICATIONS**

- 4.1 Ethical governance arrangements ensure proper decision making and contribute to the Council's compliance with equalities legislation.

### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,

- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 Robust ethical governance arrangements ensure the proper, efficient and effective discharge of the Council’s functions and contribute to compliance with the requirement to achieve best value.

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

6.1 There are no financial implications arising from this report.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 The principal statutory provisions relating to standards of conduct are contained in the *Localism Act 2011*. S.27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority.

7.2 S.27 and s.28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.

7.3 If the Government decides to accept the CSPL’s recommendations for changes to the standards regime, amendments will be required to the 2011 Act and other primary legislation.

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

### **Linked Report**

- Committee on Standards in Public Life – Report on Local Government Ethical Standards (Standards Advisory Committee, 25 April 2019)

### **Appendices**

- Appendix 1 – Best Practice Recommendations chart
- Appendix 2 – Draft amendment to Code of Conduct for Members

### **Local Government Act, 1972 Section 100D (As amended)**

### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- NONE

**Officer contact details for documents:**

N/A



**Committee Standards on Public Life - Best Practice Recommendations**

Recommendation	Progress of LBTH	Actions still to be taken
<p><b>(1)</b> <i>Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.</i></p>	<p>The current code of conduct for members contains a prohibition on bullying and this was updated to include harassment in the revised code as part of a wider review of the council's constitution in 2019. It is proposed to include Bullying and harassment in both the Offer/Member Relations Protocol and the Member's Code of Conduct</p>	<p>A definition and list of examples of these behaviours has been prepared and will be incorporated into the code.</p>
<p><b>(2)</b> <i>Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial and malicious allegations by councillors.</i></p>	<p>The council's arrangements for dealing with complaints of the breach of code contain provisions designated to prohibit trivial and malicious allegations. The revised Code was updated to include a requirement to comply with any formal standards investigation as part of the wider review of the council's constitution in 2019.</p>	<p>NA (met).</p>
<p><b>(3)</b> <i>Principle authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.</i></p>	<p>Code of conduct was reviewed as part of the wider review of the council's constitution in 2019.</p>	<p>A review of the code will be added to the SAC workplan for February 2021 and annually thereafter.</p>
<p><b>(4)</b> <i>An authority's code should be readily accessible to both councillors and the public, in a prominent position on the council's website and available at the council's premises.</i></p>	<p>The code is easily accessible on the Members' Hub and the council website.</p>	<p>NA (met).</p>
<p><b>(5)</b> <i>Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.</i></p>	<p>Gifts and hospitality are published online when they are received in a Word document. This is done as soon as they arrive and happens every quarter.</p>	<p>The SAC receive quarterly updates on Gifts and Hospitality.</p>

<b>(6)</b> <i>Councils should publish a clear and straightforward public interest test against which allegations are filtered.</i>	There is currently a section on the website explaining why some complaints may not be dealt with.	
<b>(7)</b> <i>Local authorities should have access to at least two independent persons.</i>	The council has two independent persons.	NA (met).
<b>(8)</b> <i>An independent person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious or trivial.</i>	The council's arrangements for dealing with complaints of breach of the code require the monitoring officer to consult the independent person when deciding what action (if any) should be taken in respect of the complaint. This includes where complaints are referred for local resolution, formal investigation or closed without further action.	NA (met).
<b>(9)</b> <i>Where the local authority makes a decision on the allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the independent person, the reasoning of the decision maker and any sanction applied.</i>	The council's arrangements for dealing with breach of the code contain provision for the publication of decisions taken by the hearings sub-committee following consideration of an investigation report.	
<b>(10)</b> <i>A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process of handling complaints, and estimated timescales for investigations and outcomes.</i>	The council's arrangements for dealing with complaints of the breach of code set out the process for handling complaints and contain estimated timetables for investigations and outcomes. The arrangements are easily accessible on the council's website.	The wording in the guidance is being updated and will include a process map to assist understanding of the process.
<b>(11)</b> <i>Formal standard complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.</i>	RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL	RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL

<p><b>(12)</b> <i>Monitoring officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches of parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.</i></p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>
<p><b>(13)</b> <i>A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the monitoring officer from a different authority to undertake the investigation.</i></p>	<p>This has not yet been addressed.</p>	<p>The council's arrangements for dealing with complaints of breach of the code will be revised to include a specific provision to address conflicts of interest. This will be added to the SAC workplan for February 2021.</p>
<p><b>(14)</b> <i>Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.</i></p>	<p>This has not yet been addressed.</p>	<p>The Head of Democratic Services and the Head of Audit wil consider this recommendation and bring a report to SAC in November.</p>
<p><b>(15)</b> <i>Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</i></p>	<p>The council's Monitoring officer(MO) and S.151 officer meet twice a month and standards issues are addressed at these meetings. The MO also meets the group leader and whip to discuss any standard issues.</p>	<p>NA (met).</p>

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## LONDON BOROUGH OF TOWER HAMLETS BULLYING AND HARASSMENT POLICY

### **Introduction:**

Everybody has a right to be treated with dignity and respect, and to live and work in an environment which is free from bullying, harassment, discrimination and victimisation.

Bullying, harassment, discrimination and victimisation (either directly or indirectly) are unacceptable behaviours and should not be tolerated. As an elected member, it is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the London Borough of Tower Hamlets as a public body, in terms of morale and operational effectiveness.

You are responsible for your own behaviour and must ensure that you are aware of and comply with the provisions concerning bullying and harassment in this Code of Conduct for Members and Member/Officer Relations Protocol of the Constitution.

### Definition

Bullying includes offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

### Examples of harassment:

- Unwelcome physical contact such as touching or invading personal space;
- Inappropriate remarks about someone's appearance, lewd comments, offensive jokes (including ones of a racial or sexual nature);
- Intrusive questioning about a person's sexual practices, sexual orientation or religious beliefs; and
- Sending unwelcome emails, messages or notes.

### Examples of bullying:

- Deliberately making someone's work life difficult, such as humiliating or ridiculing other members or officers about their work, constantly criticising the work of other members or spreading malicious rumours and gossip;
- Intimidating behaviour, including verbal abuse and making threats;
- Making false accusations about others;
- Physical violence; and

- Deliberately excluding someone from conversations, work or social activities, in which they have a right or legitimate expectation to participate.

### **Your responsibilities as a member:**

- Behave in accordance with the Code of Conduct for Members in all situations where you act as a councillor, including representing London Borough of Tower Hamlets and/or your work on official business and when using social media.
- Ensure that you are familiar and comply with the terms of any policy the London Borough of Tower Hamlets has issued on bullying and harassment.
- Treat all individuals with courtesy and respect when carrying out duties as a member. Do not participate in or condone acts of harassment, discrimination, victimisation or bullying.
- Be aware of the influence the role of a member brings to ensure that you demonstrate respect for others and encourage colleagues to do the same.
- Be aware of the role officers play and ensure you are not compromising this by behaving in a manner that could make them feel threatened or intimidated, which could prevent them from undertaking duties properly and appropriately. You must not bring undue influence to bear on an officer to take certain action, particularly if it is contrary to the law or the council's policies or procedures.
- Become aware of what is meant by bullying or harassment in the event you are made aware through your position of victims to this kind of behaviour.
- Encourage complainants to seek support and assistance and make it clear you will assist in offering assistance.
- Challenge inappropriate behaviour as it happens and consider making a complaint.

### **Hypothetical Scenarios**

These examples are a list of examples demonstrating behaviour which as a member, you should prevent either in yourself or others:

- Member A disagrees with the council procedure for enforcing parking breaches. They use disrespectful and abusive language towards

THEOs in the borough and seek to use position as member improperly in relation to parking offences they commit.

- Member B makes threatening comments suggesting loss of employment or promotion and/or physical violence to officers of the council at both junior and senior grades if they do not take action on certain incidents occurring in their ward.
- Member C disagrees with a decision passed at full council and makes disrespectful comments about members involved in the motion on their personal blog and through tweets.

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**TOWER HAMLETS**

# **STANDARDS ADVISORY COMMITTEE WORK PLAN and ACTION LIST 2020/21**

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Email:	020 7364 4651
Telephone:	<a href="http://www.towerhamlets.gov.uk/committee">www.towerhamlets.gov.uk/committee</a>
Website:	

## ACTIONS LIST

To list actions from previous meetings which will require the attention of the Committee at a future meeting.

Action number	Title	LEAD OFFICER	Originating Meeting	Due Date / Comment
1.	Reports as required on Ethics matters from elsewhere including government and other local authorities.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	Ongoing	As required.
2.	Annual Review of the Code of Conduct	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	To be scheduled	Schedule for April 2021 (and April every year after)
3.	LGA Consultation on Draft Model Member Code of Conduct – to prepare a response including contributions received from Advisory Cttee members	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	30 July 2020	17 August 2020 - Concluded
4.	Amendments to Draft Standards Advisory Committee Annual Report to Council prior to submission to full council.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	30 July 2020	September 2020
5.	Arrangement of training for Members' of the SDC and DC on lobbying following Holborn Studios judgement.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	30 July 2020	

**Standards Advisory Committee WORK PLAN 2020/21**

Action number	Title	LEAD OFFICER	Originating Meeting	Due Date / Comment
6.	Reminder to be sent to all members on the Council's social media policy and their obligations to comply with it.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	30 July 2020	
7.	Introduction of a standard 'nil return' declaration for gifts and hospitality.	Matthew Mannion, Head of Democratic Services	30 July 2020	
8.	Circulate workplan to Committee Members	Matthew Mannion, Head of Democratic Services	30 July 2020	Asap once agreed with MO and Chair - Completed
9.	Member / Officer Protocol	Janet Fasan, Divisional Direct, Legal Services and Deputy Monitoring Officer	Previous year's meeting	Added at request of Chair
10.	Self-Assessment survey on how effectively we meet all the TOR items	Matthew Mannion, Head of Democratic Services		Suggested by Fiona – take feedback and tailor reports or training as required. Look to have results for the next meeting.

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**N.B. once concluded** - actions should remain on the list marked 'complete' for the remainder of the municipal year.

## WORK PLAN

The workplan itself is a standing agenda item

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
<b>30 JULY 2020</b>			
1. Register of Gifts and Hospitalities	Quarterly update report	Matthew Mannion, Head of Democratic Services	
2. Member Attendance Statistics	Report on Member attendance for the previous year.	Matthew Mannion, Head of Democratic Services	
3. Dispensations under Section 33 of the Localism Act 2011	6-monthly update on any dispensations granted under the Act and any related matters.	Asmat Hussain, Corporate Director, Governance and Monitoring Officer	
4. Code of Conduct for Members – Complaint Monitoring and Associated Matters	Quarterly update report	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
5. Draft Annual Report to Council	To consider the draft Annual Standards Advisory Committee report to Council.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	Council – Autumn 2020
<b>15 OCTOBER 2020</b>			
1. Annual Administrative Reports	[Note – if the Annual Meeting takes place in September then this meeting will consider the regular administrative housekeeping reports e.g. Appointment of Chair and Terms of Reference and Membership]		
2. Register of Gifts and Hospitalities	Quarterly update report	Matthew Mannion, Head of Democratic Services	

**Standards Advisory Committee WORK PLAN 2020/21**

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
3. Code of Conduct for Members – Complaint Monitoring and Associated Matters	Quarterly update report	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
4. Member Learning and Development Programme Update	Yearly update on the Member Learning and Development programme and associated matters.	Matthew Mannion, Head of Democratic Services	
5. Implementation of Best Practice Recommendations by CSPL	Update following previous report to SAC in 2019. Note – report originally scheduled at cancelled April 2020 meeting.	Asmat Hussain, Corporate Director, Governance and Monitoring Officer	
6. Members Rights to Access to Information	Previous request of Committee to receive a report setting out Member rights to access information. Note – report originally scheduled at cancelled April 2020 meeting.	Matthew Mannion, Head of Democratic Services	
7. Practical guidance for Members handling confidential information – [Cover report merged with above item]	Previous request of Committee. Note – report originally scheduled at cancelled April 2020 meeting.	Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer and Ruth Dowden, Head of Information Governance	
8. Register of Interests – Member home addresses	An update on the issue of member home addresses being restricted from access through the register of interests.	Matthew Mannion, Head of Democratic Services, Patricia Attawia, Democratic Services Team Leader (Civic and Members)	
9. Update on Member training in relation to the Planning Code – [to be briefing note]	An update following recent discussions on planning code of conduct matters looking at how members are trained to think about these issues. [Note – after discussion to be a briefing note rather than committee report to enable it to capture information from October training development control training sessions]	Rachel McKoy, Head of Commercial and Contracts, Legal Services	

**Standards Advisory Committee WORK PLAN 2020/21**


REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
<b>4 FEBRUARY 2021</b>			
1. Register of Gifts and Hospitalities	Quarterly update report	Matthew Mannion, Head of Democratic Services	
2. Dispensations under Section 33 of the Localism Act 2011	6-monthly update on any dispensations granted under the Act and any related matters.	Asmat Hussain, Corporate Director, Governance and Monitoring Officer	
3. Model Code of Conduct	Update including LGA	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
4. Member Officer (and Member to Member) Protocol	Review existing Protocol and propose any improvements.	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
5. Code of Conduct for Members – Complaint Monitoring and Associated Matters	Quarterly update report	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
6. Strengthening Local Democracy	Update report on the Strengthening Local Democracy Project	Asmat Hussain, Corporate Director, Governance and Monitoring Officer	
<b>22 April 2021</b>			
1. Register of Gifts and Hospitalities	Quarterly update report	Matthew Mannion, Head of Democratic Services	

**Standards Advisory Committee WORK PLAN 2020/21**

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
2. Code of Conduct for Members – Complaint Monitoring and Associated Matters	Quarterly update report	Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	
3. Annual Review of the Code of Conduct		Asmat Hussain, Corporate Director, Governance and Monitoring Officer / Janet Fasan, Divisional Director, Legal Services and Deputy Monitoring Officer	

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Decision Report Cover Sheet:  <b>Council</b>  18 November 2020	 <b>TOWER HAMLETS</b>
<b>Cover Report of:</b> Matthew Mannion, Head of Democratic Services  <b>Main Report:</b> Councillor Val Whitehead, Chair of the Audit Committee	<b>Classification:</b> Unrestricted
<b>Annual Report of the Audit Committee 2019-20</b>	

<b>Wards affected</b>	All Wards
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### Summary

At its meeting on 21 July 2020, the Audit Committee considered their annual report for 2019-20. They agreed to forward the report to Council for consideration.

The annual report is attached to this cover sheet as Appendix 1.

### Recommendations:

The Council is recommended to:

1. Review and note the attached Annual Report of the Audit Committee for 2019-20

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Non-Executive Report of the:  <b>Audit Committee</b>  21 <sup>st</sup> July 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Chair of Audit Committee – Cllr Val Whitehead	<b>Classification:</b> Unrestricted
<b>Audit Committee Annual Report 2019/20</b>	

<b>Originating Officer(s)</b>	Farhana Zia
<b>Wards affected</b>	All wards

### **Executive Summary**

The Chair's Audit Committee annual report is produced to reflect on the achievements of the Committee and is reported to Council. The report relates to the activity of the Committee in 2019/20.

### **Recommendations:**

The Audit Committee is recommended to:

1. Note and approve the Chair's Annual Report before this is presented to Council.

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# **AUDIT COMMITTEE ANNUAL REPORT 2019/2020**

## **Foreword by the Chair of the Audit Committee**

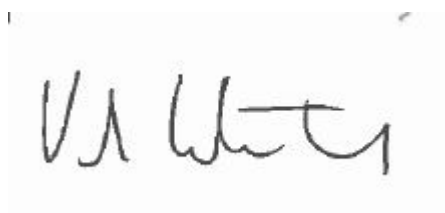
I am pleased to present the first annual report of the Council's Audit Committee.

It has certainly been a busy year. In the last 12 months we have reviewed and updated our terms of reference and work programme, closely monitored the Council's progress in improving and finalising its statement of accounts, held our first web cast meeting and throughout maintained oversight over the Council's governance, risk management and internal control frameworks.

I am particularly delighted to welcome a new Independent Person to the Audit Committee. We have already felt the benefits of Charlotte's knowledge and expertise and I look forward to working with her in the future.

Looking forward to 2020/21, the Council faces some big financial challenges and the Committee will continue to diligently discharge its responsibilities and strive to maintain its pivotal role in good governance. With this in mind, we will be self-assessing ourselves against best practice and will agree an action plan to address any areas for improvement.

Finally, I would like to take this opportunity to thank the Committee Members and Council officers that have supported the Audit Committee over the last year. Their professionalism and integrity are highly valued, and they have made a challenging role that much easier.

A handwritten signature in black ink, appearing to read 'Val Whitehead', is centered on a light-colored rectangular background.

**Councillor Val Whitehead, Chair of the Audit Committee**

## **Introduction**

Audit Committees are a key component of the Council's governance framework. Their function is to provide an independent and high-level resource to support good governance and strong public financial management.

The Audit committee is required, by its terms of reference, to submit an annual report to Council outlining the Audit Committee's activities over the previous year. This report summaries the work of the Audit Committee during 2019/2020 and how it has undertaken its responsibilities for reviewing the key areas within its remit. Specifically, these include:

- Internal Audit;
- Risk Management;
- Corporate Governance;
- Internal Control
- External Audit
- Counter Fraud; and
- Financial reporting and treasury management.

## **Terms of reference**

The terms of reference for the Audit Committee are reviewed each year to ensure they represent current regulations and best practice as outlined within guidance for audit committees from the Chartered Institute of Public Finance and Accountability and are attached at **Appendix A**.

The terms of reference were initially reviewed by the Audit Committee at its first meeting of the municipal year on the 23<sup>rd</sup> July 2019. They were last amended at the Audit Committee meeting of 14<sup>th</sup> November, following the appointment of the independent person onto the Committee. The terms of reference were approved by the General Purposes Committee on the 25<sup>th</sup> February 2020 under their delegated powers.

## **Committee Information**

### **Audit Committee Membership**

Eight elected Members serve on the committee plus the Independent Member:

- Councillor Val Whitehead (Chair)
- Councillor Abdal Ullah (Vice-Chair)
- Councillor Mufeedah Bustin (Member) \*
- Councillor Marc Francis (Member)
- Councillor Ehtasham Haque (Member)
- Councillor Ayas Miah (Member)
- Councillor Kyrsten Perry (Member)

- Councillor Andrew Wood (Member)
- Charlotte Webster (Independent Member)

There are four substitute members

- Councillor Mohammed Ahab Hossain (Substitute)
- Councillor Gabriela Salva-Macallan (Substitute)\*
- Councillor Bex White (Substitute)\*
- Councillor Peter Golds (Substitute)

The substitute members identified with a \*, have substituted for Councillor Mufeedah Bustin, who was on maternity leave, with each councillor covering one meeting respectively.

### **Audit Committee Meetings**

The Committee has met on four occasions during the year with meeting dates structured around the regular receipt of annual assurance reports, external and internal audit cycles and statutory requirements around the production of the Accounts and the Annual Governance Statement.

The frequency of meetings ensures the Committee can fulfil its responsibilities in an efficient and effective way. The number of meetings are aligned to the recommendations made by CIFPA.

The July meeting of the Committee is particularly important, as the Annual Statement of Accounts and the agreement of the Annual Governance Statement takes place. However, this year due to the Annual Accounts not being ready for sign off, members of the committee have had an increased opportunity to input into the Annual Governance Statement.

### **Committee Business**

A list of reports considered by the Audit Committee can be found in **Appendix B**. The main outcomes of the committee's work in relation to its core functions can be summarised as follows:

#### **Internal Control**

The Committee:

- Received and considered the Head of Internal Audit's annual opinion on the Council's governance, risk management and internal control environment for 2018/19.
- Received and considered regular reports from the Head of Internal Audit on audits of internal controls, risk management and governance. The reports also provided



monitoring information on the implementation of agreed audit recommendations. Members specifically considered the following limited or nil assurance reports raised by the Head of Internal Audit during in year:

- Management and Control for Deprivation of Liberty Safeguards (DoLS)
  - Guardian Angels School
  - Client Monitoring of Fire Safety in Residential Dwellings
  - Management and Control of Electronic Parking Income
  - Request for Quotation (RFQ) system
  - Debtors Systems Audit
  - Right to Work Compliance
  - Quality Assurance Systems in Children's social care
  - Efficiency Savings
  - Purchase Cards
  - Risk Management
  - No Recourse to Public Funds (Children's)
- Requested the attendance of senior officers responsible for these areas to attend Audit Committee meetings to explain the remedial action taken and if recommendations made by the Internal Audit team had been implemented.
  - Continued to provide support to the Internal Audit Team to ensure management was responsive to recommendations made and agreed.

## **Risk Management**

The Committee:

- Received and considered quarterly updates on Risk Management activity across the Council.
- Received and considered quarterly updates on the Corporate Risk Register.
- Received and considered the Annual Risk Management report (including the Risk Management Strategy).

## **Anti-Fraud**

The Committee:

- Received and considered quarterly updates on the Fraud investigations undertaken by the Corporate Fraud team. The team investigated over 500 cases of alleged fraud.
- The Committee also received a presentation from the National Fraud Initiative and explanation on how data is matched to identify potential fraud.
- Reviewed the Anti-Bribery Policy.

## **Financial Reporting**

The Committee:

- Received and considered the Council's Treasury Management Strategy and performance.
- Received regular reports on the progress to revise and finalise the Council's 2018/2019 Statement of Accounts.

## **Internal Audit**

The Committee:

- Agreed the Internal Audit Plan for 2019/20.
- Received and approved the Internal Audit and Anti-Fraud Charter
- Received and considered information on the performance and effectiveness of the Internal Audit Team.

## **External Audit**

The Committee:

- Received and considered the External Audit Plan.
- Received and considered reports on the External Auditor's progress against the agreed plan.

## **Governance**

The Committee:

- Overseen the production of the 2018/19 Annual Governance Statement (Final to be agreed)

## **Approval of 2018/19 Annual Financial Accounts**

The Annual Financial Accounts are signed off by the Committee in July each year. However, the Financial Accounts for 2018/19 were delayed due to issues regarding the accounting methods used to account and reconcile entries on the journal. The methodology used has been scrutinised by the external auditors and issues have been worked through to ensure that going forward the Council has robust accounting procedures in place. The Chair and Committee members have received regular updates on the progress being made and are pleased to report the Annual Financial Accounts for 2018/19 were signed off by the Committee at its May 2020 meeting.

## **Approval of 2018/19 Annual Governance Statement**

The draft Annual Governance statement has come to Committee on several occasions and has been updated taking into account the views of Members. The Chief Executive, Mr Will Tuckley attended the Committee's May 2020 meeting, when he presented Annual Governance Statement and commented upon the overall health and governance culture in the organisation. It is anticipated the Annual Governance Statement for 2018/19 will be agreed at the July 2020 meeting.

## **Training and Development**

Training and development of members has been provided to Members of the Audit Committee since its inception. There is an induction session at the beginning of the municipal year which informs members of their roles and responsibilities. Further training, on the financial accounts has also been provided prior to the commencement of key meetings.

However, it is recognised training and development of members is required throughout the year. Hence going forward it is envisaged training will cover the following aspects:

<b>Meeting</b>	<b>Training and Development</b>
June	Annual Induction to Audit Committee *mandatory for members of the Audit Committee but also open to all Members
July	Annual Accounts
November	Audit & Fraud
January	Treasury Management
April	Risk Management

## **Conclusions**

In conclusion, the Audit Committee has demonstrated that it has added value to the Council's overall governance, risk management and internal control framework.

Throughout 2020-21, the Audit Committee plans to continue to require senior officers to attend meetings to aid its understanding of the services and issues identified through the audit process, but mostly to ensure that internal and external recommendations are given the priority required and implemented in a timely basis.

The Audit Committee will continue to monitor the action taken to produce the Annual Financial Accounts to ensure the new processes and procedures are implemented to improve the standards of accounts going forward.

## Audit Committee

<b>Summary Description:</b>	
<ol style="list-style-type: none"> <li>1. The Audit Committee is a key component of the Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.</li> <li>2. The purpose of the Audit Committee is to provide independent assurance to the Members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.</li> </ol>	
<b>Membership:</b> 8 Councillors. The Audit Committee shall not be chaired by a Member of the Executive.	
<b>Independent Person:</b> The Audit Committee may choose to appoint an Independent Person (IP) to advise and support the Committee. The IP will not be a member of the Audit Committee but would be entitled to attend all the meetings and associated training of the Committee. The IP can receive and comment on any reports submitted to the Committee, including restricted agenda items.	
<b>Functions</b>	<b>Delegation of Functions</b>
<u>Governance, Risk and Control</u>	None
1. To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.	
2. To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.	None
3. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.	None
4. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.	None
5. To monitor the effective development and operation of risk management in the Council.	None
6. To monitor progress in addressing risk-related issues reported	None

to the committee.	
7. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.	None
8. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.	None
9. To monitor the counter-fraud strategy, actions and resources.	None
10. To review the governance and assurance arrangements for significant partnerships or collaborations.	None
<u>Internal audit</u>	None
11. To approve the internal audit charter.	
12. To review proposals made in relation to the appointment of external providers of internal audit services.	None
13. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.	None
14. To approve significant interim changes to the risk-based internal audit plan and resource requirements.	None
15. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.	None
16. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.	None
17. To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include: <ul style="list-style-type: none"> <li>a. Updates on the work of internal audit including key findings, issues of concern and management actions as a result of internal audit work.</li> <li>b. Regular reports on the results of the Quality Assurance and Improvement Programme (QAIP).</li> <li>c. Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and the associated Local Government Application Note (LGAN) published by the Chartered Institute of Public Finance and Accountancy (CIPFA) considering whether the non-conformance is significant enough that it must be included in the AGS.</li> </ul>	None
18. To consider the Head of Internal Audit's annual report, including: <ul style="list-style-type: none"> <li>a. The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that</li> </ul>	None


<p>support the statement.</p> <p>b. The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.</p>	
19.To consider summaries of specific internal audit reports as requested.	None
20.To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.	None
21.To contribute to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every five years.	None
22.To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations.	None
23.To provide free and unfettered access to the Audit Committee chair for the Head of Internal Audit, including the opportunity for a private meeting with the committee.	None
24.To commission work from internal audit.	None
<u>External audit</u>	None
25.To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments (PSAA) or the authority's auditor panel as appropriate.	
26.To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.	None
27.To consider specific reports as agreed with the external auditor.	None
28.To comment on the scope and depth of external audit work and to ensure it gives value for money.	None
29.To commission work from external audit.	None
30.To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.	None
<u>Financial reporting</u>	None
31.To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.	
32.To consider the external auditor's report to those charged with	None

governance on issues arising from the audit of the accounts.	
<u>Accountability arrangements</u>	None
33. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.	
34. To report to full Council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.	None
35. To publish an annual report on the work of the committee.	None
<b>Quorum:</b> 3 Members of the Committee	

## AUDIT COMMITTEE AGENDA ITEMS – FROM JULY 2019 TO MAY 2020

Reports	23 <sup>rd</sup> July 2019	14 <sup>th</sup> November 2019	30 <sup>th</sup> January 2020	13th May 2020
Annual Financial Accounts 2018/19	✓	✓	✓	✓
Annual Governance Statement 2018/19	✓	✓		✓
Annual Internal Audit and Counter-Fraud Strategy Plan				✓
Annual Review of Anti-Bribery Policy		✓		
Annual Risk Management Report 2018/19		✓		
Annual Self-Assessment and report of the Audit Committee				
Audit Committee Terms of Reference	✓	✓		
Head of Internal Audit Annual report 2018/19	✓	✓		
Internal Audit & Anti-Fraud Report Q1,Q2,Q3 & Q4	✓	✓	✓	
Internal Audit Charter			✓	
Review of Code of Corporate Governance				Deferred 2020/21
Risk Management Report Q1, Q2, Q3 & Q4	✓	✓	✓	
Risk Management Strategy				✓
Treasury Management Report Q1,Q2,Q3 & Q4	✓	✓	✓	
Whistleblowing Report				Deferred to 2020/21



Decision Report Cover Sheet:  <b>Council</b>  18 November 2020	 <b>TOWER HAMLETS</b>
<b>Cover Report of:</b> Matthew Mannion, Head of Democratic Services  <b>Main Report:</b> Sharon Godman, Divisional Director Strategy, Policy and Performance and Statutory Scrutiny Officer	<b>Classification:</b> Unrestricted
<b>Annual Report of the Overview and Scrutiny Committee 2019-20</b>	

<b>Wards affected</b>	All Wards
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## Summary

At its meeting on 21 September 2020, the Overview and Scrutiny Committee considered their annual report for 2019-20. Following discussion, they agreed to forward the report to Council for consideration, subject to any final amendments from the Divisional Director, Strategy, Policy and Performance (Statutory Scrutiny Officer) which may need to be made.


The annual report is therefore attached to this cover sheet as Appendix 1.

## Recommendations:

The Council is recommended to:

1. Review and note the attached Annual Report of the Overview and Scrutiny Committee for 2019-20

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Non-Executive Report of the:  <b>Overview &amp; Scrutiny Committee</b>  21/09/2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Sharon Godman Divisional Director Strategy, Policy and Performance	<b>Classification:</b> Unrestricted
<b>Scrutiny Annual Report 2019-20</b>	

<b>Originating Officer(s)</b>	Filuck Miah (Strategy & Policy Officer)
<b>Wards affected</b>	All Wards

**Reasons for urgency:** This report has been published after the publication deadline as it needs to be presented to the Scrutiny Committee before the end of the Committee year. This will be the last chance for the existing membership to agree the report.

## 1. SUMMARY

1.1 This Annual Report provides a summary of the work the Overview & Scrutiny Committee, Health and Adults, Children and Education, Housing and Regeneration Sub-Committees and Scrutiny Leads have delivered in the 2019-2020 municipal year.

## 2. RECOMMENDATIONS:

2.1 The Overview & Scrutiny Committee is recommended to:

1. Comment and agree the report for submission to Full Council in the new municipal year;
2. Authorise the Divisional Director Strategy, Policy & Performance to amend the report following comments by the Committee, in consultation with the OSC Chair, before submission to Full Council.

## 3. REASONS FOR THE DECISIONS

3.1. This report provides a summary of the diverse range of scrutiny work carried out during the year by the Overview and Scrutiny Committee and the Health & Adults, Housing & Regeneration and Children & Education Sub-Committees.

#### **4. ALTERNATIVE OPTIONS**

- 4.1. The Committee may decline to agree the recommendations. This is not recommended as the report outlines work undertaken by Councillors and officers to identify areas of improvement.

#### **5. DETAILS OF REPORT**

- 5.1. Under the Council's Constitution, the Overview and Scrutiny Committee (OSC) must report annually to Council, documenting the Committee's activities during the past year, including on the work of the Health & Adults Scrutiny Sub-Committee.
- 5.2. The attached report (Appendix 1) highlights the range of work delivered by Scrutiny during the municipal year this includes Spotlight with the Mayor, Borough Commander. Scrutiny also held a one-off challenge session looking at community safety issues on Safer Neighbourhood Ward Panels and Premises Charges and Community Benefit Rent Reduction Scheme. A key focus for the Overview and Scrutiny Committee has been Environment Spotlight on bring the waste services in house and how this will deliver improvements. The committee also held a number of budget and performance monitoring scrutiny meetings which examined the Council's Medium Term Financial Strategy (MTFS) position and how the Council was meeting its performance for the Strategic Plan.
- 5.3. The work of the Overview and Scrutiny Committee is broken down into different ranges of scrutiny activity including in depth scrutiny reviews and challenge sessions, Call In, and spotlight sessions focusing on the Council and partners service and performance.

#### **6 EQUALITIES IMPLICATIONS**

- 6.1 Reducing inequality, promoting community cohesion and building Community leadership are all central to the work of the Overview and Scrutiny Committee. A number of reviews and challenge incorporated an equalities perspective in their consideration including Safe Neighbourhood Ward Panels engagement with seldom heard residents, Transport Strategy and Parking Services, Deep Dive on Special Education Needs and Disability (SEND) provision.

#### **7 OTHER STATUTORY IMPLICATIONS**

- 7.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

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

8.1 There are no direct financial implications from this annual report.

## **9. LEGAL COMMENTS**

9.1 Article 6.03 (e) of the Council's constitution provides that the Overview and Scrutiny Committee must report annually to Full Council on its work. This report complies with that requirement.

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

- **Appendix 1: Overview and Scrutiny Committee Annual Report 2019/20**

#### **Linked Report**

- 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:**

- Filuck Miah Ext 1152  
[Filuck.miah@towerhamlets.gov.uk](mailto:Filuck.miah@towerhamlets.gov.uk)

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# Overview and Scrutiny Committee

## Annual Report 2019-20

21/09/2020



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## Chair's Foreword

I am pleased to present the Overview and Scrutiny Committee's (OSC) Annual Report for 2019-20. This year has been marked by a number of changes as we aimed to drive improvement in the Council's scrutiny function. As we started the year, I challenged Members to think of ways to strengthen the effectiveness of scrutiny and ensure we support the Council to deliver the best outcomes for our residents. In response we delivered the following:

- Adjusted the portfolio areas of Scrutiny Leads to mirror the portfolio areas of Cabinet Leads. This enabled us to be better aligned to the strategic priorities of the Council and aptly placed to respond to residents' concerns.
- Introduced a Children's & Education Sub-Committee to ensure robust scrutiny arrangements were in place to support the continuous improvement in Children's Services following the significant work which was delivered to achieve a 'good' Ofsted rating.
- Delivered a work programme which focused on fewer issues in greater detail and allowed us to add real value to policy development.
- Allocated more time on our agendas for pre-decision scrutiny of Cabinet papers which facilitated a greater impact on the decision-making process.
- Nurtured an organisational culture which supports scrutiny to play a key role in the Council's governance and decision making. We worked closely with the Council's Cabinet Leads and Corporate Directors to encourage their buy-in and have open and honest conversations about key issues and identify where scrutiny can add value. We also invited all non-executive councillors to feed into the development of our work programme and invited them to Scrutiny Challenge Sessions and Reviews throughout the year. We recognised that everyone that works in the Council has a role to play in creating an environment conducive to effective scrutiny; however, it is important that this is led and owned by Members.
- Revised terms of references for the Overview and Scrutiny Committee and its Sub-Committees as part of the Council's review of its Constitution. This helped to bring better focus to the work of our Committees and allowed us to be clear about the outcomes we were trying to achieve and therefore make better recommendations.

As you read through this report, you will hear about the wide ranging and extensive work programme we have delivered. Throughout all of this, reflecting the voice of residents in the Council's decision-making process and policy development has been one of our main aims. As we developed our work programme, we launched an online form for residents to suggest topics for our consideration. We used technology to help us engage seldom heard groups in our Challenge Session on Safer Neighbourhood Ward Panels, webcast all our OSC meetings, and held some scrutiny meetings at different locations across the borough.

As we approached the close of the scrutiny year the country was hit by the COVID-19 pandemic, presenting unprecedented challenges for the Council and our residents. As the resources of the Council were redirected to support residents, OSC adapted its work programme to support the Council in these efforts and lead on local-led scrutiny of the operational response and recovery plans. I'm very proud of the work we achieved in this challenging time and encourage you to read the findings and recommendations we have put forward in our report: *Review of London Borough of Tower Hamlets' Response to COVID-19*.

I would like to take this opportunity to extend my thanks to the Committee Members and Officers for their contribution at our meetings in the past year. I hope you find this report interesting and informative, and hope that you will be inspired to engage with the OSC next year.



**Cllr James King,  
Chair, Overview and Scrutiny Committee  
London Borough of Tower Hamlets**

## Overview & Scrutiny in Tower Hamlets 2019-20

### Membership

#### Scrutiny Committees

For 2019-20, OSC remains the main Member-led Body, which holds the executive decision makers to account through scrutinising issues of strategic importance and key topics in detail. To support this arrangement OSC has continued with three sub-committees and two scrutiny leads covering portfolio areas. These include:

Committee	Role
<b>Overview &amp; Scrutiny Committee</b> OSC's terms of reference can be found here: <a href="http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf">http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf</a>	
Councillor James King	Chair
Councillor Kahar Choudhury	Scrutiny Lead for Health and Adults
Councillor Sufia Alam	Scrutiny Lead for Children and Education
Councillor Dipa Das	Scrutiny Lead for Housing and Regeneration
Councillor Tarik Khan	Scrutiny Lead for Finance & Resources
Councillor Bex White	Scrutiny Lead for Environment & Community Safety
Councillor Marc Francis	Scrutiny Member
Councillor Eve McQuillan	Scrutiny Member
Councillor Andrew Wood	Scrutiny Member
Halima Islam	Co-opted Member
James Wilson	Co-opted Member
<b>Health &amp; Adults Sub-Committee</b> Health & Adults Scrutiny Sub-Committee's terms of reference can be found here: <a href="http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf">http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf</a>	
Councillor Kahar Choudhury	Chair
Councillor Shad Chowdhury	Scrutiny Member
Councillor Denise Jones	Scrutiny Member
Councillor Gabriela Salva Macallan	Scrutiny Member
Councillor Andrew Wood	Scrutiny Member

David Burbidge	Co-opted Member
Sue Kenten	Co-opted Member
<b>Children &amp; Education Scrutiny Sub-Committee</b>	
Children & Education Scrutiny Sub-Committee's terms of reference can be found here: <a href="http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf">http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf</a>	
Councillor Sufia Alam	Chair
Councillor Shah Ameen	Scrutiny Member
Councillor Mohammed Pappu	Scrutiny Member
Councillor Kyrsten Perry	Scrutiny Member
Councillor Helal Uddin	Scrutiny Member
Councillor Andrew Wood	Scrutiny Member
Neil Cunningham	Co-opted Member
Joanna Hannan	Co-opted Member
Fatiha Kassouri	Co-opted Member
Dr Phillip Rice	Co-opted Member
Khoyrul Shaheed	Co-opted Member
<b>Housing &amp; Regeneration Scrutiny Sub-Committee</b>	
Housing & Regeneration Scrutiny Sub-Committee's terms of reference can be found here: <a href="http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf">http://democracy.towerhamlets.gov.uk/documents/s171017/Part%20B%20-%20Responsibility%20for%20Functions%20and%20Decision%20Making%20Procedures.pdf</a>	
Councillor Dipa Das	Chair
Councillor Shah Ameen	Scrutiny Member
Councillor Mohammed Pappu	Scrutiny Member
Councillor Kyrsten Perry	Scrutiny Member
Councillor Helal Uddin	Scrutiny Member
Councillor Andrew Wood	Scrutiny Member
Councillor Marc Francis	Scrutiny Member
Ann Ambrose	Co-opted Member
Moshin Hamim	Co-opted Member

## Work Programme 2019-20

Early in the municipal year, the OSC agreed a work plan for 2019-20:

<http://democracy.towerhamlets.gov.uk/documents/s152728/Scrutiny%20Work%20Programme%20201920%20Final.pdf>)

However, as the COVID-19 pandemic changed the world in March 2020, the Council was forced to adapt its services and redeploy resources to support the local emergency response to the pandemic. This meant much of the Council's non-essential business was put on hold, including the work and operations of scrutiny. All planned scrutiny meetings and activity were cancelled and postponed.

The OSC adapted its work to consider how Members could support the Council and residents during the pandemic. OSC began its scrutiny of the Council's response to COVID-19 in April 2020, following up with monthly reviews at OSC virtual meetings, and further Sub-Committee reviews on portfolio-specific topics in July and August. All of this work is presented in OSC's report: Review of London Borough of Tower Hamlets' Response to COVID-19, and accompanies this Annual Report.

The following highlights the work of scrutiny pre-COVID-19, starting with that of the OSC, then the Sub-Committees, and finally the work of the scrutiny leads.

## Overview & Scrutiny Committee

### Mayors Spotlight

At the start of the Scrutiny year, OSC invited Mayor John Biggs to present his priorities for the year ahead with a view to identifying how scrutiny can best support the delivery of corporate priorities. The Mayor's focus has been on community safety and maximising employment opportunities for local people and businesses. The Mayor's update covered a range of issues as he stressed the importance of carrying out further action in respect of the following:

- The delivery of his manifesto pledges, as set out in the Council's Strategic Plan.
- The next round of budget planning in view of budget pressures and uncertainties around Brexit.
- School placements issues due to demographic changes.
- Regeneration and progress with delivering new homes.
- The continuous improvement of Council services, including the quality of children's services.
- Managing the move to an in-house waste service and meeting recycling targets.
- Community safety through for example action to address ASB and knife crime and initiatives to improve the quality of the street environment.
- Promoting community cohesion, working with partners and maximising opportunities for residents.

OSC resolved to pick up these issues in its subsequent meetings or at the relevant Sub-Committee meetings.

### Environment Spotlight

In July 2019, the Committee heard a presentation on the creation of an in-house service for the integrated delivery of the waste, recycling and cleansing functions within Tower Hamlets. OSC considered the financial risk of the process alongside the expected improvements from the in-house delivery. The Committee highlighted that given the proposed changes there

maybe impact in service provision and the transition of employees through the TUPE process.

OSC resolved to:

1. Receive updates on the progress towards ensuring that the waste; recycling and cleansing functions are carbon neutral by 2025;
2. Ensure that updates on missed bin collections are sent every quarter to the Scrutiny Lead for Community Safety & Environment;
3. Receive written assurances from Human Resources on the progress regarding the transfer of the Service back in house (i.e. the TUPE arrangements); and
4. Ensure that the details of the revised waste collection schedule are shared with the Scrutiny Lead for Community Safety & Environment.

## Complaints

In September 2019, the Committee received a presentation on the complaints procedure. As a result of discussions on the report the Committee resolved that it wanted to: consider this issue again once the Committee had received the Complaints Annual Report, develop relevant themes into OSC's Work Programme; and, if possible, receive a demographic profile on the complaints received.

In January 2020, the Committee revisited this area and received a presentation on how the Council is responding to complaints and requests for information, as the Information Governance Toolkit had been published. The Committee agreed to maintain a watching brief over how the Council is responding to complaints and requests for information.

In keeping with the focus on complaints, the Committee also considered a report issued by the Local Government Ombudsman. The Ombudsman had found fault with the way in which a homeless application was dealt with by LBTH when the applicant had been threatened with homelessness in February 2019 and was made homeless in March 2019.

OSC agreed to allocate this to the Housing Scrutiny Sub-Committee and resolved that the Sub-Committee consider the following: (i) a review of the Council's implementation of the Homelessness Reduction Act legislation; (ii) an update in 3 months of the Housing Options Improvement Business Case; and (iii) an update on the backlog in regards to the Housing Options Service casework.

## Annual Residents Survey

Also, in September, the Committee received and noted a report on the Annual Residents Survey which explored residents' views about the Council, services and the local area. OSC indicated that it would have wished to see the Survey results in full in order to see what is happening in the Ward clusters in more depth. As a result of discussions on the report the Committee resolved that it wanted to receive a more detailed report that set out the Survey results in full.

## Strengthening our Consultation Process

In October, the Committee received a presentation from the Mayor on Strengthening the Council's Consultation Process. The Committee highlighted the importance of a consistent approach across the Council regarding the consultation process. Therefore, the Council must have a set of consultation principles for officers which gives clear guidance to directorates on conducting consultations and demonstrates the Council's desire to engage more effectively across the Borough. OSC also wish to see more consultations on Green

spaces as they provide a wide variety of environmental, economic and social benefits. As a result of discussions on the report the Committee resolved that it wanted to be notified about all consultations in the future, wished to see paper templates and examples of good consultations in every consultation pack; and want to receive copies of the guidelines for consultation on green spaces.

### **Transport Strategy and Parking Services**

In November, the Committee received and noted a presentation on the Transport Strategy and Parking Services. As a result of discussions on the report the Committee resolved that it wanted to receive a report by the end of this year on how the Council should respond to transport demand which is outside of its control, e.g. river crossing; bus travel; river transport and arterial routes.

### **Borough Commander Spotlight**

Also, in January, the BCU Commander for Hackney and Tower Hamlets gave a presentation to the Committee on the challenges and key areas of work undertaken to tackle community safety.

OSC commented that there are concerns regarding 101 non-emergency number for contacting the police and wanted examples issue's so that they can be chased or evidence that the Police Service is working to increase capacity, and that it wanted to see more transparency by the Police Service about what is happening to help build linkages with Safer Neighbourhood Panels (SNP) and enable residents to effectively challenge their Safer Neighbourhood Teams. OSC also would like policies on resolution/detection rates on Domestic Violence.

OSC recommended the Scrutiny Lead for Community Safety & Environment to (i) escalate concerns regarding reporting via 101; (ii) share the findings of the Scrutiny Challenge Session (Resident Engagement with Safer Neighbourhood Panels) with the Borough Commander; and (iii) examine the balance of partnership resources within the BCU to see how better we can support Police activities and the development of the SNPs.

### **Waste Mobilisation update**

In January, the Committee received a presentation updating on progress of the creation of an in-house service for the integrated delivery of waste, recycling and cleansing functions for the 29th March 2020. OSC request more information on the environmental impact of the new vehicle fleet and recommended that a scrutiny review of the service take place 6 months after the establishment of the in-house service. The Committee also requested an update after 6 months on the employees' terms and conditions following the formation of the in-house service.

### **Customer Service - One Stop Closure and Digitalisation**

The Committee received an overview of the changes taking place since the closure of One Stop Shops. OSC had significant concerns about the way these changes are being implemented and the way it is impacting on the Borough's residents, for example. service users have apparently been turned away from Rushmead in spite of assurances that every effort is made to accommodate residents who turn up at Rushmead. OSC also had concerns about the support that is being given to residents and the skillsets of staff in place to support residents. OSC requested that adequate support is put in place for older people and those whose first language is not English. OSC identified the need to ensure that there is a better feedback loop in place for customers using the digital hubs. OSC expressed concern that some officers seemed unaware of the poor experiences reported to councillors by residents



and wanted the service to gather better intelligence from residents. Finally, OSC requested a report on the Parking Service to include (i) details of the number of older residents who had gone from using the paper scratch cards to “virtual’ permits”; and a comparative analysis of permits issued since the introduction of “virtual’ permits” against the same period in 2019;

### **Local Community Fund (Call In)**

In August 2019, the decision considered and agreed by the Mayor in Cabinet relating to the Local Community Fund (LCF) programme and funding to individual organisations for a period of 42 months from 1 October 2019 to 31 March 2023 was subject to a ‘call-in’. The Committee considered the following objections which formed the basis for the call-in, this included:

- The outcome of the LCF programme is contrary to the Council’s community strategy in that local,
- Small organisations are excluded from funding and bigger organisations with better capability to apply, and go through application process, receive funding.
- It will result in job losses throughout the voluntary and community sector; and that the procurement of the assessment service was flawed.

The Overview and Scrutiny Chair confirmed that the decision should be referred to the Mayor in Cabinet for reconsideration. This should include consideration for alternative course of action set out in the call-in requisition with suggested amended wording. After considering the request The Mayor in Cabinet declined to make this amendment.

### **Strategic Review of Tower Hamlets Homes (Call In)**

Also in August 2019, the decision considered and agreed by the Mayor in Cabinet relating to the Strategic Review of Tower Hamlets Homes’ was subject to a ‘call-in’. The Committee considered the following objections which formed the basis for the call-in, this included:

- That the THH contract is extended for a maximum of two years to undertake a full consultation and resident-led appraisal of option 1: in-house management
- That the Council arranges a peer review for delivery of housing options, assisted by an independent advisor experienced in finance, risk and partnerships to undertake economic and governance modelling of housing options; and informed by a full risk register and comprehensive risk assessments
- Undertake economic modelling of financial implications of housing options that reflects the lifting of the HRA debt cap

The Overview and Scrutiny Chair confirmed that the decision should be referred to the Mayor in Cabinet for reconsideration. This should include consideration for alternative course of action set out in the call-in requisition with suggested amended wording. After considering the request The Mayor in Cabinet declined to make this amendment.

### **Budget Scrutiny 2019–22**

In 2020, we continued building on our work from previous years to provide effective budget scrutiny. The budget scrutiny included formal constitutional arrangements and additional activity to strengthen the role of the Committee in in the development of and scrutinising of the budget. As part of this process we reviewed the Mayors draft budget and prepared a response. Recommendations made had two areas of focus e.g. improving the budget setting process to ensure better alignment with corporate and resident priorities and highlighting concerns with several Medium-Term-Financial Strategy (MTFS) proposals. The full set of

recommendations are set out below to which a written response was received from the Mayor addressing each recommendation made by the Committee:

- Recommendation 1: That the Council restructures its budget setting process so that it has a greater focus on delivering priorities and measuring impact.
- Recommendation 1a: Conduct the Budget Consultation (which gauges public priorities) at the beginning of the municipal year
- Recommendation 1b: Review modelling for income projections and expenditure assumptions to ensure income growth is more accurately reflected.
- Recommendation 1c: Develop a more ambitious income generation strategy in collaboration with partners, businesses and residents.
- Recommendation 1d: That the Council undertake and publish an assessment of the cumulative impact of proposals, including increases in Council Tax and fees and charges to better understand the impact of multiple decisions on particular groups of residents.
- Recommendation 2: That the Mayor consider, review and ratify the following MTFS decisions in Cabinet at milestones along their development and implementation.
- Recommendation 3: That a review of expenditure within the Parks and Culture and Communications Directorates take place to identify new Commercialisation opportunities and potential Savings

### **Medium Term Financial Strategy (MTFS) and Budget Planning**

As part of our scrutiny of the Council's finances, we received a presentation which outlined the approach for prioritising resources over the Medium Term Financial Strategy (MTFS) from 2019-20 to 2020-21. We discussed our concerns by the sizable savings that the Council needs to achieve and we felt that a more robust approach to developing saving proposal and regular updates on delivery of savings was required alongside further validation and timeframes. We also reviewed ways in which the Council can achieve its savings target. We felt that overview and scrutiny should continue to play a key role on the oversight of the Council's recovery plan. We raised concerns and felt that the budget consultation process should have started earlier to allow for better engagement with residents and the scrutiny process itself.

### **Strategic Plan Performance and Delivery Reporting**

The Committee received quarterly performance reports which outlines the process for monitoring the timely and effectively delivery of the Strategic Plan to improve outcomes for residents. The Committee scrutinised how targets have been developed and acknowledged that sustainability was key to Council's improvement journey. The Committee noted that there were only targets for performance indicators and not contextual indicators which are important for prioritising Council Investments and actions and requested that these be included in future reports. Moving forward, OSC will focus on strategic performance indicators to help measure the impact of the recommendations made. In response to the report, OSC agreed to incorporate the following into the work programme: Work Path, Homelessness, Adult Social Care and Housing and Medical Assessments via Housing and Regeneration Scrutiny Sub-Committee.

### **Health and Adults Scrutiny Sub-Committee**

#### **Committee Involvement into development of new Council strategies**

The Sub-Committee contributed to the development of key Council strategies including Health and Wellbeing Strategy refresh and the new Physical Activity and Sports Strategy.

We were able to suggest recommendations and help to shape the development of these plans. We will follow up on both strategies with a view to bringing these back next year to examine the progress on suggested recommendations and advice given.

### **Learning Disability Challenge Session**

The Sub-Committee felt that outcomes for adults with a learning disability was not improving at pace. A Challenge Session was held in March 2020 to evaluate services that are supporting adults with learning disabilities and focussed on three areas:

- Physical health management of adults with learning disability
- Level of support provided to get into paid employment
- Level and quality of support provided to enable them to live locally.

The pandemic temporarily paused the progress of this, so that we can focus on the impact of COVID-19 on local services and the wider community. The report is planned with a number of recommendations to inform the development of Learning Disability Strategy 2020-25 refresh and is scheduled for the committee to sign off in October 2020.

### **Proposed Changes to Welfare Meals**

The Sub-Committee examined the plans to remove the 'meals on wheels' service and felt concerned that the decision had been made to discontinue the service without appropriate engagement with the Health & Adults Scrutiny Sub-Committee. Consequently, the follow up discussions enabled an updated report to be taken to Cabinet which allowed the scope to discuss the closure of the service publicly. In addition, the Sub-Committee reviewed the equality impact assessments to ensure that the closure of this service did not have a disproportionate impact on a specific demography.

### **Review of Homelessness Action Plan**

The Sub-Committee carried out further review of the Homelessness Action Plan. This action plan was started by the Health & Adults Scrutiny Sub-Committee 18 months ago and the Sub-Committee wanted to check that progress was made in delivering the action plan. The findings of the review highlighted that more work needs to be done to deliver on flagged areas of the action plan and that it was not meeting the milestones. The Sub-Committee had some concerns on certain sheltered accommodation, deemed to be unsafe and the level of demands to identify more pet friendly accommodation. However, overall, the Sub-Committee were satisfied with the progress made on the action plan and thanked officers for their continued commitment to work on the delivery of the recommendations.

### **Adult Social Care Charging Update**

The Sub-Committee scrutinised an updated report on the impact of adult social care charging policy and discussed at some length the findings of the report in order to ensure that the introduction of the policy does not negatively impact on the health and care of residents. The issue was investigated in detail over a few meetings throughout the year with Council officers providing updates. The Sub-Committee strongly recommended that in future consultation exercises there should be an independent and external sense check on impact on service change. To understand this better, the Sub-Committee requested information to be provided on financial data showing the amount being raised from charging and the amount being spent to administer charging since the inception of the charging policy.

### **Safeguarding Adults Board Annual Report 2018-19**

The Sub-Committee reviewed the Safeguarding Adults Board Annual Report 2018-19 with the aim of ensuring that vulnerable people in Tower Hamlets were effectively being safeguarded from harm. The Sub-Committee made key recommendations to the

Safeguarding Adults Board to ensure that all relevant agencies involved are learning from Safeguarding Adults Reviews and prevent any future harm or death from taking place. The Sub-Committee emphasised that loneliness was identified as a key issue and that support for isolated and vulnerable people should be prioritised.

## **Children and Education Scrutiny Sub-Committee**

### **Proposed Closure of Secondary School**

The Sub-Committee heard from representatives from the school community who outlined their concerns about the proposed closure. The Divisional Director for Education and Partnerships provided the rationale behind the proposal to close the school and the Cabinet lead for Children, School and Young People identified three key challenges that schools faced

- Cuts to school funding from Central Government meant schools were facing huge financial pressures
- change in financial regulations whereby schools had to demonstrate they were not in deficit for a maximum of three years
- changing demographics of the borough in terms of population and demand means the Council needs to ensure school places are in the right locations within the borough.

The Sub-Committee recommended that the Council needs to reflect on its consultation process to ensure the timings of consultations are done in a sensitive way whilst meeting with statutory requirements and that information should be made accessible to members of the public.

### **Deep dive on Special Education Needs and Disability (SEND) provision**

The Sub-Committee undertook a deep dive on SEND provision in the borough and in particular the focus was on preparation for the forthcoming local area inspection of SEND provision. We heard from the Council's SEND Ambassadors (all parents of children with SEND) and from a SEND young person who talked about his experiences and the difficulties he faced. The Divisional Director for Education and Partnerships outlined the approach to improving provision for children with SEND and their families as well as detailing the preparations for the inspection. Four recommendations were drawn out from this

1. Support parents when a child is diagnosed with special needs.
2. Being more inclusive – integrating services in the community and increasing community awareness.
3. Train staff especially teachers and teaching assistants
4. Getting an early diagnosis with intervention.

### **Secondary School Exclusions**

The Sub-Committee also considered the report on Secondary School Exclusions following the scrutiny review into the issue. The report was produced following a series of Sub-Committee meetings where evidence was heard on the issue. In reviewing the report, the Sub-Committee accepted the findings along with its 10 recommendations.

### **Youth Service Provision for Girls**

The Sub-Committee heard from several young people that attended youth service provisions (commissioned and in-house) for girls as well as the importance for providing youth provision that particularly attracted female attendees. A member of the Youth Cabinet outlined how

high-quality youth provision had helped her to attain her role and frame some of the priorities that she had for her term in office.

### **Primary School Places Review**

The Sub-Committee received a presentation about the planning for primary school places in order to reflect projected demand and demographics. The Sub-Committee heard from a number of school representatives who had made decisions to close, merge or federate in order to better reflect the changing demographics. Consequently, the Sub-Committee made a recommendation to the Housing & Regeneration Scrutiny Sub-Committee to conduct a scrutiny session on the borough's demographic shift and how it affected school places.

### **Special Education Needs and Disability (SEND) Transport**

The Sub-Committee heard about proposals (consultation on the provision of SEND transport) which would bring provision more in line with statutory obligations. The Sub-Committee also discussed how to increase independence for children and young people with SEND through increased use of independent travel training. Following discussion, it was resolved that scrutiny look at the impact of housing and education as a joint scrutiny challenge session with housing Members.

## **Housing and Regeneration Scrutiny Sub-Committee Allocations Policy**

The Sub-Committee heard from the Housing Options Services on proposed amendments to the Housing Allocation Policy, including the removal of Band three of the Council's Allocation Register (waiting list). We made the following recommendations

- Housing officers to write to those on Band three to note any change in circumstances
- Share concerns about the medical assessment process with the Health and Adult Scrutiny Sub-Committee and that we receive a copy of the medical assessment criteria policy for further examination.
- Information about the Housing Panel to be put on the council website, including clarification that only landlords could refer to the Panel.

### **High Street and Town Centres – Supporting New and Existing Businesses**

The Sub-Committee received a report and presentation for the spotlight on High Street and Town Centres – supporting new and existing businesses. The discussion covered renovations of specific roads, concentration of similar businesses, community cohesion, supporting female entrepreneurs, meeting housing and retail needs of a growing population, London Living wage and exhibition events for Town Centres and Regeneration. Following the discussion, the Sub-Committee put forward recommendations to address the above

- Enterprise team to explore the growth of businesses at Ben Johnson Road
- An update on plans for retail and community infrastructure in the context of high population growth and density in the borough.
- Housing Committee Councillors to provide advice on town centre regeneration engagement events and listed on Members Hub.

### **Council's Emergency Planning/ Response Procedure**

The Sub-Committee received a presentation on the Council's Emergency Planning and Response Procedure from the head of Community Safety. The Sub-Committee discussed how incidents were classified as major or low risks; challenges of identifying residents and

vulnerable people who resided in new private own blocks or hotel; how the fire brigade should have an appropriate point of contact for the council and housing associations. Subsequently the Sub-Committee made the following recommendation

- Providing the Council officers with landlord information for emergency purposes and sharing the emergency incident duty rota with elected Councillors.

## Housing Supply and Demand

The Sub-Committee received a report and presentation on the subject of housing supply and demand. The Sub-Committee discussed buy back scheme and how many were being purchased from private and social landlords. It was highlighted that shared ownership was unfeasible for most working people. The Sub-Committee further examined London borough's setting up social letting agencies. Following the deliberation, recommendations was made to understand:

- A breakdown of Housing Association Supply Side by Section 106 and housing association led development.
- Number of under occupiers on the Housing Register
- The split in acquisitions between ex Council (Right to Buy) and purchases of other housing provider stock.

## Resource and Finance Scrutiny Lead

### Challenge Session: Premises Charges and Community Benefit Rent Reduction Scheme

The session was chaired by the Scrutiny Lead for Resources and Finance Councillor Tarik Khan and attended by council officers, partners and community organisations who contributed to the session. The session aimed to assess the impact of the introduction of premises charges on Voluntary and Community Sector organisations that occupy council buildings in Tower Hamlets. It also aimed to assess how effective the community benefit rent reduction scheme was in mitigating potential impacts and consider if the scheme goes far enough to ensure a thriving voluntary and community sector. The report produced six recommendations which will work to influence change in this area and inform the on-going review of community premises currently being undertaken by the council whilst highlighting the unique and powerful role the Voluntary and Community Sector has within the fabric of the Tower Hamlets community. The recommendations are set out below:

- Recommendation 1: The Council amends the community benefit rent reduction scheme to recognise the value nurseries/playgroups, faith groups and Tenants and Residents Associations bring to the community.
- Recommendation 2: The Council develop a vision and strategy around community buildings that recognises the value these premises brings to residents and VCS organisations alike.
- Recommendation 3: The Council uses its website and other communication channels to set out information around its community buildings including availability, location and how they can be accessed by VCS organisations.
- Recommendation 4: The Council monitors the use of premises leased to VCS organisations to ensure they're being used within the terms of the lease and/or funding agreement.
- Recommendation 5: The Council works with partners to provide capacity building to VCS organisations on matters relating to facilities management of premises.

- Recommendation 6: The Council develops a vision and strategy for community hubs to enable VCS organisations to take a lead role in managing and facilitating affordable access to these premises.

## **Environment and Community Safety Scrutiny**

### **Challenge Session: Seldom Heard Resident Engagement with Safe Neighbourhood Ward Panels**

In Oct 2020, Councillor Bex White chaired a Challenge Session to examine how we can improve the engagement of seldom heard residents with the safer neighbourhood ward panels. The session involved over 15 local residents, the Police, Safer Neighbourhood Board Chair, Council's Community Safety team and ward Councillors. The session allowed for residents to highlight the barriers to engagement and what could be done to improve this. This helped the Committee to identify and shape 11 recommendations including:

- Tower Hamlets ward panels to develop and recruit to vice chair roles, focussed on building representative participation.
- MOPAC (Mayor's Office for Police and Crime) to incentivise learning and development opportunities for ward panel vice chairs e.g. how to promote inclusion and engagement with seldom-heard community
- Establishment of a Youth Council representative on the Safer Neighbourhood Board as part of inclusive and diversity agenda
- A collaborative approach by Safer Neighbourhood Board (SNB), ward panels and the Police to publicise ward panels.
- Strengthening trust between the police and the ward's residents e.g. SNTs to lead and implement action-focussed minutes and jointly developing (at ward panels) a cultural framework of co-produced solutions.

### **Challenge Session: Behavioural change for boosting recycling rates.**

A challenge session to examine how the Council applies evidence and best practice to influence behavioural change to boost recycling was scheduled for April 2020. The focus of this session was to consider how research, evidence base, and best practice is applied, how the influence of residents and schools is taken on board and establishing what the insights tell us from communications campaign with resident engagement with recycling. The session was paused because of COVID-19 and social distancing policy and has been scheduled to be conducted in September 2020.

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## Scrutiny Work Programme - 2020/21

### Overview & Scrutiny Committee

Meeting	Type of Scrutiny	Item	Objective
Monday 26 October 2020	Spotlight	Waste Service	To review performance of waste service since being brought in-house
	Planning	Scrutiny Work Programme 2020/21, Appointments, Excellence/Action Plan	To review and approve the OSC work programme for 2018/19
	Strategic Performance Monitoring	Budget Monitoring Report 2020-21 (Period 5)	To monitor the Council's finances to ensure these align with Council priorities and provide residents with value for money
	Review	COVID-19 Update	To receive latest developments re. impacts, council and partners' response and future planning
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
Monday 23 November 2020	Strategic Performance Monitoring	Council delivery and performance report Q2 2020/21	To review the Council's performance against the strategic goals and provide critical friend challenge to service delivery
	Review	COVID-19 Update	To receive latest developments re. impacts, council and partners' response and future planning
	Spotlight	Improving Resident Engagement	To review current engagement (processes/practices and results) to improve resident participation
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
Monday 14 December 2020	Review	COVID-19 Update	To receive latest developments re. impacts, council and partners' response and future planning
	Spotlight	Draft Budget	To provide critical friend challenge to the budget setting process in line with the Council's priorities
	Spotlight	Town Hall – impact on assets/LBTH estate; financing, capacity	To review to delivery of the Town Hall development in the context of COVID-19 impacts
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
Monday 11 January 2021	Budget Meeting	Revised MTFS, latest Outturn and quarterly-monitor	To provide critical friend challenge to the budget setting process in line with the Council's priorities
Monday 25 January 2021	Strategic Performance Monitoring	Budget Monitoring Report 2020-21 (Period 8)	To monitor the Council's finances to ensure these align with Council priorities and provide residents with value for money

	Review	COVID-19 Update	To receive latest developments re. impacts, council and partners' response and future planning
	Spotlight	ASB	Reviewing the effectiveness of partnership response to ASB and the quality of service residents and victims of ASB receive
	Spotlight	Borough Commander	To consider the BCU's views and issues for TH
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
<i>Monday 1 February 2020</i>	<i>Reserve Budget Meeting</i>		
Monday 1 March 2021	Strategic Performance Monitoring	Council delivery and performance report Q3 2020/21	To review the Council's performance against the strategic goals and provide critical friend challenge to service delivery
	Review	COVID-19 Update	To review Cabinet decisions and make strategic recommendations
	Spotlight	Improving Resident Engagement	To review current engagement (processes/practices and results) to improve resident participation
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
Monday 22 March 2021	Spotlight	Council's Strategic Plan – review of achievement of outcomes	To hold the Mayor to account on progress of delivery on council priorities
	Review	COVID-19 Update	To review Cabinet decisions and make strategic recommendations
	Spotlight	Domestic abuse	looking at the extent of Covid-19 and effectiveness of partners response
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
Monday 26 April 2021	Review	COVID-19 Update	To receive latest developments re. impacts, council and partners' response and future planning
	Spotlight	Mayor	Mayor's priorities
	Pre-Cabinet	PDSQs	To review Cabinet decisions and make strategic recommendations
	Strategic Performance Monitoring	Budget Monitoring Report 2020-21 (Year-end)	To monitor the Council's finances to ensure these align with Council priorities and provide residents with value for money

**N.B. OSC Chair-led spotlight session – Place based decision making – in calendar, but not meeting:**

- Employment Support – As per above but with jobs and skills focus – the Council's response in supporting those into employment either displaced by the pandemic
- Review support arrangements with respect to need across LBTH

- Tackling Poverty – Pandemic Impact and next steps –focus on the Council’s ongoing response to tackling poverty - link into next steps arising from the poverty commission in reshaping our current approach; Review the council’s response to understand improvements

### **Health & Adults Sub-Committee**

<b>Meeting</b>	<b>Type of Scrutiny</b>	<b>Item</b>	<b>Desired Outcomes</b>
<b>1 Dec 2020</b>	Spotlight	HASC work programme 2020-21	To agree the work programme for the remainder of 2020-21 (3 meetings)
	Spotlight	Adults Learning Disability Challenge session report – 10 March 2020	<ul style="list-style-type: none"> <li>• Sign off report and recommendations (report related to 2019-20 work programme and delayed due to covid-19)</li> <li>• Recommendation to review adults LD provision in light of covid 19 in the new year</li> </ul>
	Spotlight	Winter Plans	Integrated presentation on the ASC Winter Plan and CCG Winter Plan (for noting)
	Spotlight	Report on local test, trace and isolate programme [OSC recommendation]	<ul style="list-style-type: none"> <li>• Report on effectiveness and performance of local test, trace and isolate programme as part of the ongoing response to the pandemic (Public Health) [OSC recommendation]</li> <li>• How we maintain and resource local shielding pathways for vulnerable people during winter and potential 2<sup>nd</sup> wave of covid 19.</li> </ul>
<b>8 Feb 2021</b>	Spotlight	BAME Inequalities Work Programme	<ul style="list-style-type: none"> <li>• How is PHE recommendations and local analysis addressing matters related to BAME inequalities? (Public Health)</li> <li>• How can findings from Mayor’s Inequality commission focusing on health (Lead Commissioner) support BAME inequalities work?</li> </ul>
	Spotlight	State of care homes in TH in the pandemic	Impact of covid-19 on staff and care home residents throughout epidemic
	Deep dive	ASC Savings Programme	Approach to be agreed.
	Spotlight	Primary Care Networks	To review the current situation and how the network is supporting integrated model of care (scope tba)
<b>29 April 2021</b>	Deep dive	Development of Adults Learning Disabilities Action Plan 2020-	<ul style="list-style-type: none"> <li>• In light of covid 19, are we meeting the needs of adults LD population?</li> <li>• How can the sub-committee support the development of the new LD Action Plan (5 year)</li> </ul>
	Spotlight	Health and social care integration – joint commissioning proposals	To review the current proposals for commissioning integration and provide any recommendations going forward (scope tba)

### Housing & Regeneration Sub-Committee

Meeting Date	Method	Item	Comment
3 November	Challenge Session	Homeless Reduction Act (HRA) – One Year On	Draft report of the scrutiny challenge session (held on the 2nd March 2020) and an action plan to be presented to committee for approval.
	Spotlight	Housing Options Service Delivery (Customer journey, Allocations scheme policy update and Intermediate Housing Register of Interest)	A presentation on the Housing Options Service focussing on the customer journey (in light of Covid-19) , including an update of the implementation of the changes to the Allocations Scheme and the introduction of an Intermediate Housing Register of Interest.
	Policy Framework Scrutiny	Social Landlords Performance Report	This item was deferred due to Covid-19 and this report will catch up on outstanding performance reports. The report will provide an update on the work of the Benchmarking group who are in the process of revising a new set of qualitative and quantitative KPI data. A PRP will be invited to attend the meeting to discuss aspects of their performance, starting with a request to Clarion to attend the November meeting.
10 February	Spotlight	Comprehensive Regeneration Update	A presentation covering all aspects of the Council's approach to regeneration, containing an outline of all current regeneration schemes.
	Spotlight	Leaseholder Service Improvement Plan (THH)	An update on the implementation of actions in the THH Leaseholder Service Improvement Plan following the presentation on service charges to the committee in January 2019.
	Spotlight	Housing Companies Update	A presentation providing an update on the Council's two housing companies – Seahorse and Mulberry Homes.
	Policy Framework Scrutiny	Social Landlords Performance Report	The first report in the new format with the second PRP (proposed: One Housing Group) invited to attend.
15 April	Spotlight/ Scrutiny Review	Employment Support – Covid-19 Response	A presentation on the Council's response in supporting residents into employment who have been displaced by the Covid-19 pandemic, focussing on jobs and skills.
	Spotlight	Fire Safety Progress Report	Following on from the 2017 scrutiny review of fire safety, this item will update members on the Council's work in remediating ACM cladding from the Borough's high-rise blocks. Progress on the MHCLG's External Wall Survey and an update on legislation will also be provided.
	Policy Framework Scrutiny	Social Landlords Performance Report	The end-of-year report on PRP performance alongside the third invited PRP (to be selected after consultation with all Council members) in attendance.

### Children's & Education Sub-Committee

Meeting	Type of Scrutiny	Item	Objective
Tuesday 15 December 2020	Review	Impact of Covid-19	Review impact of COVID on portfolio issues
	Review	TH Safeguarding Partnership	Review partnership-working: strengths and weaknesses, and options to improve
	Spotlight	Food provision for vulnerable families	Investigate the impact of COVID-19 on families' abilities to access food
Tuesday 9 February 2021	Review	Impact of Covid-19	Review impact of COVID on portfolio issues
	Review	Early Years Provision for 2 Year Olds	Review the provision across the borough
	Spotlight	Educational attainment of white working-class boys	Review the inequalities and issues around this cohort
Tuesday 6 April 2021	Review	SEND Update	Evaluate the policy and practice of service offers to SEND children and young people
	Review	Impact of Covid-19	Review impact of COVID on portfolio issues
	Review	Children's Social Care and Early Help	Review the provision, issues and the Early Help offer in TH
	Spotlight	Regional Adoption Agency	Review issues around TH placements in a regional setting/process


#### **Finance and Resources – Scrutiny Lead**

Timing	Type	Item
December 2020	Spotlight	Council Tax Reduction Scheme [NB. scope required to provide focus]
December (OSC)	Spotlight	Draft Budget
January 2021 (OSC)	Budget Meeting	Revised MTFs, latest Outturn and quarterly-monitor

#### **Community Safety and Environment – Scrutiny Lead**

Timing	Type	Item
October (OSC)	Spotlight	Waste Service - review performance of waste service since being brought in-house
January 2021 (OSC)	Spotlight	ASB
Feb 2020	Challenge Session	Liveable Streets – Review geography/selection of areas; funding; consultation Delivery of the council's Air Quality Action Plan and Net Zero Carbon Plan
Mar 2021	Spotlight	Domestic abuse – looking at the extent of Covid-19 and effectiveness of partners response

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Non-Executive Report of the:  <b>Council</b>  18 November 2020	
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance and Monitoring Officer	<b>Classification:</b> Unrestricted
<b>Governance Model Referendum</b>	

<b>Originating Officer(s)</b>	Vanessa Morgridge, Lawyer
<b>Wards affected</b>	All Wards

### Executive Summary

Following a referendum, the Council changed its governance model to the ‘Elected Mayor and Cabinet’ model in 2010. A ten-year moratorium on changing that model has now elapsed. Council is therefore asked to consider this report and determine what, if any, action should be taken to review the model.

Should Council determine it wishes to consider a change, this report sets out the legal process for implementing a change to the governance model through a motion at a council meeting or if a Petition meeting the relevant threshold is met.

This report further sets out the process to be followed should the Council formally resolve to hold a referendum on 6 May 2021 (or at a later date) on the question of whether or not to change Tower Hamlet’s governance model.

It should be noted that Will Tuckley, Chief Executive as ‘Counting Officer’ should be consulted and be in agreement with the polling date agreed by Council.

## **Recommendations:**

The full Council is recommended to:

1. Note the contents of this report and in particular the comments of the 'Counting Officer' in Paragraph 3.22
2. On the basis of this report and its appendices determine whether to formally ask the Counting Officer to hold a referendum on the Council's governance arrangements. Should Council determine not to request to hold a referendum it must determine alternative recommendation 8.
3. If Council agrees Recommendation 2, to then further agree the model of governance to be available to electors to choose at the referendum as the alternative to the current Mayor & Cabinet Model;

to choose an alternative from either:

- a) The leader and cabinet model of executive; OR
  - b) The committee model of governance.
4. To determine to hold the referendum on Thursday 6 May 2021 at the same time as the elections for the London Mayor and Assembly and the Neighbourhood Planning Referendum to be held on the Isle of Dogs or to propose an alternative date.
  5. If a governance referendum is to be held on Thursday 6 May 2021, to agree:
    - a) the referendum timetable at Appendix 2; and
    - b) to receive a report at its next meeting to agree the referendum proposals based on the council's decision and as required by the Local Government Act 2000 (LGA 2000) for publication.
  6. If a referendum is to be held after agreeing the proposals in 2-4 above to make them available for inspection and to publish them as required by LGA 2000.
  7. To note the financial cost to the Council of holding a referendum either in conjunction with other polls and elections or separately as set out in the comments of the Chief Finance Officer.

### **Alternative Recommendation**

8. To agree either;
  - a) that no change should be made to the current governance model; or
  - b) that no change should be made to the current governance model and



that a governance review should be held to consider alternative executive arrangements within the current model or to propose to Council for agreement a model for a referendum to be held at a later date.

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

- 1.1 As the ten year moratorium on changing the Council's governance model has now expired, this report is presented to give members a chance to determine whether they wish to continue with the current model or whether the Council should consider changing to an alternative model. Any proposal will have to be put to residents in a referendum. The results of the referendum would be binding on the Council.

## **2. ALTERNATIVE OPTIONS**

- 2.1 Members can determine to retain the existing governance arrangements with no changes.
- 2.2 Instead of determining the issue immediately, Members can vote to set up a Commission to prepare a report on which governance model would work best in Tower Hamlets. The report may take up to a year to prepare to give proper analysis and recommendations to the Council before formally resolving to hold a referendum. It is therefore likely not to report before the autumn 2021 and may not give time to hold a referendum before the 2022 Local Elections.

## **3. DETAILS OF THE REPORT**

### **Background**

- 3.1 The Council has operated the Mayor and Cabinet model of governance since May 2010.
- 3.2 The governance model was established through a referendum therefore it can only be changed through another referendum.
- 3.3 A further referendum to change the governance model cannot take place before 10 years of the date of the first referendum to change the governance model. The relevant date for Tower Hamlets was 5 May 2020.
- 3.4 The Local Government Act 2000 (as amended) sets out the statutory process which Councils must follow before they can change their governance arrangements.
- 3.5 Councils can only change from one available governance model to another and any referendum can therefore only be a choice between two of the available governance models below.

## Available Governance Models

- 3.6 The following Governance Models are available to councils:
- 3.6.1 The directly elected Mayor & Cabinet executive model, as currently in place.
  - 3.6.2 The Leader & Cabinet executive model; this model has similarities with the Mayor & Cabinet model in that an executive holds most decision-making power with some powers reserved for Council and its Committees. However, the Leader is a Councillor indirectly elected as leader by full Council, whereas the Mayor is directly chosen by electors.
  - 3.6.3 The Committee model, which removes all forms of executive governance and members make decisions through Committees usually established on subject areas such as housing or finance.
  - 3.6.4 The Council can also propose a new governance model (known as Prescribed Arrangements in the Act) for approval by the Secretary of State. Any proposal for new governance arrangements must demonstrate that:
    - a. They are an improvement on the current model in place;
    - b. would be likely to ensure that decisions are taken in an efficient, transparent and accountable way; and
    - c. would be appropriate for other councils to consider.
- 3.7 No Council has proposed any new model of governance to the Secretary of state to date so the only currently available models are 3.6.2 and 3.6.3.
- 3.8 It is also possible to vary existing governance arrangements so that they operate differently in any respect but are still the same model i.e. Mayor and Cabinet model in Tower Hamlets. A resolution and publication of a notice will also be required.
- 3.9 It should also be noted that within each model there are additional governance arrangements that can be adopted including the delegation of powers.
- 3.10 Members could decide to establish a governance commission to review all options including any potential changes within the existing system. Council could then decide a further course of action once that commission had reported. It should be noted that such a commission would likely take a year to report and so may not provide an opportunity to hold a referendum before the local elections in 2022. Any agreed change of governance model is only implemented at the following scheduled date of local elections.

- 3.11 The Council therefore has a range of options available to it for changing its governance model and these should all be taken into account when considering a formal resolution to undertake a referendum.

### **The legal Framework**

- 3.12 The council has power under s9K of the LGA 2000 to pass a resolution to change governance arrangements.
- 3.13 The Council's Mayor and Cabinet executive model can only be changed through a referendum because it was first adopted after a referendum.
- 3.14 If a referendum is approved, it must be conducted in accordance with the Local Authorities (Conduct of Referendums) (England) Regulations 2012) as amended by the Local Authorities (Conduct of Referendums) (England) (Amendment) Regulations 2014.
- 3.15 The Chief Executive as the Borough's Returning Officer is responsible for the administration and running of the referendum. For a governance referendum and Neighbourhood Planning Referendum he is referred to as the 'Counting Officer' and for the GLA his role is as the Borough Returning Officer (BRO).
- 3.16 The mandatory statutory process which Councils must follow to change the governance arrangements is set out in Part 1A, Chapter 4, ss.9K to 9OA of the LGA 2000. The Key features of the procedure in Tower Hamlets are:
- 3.16.1 The referendum can only be a binary choice between the current Mayor and Cabinet Executive model and either the Leader and Cabinet executive model or Committee model;
  - 3.16.2 The wording of the referendum question is set by the legislation and cannot be changed, see the prescribed questions available to the Council and Ballot paper at Appendix 1.
  - 3.16.3 Statutory notice requirements and a timetable must be followed, see the timetable based on Thursday 6 May 2021 at Appendix 2.
  - 3.16.4 Those registered to vote in local elections (Local Government franchise) in Tower Hamlets on the eligible date are able to vote in a referendum and the result is determined by a simple majority vote.
  - 3.16.5 If the referendum were to vote for a change in governance arrangements then the council would resolve to make the change within 28 days of the resolution and implement the changes at the elections in May 2022.

## **The date of the Referendum**

- 3.17 The Council is required to determine the date of the referendum and within the following limitations this is at the Council's discretion.<sup>1</sup>
- 3.17.1 It cannot be held before Thursday 6 May 2021 due to the statutory postponement of all elections to no earlier than this date (Local Government and Police and Crime Commissioner (Coronavirus) Postponement of Elections and Referendums) (England and Wales) Regulations 2020.
- 3.17.2 It cannot be held on a weekend or public holiday;
- 3.17.3 If the Council's governance model was to be changed at the next local elections then the referendum must be held before the next ordinary council elections on 5 May 2022 with time factored in to take into account the possible need to plan for the implantation of a new governance model if that is the outcome.
- 3.17.4 If the date set is within 28 days of another election, it must be combined with that election and held on the same day.
- 3.18 Combing the referendum with the London Mayoral and Assembly elections on Thursday 6 May 2021 and the Neighbourhood Planning Referendum on the Isle of Dogs complies with these requirements.
- 3.19 If the date of Thursday 6 May 2021 is agreed, the Council can agree the timetable at Appendix 2. Should a different referendum date be agreed a further report to Council will set out the necessary timetable.
- 3.20 If a resolution to hold a referendum is approved to be held on Thursday 6 May 2021, the Council must also determine the following:
- 3.20.1 Proposals for the change/the referendum proposals. A further report will be required to agree final proposals once a decision to hold a referendum and the alternative model of governance is known.
- 3.21 If a referendum is held and there is a majority vote in favour for a change of governance arrangements, within 28 days of the poll date, the Council must pass a second resolution to implement the change in a Special Council Meeting held for this purpose and if necessary transitional arrangements agreed.

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<sup>1</sup> Regulation 4 of the Local Authorities (Conduct of Referendums) (England) Regulations 2012 as amended).

## Counting Officer's Comments

- 3.22 Statutory Guidance on holding referenda state that the Counting Officer's views should be taken into account when setting the date (Local Government Act 2000 Guidance to local authorities, 2000 para 13), these views are set out here:
- 3.23 The returning officer's overarching view is that any poll should aim to maximise participation and turnout by all electors and also facilitate an accurate and valid result. Some factors for consideration on setting the date are:
- i. Public health factors: currently, all elections are postponed until Thursday 6 May 2021 due to the risks created by the Covid-19 pandemic. Significant work across London is taking place to minimise the risks in the London elections but the voting system by its nature creates a risk to public health by requiring non-postal voters to attend in person at polling stations and ordinarily there would be multiple use of equipment, poll booths etc. There is an equivalent risk to staff in stations and also at the count, both of which are ordinarily not suited to social distancing or avoiding multiple contact of potential infected equipment, ballot papers etc. Any change in polling methodology e.g. to a postal vote only ballot, would require changes in primary legislation and there is no such proposal or appetite at present being suggesting by government.
  - ii. Logically, the later the date for the referendum, the less likely it is to be affected but the risk of disruption may affect any date. (It is also noted that this may also have a broader impact on democratic participation and campaigning in the run up to polling day – although this is a matter outside of the Council's control).
  - iii. Equality of Access: elections are almost always held between April and July in part because the combination of better weather and lighter evenings makes voters' access to stations easier and safer. This will particularly benefit those with mobility difficulties. Scheduled Local and regional elections, as opposed to unscheduled by elections, are primarily fixed as the first Thursday in May in part for this reason. School holidays should be avoided and ideally school examination periods but it is important to note that the legislation supports and encourages the use of schools as polling places as specified in the RPA Act 1983, Chapter 2, Schedule 1, Part 111, paragraph 22. The December 2019 election by contrast caused a significant strain on resources due to weather and short-day length.
  - iv. With respect to the date of Thursday 6 May 2021, this would require combination of the referendum with the London Elections on the same day and with a Neighbourhood Planning Referendum on the Isle of Dogs. The Statutory Guidance cited above further advises to combine referenda with other polls where available and also the local authority should take steps to

maximise turnout, including the timing of the turnout of the referendum<sup>2</sup>. From the Counting Officer's perspective, there are benefits and risks to this option. The benefits are the potential for maximising turnout; early May increases the chance of good weather and long daylight hours and minimises the disruption to voters, schools and other stakeholders by avoiding two polling days. The main risks are the public health risks identified above disrupting the election and the added complexity for voters of completing 4 ballot papers with differing voting systems (and 5 ballot papers in the Neighbourhood Planning Area on the Isle of Dogs)

- v. It is important to note that the City and East constituency has historically had one of the highest rates of rejected ballot papers in London elections. The Counting Officer and staff are working closely with the GLA Returning officer to put in place measures to mitigate risks, so far as is possible.

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<sup>2</sup>Local Government Act 2000 Guidance to local authorities, 2000 4.13 and 4.16

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 The Council decision must be informed by compliance with the Council's general equality duty under s149 of the Equality Act 2010. If a democracy commission was established, it would need to consider equalities matters as part of its assessment work.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

- 5.2 There is no statutory duty to consult but members may consider it appropriate to hold a public consultation exercise to take into account residents' views of the options available. This can also be achieved by setting up a commission to prepare a report.

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

- 6.1 The financial impact of holding a referendum will result in significant cost to the Council. A full breakdown of costs is not possible at this stage due to the level of planning that needs to be undertaken, the lack of many comparator

referenda and due to the potential additional costs caused by other events such as the Covid-19 Pandemic.

- 6.2 However, holding two referenda at the same time as the Greater London Authority elections on 6 May 2021 will allow the Council to share some costs with the GLA but a substantial cost will still fall to the Council.
- 6.3 It is estimated that holding a referendum at the same time as the GLA elections will result in the Council incurring expenditure of at least £300k whilst holding a stand-alone election is expected to cost at least £450k.
- 6.4 This cost is not budgeted for and cannot be contained within any existing budget. If agreed, a budget will need to be identified to meet the costs.
- 6.5 In accordance with the Representation of the People Act 1983 the cost of local elections/referenda are met from the local authority's budgets. The local authority is required to appoint a Returning Officer to conduct these elections on their behalf and the Returning Officer is personally (not corporately) responsible for the management of elections. For Referenda the role of the Returning Officer is known as the Counting Officer. Each local authority is required to place the services of its staff at the disposal of the Returning Officer to help run the polls.
- 6.6 Even though the Returning Officer is an employee of the council, at the time of an election their responsibility is completely separate.
- 6.7 Fees for conducting the election, giving the prescribed notices, preparing and supplying nomination papers where applicable, distributing, filling up, verifying and adjudicating upon the same, appointing Deputy Returning Officers, arranging for or conducting the poll, counting the votes, declaring results and making return of same, and generally performing all the duties which a Returning Officer is required to perform under the Act or the Rules and Regulations made under it, and including all disbursements and expenses other than those for which special provision has been herein before made, shall be as set out in the adopted and agreed London Scale of Fees and Charges compiled by the London Elections Management Board.
- 6.8 London Boroughs were first empowered to fix their own scales of election fees in 1974 and Tower Hamlets Returning Officer has used this scale for the determination of fees paid. The London fees and charges scale is reviewed on an annual basis.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The legal framework is set out at 3.12 to 3.16 and sets out the procedure to be followed to change from one governance model to another. If a referendum is held, a subsequent referendum cannot be held within a period of 10 years beginning with the date of the first referendum unless the first referendum was held because of an order of the Secretary of State or the first referendum was rejected by the voters.

- 7.2 There is no statutory duty to consult on the decision to change governance arrangements and or to hold a referendum. If the council decide to make this decision, it must follow the statutory procedure for the referendum. The returning officer is responsible for ensuring the duty is complied with in administering the election.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

- Appendix 1 Sample ballot paper for Governance referendum
- Appendix 2 Timetable – GLA and Referendum 6 May 2021

### **List of “Background Papers” used in the preparation of this report**

- None

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

N/A



**BALLOT PAPERS FOR GOVERNANCE REFERENDUM**

The format and wording of the ballot paper is prescribed by law. Depending on the alternative proposal, this what the front of the ballot paper would look like:

**Option One: Mayoral Model v Leader and Cabinet**

<b>Referendum on how the London Borough of Tower Hamlets is run</b>	
Vote only <b>once</b> by marking a cross <b>(X)</b> in the box next to your choice	
<b>How would you like the London Borough of Tower Hamlets to be run?</b>	
By a <b>mayor</b> who is elected by voters. This is how the council is run now.	<input type="checkbox"/>
By a <b>leader</b> who is an elected councillor chosen by a vote of the other elected councillors. This would be a change from how the council is run now.	<input type="checkbox"/>

**Option Two: Mayoral Model v Committee Model**

<b>Referendum on how the London Borough of Tower Hamlets is run</b>	
Vote only <b>once</b> by marking a cross <b>(X)</b> in the box next to your choice	
<b>How would you like the London Borough of Tower Hamlets to be run?</b>	
By a <b>mayor</b> who is elected by voters. This is how the council is run now.	<input type="checkbox"/>
By one or more <b>committees</b> made up of elected Councillors. This would be a change from how the council is run now.	<input type="checkbox"/>

## APPENDIX 2

### Timetable – GLA and Referendum 6 May 2021

Days to be disregarded when calculating the timetable are as follows

- (a) Saturday or Sunday;
- (b) Christmas Eve, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England; and
- (c) any day appointed as a day of public thanksgiving or mourning.

Event	Working days before poll (deadline if not midnight)	Date (deadline if not midnight)
Publication of notice of election	Not later than 30 days	Monday 22 March 2021
Publication of Notice of Referendum	-25	Not later than Monday 29 <sup>th</sup> March 2021
Delivery of nomination papers	From the date stated on the notice of election until 4pm on the 24th working day before polling day	On any working day during the hours stated on the notice of election until 4pm on Tuesday 30 March 2021
Deadline for delivery of nomination papers	-24 (4pm)	4pm on Tuesday 30 March 2021
Deadline for withdrawals of nomination	-24 (4pm)	4pm on Tuesday 30 March 2021
Deadline for notification of appointment of election agents	-24 (4pm)	4pm on Tuesday 30 March 2021
Publication of first interim election notice of alteration	-24	Tuesday 30 March 2021
Publication of statement of persons (and parties) nominated	-22 (4pm)	Not later than 4pm on Thursday 1 April 2021
Deadline for receiving applications for registration	-12	Monday 19 April 2021
Deadline for new postal vote applications and for changes to existing postal or proxy votes	-11 (5pm)	5pm on Tuesday 20 April 2021
Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)	-6 (5pm)	5pm on Tuesday 27 April 2021
Publication of second interim election notice of alteration	Between -23 and -6	Between Wednesday 31 March and Tuesday 27 April 2021 (inclusive)
Publication of notice of poll	Not later than -6	Not later than Tuesday 27 April 2021
Publication of Notice of Poll	Not later than -6	Not later than Tuesday 27 April 2021
Publication of final election notice of alteration	-5	Wednesday 28 April 2021
Deadline for notification of appointment of polling and counting agents	-5	Wednesday 28 April 2021
First date that electors can apply for	-4	Thursday 29 April 2021

replacements for lost postal votes		
Deadline for notification of appointment of sub-agents	-2	Tuesday 4 May 2021
<b>Polling day</b>	<b>0 (7am - 10pm)</b>	<b>7am to 10pm on Thursday 6 May 2021</b>
Last time that electors can apply for a replacement for spoilt or lost postal votes	0 (5pm)	5pm on Thursday 6 May 2021
Last day for new applications to vote by proxy on grounds of medical emergency / business	0 (5pm)	5pm on Thursday 6 May 2021
Last day to make alterations to the Register to correct a clerical error or to implement a court (registration appeal) decision	0 (9pm)	9pm on Thursday 6 May 2021

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Non-Executive Report of the:  <b>Council</b>  Wednesday 18 November 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Questions submitted by Members of the Council</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All wards

## SUMMARY

1. Set out overleaf are the questions that were submitted by Members of the Council for response by the Mayor, the Speaker or the Chair of a Committee or Sub-Committee at the Council meeting on Wednesday 18 November 2020.
2. In accordance with Council Procedure Rule 10.4, questions relating to Executive functions and decisions taken by the Mayor are put to the Mayor unless he delegates such a decision to another Member, who will therefore be responsible for answering the question. In the absence of the Mayor, the Deputy Mayor will answer questions directed to the Mayor.
3. Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted. Oral responses are time limited to one minute. Supplementary questions and responses are also time limited to one minute each.
4. Council Procedure Rule 10.7 provides for an answer to take the form of a written answer circulated to the questioner, a reference to a published work or a direct oral answer.
5. There is a time limit of thirty minutes at the Council meeting for consideration of Members' questions with no extension of time allowed and any questions not put within this time are dealt with by way of written responses.
6. Members must confine their contributions to questions and answers and not make statements or attempt to debate.

## **MEMBERS' QUESTIONS**

14 questions have been received from Members of the Council as follows:-

### **11.1 Question from Councillor Rajib Ahmed**

With the disproportionate impact of Covid on Black and Asian communities how is the Council supporting these communities to stay safe?

### **11.2 Question from Councillor Peter Golds**

In light of the proposed closure of Cubitt Town library, a number of residents are proposing a joint venture with the council for the premises to be used for library, communal and educational purposes to be organised by volunteers with assistance from the council. Will the Mayor meet with residents to discuss this proposal?

### **11.3 Question from Councillor Kyrsten Perry**

Can the cabinet member provide an update on the Barkantine Liveable Streets scheme?

### **11.4 Question from Councillor Andrew Wood**

How can the Council help to ensure that Working from Home does not become a direct threat to the economy of Tower Hamlets, what can we do to encourage workers to return to their offices in 2021?

### **11.5 Question from Councillor Amina Ali**

How is the Council tackling loneliness?

### **11.6 Question from Councillor Bex White**

Can the Lead Member please provide an update on the work of the Social Work Academy and progress in ensuring a stable workforce in Children's Social Care?

### **11.7 Question from Councillor Dipa Das**

Will the Cabinet Member set out how the Tower Hamlets Free School Meal scheme is different to the national scheme and what we do to tackle holiday hunger?

### **11.8 Question from Councillor Marc Francis**

Will the Lead Member for Public Realm Services update me on when he expects the barriers in Roman Road market erected to facilitate social distancing at the height of the Covid-19 pandemic to be removed so that market traders can return to their traditional pitches?

### **11.9 Question from Councillor Victoria Obaze**

What has the Council done to prepare for health and wellbeing this winter?

#### **11.10 Question from Councillor Shad Chowdhury**

How has the council supported small businesses during the pandemic?

#### **11.11 Question from Councillor Kahar Chowdhury**

Can the lead member provide an update on the future of Hackney Road Hostel and the support plans in place for current and future residents?

#### **11.12 Question from Councillor Val Whitehead**

Can the Lead Member please update on the work of the council in supporting children with autistic spectrum disorder (ASD) and ensuring services meet their needs?

#### **11.13 Question from Councillor Abdal Ullah**


Can the Mayor confirm that Wapping residents with blue badge will have exception from Busgate & clarify when this will start.

#### **11.14 Question from Councillor Rabina Khan**

Could the Mayor confirm whether he is planning to close the well-used local swimming facility St George's Pools?

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Non-Executive Report of the:  <b>COUNCIL</b>  Wednesday 18 November 2020	 <p><b>TOWER HAMLETS</b></p>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance and Monitoring Officer	<b>Classification:</b> Unrestricted
<b>Motions submitted by Members of the Council</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	All wards

## SUMMARY

1. Four motions have been submitted by Members of the Council under Council Procedure Rule 11 for debate at the Council meeting on Wednesday 18<sup>th</sup> November 2020
2. The motions submitted are listed overleaf. In accordance with the Council Procedure Rules, the motions alternate between the administration and the other Political Groups, with the Opposition Group motions starting with the largest Political Group not to have that meeting's Opposition Motion Debate slot.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

## MOTIONS

Set out overleaf is the motions that have been submitted.

## 12.1 Motion regarding the Union Learning Fund

Proposer: Councillor Motin Uz-Zaman

Seconder: Councillor Mufeedah Bustin

### **This council notes:**

1. On Tuesday 6 October, the TUC received a letter from the Department for Education saying that ministers have decided to end the Union Learning Fund from March 2021.
2. The Union Learning Fund (ULF) was set up in 1998 to support trade unions to widen access to learning and training in workplaces for both union members and non-members. The fund supports workplace projects across England, and is coordinated by the TUC.
3. Each year around 200,000 workers are supported into learning or training with union support through the ULF and the TUC. These learners undertake all sorts of job-relevant learning and training, including basic literacy and numeracy, ICT skills, apprenticeships and traineeships, vocational training, continuing professional development and many other informal and formal courses.
4. In 2019–20, the ULF was worth £12m. If upheld this decision will effectively end union-brokered skills training, and will undermine key government skills and retraining priorities at a crucial moment for our economy and especially for our local economy in Tower Hamlets.
5. That the Covid-19 pandemic has had a severe impact on the local economy in Tower Hamlets, and that the Government should not be withdrawing important support schemes such as the ULF.
6. The Union Learning Fund provides good quality learning and training which complements the employment and training support offered by Tower Hamlets Council through workpath.

### **This council understands that:**

1. Union learning reaches people that other DfE programmes do not reach.
2. There is an independent evaluation of the Union Learning Fund every two years. It was most recently evaluated by the University of Exeter in 2018. They spoke to 2,459 learners, and found:
  - Over two-thirds (68 per cent) of learners with no previous qualifications got a qualification.
  - 47 per cent of those with entry level or level 1 qualifications got a qualification at a higher level.
  - Four in five (80 per cent) said they had developed skills that they could transfer to a new job.
  - Two in three (62 per cent) said their new skills made them more effective in their current job.
  - One in five (19 per cent) said they had been promoted or given increased responsibility and one in 10 (11 per cent) got a pay rise.

3. The 2018 independent evaluation found that union learning provided excellent value for money:
  - For every £1 spent on the Union Learning Fund, there is a return of £12.30: £7.60 to the worker, £4.70 to the employer.
  - The Union Learning Fund delivers an estimated net contribution to the economy of more than £1.4bn as a result of a boost to jobs, wages and productivity.
  - The return to the exchequer (through reduced spending on welfare benefits and other factors resulting from the boost to jobs and wages) is £3.57 for each £1 spent on the Union Learning Fund.
  - The £12m government funding levered in an additional £54m from employers, unions and training providers in 2019–20.
4. The government has said it will put reskilling workers at the heart of its economic recovery plans after the pandemic. In September 2020, the government announced a new fully funded entitlement to achieve a first level 3 qualification, delivered through the National Skills Fund. Union learning is ideally placed to support this aspiration, in three ways:
  - directly, through delivering relevant level 3 courses to workplace learners, which is already a core function of the Union Learning Fund and was assessed as highly effective by the 2018 independent evaluation
  - directly, through enabling those with basic skills to learn and develop, putting them in a position to progress to level 3 skills
5. Successive governments of all parties have valued this role – and have supported the Union Learning Fund. As government funding, it is paid as a contract and is subject to stringent monitoring requirements. Union Learning Fund money can only be spent on the direct costs of getting working people into learning and skills training, and the associated costs of delivering this programme.
6. ULF projects adapted quickly to delivering online learning and training for workers during the pandemic and have actually surpassed the number of outcomes expected by government since the beginning of April.

**This council resolves to:**

1. Express its public support for the continuation of the Union Learning Fund
2. Raise this issue with our local MPs and encourage them to call on the government to reverse its decision

## 12.2 Motion regarding Working from Home threat to the finances of Tower Hamlets Council and its residents

Proposed by: Councillor Peter Golds  
Seconded by: Councillor Andrew Wood

### The Council notes:

- That in the MTFs for 2021 39% of the Councils income, £134 million is due to come from Retained Business Rates;
- The permanent closure of a range of retailers and restaurants in the Canary Wharf estate;
- Reports that in the future businesses may dramatically reduce the number of people visiting offices each day and that some may change their model to work from home;
- When properties are left empty they can only claim a three-month business rates exemption but must otherwise be paid but that when there is no demand for a property, the property will command no annual rent and it may be removed from the rating list or subject to a reduced rateable value;
- That demand for new build property in Aldgate, Whitechapel and E14 is predicated in large part on their closeness to the employment centres of the City of London and Canary Wharf;
- That new build property contributes substantially to the Councils affording housing targets and the delivery of substantial sums of money in the form of CIL, New Homes Bonus and new Council tax;
- The decision by developers like Ballymore to delay opening their sales office for Millharbour Village;
- The large number of Tower Hamlets residents employed (formally or informally) in the services sector dependent on workers as well as tourists visiting Tower Hamlets.

### This council further notes:

That a Financial Times article on the 16<sup>th</sup> September 2020 was titled;

*“Canary Wharf has a flood of new homes but only a trickle of returning workers Prices and sales have fallen in the London financial district and bankers and lawyers are staying away”*

It went on to say

*“Though the area is rapidly changing, Canary Wharf and the surrounding Docklands are often criticised for being a little soulless: an employment district with flats attached.... When finished, these apartments will arrive into an area awash with newly built homes. Tower Hamlets, in which Canary Wharf sits, has more unsold homes under construction than any other London borough, according to Moliar. By the end of June, the number was just under 4,000 — around a third of the total in inner London”*

And another Financial Times article titled *“How Covid-19 is altering Canary Wharf’s purpose London’s Docklands is used to being reinvented — it just wasn’t expecting to be so again quite yet”*

Which said

*“More pertinently, will we yearn to live in them? To find ways of inhabiting this now-endangered archetype, the tall office tower, which once looked like the future and now looks suspiciously like the past?”*

*“Now, walking around a bleak, almost empty Canary Wharf on a rainy day in what not so long ago would have been rush hour, I could not help thinking whether the same might happen to the area’s office blocks...It was the question that struck me as I wandered between the towers and beside the waterways, and noticed that the only real activity was construction. Just as the towers are emptying out, new ones are being built, most intensively at Wood Wharf, to house exactly the workers who are no longer working in the other towers”*

**This Council believes:**

That working from home maybe a greater threat to the economy of Tower Hamlets than Brexit (which also remains an issue) if it reduces the desire for office space and new build apartments in Tower Hamlets.

That employment led growth in Canary Wharf and the City of London has led growth in Tower Hamlets for a generation now.

That all of that maybe at risk now, making the Councils ambitions ever harder to achieve.

We need to re-invent the Tower Hamlets model that we can no longer rely on growth arriving and copy our neighbouring Boroughs to the east who have had to be more pro-active in attracting new businesses like Dagenham recently attracting a £300 million investment in a film and TV studio.

**This Council** therefore recommends:

A clear focus on making the growth areas in Tower Hamlets more attractive places for businesses, workers and residents, to retain those we have and to attract new ones.

That like other Boroughs we will need to be more pro-active in creating great places that are not “soulless” but which rather offer the best combination of business, leisure and sports opportunities.

That we aspire to having the best of everything, spending the S106, CIL and New Homes Bonus for example on (but not limited to) to help deliver;

- Rebuild leisure centres like St George’s and Tiller road to offer the best combination of physical exercise in large purpose-built attractive buildings;
- Attract new industries to Tower Hamlets by doing everything we can to encourage health research or information technology in Tower Hamlets;
- Develop attractive walking & cycle routes along the river Lea with bridges to Newham;
- Sailing in the Thames from the DSWC and by the Sea Scouts;
- Swimming in the docks for those working at Canary Wharf as well as local kids;
- The best playgrounds in Europe so that residents from other Boroughs travel here rather than go to Greenwich;
- Support great organisations like Mudchute Farm with CIL money so that they have nice toilets, and CCTV to keep the animals safe;

To have a clear focus on making Tower Hamlets the best place to live and work in London.

## 12.3 Motion regarding Care Full Pay

Proposer: Councillor Rachel Blake

Seconder: Councillor Val Whitehead

### This council notes:

1. The GMB union has launched its Care Full Pay campaign calling for full occupational sick pay for residential social care staff with the aim of persuading care providers and Government that full sick pay is one of the most effective forms of infection prevention in care homes. The main objectives being
  - a. Full occupational sick pay for those working in residential social care.
  - b. Covid-19 full sick pay as a step to full sick pay.
  - c. Promote full sick pay as an infection control measure
2. The UK has one of the lowest levels of Statutory Sick Pay (SSP) in Europe. Over time, the value of the payment has been eroded, and it now equates to around a fifth of median earnings. The April 2020 SSP rate is £95.85 per week.
3. According to the 2020 Vivaldi study, 77 per cent of care home workers received SSP-only (and a further 7 per cent did not receive any sick pay coverage).
4. The Government set up the Adult Social Care Infection Control Fund with the primary purpose of this fund to support adult social care providers to reduce the rate of COVID-19 transmission in and between care and support wider workforce resilience.
5. The Adult Social Care Infection Control Fund was initially set up with £600 million in funding and was paid out in two tranches. The first has been paid to local authorities on 22 May 2020. The second tranche paid in July 2020.
6. The Government have now agreed to extend the Adult Social Care Infection Control Fund for social care until March 2021, with an additional £546 million for infection control in care in September 2020.
7. Dealing with our post Covid-19 future we will need more rigid infection control measures in our care system.
8. That social care workers provide a vital service in Tower Hamlets and across the country, and are greatly valued.

### This council understands that:

1. A strong body of emerging evidence links inadequate sickness pay to higher infection rates, and a reluctance to return to work including:
  - a. The initial findings of the Vivaldi study include tentative evidence that 'in care homes where staff receive sick pay, there are lower levels of infection in residents.
  - b. A recent survey of furloughed and non-furloughed workers found that 'workers without employer-provided sick pay have a significantly lower willingness to pay to return to work,' and also that 'workers without additional sick pay are significantly more likely to continue to work even with mild coronavirus symptoms.'
  - c. In Spain, a reduction in the generosity of sick pay arrangements was associated with 'huge increases in both the proportion of relapses and working accidents rates.'
2. A GMB survey of nearly 1000 social care workers found that:
  - a. 77 per cent of care workers said they would be inclined to return to work before they were ready if they were on SSP.

- b. 80 per cent of respondents said they would be forced to borrow off family or friends to make ends meet if they were put on SSP.

**This council resolves to:**

1. Express its public support for GMB union's Care Full Pay campaign.
2. To call on the government to fund local authorities sufficiently so that they can commission care home providers and domiciliary care agencies to pay full occupational sick pay to the social care workforce
3. To recommend to providers receiving allocated funds from the Adult Social Care Infection Control Fund to pay full occupational sick pay as a priority, noting that guidance does give other uses for the ICF that minimise staff movement and reduce the risk of transmission.
4. To report how the Adult Social Care Infection Control Fund granted to the council in May and July 2020 was spent by care providers, to inform future ICF.
5. To call on the government to ensure guidance for all future Adult Social Care Infection Control Fund strongly stipulate full sick pay as a priority.

## **12.4 Motion regarding the treatment of Uyghur Muslims in China and the situation in Hong Kong**

Proposer: Councillor Rabina Khan

Secunder: Councillor Peter Golds

### **This Council notes:**

1. The purchase of the Royal Mint site in Tower Hamlets for the new People's Republic of China London embassy building.
2. The number of residents living in Tower Hamlets from the People's Republic of China including Hong Kong residents. In addition the number of businesses from that country active and investing in Tower Hamlets.
3. The long history dating back to before the 1880's of the Chinese community in Tower Hamlets and that many people from the region are now citizens of the United Kingdom.
4. The historic ties between China, Hong Kong and Tower Hamlets due to the trade between these two countries, whether tea shipped into the docks or from the trading desks of the Hong Kong & Shanghai Banking Corporation (now HSBC) whose global headquarters are in Tower Hamlets.

### **This Council is concerned that:**

5. In Xinjiang, there is compelling evidence including from the Chinese authorities' own documents of systematic human rights violations.
6. The reports of arbitrary detention, widespread surveillance and restrictions, particularly targeting Uyghurs and other minorities in Xinjiang have been widely shared in Tower Hamlets.
7. That the culture and religion of minorities have been severely restricted, and that the UK government has seen credible reports of forced labour and forced birth control.
8. That up to 1.8 million people have been detained without trial.
9. These deep concerns have been reinforced by additional information now in the public domain.
10. In Hong Kong, Beijing's imposition of the National Security Law is a serious breach of the legally binding Sino-British Joint Declaration.
11. It violates Hong Kong's high degree of autonomy and directly threatens rights and freedoms.
12. The National Security Law is being implemented with the apparent intention to eliminate dissent. It allows prosecution of certain cases in mainland China, a jurisdiction where defendants are often held for long periods without charge or access to legal counsel, and where we have concerns about judicial independence, due process, and reports of torture.
13. The Joint Declaration, a legally binding treaty, registered with the United Nations, sets out that Hong Kong is guaranteed a high degree of autonomy and rights and freedoms, including those of the person, of the press, of assembly, and of association and that the ICCPR and ICESCR shall remain in force. These rights are also guaranteed in the basic law for the Hong Kong Special Administrative Region.
14. Making such a law without the direct participation of Hong Kong's people, legislature or judiciary of Hong Kong undermines 'One Country, Two Systems'.



### **This Council Believes:**

15. That when the Embassy does move to Tower Hamlets that the embassy staff will be able to see how people with different nationalities, backgrounds, religions and ethnicities can work closely together in harmony and that a person's religion is not a threat to be removed by violating their human rights and trying to suppress their identity as we fear the Chinese government is trying to do now in Xinjiang.
16. That as a democratically elected body in a rules-based society we fundamentally believe that governments need to respect all of their citizens, that people need to be treated equally, that suppressing dissent through force is counter-productive and that international treaties should be respected.
17. That both of these stands are in the long-term interests of all of the citizens of China. Britain has made mistakes in the past in how it has dealt with other countries and peoples, we hope that the People's Republic of China won't repeat some of those same mistakes in the 21st century.

### **This Council Resolves:**

18. To write to the Ambassador of the People's Republic of China based in the United Kingdom to welcome the Embassy and its staff moving to Tower Hamlets. But that as new neighbours and friends we have to make clear where our own standards and principles apply. We believe that it is in the People's Republic of China's own interest to:
  - a. Cease its human rights' abuses against the Uyghur Muslims and all other detainees, and to urge China to implement the UN Committee on the Elimination of Racial Discrimination's recommendations in Xinjiang, and allow the United Nations to monitor its implementation.
  - b. We urge the Chinese and Hong Kong Governments to reconsider the imposition of National Security Law legislation and to engage Hong Kong's people, institutions and judiciary to prevent further erosion of the rights and freedoms that the people of Hong Kong have enjoyed for many years.
19. That we in Tower Hamlets, welcome residents of Hong Kong who wish to take advantage of their now increased ability to move to the United Kingdom (even if more could be done). That the Borough has a long and proud history of being the first home in the UK for many people fleeing persecution in their original countries. And that those earlier arrivals are now British citizens.
20. To write to the UK Foreign Secretary, The Rt Hon Dominic Raab MP, to ask him to raise the situation of prisoners in China in all his interactions with his Chinese counterparts, and urge China to uphold its international human rights' obligations in Xinjiang in the face of credible evidence of ongoing human rights' violations against Uyghur Muslims.

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