

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 23 FEBRUARY 2023

**COMMITTEE ROOM - TOWER HAMLETS TOWN HALL, 160 WHITECHAPEL
ROAD, LONDON E1 1BJ**

Members Present in Person:

Councillor Saif Uddin Khaled
Councillor Kabir Ahmed
Councillor Asma Begum
Councillor Maisha Begum
Councillor Abu Chowdhury
Councillor James King
Councillor Maium Talukdar

Others Present in Person:

Richard Penn Consultant

Officers Present in Person:

Farhad Ahmed (Head of Governor Services)
Pat Chen (Head of HR, HAC and Children & Culture)
Janet Fasan (Director of Legal & Monitoring Officer)
Joel West (Democratic Services Team Leader (Committee))
Musrat Zaman (Director of HR, OD & Business Support Services)

Officers In Attendance Virtually:

Caroline Holland (Interim Corporate Director, Resources)
Agnes Adrien (Head of Litigation, Legal Services)

1. DECLARATIONS OF INTERESTS

None were declared.

2. MINUTES

The unrestricted minutes of the General Purposes Committee meetings held on 13 October 2023 and 15 December 2023 were agreed as a correct record.

3. WORK PLAN

RESOLVED that the work plan be noted.

4. REPORTS FOR CONSIDERATION

4.1 LA Governor Appointment Report Feb 2023

Farhad Ahmed, (Head of Governor Services) introduced the report that introduced the report that set out details of applicants who had applied to be nominated as local authority governors at Tower Hamlets maintained schools.

Farhad outlined the background and suitability of all candidates for the positions.

Further to questions from committee members, Farhad confirmed that whilst the candidates resided outside of the borough, all had demonstrated local connections.

RESOLVED that:

1. The Committee agrees to nominate the applicants as outlined in the report to the positions that are available for local authority governors at maintained schools in Tower Hamlets.

4.2 A summary review of Governors within Tower Hamlets Feb 2023

Farhad Ahmed, (Head of Governor Services) introduced the report that provided a breakdown of the most up-to-date data equality information held for Governors in the borough and detailed active workstreams tackling inequalities and helping to deliver more diverse boards. Farhad provided a summary of work to date the Council had undertaken to promote and encourage applicants for school governor positions and explained some of the key challenges encountered.

Further to questions from Committee members Farhad:

- Explained that, whilst the Council still had a comparatively high number of maintained schools, the move toward academy status removed all council influence from governance arrangements in those schools.
- Explained that the capacity of governor services and its focus as a trading service did not allow for significant time investment in promoting BAME representation. Ideally the service would like a dedicated officer to progress this workstream.
- Explained how the Council maintains dialogue with schools and works with existing networks and peers across London to explore ways to encourage BAME participation.
- Explained that the service has engaged with the lead member and Mayor to apprise them of progress.
- Explained how the Council engages with governors to develop and improve the training and support provided to them.

Further to the officer presentation and questions, the Committee:

- Discussed how BAME representation in school governor roles in LBTH remains low and disappointing.

- Encouraged Farhad to progress bids to secure dedicated officer resources to promote and progress diverse representation in school governor bodies

RESOLVED that the Committee noted:

1. The equality information provided.
2. That Governor Services is undertaking the task of obtaining equality information from all governors in the borough.
3. The planned work to further improve diversity on Governing Boards across the borough as detailed in section 3 of the report.

4.3 Constitution Working Group

Joel West, (Democratic Services Team Leader, Committees) introduce the report that asked the Committee to confirm agreement to the establishment of a constitution working group, note the plans for its initial meeting and agree to receive any decision reports following its work as required.

Further to questions from Members, Joel advised that the working group would be informal and would have no decision-making powers. Any recommendations it made would be brought back to the Committee in accordance with the existing provisions for constitution changes.

Janet Fasan, Director Legal and Monitoring Officer, provided further detail, specifically:

- Advised that nominations to the working group would be made via the Council's political group apparatus and agreed by the Committee. The Committee agreed to delegate authority to the Monitoring Officer to make or amend appointments to the constitution working group in accordance with the nomination by a political group, following consultation with the Chair.
- Explained that the reference to Monitoring Officer in paragraph 3.2 of the report was only to provide a legal opinion of any proposals arising from the working group.

Further to officers presentation and questions, Members of the Committee:

- Indicated it disagreed with the proposal for the working group to meet on an ad hoc basis. It asked that a meeting timeline, reporting schedule and planned end point should be agreed by the General Purposes Committee.
- Stressed that the remit and work plan of the working group should be set by the General Purposes Committee. The Committee should provide some initial advice and direction to ensure work can proceed at pace.
- Felt it was important that views of ungrouped Councillors be included in the constitution review and welcomed the inclusion of a standing invitation to ungrouped Councillors on the working group.

RESOLVED that the Committee:

1. Notes the establishment of the Constitution Working Group.
2. Agrees to review and approve the working groups work plan, meeting schedule and reporting arrangements at a future meeting of the Committee.
3. Agrees to delegate authority to the Monitoring Officer to make or amend appointments to the constitution working group in accordance with the nomination by a political group, following consultation with the Chair of General Purposes Committee.

4.4 Constitution Updates

Joel West, Democratic Services Team Leader, Committees, introduced the report that provided an update on minor amendments to the Constitution for noting.

RESOLVED that:

1. The updates to the constitution as set out in the report be noted.

4.5 Employee Relations Casework Policy Update 22/23 Q3

Musrat Zaman, Dir. of Workforce, OD & Business Support and Pat Chen, Head of HR introduced the quarterly report that updated the Committee on the level and management of employee relations casework within the Council and highlighted progress made for the period October 2022 – December 2022.

Further to questions from members, Pat explained the context and measures in place to address attendance management performance.

Musrat and Pat noted that future reports (from quarter 4 22/23) would include the additional detail previously requested by the Committee.

Dashboard. Additional detail will be added to future reports not included here as being prepared at the end of the last year.

RESOLVED that:

1. The report be noted.

4.6 Update on Senior Recruitment

Musrat Zaman, Dir. of Workforce, OD & Business Support introduced the report that updated Members on senior posts and recent recruitment activity. Musrat advised that, in addition to the Place Directorate post listed, the Director Public Realm was also due to leave the Council shortly and that the

Corporate Director Place had indicated she wished to review the Place management structure generally before recruiting for permanent posts.

Musrat also welcomed the recently appointed Interim Corporate Director Resources and s151 Officer, Caroline Holland, who joined the meeting remotely.

Further to questions from Members, Musrat advised that whilst provisional work had begun, there was no timeline for recruitment to the Corporate Director Resources post on a permanent basis at present.

Further to questions, Members indicated they would welcome a breakdown of all interim and acting-up arrangements across the Council's management structure at a future meeting.

RESOLVED that:

1. The current position on the recruitment to senior management vacancies in the Council structure and interim arrangements be noted.

4.7 Process for agreeing Special Severance Payment

Musrat Zaman, Dir. of Workforce, OD & Business Support introduced the report which asked the Committee to agree to the establishment of an Independent Panel (IP) to review and approve the proposed Special Severance Payment (SSP) for the outgoing Chief Executive. The report explained the legislative underpinning of the process and officers' advice to ensure any Council decision to approve the SSP was compliant with it. The report noted that Full Council would be asked to vote on the final decision. In addition, officers advised their recommendation was for any recommendations of the IP to be brought back to the Committee for discussion, before submission to the full Council.

Further to questions from the Committee, officers provided further detail on:

- The full Council voting process. A simple majority would be required to approve any settlement.
- The timescales and process for the independent panel (IP). The panel was due to meet imminently and the report to the panel would include the advice of the Council's Chief Finance officer and Monitoring Officer. The full Council would be asked to vote on the IP recommendations at the meeting on 1 March 2023.
- The rationale for proposing that the recommendation of the IP is reviewed by the Committee prior to full Council. Janet Fasan, Director Legal and Monitoring Officer, explained that the relevant regulations required that the Council made proper enquiries into the IP recommendation. She felt that full Council discussion may not satisfy this requirement, so had proposed the recommendations are brought to the Committee first, to mitigate risk.
- Options for convening an urgent meeting of the Committee.

- Options for promoting reasonable discussion of the IP recommendations at the full Council meeting, including the suspension of standing orders.
- Officers' opinion regarding the risks of an approach to forward the IPs recommendation straight to full Council, removing the need for consideration by the Committee. This approach was not recommended due to the relatively new nature of the legislation and lack of precedent.
- Options and implications if full Council chose to deviate from the IP recommendations.

At the invitation of the Chair, Richard Penn, Consultant, addressed the Committee. In response to questions from members, Mr Penn advised that whilst guidance was new and there was a lack of precedent, in his view, the process as set out in the report would provide sufficient check and balance and therefore he saw no necessity for the Committee to consider the IP recommendation prior to full Council.

Further to questions, the Committee discussed the report and officers' advice for the approval process.

Some members of the committee indicated they felt that the proposal for the Committee to discuss the IP recommendations prior to full Council consideration was unnecessary as:

- Full Council would provide full probity and discussion of the IP recommendations. Standing orders could be suspended to ensure this if necessary.
- There was no legal requirement for the recommendations to be discussed or approved by the Committee. Members noted the process as provided in the report did not include General Purposes Committee discussion of IP recommendations.
- The need for swift action meant holding more meetings would risk derailing the process.

Some members of the Committee indicated they felt the Committee should discuss the IP recommendations prior to full Council as:

- Officers advice was this would represent good practice. Advice of officers should be taken note of.
- Doing so would ensure that both the Committee and full Council could discuss the recommendation, mitigating overall risk.
- The Committee had a role to advise Council on senior staffing matters. To relinquish its role on this occasion would call into question the rationale for the Committee's establishment.

At this point the Chair proposed a vote on the proposal to request that the recommendation of the independent panel be discussed by the Committee prior to submission to full Council. The motion was put to the vote and was **defeated**.

The following members wished it to be recorded they voted **for** the motion

- Councillor Asma Islam
- Councillor Maisha Begum
- Councillor James King

The following members wished it to be recorded they voted **against** the motion

- Councillor Saif Uddin Khaled
- Councillor Kabir Ahmed
- Councillor Musthak Ahmed
- Councillor Abu Chowdhury
- Councillor Maium Talukdar

The Chair proposed a vote on the proposal to apply the process as set out in the report submitted. The motion was put to the vote and was **agreed**.

The following members wished it to be recorded they voted **for** the motion

- Councillor Saif Uddin Khaled
- Councillor Kabir Ahmed
- Councillor Musthak Ahmed
- Councillor Abu Chowdhury
- Councillor Maium Talukdar

The following members wished it to be recorded they voted **against** the motion

- Councillor Asma Islam
- Councillor Maisha Begum
- Councillor James King

Therefore it was:

RESOLVED

1. Review and note the process for agreeing the Special Severance Payment to the outgoing Chief Executive.
2. To agree to the establishment of a Panel of Independent Persons to review and approve the Special Severance Payment to the outgoing Chief Executive before the proposal is submitted to Council for a final decision as set out in Section 3 of the report.

4.8 Process for agreeing Interim Chief Executive arrangements

Musrat Zaman, Dir. of Workforce, OD & Business Support introduced the report which set out the process and proposals for agreeing interim arrangements for the Chief Executive, Head of Paid Service and Electoral Returning Officer positions and asked the Committee to agree interim arrangements due to an urgent need to appoint an Interim Head of Paid Service/Chief Executive by 2 March 2023.

At this point the Chair proposed a motion that, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972. The motion was put to the Committee and was **agreed**.

At the invitation of the Chair, Richard Penn, Consultant, addressed the Committee. Members asked Mr Penn, Musrat and Janet Fasan questions relating to the recruitment and selection process summarised in the restricted Appendix A, including the assessments he had made of the prospective candidates. These included consideration of personal statements as well as CVs. Interviews had tested candidates' skills, experience, fitness and motivation for the role.

Further to questions from the Committee, officers advised that the final decision on the appointment would be made by full Council on 1 March 2023.

The Chair proposed the Committee vote on the recommendations as set out in the report. The motion was put to the vote and was **agreed**.

The following members wished it to be recorded they voted **against** the motion

- Councillor Asma Islam
- Councillor Maisha Begum
- Councillor James King

The following members wished it to be recorded they voted **for** the motion

- Councillor Saif Uddin Khaled
- Councillor Kabir Ahmed
- Councillor Musthak Ahmed
- Councillor Abu Chowdhury
- Councillor Maium Talukdar

Therefore it was:

RESOLVED

1. To note the process and proposals for agreeing interim arrangements for the Chief Executive, Head of Paid Service, Electoral Registration Officer and Returning Officer roles as set out in the report.
2. To recommend the appointment of Stephen Halsey to Full Council as Interim Chief Executive (Head of Paid Service) and Electoral Returning Officer positions) effective from 2 March 2023 until such time as a Permanent Chief Executive is appointed.

3. To note that under the Council's Constitution, appointment of Head of Paid service is reserved to Full council upon recommendation of an Appointments sub-committee (GPC) but that in this case the General Purposes Committee agrees to make the recommendation to Council without a Sub-Committee recommendation due to the urgency of the need to appoint an Interim Head of Paid Service /Chief Executive by 2 March 2023.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

None.

6. EXCLUSION OF THE PRESS AND PUBLIC (IF REQUIRED)

See Item 4.8 for the minute of the exclusion of press and public.

The meeting ended at 8.52 p.m.

Chair, Councillor Saif Uddin Khaled
General Purposes Committee