

EXTRAORDINARY GENERAL PURPOSES COMMITTEE

Tuesday, 24 July 2018 at 6.00 p.m.

**Meeting Room MG8 Ground Floor
Town Hall Mulberry Place**

This meeting is open to the public to attend.

Members:

Chair: Councillor Helal Uddin

Vice-Chair: Councillor Kevin Brady

Councillor Faroque Ahmed, Councillor Asma Begum, Councillor Mohammed Ahbab Hossain, Councillor Asma Islam, Councillor Tarik Khan, Councillor Motin Uz-Zaman and Councillor Peter Golds

Deputies:

Councillor Rachel Blake, Councillor Danny Hassell, Councillor Denise Jones and Councillor Andrew Wood

[The quorum for this body is 3 Members]

Contact for further enquiries:

David Knight, Democratic Services

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Tel: 020 7364 4878

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Web: <http://www.towerhamlets.gov.uk/committee>

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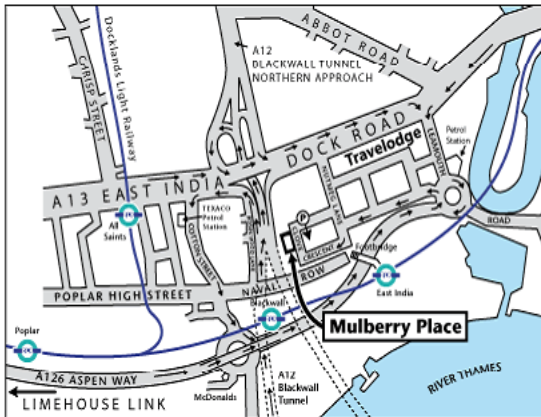
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**1. APOLOGIES FOR ABSENCE
DECLARATIONS OF DISCLOSABLE PECUNIARY
INTERESTS 5 - 8**

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

See attached note from the Monitoring Officer.

2. REPORTS FOR CONSIDERATION

2.1 A Governor Appointment Report 9 - 14

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

The School Governance (Constitution) (England) Regulations 2012 sets out the process for the appointment of local authority governors to maintained schools. The Regulations allow for the local authority to nominate a person to fill the position of local authority governor. It is for the governing body to appoint that person if the governing body considers the person meets any eligibility criteria that it has set.

3. EXCLUSION OF THE PRESS AND PUBLIC

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

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

EXEMPT SECTION (Pink Papers)

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

**3.1 LOCAL AUTHORITY GOVERNOR APPOINTMENTS - EXEMPT
APPENDICES 15 - 44**

The Local Authority Governor Applications appendices are exempt by virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local

Government Act 1972. The appendices will be considered during item 2.1 on the unrestricted part of the agenda.

Next Meeting of the Committee:

Tuesday, 4 September 2018 at 6.30 p.m. in Town Hall Mulberry Place

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

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

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

Interests and Disclosable Pecuniary Interests (DPIs)

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

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

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

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

Effect of a Disclosable Pecuniary Interest on participation at meetings

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

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

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

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

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

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

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer – 020 7364 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	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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Non-Executive Report of the: Extra-ordinary General Purposes Committee 24 th July 2018	 TOWER HAMLETS
Report of: Debbie Jones, Corporate Director (Children's Services)	Partially Restricted Appendices 1-7 Exempt
Local Authority Governor Application	

Originating Officer	Runa Basit
Wards affected	All

REASONS FOR URGENCY

The meeting is being held within 5 clear days as the 24th July, 2018 was the date that the Majority of Committee Members were available to sit and it was important to have these decisions taken before the summer to allow the schools to prepare for the new school year.

1. SUMMARY:

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

2. RECOMMENDATION:

The General Purposes Committee is recommended to:

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

3. REASONS FOR DECISION

- 3.1 The School Governance (Constitution) (England) Regulations 2012 set out the process for the appointment of local authority governors to maintained schools. The Regulations allow for the local authority to nominate a person to fill the position of local authority governor. It is for the governing body to appoint that person if the governing body considers the person meets any eligibility criteria that it has set.
- 3.2 The governor nominations in this report are to fill the current LA governor vacancies.

4. ALTERNATIVE OPTIONS:

Background - LA appointed governors

4.1 To improve the efficiency for appointing local authority governors to school vacancies, the General Purposes Committee at a meeting held on Wednesday 15 February 2006 made the decision to delegate authority to the Corporate Director (Children, Schools & Families) to appoint and revoke the appointment of local authority governors, except where there was a dispute about an appointment or there was more than one applicant for a post in which case the Committee would decide the appointment.

4.2 At a meeting on 29 November 2011, the Council resolved to amend the constitution and the terms of reference of the General Purposes Committee were amended. The committee is now responsible for the appointment and revocation of local authority school governors.

4.3 As this is a function of the local authority there is no alternative option.

5. LOCAL AUTHORITY GOVERNOR NOMINATIONS AND APPOINTMENTS

5.1 Applications to be nominated as the local authority governor to seven schools are attached as Appendices to this report in the restricted area of the agenda.

6. APPLICATIONS

Re-appointments

6.1 The Headteacher of Blue Gate Fields School is in support of the reappointment of Dr Amjad Rahi.

Dr Amjad Rahi's application is enclosed at **Appendix 1**.

6.2 The Headteacher of Smithy Street School is in support of the reappointment Ros Coffey.

Ros Coffey's application is enclosed at **Appendix 2**.

6.3 The Headteacher and Chair of Rachel Keeling are in support of the reappointment Aminul Hoque.

Aminul Hoque's application is enclosed at **Appendix 3**.

6.4 The Headteacher and Chair of St Peter's CoE School are in support of the reappointment Anthony McDonagh.

Anthony McDonagh's application is enclosed at **Appendix 4**.

6.5 The Headteacher and Chair of Bigland Green School are in support of the reappointment Dennis Twomey.

Dennis Twomey's application is enclosed at **Appendix 5**.

New applications

- 6.6** The Headteacher and Chair of Bangabandhu Primary school are in support of Kabir Miah's application.

Kabir Miah's application is enclosed at **Appendix 6**.

- 6.7** The Headteacher and Chair at Hermitage Primary School are in support of Richard Tyndall's application.

Richard Tyndall's application is enclosed at **Appendix 7**.

7. EQUALITIES IMPLICATIONS

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

7. OTHER STATUTORY IMPLICATIONS

- 7.1** This section of the report highlights 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.

7.2. RISK MANAGEMENT IMPLICATIONS

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

8. COMMENTS OF THE CHIEF FINANCE OFFICER

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

9. LEGAL COMMENTS

- 9.1** Section 19 of the Education Act 2002 requires each maintained school to have a governing body, which is a body corporate constituted in accordance with the Regulations. Each maintained school is required to have an instrument of government, which specifies the membership of the governing body. Regulations require a governing body to include person appointed as a local authority governor and for a number of associated matters.

- 9.2 The 2012 Regulations detail the composition of the governing body and the appointment of governors, including local authority governors. The 2012 Regulations provide that there can be only one local authority nominated governor. A local authority governor is a person who is nominated by the local authority and is appointed by the governing body after being satisfied that the person meets any eligibility criteria set by the governing body. It is for the governing body to decide whether the Local Authority nominee has the skills to contribute to the effective governance and success of the school and meets any eligibility criteria they have set. If the governing body has set eligibility criteria, then these should be notified at the meeting, so the Committee can consider them before making a nomination.
- 9.3 Schedule 4 to the 2012 Regulations set out the circumstances in which a person is qualified or disqualified from holding or continuing in office as a governor, details of which are as follows –
- A person who is a registered pupil at a school is disqualified from holding office as a governor of the school.
 - A person must be aged 18 or over at the date of appointment to be qualified to be a governor.
 - A person cannot hold more than one governor post at the same school at the same time.
 - A governor who fails to attend meetings for six months without the consent of the governing body becomes disqualified from continuing to hold office.
 - A person is disqualified from holding or continuing in office if: (1) his or her estate is sequestered (under bankruptcy) or the person is subject to a bankruptcy restrictions order or an interim order; (2) he or she is, broadly speaking, disqualified from being a company director; (3) he or she has been removed from office as trustee of a charity; (4) he or she has a criminal conviction of a specified kind within a specified time period; (5) he or she is subject to a specified prohibition or restriction on employment, such as being barred from ‘regulated activity’ relating to children under the Safeguarding of Vulnerable Groups Act 2006; or (6) he or she refuses to apply for a criminal records certificate when requested to do so by the clerk to the governing body.
 - A person is disqualified from appointment as a local authority governor if he or she is eligible to be a staff governor.
- 9.4 Once appointed, a governor will hold office for a fixed period of four years from the date of appointment, except in a limited number of circumstances. This does not prevent a governor from being elected for a further term. A governor may resign, be removed or be disqualified from holding office in the circumstances specified in the relevant Regulations.
- 9.5 In determining whether to appoint an authority governor, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster

good relations between persons who share a protected characteristic and those who don't. The Committee will wish to be satisfied that the process of selection is fair, open and consistent with furtherance of these equality objectives.

- 9.6 The Council's Constitution gives the General Purposes Committee responsibility for appointment of local authority school governors.

Linked Reports, Appendices and Background Documents

Linked Report

- **NONE.**

Appendices

- Appendices 1 – 7 [**EXEMPT**]. LA Governor Application Forms

Officer contact details for documents:

- Runa Basit

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