

Non-Executive Report of the:  <b>Overview and Scrutiny Committee</b>  20 <sup>th</sup> May, 2019	 <b>TOWER HAMLETS</b>
<b>Report of:</b> David Knight, Principal Committee Services Officer	<b>Classification:</b> Unrestricted
<b>Scrutiny Arrangements</b> - Appointment of Scrutiny Lead Members and Establishment of Sub-Committees for 2019-20	

<b>Originating Officer(s)</b>	David Knight, Senior Committee Manager Afazul Hoque, Head of Strategy and Policy, Resources and Governance
<b>Wards affected</b>	All Wards

### Summary

This report requests that the Overview and Scrutiny Committee (OSC):

- Agrees the appointment of Scrutiny Lead Members;
- To agree the establishment and terms of reference of the following Sub-Committees:
  - Children and Education Scrutiny Sub-Committee;
  - Housing and Regeneration Scrutiny Sub-Committee; and
  - Health and Adults Scrutiny Sub-Committee.

### Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Approve Scrutiny Leads with specific portfolios and if so to appoint Members to the posts as set out in Section 3 of this report;
2. Note the co-option requirements for education in accordance with legislation, as set out at Paragraphs 3.3 to 3.9 of this report;
3. Establish the Sub-Committees as set out in **Appendix 1** to this report;
4. Appoint Members for the above Sub-Committees;
5. Agree to respective terms of reference as set out in **Appendix 2** to this report;
6. Appoint the Vice-Chair of the Overview and Scrutiny Sub-Committee; and.
7. Formally thank Kim Hayman and Sue Kenten for their contributions to the work of the Grants Scrutiny Sub-Committee, given the dissolution of this Committee.

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

- 1.1 The Overview and Scrutiny Committee is required, at its first meeting of the municipal year, to confirm its arrangements for Lead Scrutiny Members and Sub-Committees.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Committee could determine different arrangements for carrying out the Scrutiny of the Council's executive decision making functions providing that all statutory requirements were met.

## **3. DETAILS OF REPORT**

- 3.1 At its first meeting of the municipal year, the OSC are asked to approve its arrangements for Lead Scrutiny Members and Sub-Committees.

### **Scrutiny Lead Members and Portfolios**

- 3.2 At its meeting on 15<sup>th</sup> May 2019, Council approved Special Responsibility Allowances for the Scrutiny Lead positions. It is therefore suggested that for the 2019/20 Municipal Year, the OSC consider the appointment of Lead Scrutiny Members for those agreed portfolios as set out below:

1. Scrutiny Lead for Health & Adults;
2. Scrutiny Lead for Children & Education;
3. Scrutiny Lead for Housing & Regeneration;
4. Scrutiny Lead for Resources & Finance; and
5. Scrutiny Lead for Community Safety & Environment.

### **Co-option of Representatives to Scrutiny**

- 3.3 Section 9FA (4) of the Local Government Act 2000 provides that an overview and scrutiny committee of a local Council may include persons who are not members of the Council. This provision empowers, rather than obliges (excepting the requirement at 3.4 below), local authorities to have co-opted members on their overview and scrutiny committees.

- 3.4 However Schedule A1 to the Local Government Act 2000 also has effect in relation to the Council's executive arrangements. Paragraph 7 of Schedule A1 makes provision for overview and scrutiny committees to have church representatives as follows:

- 3.4.1 The Council must have a Church of England co-opted member on an overview and scrutiny committee if that committee's functions relate wholly or partly to education functions, and if the Council maintains one or more Church of England Schools (which is the case in Tower Hamlets). The Church of England representative must be nominated by the Diocesan Board of

Education for any Church of England diocese which falls wholly or partly in Tower Hamlets.

- 3.4.2 Similarly, the Council must have a Roman Catholic representative on that overview and scrutiny committee if the committee's functions relate wholly or partly to education functions and if the Council maintains one or more Roman Catholic schools (which is the case in Tower Hamlets). The Roman Catholic representative must be a nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in Tower Hamlets
- 3.6 Paragraph 8 of Schedule A1 to the Local Government Act 2000 sets out the power for the Secretary of State to make regulations requiring local authorities to have representatives of parent governors at maintained schools included on their overview and scrutiny committees. The Secretary of State has made the Parent Governor Representatives (England) Regulations 2001. Regulation 3 provides that a local education Council shall appoint at least two, but not more than five, parent governor representatives to any overview and scrutiny committee that has functions which relate wholly or partly to any education functions which are the responsibility of the Council's executive. The Regulations specify the process for electing representatives.
- 3.9 The OSC is requested to agree the co-option of nominated representatives in respect of education matters as set out in the table below.

<b>Role</b>	<b>Co-Optee</b>
Church of England Diocese representative	Dr Phillip Rice
Roman Catholic Diocese representative	Joanna Hannan
Parent Governor representative	Fatiha Kassouri
Parent Governor representative	Neil Cunningham
Parent Governor representative	Ahmed Hussain
Muslim Community Representative (non-voting)	Khoyrul Shaheed

### **Scrutiny Sub-Committee arrangements**

- 3.11 At its meeting on 23 April 2019, the Overview and Scrutiny Committee considered a report titled 'Scrutiny Structure' providing feedback from the Scrutiny Away Day on 16 March 2019 and allowing for a discussion on the best arrangements of Scrutiny Sub-Committees to allow the most effective oversight of the Council's actions with the available resources.
- 3.12 Following discussion at that meeting, and further discussion with the Chair, it is proposed to establish three Scrutiny Sub-Committees covering the following areas:

- Education and Children’s Services Scrutiny Sub-Committee;
- Health and Adults Scrutiny Sub-Committee; and
- Housing and Regeneration Scrutiny Sub-Committee.

3.13 Proposed Terms of Reference for the three sub-committees are set out in Appendix 2 to the report alongside those for the main Committee.

### **Grants Scrutiny**

3.14 The above proposals will see the dissolution of the Grants Scrutiny Sub-Committee. Dissolving the Grants Scrutiny Sub-Committee means that the two co-optees, Kim Hayman and Sue Kenten, will no longer be required to fulfil a scrutiny role specific to Grants. It is recommended that Overview and Scrutiny Committee agree to formally thank them for their contribution to this work.

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

#### **Linked Report**

- None

#### **Appendix**

- **Appendix 1** - Appointment to Scrutiny Sub-Committees
- **Appendix 2** - Terms of Reference
- **Appendix 3** - New Portfolio’s
- **Appendix 4** - Calendar of meeting 2019/20

#### **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.

- State NONE if none.

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

- N/A