

Non-Executive Report of the: Overview and Scrutiny Committee 19 th October, 2020	 TOWER HAMLETS
Report of Asmat Hussain; Corporate Director, Governance	Classification: Unrestricted
Scrutiny Arrangements - Appointment of Scrutiny Lead Members and Approval of Sub-Committees for 2020 - 21	

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

Summary

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

- Agrees the appointment of Scrutiny Lead Members;
- To agree the establishment for the current municipal year the following Sub-Committees together with their terms of reference:
 - 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 3.10** of this report;
3. Approve the appointment of two independent co-opted representatives onto the main Committee as detailed in the report to replace any earlier co-options.
4. Approve the Sub-Committees as set out in **Paragraph 3.11** of this report;
5. Appoint Members for the above Sub-Committees;
6. Agree to respective terms of reference as set out in **Appendix 2** to this report for the main Committee and the three Sub-Committee's; and
7. Approve the Sub-Committees Chairs as set out in **Appendix 3** of this report;

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 In accordance with the Council's decision of May 2019, when Special Responsibility Allowances were approved for the Scrutiny Lead positions. It is suggested that for the 2020/21 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 and sub-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 sub-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 sub-committee if that sub-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 sub-committee if the sub-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 sub-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 Overview and Scrutiny Committee is requested therefore to agree the co-option of nominated representatives in respect of education matters to Children's Services Scrutiny Sub Committee as set out in the table below. These co-optees will also be able to participate (and vote) in any education matter considered by the Overview and Scrutiny Committee (such as a relevant call-in).

Role	Co-Optee
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

- 3.10 The Overview and Scrutiny Committee is also asked to agree that it should have to appointed independent non-voting co-opted representatives on the main Committee as detailed in the table below.

Role	Co-Optee
Independent Co-opted Representatives	Mr James Wilson
Independent Co-opted Representatives	Ms Halima Islam

Scrutiny Sub-Committee arrangements

- 3.11 In accordance with the OSC processes as agreed by the Committee at its meeting on 23rd April 2019, to allow the most effective oversight of the Council's actions within the available resources it is proposed to approve for the current Municipal Year 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.

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

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendix

- **Appendix 1** - Appointment to Scrutiny Sub-Committees
- **Appendix 2** - Terms of Reference
- **Appendix 3** - Portfolio's
- **Appendix 4** - Calendar of meeting 2020/21

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