

<p>Non-Executive Report of the:</p> <p><b>Overview &amp; Scrutiny Committee</b></p> <p>Monday, 28 November 2022</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Janet Fasan, Director Legal and Monitoring Officer</p>	<p><b>Classification:</b> Open (Unrestricted)</p>
<p><b>Appointment of Co-opted Members to Sub Committees</b></p>	

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

### Reasons for urgency

This report was not made available to the Committee 5 working days in advance of the meeting as required by the Council's Access to Information Rules. In the case of the parent governor nominee, this was due to an administrative error; in the case of the Healthwatch Tower Hamlets' nominee, the Council received instruction from Healthwatch Tower Hamlets only on Friday 25 November. Were the appointment of either nominee delayed until the next Committee meeting on 12 December, the prospective co-optees would not be able to participate as members of the sub committees in the meetings scheduled for 6 and 8 December.

### Executive Summary

The Committee is asked to note the selection process for a co-opted parent governor role and agree that the selected candidate be appointed to the Children and Education Scrutiny Sub Committee and asked to appoint the Healthwatch Tower Hamlets' nominee to the Health and Adults Scrutiny Sub Committee

### Recommendations:

The Committee is recommended to:

1. Agree the appointment of Nasifa Ahmed to the position of Parent Governor representative on the Children and Education Scrutiny Sub Committee for the period of the current administration.
2. Agree the appointment of Matthew Adrien to the position of Healthwatch Tower Hamlets representative to the Health and Adults Scrutiny Sub Committee for the period of the current administration or until Healthwatch advises the Council of a change to its nominee, whichever is sooner.

### 1. REASONS FOR THE DECISIONS

- 1.1 To appoint elected and nominated candidates to the Children and Education

Scrutiny Sub Committee and Health and Adults Scrutiny Sub Committees in accordance with the Overview and Scrutiny Committee Procedure Rules and the terms or reference of the sub committees.

## **2. ALTERNATIVE OPTIONS**

- 2.1 There are no alternative options. The proposed candidates have been elected or nominated by relevant bodies in accordance with statutory and constitutional requirements.

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

### **Parent Governor role**

- 3.1 The Council's scrutiny arrangements provide for the appointment of statutory education co-optees who sit on the Children's and Education Scrutiny Sub Committee. a Church of England representative; a Roman Catholic representative; and 3 Parent Governor representatives.
- 3.2 Most of the statutory education co-optees for the current administration were appointed at the Committee meeting in June 2022. As was also reported at the time, one of the Parent Governor representative roles was not appointed to as it was awaiting nominations.
- 3.3 In accordance with the relevant legislation an election was held, supported by officers in the Council's Governor Services team, to determine the nominee for this one remaining parent governor role between September and October 2022. Nafisa Ahmed, who is a parent governor at Bygrove School, was elected as the preferred candidate. The Committee is asked to appoint Ms Nasifa Ahmed to the position of co-opted Parent Governor Representative on the Children and Education Scrutiny Sub Committee.

### **Healthwatch Tower Hamlets role**

- 3.4 The Council's scrutiny arrangements also provide for the appointment of two co-optees to the Health and Adults Scrutiny Sub Committee. One of these co-optees is nominated by the patient voice body, Healthwatch Tower Hamlets. In November 2022, Healthwatch Tower Hamlets advised the Council that it wished to amend its nominee to the Sub Committee, nominating its service director, Matthew Adrien to replace David Burbidge. The Committee is asked to appoint Matthew Adrien to this position.
- 3.5 Healthwatch has advised that Mr Adrien's nomination is an interim nomination until a suitable permanent nominee has been selected. The Committee will be asked to appoint any future nominees from Healthwatch.

## **4. EQUALITIES IMPLICATIONS**

- 4.1 There are no direct equalities implications arising from the recommendation in 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.
- Data Protection / Privacy Impact Assessment.

5.2 The Council's Code of Conduct for Members applies to scrutiny co-optees. Training will be provided by officers to the co-opted representatives on the Code of Conduct which will include declarations of interest, exempt reports and data protection.

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

6.1 This report provides an update on the selection of co-opted representatives for scrutiny sub-committees and asks the Overview and Scrutiny Committee to endorse the candidates selected. The only financial implication as a result of the recommendation within this report is to note that each co-opted representative is entitled to claim an attendance allowance of £136 per meeting. This will be funded within existing budget.

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

7.1 Pursuant to section 9FA (4) and (5) of the Local Government Act 2000, an overview and scrutiny committee of a local authority, or any sub-committee of such a committee, may include persons who are not members of the authority but any persons who are not members of the local authority are not entitled to vote at any meeting of its overview and scrutiny committee, or any sub-committee of such a committee, except where this is permitted under Schedule A1 to the Act. Paragraph 11 of Schedule A1 permits a Local Authority to allow a co-opted representative to the Committee or sub-committee to vote in accordance with a scheme. The Council's Constitution permits the appointment of three parent governor co-opted members to the Children and Education Scrutiny Sub-Committee who may vote on education matters only.

7.2 Regulation 3 of the Parent Governor Representatives (England) requires a local authority to appoint at least two and no more than five parent governor representatives to each of their education overview and scrutiny committees and sub-committees. Regulation 4 of these Regulations sets out the election procedures for these parent governor representatives.

- 7.3 The Overview and Scrutiny Procedure Rules provides that the Overview and Scrutiny Committee will be responsible for agreeing the appointment of co-opted representatives. This report is asking for the Committee to approve the appointment of one co-opted parent governor representative to the Overview and Scrutiny Committee and such an approval is within the Committee's powers. Until such time as the Committee approves the appointment, the co-opted representatives cannot sit on the Committee.
- 7.4 When taking action, 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 do not (the public sector equality duty).
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None.

### **Appendices**

- 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:**

Joel West, Democratic Services Team Leader (Committee)