

Non-Executive Report of the: Overview and Scrutiny Committee 24 th May, 2021	 TOWER HAMLETS
Report of: David Knight, Principal Committee Services Officer	Classification: Unrestricted
Scrutiny Arrangements - Appointment of Scrutiny Lead Members and Establishment of Sub-Committees for 2021-22	

Originating Officer(s)	David Knight, Democratic Services Officer 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):

- Appoints a Vice Chair of the Committee;
- Agree the appointment of committee councillor members to five scrutiny lead member roles; and
- Agree the establishment, membership and terms of reference of three scrutiny sub-committees:

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Appoint a Vice Chair of the Committee;
2. Appoint Members to the scrutiny lead roles as set out in paragraph 3.2 of this report;
3. Establish the scrutiny sub-committees as set out in paragraph 3.5 of this report;
4. Approve the nominations for members for the scrutiny sub-committees as set out in Appendix 1 to this report;
5. Note the terms of reference of the OSC and agree the terms of reference for the scrutiny sub committees as set out in Appendix 2 to this report; and
6. Note the co-option requirements for education in accordance with legislation, as set out at Paragraphs 3.8 to 3.13 of this report and the wider co-option arrangements for scrutiny at Tower Hamlets, as set out in paragraph 3.14;

1. REASONS FOR THE DECISIONS

- 1.1 The Overview and Scrutiny Committee's rules of procedure state that it will make a series of appointments to sub committee and lead member roles each municipal year.

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 The OSC Procedure rules state that the committee will select from among its Councillor Members lead Scrutiny Members, one for each of the following portfolios. It is therefore suggested that the OSC selects a councillor to fill each the following roles:

1. Scrutiny Lead for Health & Adults (who will chair of the Health & Adults scrutiny sub committee);
2. Scrutiny Lead for Children & Education (who will chair of the Children & Education scrutiny sub committee);
3. Scrutiny Lead for Housing & Regeneration (who will chair of the Housing & Regeneration scrutiny sub committee);
4. Scrutiny Lead for Resources & Finance; and
5. Scrutiny Lead for Community Safety & Environment.

- 3.3 Portfolios for each of the above roles are set out at Appendix 3 to this report.

Scrutiny Sub-Committee arrangements

- 3.4 At its meeting on 23 April 2019, the Overview and Scrutiny Committee had 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.

- 3.5 Following discussion at that meeting it was agreed to establish three Scrutiny Sub-Committees covering the following areas:

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

- 3.6 The current Terms of Reference for the three sub-committees are set out in Appendix 2 to the report for agreement, alongside those for the main Committee, which are for noting.
- 3.7 The Committee is asked to nominate councillors from amongst its membership to seats on the sub committees, the number of which are based the current terms of reference for each body. A proposed list of nominees is attached at Appendix 1 of this report.

Co-option of Representatives to Scrutiny

- 3.8 Section 9FA (4) of the Local Government Act 2000 provides that a 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 3.5 below), local authorities to have co-opted members on their overview and scrutiny committees.
- 3.9 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 the relevant committee to have church representatives as follows:
- 3.10 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.
- 3.11 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.
- 3.12 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

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education functions which are the responsibility of the Council's executive. The Regulations specify the process for electing representatives.

- 3.13 The OSC is requested to note the co-option of nominated representatives in respect of Education and Children's Services Scrutiny Sub-Committee as set out in the table below.

Role	Co-Optee
Church of England Diocese representative	Dr Phillip Rice
Roman Catholic Diocese representative	Joanna Hannan
Parent Governor representative	Vacant
Parent Governor representative	Neil Cunningham
Parent Governor representative	Ahmed Hussain
Muslim Community Representative (non-voting)	Vacant

- 3.14 Further to the general provision to appoint co-optees as set out above, the Committee has also agreed to the following co-optee appointments:
- OSC has two co-opted resident representative members, Halima Islam and James Wilson;
 - Housing and Regeneration scrutiny sub-committee has two co-opted members: a leaseholder representative, Moshin Hamim, and a tenant representative, Anne Ambrose).
 - Health and Adults scrutiny sub-committee has two co-opted members Sue Kenten and David Burbidge (who is a representative from Healthwatch Tower Hamlets).

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendix

- **Appendix 1** - Appointment to Scrutiny Sub-Committees – **To follow**
- **Appendix 2** - Terms of Reference
- **Appendix 3** – Scrutiny Lead Member Portfolios
- **Appendix 4** - Calendar of meeting 2021/22

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

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List any background documents not already in the public domain including officer contact information.

- None.

Officer contact details for documents:

- N/A