

Non-Executive Report of the: General Purposes Committee Tuesday, 5 October 2021	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Calculation of Appointments Sub-Committee Proportionality	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

This report follows the 12 August 2021 by-election, election of Councillor Kabir Ahmed and the subsequent creation of the new Aspire Group on the Council.

The meeting of Council on 30 September considered a report reviewing the proportionality calculations for the Council's Committees.

Following that review, the General Purposes Committee are asked to consider the proportionality implications for its Sub-Committees and agree their arrangements.

Recommendations:

The General Purposes Committee is recommended to:

1. Agree the amendment to the arrangements for nominating Councillors to serve on an Appointment Sub-Committee as set out in Paragraph 3.6 below.
2. To note that no change is required to the Employee Appeals Sub-Committee as its membership is drawn from Members of the General Purposes Committee which therefore determines the opposition Member who can be selected.

1. REASONS FOR THE DECISIONS

- 1.1 The Committee is required to review the proportionality of its Sub-Committees following a change in the political balance of the authority.

2. ALTERNATIVE OPTIONS

2.1 None.

3. DETAILS OF THE REPORT

3.1 Following Councillor Kabir Ahmed's election at a by-election on 12 August 2021, and the creation of the Aspire Group on the Council, there is a need to consider the proportionality calculations of the Council's Committees and Sub-Committees.

3.2 Council considered the implications for the Council's Committees at its meeting on 30 September 2021. The General Purposes Committee must now do the same for its Sub-Committees.

Appointment Sub-Committee

3.3 This small change in proportionality does not alter the overall proportions on the Appointment Sub-Committee which remain at four Members nominated by the Labour Group and one Member nominated by an opposition group.

3.4 However, an amendment is required to set out how it should be determined which opposition group should be approached to fill the vacancy.

3.5 The proposal is that the opposition groups should take it in turns, rotating the slot for each recruitment (note – an appointment lasts for the shortlisting and interview phases of a recruitment exercise).

3.6 The proposed amendment to the procedures is set out below with the new explanatory text added below 4.2 (a).

Membership

4.2 In accordance with the proportionality rules for all Council Committees, it is proposed that the following arrangements, should apply;

- a) For a **Chief Officer** (Corporate Director level) and **Deputy Chief Officer** (Divisional Director level) appointment, the Appointments Sub-Committee shall comprise of **five Councillors** as follows:-
 - Four Members nominated by the Leader of the Labour Group, at least one of whom must either be the Mayor or a member of the Executive; and
 - One Councillor nominated by the Leader of an Opposition Group*.

***The opposition groups will be offered the nomination in turn with the position rotating depending on which group filled the place on the last sub-committee to have taken place.**

Where one opposition group declines to take up the nomination the other group will be offered the place.

- b) The Divisional Director, HR (or their respective nominee) to liaise with the Mayor and Group Leaders to receive their nominations, in accordance with the above allocation of places, and to agree the date of the first Sub Committee in each Chief Officer/ Deputy CO appointment cycle.
- c) The Mayor and political groups are expected to assist in achieving a Sub-Committee whose overall composition is diverse in terms of gender and ethnicity wherever possible. In the event that the initial nominations do not produce such a Sub-Committee, the Divisional Director Legal or the Head of Governance and Democratic Services (or their respective nominee) after consultation with the Divisional Director HR & Transformation will discuss with the respective group leaders and the Mayor options for amending one or more of those nominations as necessary to achieve sufficient diversity.
- d) Members can only sit on an Appointments Sub-Committee if they have received training at this Council on recruitment and selection.
- e) The quorum for the Appointments Sub-Committee shall be at least three members.

Employee Appeals Sub-Committee

- 3.7 The Membership rules of the Employee Appeals Sub-Committee has different procedures. These require a panel of three to be selected from the membership of the General Purposes Committee. This therefore dictates which opposition Member can be selected and so no change is required.
- 3.8 Note that a new appeals process is due to be implemented from 1 November which would mean the current Employee Appeals Sub-Committee will be expired.

Conclusion

- 3.9 The General Purposes Committee are therefore asked to approve the change set out above to the Appointment Sub-Committee procedures. To come into effect for the first new recruitment process to be identified in a report to this meeting or subsequently.

4. EQUALITIES IMPLICATIONS

- 4.1 None specific to this report. However, the procedures of the Appointment Sub-Committee highlights the importance of ensuring a diverse panel of Members for the Sub-Committee's meetings.

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 None specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

7.1 The legal considerations are set out in the main body of the report. At the Annual Meeting of Council on 19 May 2021, approval was given to the Director of Legal & Interim Monitoring Officer to approve appointments of Councillors in accordance with recommendation 4.

Linked Reports, Appendices and Background Documents

Linked Report

- Report on the Proportionality of the Council – 30 September 2021 (Council meeting)

Appendices

- None.

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.

- None.

Officer contact details for documents:

N/A

