

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 13 OCTOBER 2022

**COUNCIL CHAMBER - TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present in Person:

Councillor Saif Uddin Khaled Chair
Councillor Kabir Ahmed
Councillor Musthak Ahmed
Councillor Asma Begum
Councillor Abu Chowdhury
Councillor James King
Councillor Maium Talukdar

Apologies:

Councillor Maisha Begum
Councillor Abdal Ullah

Officers Present in Person:

Will Tuckley (Chief Executive)
Farhad Ahmed (Traded and Business Development Manager)
Musrat Zaman (Director of HR, OD & Business Support Services)
Catriona Hunt (Head of Corporate Human Resources)

Officers In Attendance Virtually:

Kevin Bartle (Interim Corporate Director, Resources & Section
151 Officer)

1. DECLARATIONS OF INTERESTS

There were no declarations of disposable pecuniary interests..

2. MINUTES

The following minutes of the General Purposes Committee meeting held on the 21 June 2022 were amended as a correct record of proceedings:

- Post- Election Amendment: *'As a result of the controversy over elections in Tower Hamlets in 2014, the Returning Officer had chosen not to take his fees for any local elections. However, in respect of the local elections held in May 2022 fees were received.'*

Will Tuckley, Chief Executive Officer in his capacity as Returning Officer, updated the Committee that in relation to the post- election, informal double checking took place on Canary Wharf and Shadwell wards. Further checks will be made on any informal double checks to Island Gardens and Bethnal Green East wards. Details will be updated to the Committee outside the General Purposes Committee meeting.

3. WORK PLAN

The Committee reviewed the work plan and noted disappointment that the Forthcoming Restructures report was not submitted to the 13 October meeting as specified in the 21 June 2022 work plan.

Musrat Zaman observed that the standing item titled Forthcoming Restructures should be renamed to Reporting of Payments. As there were no payments over £100,000 to report, the item was removed.

RESOLVED

1. That the General Purposes Work Plan be noted.

4. REPORTS FOR CONSIDERATION

4.1 Local Authority Governor Applications October 2022

Farhad Ahmed, Head of School Governance, Information and Traded Services, introduced the report, which detailed two recommended Governors be appointed to Tower Hamlets maintained primary schools and nine reappointments.

The Committee AGREED to all recommendations for Governors be agreed.

RESOLVED

1. That the recommendations for Governors be agreed.
2. The report be noted.

4.2 Composition of Dismissal Appeals Panel

Musrat Zaman, Director of Workforce, OD and Business Support, introduced an update to the report, which set out options on the composition of the appeals panel and a recommendation to continue the present arrangement.

The effectiveness of the appeals panel, initially agreed at the General Purposes Committee on 05 October 2021, has not fully been

established, and reverting back to the previous model would be premature, as only one appeal has been conducted to date.

There is no legal requirement for appeals to be heard by Members, and it is good practice for managers, who are more equipped in handling staffing issues to chair such appeals.

In response to the presentation the Committee noted:

- Concern that the report appeared biased towards officers and marginalises the Members role in the process.
- The number of dismissals stated did not give a breakdown of employees grades or equality implications.
- The Employment Tribunal claims did not give sufficient clarity nor full details of the legal advice stated in the report.
- Disappointment with the general tone of the report, as it lacked consistency.
- That Trade Unions comments were not taken into account in this instance and requested clarification that they were consulted with prior to the previous arrangement change in 2021.

Will Tuckley, Chief Executive Officer, noted the report is intended to consider all options and allow for deliberation. Dismissal panels are an opportunity to review any procedural issues that may arise and not to rehear cases. Members set the direction whilst officers implement the policies and marginalisation is not a consideration. Previous Members felt it inappropriate to be part of the tribunals process and further evaluation is required before making any changes.

Musrat Zaman clarified that Trade Unions comments were not received prior to the meeting and the legal advice stated in the report was submitted by the council's employment lawyer. Janet Fasan, Director, Legal – Monitoring Officer, confirmed there is no legal requirement for either Members or Officers to sit at the panels, although it is deemed good practice for Officers.

Members requested that further details on equality and diversity of the employees be submitted at the next General Purposes Committee before any resolution be made. The Chair requested the Committee vote on the reports alternative options.

Accordingly, the General Purposes Committee;

Voted 5 to 2 in favour of reverting to the previous model (Option 2 in the report), which consisted of an all-Elected Member panel. This will

now require a consultation process with Trade Unions and a change of Constitution through Full Council.

RESOLVED

1. Officers to clarify if Trade Unions were consulted prior to the previous arrangement change in 2021.
2. That the Dismissals Appeals Panel be reverted back to the previous model, consisting of an all-Elected Member Panel. This will require a consultation process and a change of Constitution through Full Council.
3. That the report be noted.

4.3 Employee Relations Casework and Policy Review- Q1 - April - June 2022

Musrat Zaman, Director of Workforce, OD and Business Support briefly gave an update to the Committee, which detailed the level and management of employee relations casework with the Council and highlighted progress made. The report related to the period from April 2022 – June 2022. This was the first quarterly report since the last General Purposes Committee held on the 21 June, which previously requested annual submittance.

The number of open cases and policy development improvements were highlighted. Staff now have easier access to all policies in one location via The Bridge. Various policies have been revised and details of a proposed consultation process were set out in relation to Death in Service, Organisational changes and Redeployment. Proposals to the Smarter Working policy have been put on hold at this time.

Following the presentation the Committee:

- Expressed concern that details on the Smarter Working policy proposals being held were given as a verbal update and not reflected in the report.
- Clarification on if the Organisational and Redeployment policy changes are Executive Decisions, or if discussions are currently taking place, as this has not been reflected in the report.

Musrat informed the Committee that any policy organisational and redeployment changes are non-executive decisions. Trade Unions have been informed of an Informal work plan, although no formal consultations on the statutory policy have taken place.

RESOLVED

1. That the report be noted.

4.4 Recommendations on Implementation of Special Severance Payments Regulations

Musrat Zaman, Director of Workforce, OD and Business Support requested the Committee note the revised process for special severance payments, consider the revised policy statement and recommend the policy for adoption by Full Council on the 16 November 2022 and also delegate any amendments to the 2022/23 pay policy statement to the Chief Executive.

Musrat outlined the reasons for the recommendations which derive from Section 38(1) of the Localism Act 2011, requiring the adoption of the pay policy statement for each financial year. The statement will be submitted for approval by Full Council with discussions exempt.

The Committee AGREED to the recommendations in the report.

RESOLVED

1. That the report be noted.

4.5 Update on Senior Recruitment - October 2022

Will Tuckley, Chief Executive Officer, updated the Committee on the recent senior recruitment of Director of Commissioning and Culture within the Children and Culture Directorate. The post for Director, Integrated Growth and Development within Place is currently filled on an interim basis and this arrangement will stay in place for a further six months, pending a structure review.

Mr. Tuckley gave a verbal update on the interim Section 151 Officer and Corporate Director of Resources post, currently held by Kevin Bartle. The Council are considering how best to recruit a permanent post holder in the current market, as a second interim appointment is necessary.

In response to the update, the Committee noted that further work is required to fill gaps within senior positions. Mr. Bartle was thanked for his professionalism and depth of knowledge which is greatly appreciated.

RESOLVED

1. That the report be noted.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Constitution

The Chair noted that several changes have been made to the Constitution in recent years and recommended a Working Group be formed to ensure more accountability and better effectiveness to the Council's decision-making process.

Following the recommendation, the Committee noted;

- That although a review of the Constitution is scheduled in the work plan for the next General Purposes Committee meeting for 15 December 2022, a working group is now necessary.
- Recommendations on the Working Group's remit to be brought back to the next General Purposes Committee for submission to Full Council.

Restructures and Compulsory Redundancies

Councillor Kabir Ahmed proposed that all details of any key decisions on restructures which impact redeployments or redundancies be brought to the General Purposes Committee for review.

Mr. Tuckley explained that the Committee endorses the Council's policies. It also oversees broad changes at senior directorate level and Officers implement them. Although it would not be prudent for the Committee to oversee all managerial detail within restructures, further discussion on ensuring the Committee has more oversight of key issues is required. A request to defer the proposal until the next General Purposes Committee was made and agreed.

RESOLVED

1. The Committee AGREED to the recommendation of a Constitution Working Group be formed.
2. Proposals for the General Purposes Committee to have oversight of key organisational changes impacting staff be DEFERRED to 15 December 2022 meeting.
3. That the report be noted.

6. EXCLUSION OF THE PRESS AND PUBLIC

No resolution to exclude the press and public was passed at this meeting.

7. EXEMPT MINUTES

RESOLVED

1. That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting on the grounds that the remaining agenda item contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government Act 1972.

The meeting ended at 8.29 p.m.

Chair, Councillor Saif Uddin Khaled
General Purposes Committee