

Non-Executive Report of the: Overview & Scrutiny Committee 24 April 2023	 TOWER HAMLETS
Report of: Janet Fasan, Director Legal and Monitoring Officer	Classification: Open (Unrestricted)
Appointment of Co-opted Members to Scrutiny Committee and Sub Committees	

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

Executive Summary

The Committee is asked to note the recruitment process for two of co-opted member roles and agree that the selected candidates be appointed to the Health Adults Scrutiny-Sub-Committee.

Recommendations:

The Committee is recommended to:

1. Agree the appointment of the persons listed in the table at paragraph 3.5 to the co-opted positions indicated, subject to any necessary pre-appointment checks in line with the Council's current approach.

1. REASONS FOR THE DECISIONS

- 1.1 To appoint persons to co-opted roles on the Health and Adults Scrutiny Sub-Committee in accordance with the Overview and Scrutiny Committee Procedure Rules and the relevant terms or reference.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee could decide not to appoint one or more of the proposed persons. This is not recommended as it would weaken community involvement in scrutiny at LBTH.

3. DETAILS OF THE REPORT

Introduction

- 3.1 As was reported to the Committee in June 2022, the Local Government Act 2000 provides that the Committee and its sub-committees may include persons who are not members of the Council. The Council's Overview and Scrutiny Procedure Rules and the terms of reference for the Health and Adults Scrutiny Sub-Committee together provide that scrutiny at LBTH to include the following 2 co-opted member roles:
- a) Health and Adults Scrutiny Sub Committee has two co-opted members – a resident representative and a representative nominated from Healthwatch Tower Hamlets (see paragraph 3.3 below).
- 3.2 An open recruitment process has been undertaken to select preferred candidates for a resident representative on the Health and Adults Scrutiny Sub-Committee. This report advises of the outcome of this process and asks the Committee to formally appoint the selected preferred candidates.
- 3.3 The Council's scrutiny arrangements also provide for the appointment of the Healthwatch Tower Hamlets nominee to the Health and Adults Scrutiny Sub Committee.

Recruitment of Scrutiny Co-optees 2023

- 3.4 Following an unsuccessful recruitment round in 2022, an open, competitive recruitment process was undertaken in early 2023 to select the preferred candidate for the Health and Adults Scrutiny Sub Committee resident representative. An advert promoting the roles was put on the Council's website and the roles were also advertised through social media. Shortlisting and interviews for the role as a resident representative on the Health and Adults Scrutiny Sub-Committee was undertaken by a dedicated mixed interview panel including the Chair of the Health and Adults Scrutiny Sub-Committee and officers.
- 3.5 As a result of the selection process, Assan Ali was selected as the preferred candidate for the role of resident representative following an open and competitive recruitment exercise. In addition, Healthwatch Tower Hamlets have nominated Nicola Lawrence to the Health and Adults Scrutiny Sub Committee. The Overview and Scrutiny Committee is therefore asked to formally appoint these two individuals (listed below) to the co-opted roles indicated for the period of the current administration.

Body	Role	Co-optee
Health And Adults Sub	Resident rep	Assan Ali
Health And Adults Sub	Healthwatch Tower Hamlets	Nicola Lawrence

- 3.6 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.
- 3.7 The Council has established pre-appointment checks for co-opted members. These checks must be completed before appointment is confirmed. At time of agenda publication, not all checks had been fully resolved. The Committee is therefore asked to agree the appointments subject to satisfactory conclusion of all pre-appointment checks.

4. EQUALITIES IMPLICATIONS

- 4.1 The open, competitive recruitment process has been designed to encourage applicants from a broad range of different backgrounds and interests within the local community. This is consistent with the aim of recognising and promoting the Council's equality duty. The appointment of co-opted members also brings local people's views to those discussions on issues of concern to local people, including services provided by other organisations. This helps to strengthen local community leadership, independent from Tower Hamlets Council.

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 the Committee and its sub-committees and asks the Overview and Scrutiny Committee to endorse the candidates selected.

6.2 Co-opted representatives are 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. Only members of the local authority are entitled to vote at a overview and scrutiny committee, or any sub-committee of such a committee meeting, except where this is permitted under Schedule A1 to the Act.

7.2 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 a Muslim representative to the Education sub-committee and for that representative to vote on education matters only.

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 two (2) co-opted representatives to the Health and Adults Scrutiny Sub-Committee and such request is within the Committees 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).

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

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

- NONE

Officer contact details for documents:

David Knight, Democratic Services Team (Committee)