



COUNCIL MEETING

**7.30 pm Wednesday, 20 January 2021
Virtual Meeting**

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business.

**Abdus Chouhury
Monitoring Officer**

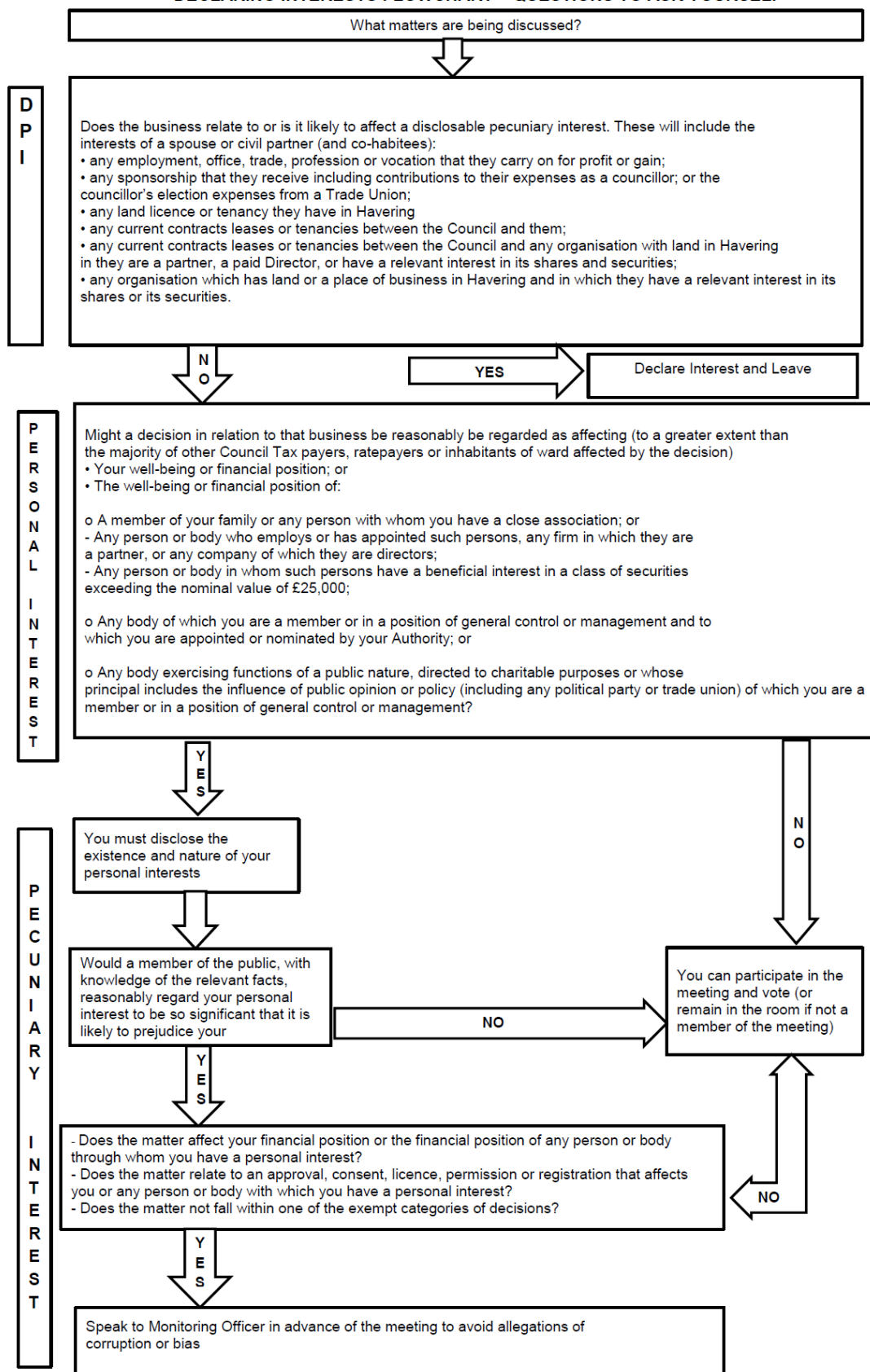
**For information about the meeting please contact:
Anthony Clements tel: 01708 433065
anthony.clements@oneSource.co.uk**



Please note that this meeting will be webcast.

**Members of the public who do not wish to appear
in the webcast will be able to sit in the balcony,
which is not in camera range.**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

1 PRAYERS

2 PROTOCOL ON THE OPERATION OF COUNCIL MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS (Pages 1 - 4)

Attached.

3 APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

4 MINUTES (Pages 5 - 30)

To sign as a true record the minutes of the Meeting of the Council held on 15 December 2020 (attached).

5 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

6 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE

To receive announcements (if any).

7 PETITIONS

No Members have given notice of intention to present a petition pursuant to Council Procedure Rule 14.

8 STAFF EMPLOYMENT PROCEDURE RULES (Pages 31 - 58)

To consider a report of Governance Committee on Staff Employment Procedure Rules (attached, subject to approval by Governance Committee).

9 ALLOCATION OF SEATS ON THE COMMITTEES OF THE COUNCIL (Pages 59 - 66)

To consider a report of the Chief Executive on the Allocation of Seats on the Committees of the Council (attached).

10 THE IMPORTANCE OF COVID-19 VACCINATION (Pages 67 - 78)

To consider a report of the Chief Executive on the Importance of Covid-19 vaccination (attached).

11 MEMBERS' QUESTIONS (Pages 79 - 82)

Attached.

12 MOTIONS FOR DEBATE (Pages 83 - 86)

Attached.



LONDON BOROUGH OF HAVERING

PROTOCOL ON THE OPERATION OF MEETINGS OF FULL COUNCIL DURING THE COVID-19 PANDEMIC RESTRICTIONS

1. Introduction

In accordance with the Local Authority and Police Crime Panels (Coronavirus) Flexibility of Local Authority and Police and Crime Panels Meetings (England and Wales) Regulations 2020, all meetings of full Council held during the Covid-19 restrictions will take place in a 'virtual' format. This document aims to give details on how the meetings will take place and establish some rules of procedure to ensure that all parties find the meetings productive.

2. Notification of Meeting

Once the date for a meeting has been set, an electronic appointment will be sent to all relevant parties. This will include a link to access the virtual meeting. Guidance on the use of the technology involved will also be available.

3. Format

For the duration of the Covid-19 restrictions period, meetings of full Council will be delivered principally through video conference call, using Zoom software. Instructions sent with meeting appointments or agendas will cover how to use the software. Additional IT support will also be provided to any Member requesting this in advance of the meeting.

4. Structure of the Meeting

Although held in a virtual format, Council Meetings will follow, as far as is possible, the standard procedure for Council meetings. The principal stages of the meeting will normally be as follows:

- Prayers (delivered remotely via Zoom link)
- Apologies for absence
- Agreeing the minutes of the previous meeting
- Disclosure of Interests
- Announcements by the Mayor, by the Leader of the Council or by the Chief Executive
- Petitions – Members will be able to give a short statement (via Zoom) explaining the subject of their petition.
- Members' Questions – Answers to questions to be circulated prior to the meeting. Supplementary question to be asked and answers given via Zoom.
- Motions for Debate.
- Recommendations and reports

- The meeting will close with the singing of the National Anthem for which Members participating via Zoom should remain seated.

5. Technology Issues

Initial, revised and final agendas setting out the items for the meeting will be issued in advance in the normal way, to all parties, in accordance with statutory timetables. The agenda will also be published on the Council's website – www.havering.gov.uk in the normal way. The guidance below explains how the meeting is to be conducted, including advice on what to do if participants cannot hear the speaker and etiquette of participants during the meeting.

Remote access for members of the public together with access for the Press will be provided via a webcast of the meeting at www.havering.gov.uk.

If the Mayor is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Mayor shall temporarily adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period as determined by the Mayor in consultation with the Council's Monitoring Officer, then the remaining business will be considered at a time and date fixed by the Mayor. If he or she does not fix a date, the remaining business will be considered at the next scheduled ordinary meeting of full Council.

6. Management of Remote Meetings for Members

The attendance of Members at the meeting will be recorded by the Democratic Services Officer clerking the meeting. The normal quorum requirements for meetings as set out in the Council's Constitution will also apply to a virtual meeting of full Council.

Democratic Services Officers will monitor participant involvement during the virtual call to ensure that there are no drop outs. Members will be informed at the beginning of the meeting to indicate via the chat function if they have missed part of the debate, and for the clerk to recap briefly over what was said.

In the event that a Member's video feed has failed but he/she is able to hear what is being said then the Member should confirm as such to the clerk using the chat function.

In the event that a Member's audio and video feed has failed then the Chairman will invite the Council to determine whether to proceed or adjourn the meeting to a later date.

7. Etiquette at the meeting

In order to make the hearing productive for everyone, the following rules must be adhered to and etiquette observed:

- The meeting will be presided over by the Mayor who will invite participants to speak individually at appropriate points. All other participants will have their microphones

muted until invited to speak by the Mayor;

- If invited to contribute, participants should make their statement, then wait until invited to speak again if required. Members' microphones will be remuted once they have finished speaking.
- If it is possible, participants should find a quiet location to participate in the Zoom meeting where they will not be disturbed as background noise can affect participants.
- If there are intermittent technological faults during the meeting then the Mayor will ask the speaker to repeat from the point where the disruption started. Whilst intermittent disruption is frustrating, it is important that all participants remain professional and courteous.
- The Council Procedure Rules as shown in the Council's Constitution will apply to the meeting in the normal way, as far as is practicable.

8. Meeting Procedures

Democratic Services Officers will facilitate the meeting. Their role will be to control conferencing technology employed for remote access and attendance and to administer Member interaction, engagement and connections on the instruction of the Mayor.

The Council has put in place a technological solution that will enable Members participating in meetings remotely to indicate their wish to speak via this solution. This will be via use of the 'raise hand' function in the Participants field of the Zoom software used for the meeting.

The Mayor will follow the rules set out in the Council's Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.

The Mayor, at the beginning of the meeting, will make reference to the protocol for the meeting and the rules of debate. The Mayor's ruling during the debate will be final.

Members are asked to adhere to the following etiquette during remote attendance at the meeting:

- All Councillors and participating officers are asked to join the meeting no later than thirty minutes before the start to allow themselves and Democratic Services Officers the opportunity to test the equipment. Officers will also advise Members of any specific joining arrangements and procedures applying to a particular meeting.
- Any camera (video-feed) should show a non-descript background or, where possible, a virtual background that allows the Member to still be clearly seen and Members should be careful to not allow any exempt or confidential papers to be seen in the video-feed.
- During general debate, rather than raising one's hand or rising to be recognised to

speak, Members attending remotely should avail themselves of the remote process for requesting to be heard and use the 'raise hand' function in the participants field of the Zoom software.

- If a Member wishes to raise a Point of Order, Personal Explanation, Clarification or Point of Information then he/she should use the 'raise hand' function and wait until the Mayor asks for their microphone to be unmuted. They should then state which of those procedures are to be drawn to the attention of Members and make their point. The microphone of the Member will then be muted again and the Mayor will make any appropriate response.
- Members may only speak when invited to by the Mayor as Chair of the meeting.
- Only one person may speak at any one time.
- When referring to a specific report, agenda page, or slide, participants should mention the report, page number, or slide so that all Members have a clear understanding of what is being discussed at all times

Voting will be conducted using the electronic voting function within Zoom. The Democratic Services Officer will announce the result of the vote and the Mayor will then move on to the next agenda item.

A record of votes and how individual Members voted will be appended to the minutes following the meeting.

Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. The Democratic Services Officer or meeting facilitator will move the Member to the Zoom waiting room until the item is complete, and then return them to the meeting.

9. After the Hearing - Public Access to Meeting Documentation following the meeting

Members of the public may access minutes, decision notices and other relevant documents through the Council's website. www.havering.gov.uk

For any further information on the meeting, please contact anthony.clements@onesource.co.uk, tel: 01708 433065.



**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Virtual Meeting
15 December 2020 (7.30 - 8.15 pm)**

Present: The Mayor (Councillor John Mylod) in the Chair

Councillors Councillors Robert Benham, Ray Best, Carole Beth, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Osman Dervish, Michael Deon Burton, David Durant, Tony Durdin, Brian Eagling, Gillian Ford, Jason Frost, Martin Goode, Linda Hawthorn, Judith Holt, Tele Lawal, Paul McGeary, Paul Middleton, Sally Miller, Robby Misir, Ray Morgon, Barry Mugglestone, Stephanie Nunn, Denis O'Flynn, Gerry O'Sullivan, Ron Ower, Dilip Patel, Nisha Patel, Bob Perry, Viddy Persaud, Roger Ramsey, Timothy Ryan, Jan Sargent, Carol Smith, Christine Smith, Natasha Summers, Matt Sutton, Maggie Themistocli, Jeffrey Tucker, John Tyler, Linda Van den Hende, Christine Vickery, Melvin Wallace, Ciaran White, Damian White, Michael White, Christopher Wilkins, Graham Williamson and Darren Wise

The Mayor's Official Chaplain - Father John Tuohy, Parish Priest of St Joseph's Catholic Church, Upminster opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

44 PROTOCOL ON THE OPERATION ON MEETINGS OF FULL COUNCIL DURING THE COVID-19 PANDEMIC RESTRICTIONS (agenda item 2)

The protocol on the operation of meetings of full Council during the Covid-19 restrictions was noted by Council, without division.

45 APOLOGIES FOR ABSENCE (agenda item 3)

Apologies were received from Councillor Reg Whitney.

46 MINUTES (agenda item 4)

The minutes of the meeting of full Council held on 9 September 2020 were agreed as a correct record, without division.

47 **DISCLOSURE OF INTERESTS (agenda item 5)**

There were no disclosures of interest.

48 **ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 6)**

A minute's silence was held in memory of former Councillor Cyril North who had recently passed away. Tributes to Councillor North were paid by Members of several Groups.

The Mayor advised Council that his charities would be St Francis Hospice, Clowns In The Sky and the Rainbow Trust. The Mayor had recently attended Remembrance Sunday events in Hornchurch and Romford as well as a Zoom meeting on the World Day of Remembrance for Road Traffic Victims and the on-line lighting up ceremony for the Christmas Tree in Trafalgar Square. The Deputy Mayor had attended a recent live virtual fundraising auction for King George and Queen's Hospitals Charity.

The Leader of the Council thanked staff for their hard work during the pandemic period and added that this been recognised by the granting of an extra day's leave to all staff over the Christmas period.

A total of 30 Covid martials and 7 additional public protection officers had been recruited. The Leader was pleased that the first Covid-19 vaccinations had now taken place at Queen's Hospital but felt that the coming months would continue to be very challenging.

The Chief Executive advised that numbers of Covid-19 cases in Havering continued to rise and that three mobile testing units would therefore be based in the borough. Secondary school pupils had been targeted for testing with 96% of tests given out in the first tranche. Home tests were also available for pupils or teachers.

More lateral flow asymptomatic tests would be rolled out across London and the Council had requested 30,000 of these for Havering. The Covid response work was taking a lot of officer time and the Chief Executive requested that Members work with officers to support the ongoing response work to Covid-19. An all Member briefing would be arranged in due course to give the latest information to Members.

The following procedural motion was proposed by the Conservative Group:

In view of the Chief Executive's announcement and update from the Director of Public Health, and in recognition of the considerable work that officers are currently engaged in and need to continue with; I am putting forward the following motion under Council procedure Rule 12.1 (k):

Under Council Procedure Rule 20, Council agrees to partially suspend the Council Procedure Rules for this evening's meeting. There are petitions under item 7, one report at item 8 as well as members' questions and motions for debate at items 9 and 10.

- i) The petitions are marked as received
- ii) The report in item 8 be received and a vote only procedure is followed on the proposed amendment and if necessary the recommendation in the report.
- iii) That the answers to Members' Question be circulated to all Members by email. Any supplementary questions from Members who put forward the questions be sent to Democratic Services and a written response provided in due course which is copied to all Members.
- iv) That the Council follow the vote only procedure pursuant to Rule 13.4 in relation to motions A and B put forward by the Independent Resident's Group and their proposed amendments.
- v) That the Council agrees the withdrawal of motions C and D pursuant to rule 11.7 and agrees that those items are resubmitted to the next scheduled meeting of Full Council in January 2021.

In putting forward this procedural motion, in particular the vote only procedure for Motions A & B, I acknowledge that the Leader of the Independent Resident's Group has stated that his and his Group's preference would have been to debate these motions before these are put to a vote.

As this is a procedural motion under Council Procedure Rule 12.1(k), this motion should proceed to a vote without discussion.

The procedural motion was **AGREED** by 45 votes to 8 with 0 abstentions (see division 1).

49 **PETITIONS (agenda item 7)**

The following petitions were received:

From Councillor Williamson concerning a request from the residents of Hubert Road, Rainham for a Controlled Parking Zone, from Councillor Summers re a requested relocation of the Covid-19 testing centre on the Cherry Tree Lane car park and from the Leader of the Council re overdevelopment on Romford Seedbed Centre.

50 **EXEMPTIONS TO THE CALL-IN PROCESS (agenda item 8)**

A report of the Chief Executive summarised, in accordance with the Council's Constitution, matters exempt from the call-in process between 30 March and 2 December 2020.

A question on the report submitted by the Residents' Group, together with its response is shown at appendix 1 to these minutes.

Deemed motion on behalf of Administration

That the report be adopted and its recommendations carried into effect.

Amendment by Residents' Group

An additional recommendation be added to the report as follows:

A report be submitted to the next Governance Committee meeting setting out the current process that is followed to request an exemption to "call in" and to allow for this process to be reviewed to ensure that the process is open, transparent and ensures proper accountability of the decision makers.

The amendment on behalf of the Residents' Group was **NOT CARRIED** by 29 votes to 20 with 4 abstentions (see division 2) and the deemed motion on behalf of the Administration was **AGREED** as the substantive motion, without division.

51 **MEMBERS' QUESTIONS (agenda item 9)**

In accordance with the agreed Procedural Motion, answers to questions would be circulated to all Members by e-mail. Supplementary questions from question setters would be responded to in writing, which would be copied to all Members.

The questions submitted, with initial answers, are attached as appendix 2 to these minutes.

52 **FIRST DO NO HARM (agenda item 10A)**

Motion on behalf of the Independent Residents' Group

This Council calls upon the Executive to contact the Prime Minister to lift restrictions and support the full re-opening of all hospitals, doctors surgeries, mental health units and all other medical centres in order to continue to support all those in need of further treatment, operations, mental health support and other health services, that have been withdrawn due to the Government's Coronavirus Lockdown Restrictions.

Amendment on behalf of the Labour Group

This Council welcomes the lifting of lockdown restrictions and calls upon the Executive to contact the Prime Minister to ensure that the National Health

Service and Public Health Authorities are properly funded to cope with the impact of the pandemic as well as delivering the high level of service it committed to deliver in its 2019 manifesto

Amendment on behalf of the Conservative Group

This Council welcomes the steps taken to safeguard local residents against increased exposure to Covid-19; it notes that Havering has had some of the highest rates of infections across all age categories and that the local hospital trust is running at capacity; and calls upon the Administration to write to the Prime Minister to request additional resources are released to Havering and the wider East London Boroughs, to support the continued suppression of the virus whilst the national vaccine roll out is undertaken.

The amendment by the Labour Group was **NOT CARRIED** by 31 votes to 6 with 16 abstentions (see division 3); the amendment by the Conservative Group was **CARRIED** by 41 votes to 10 with 2 abstentions and **AGREED** as the substantive motion without division.

53 PUBLIC NOTICE OBLIGATION (agenda item 10B)

Motion on behalf of the Independent Residents' Group

Local newspapers act as a valuable part of our democratic system, but just like democracy itself cannot be taken for granted and need support to flourish. Many print editions have gone on-line and the Romford Recorder can only survive with guaranteed income mostly through advertising.

However the Government's "Planning for the Future" consultation (ended 29th Oct) proposed removing the obligation of councils to advertise Public Notices in local papers. If this happened it would harm local papers and undermine the coverage and transparency they provide about planning matters and local affairs.

To avoid this the IRG called on the Executive to respond to the government's "Planning for the Future" consultation in favour of retaining the obligation of local authorities to advertise Public Notices in local papers in the interests of local democracy.

Instead the Administration's submission supported the removal of the Public Notice obligation. and Council strongly disagrees with the Executive decision to support the removal of the Public Notice obligation.

Amendment on behalf of the Conservative Group

This Council welcomes the Administration's submission to the planning for the Future consultation and awaits the response from the Government.

The amendment by the Conservative Group was **CARRIED** by 31 votes to 19 with 3 abstentions (see division 5) and **AGREED** as the substantive motion, without division.

54 LOWER THAMES CROSSING (agenda item 10C)**Motion on behalf of the Upminster and Cranham Residents' Associations Group**

Following on from several consultations regarding the Lower Thames Crossing and the responses from this Council (March 2016 and this year) Highways England submitted a Planning Application for a 14.5mile road, including a 2.4 mile tunnel, connecting the M2 near Rochester and the M25 by North Ockendon.

We have been advised that following feedback from the Planning Inspectorate that the Application has been withdrawn and a new one will be submitted.

Therefore we ask that this Council calls upon the Leader to reiterate its concerns to the Government and our Members of Parliament in respect of the following:

- Adverse impact on residential amenity for homes in Havering in terms of noise, disturbance and vibration
- Loss of homes in the North Ockendon area
- Impact on conservation areas and heritage assets in the locality
- Adverse impact of ongoing works and siting of works compounds.
- Should the Crossing go ahead as planned, that Havering residents are eligible to a toll discount scheme (on the same basis as received by residents of Thurrock and Dartford for the Dartford Crossing).

Amendment on behalf of the Conservative Group

This Council welcomes the withdrawal of the Lower Thames Crossing planning application following the objections raised by the Administration as part of the public consultation; notes that the previous scheme failed to adequately address the projected increases in noise and air pollution that would result across Havering from increased traffic movements; notes the unwillingness from Highway England to include sufficient upgrades of the strategic highway network as part of the overall design; notes the unwillingness from Highways England to offer Havering residents a user

discount, and calls upon the Administration to take all necessary steps to engage with Highway England, to ensure that these issues are addressed.

With the agreement of Council and in line with the procedural motion agreed earlier in the meeting, this motion was withdrawn and resubmitted to the next meeting of Council.

55 ORCHARD VILLAGE (agenda item 10D)

Motion on behalf of the Labour Group

This Council call upon the Government to increase funding for the safe removal and replacement of the external building cladding at Orchard Village and other residential blocks irrespective of the height of the buildings in order that shared owners and leaseholders are relieved of the substantial costs involved. Clarion Housing Association is urged to bring forward a programme to make all necessary safety works at Orchard Village.

Amendment on behalf of the Conservative Group

This Council welcomes the £1billion made available by the Government for this financial year to support the remediation of unsafe non-ACM cladding systems on residential buildings 18 metres and above in height, in both the private and social housing sectors. This Council also notes the Government's publication of the draft Building Safety Bill which lays out the framework and enabling powers to implement a new approach to building safety regulation. Clarion Housing Association is therefore urged to bring forward a programme to carry out all necessary safety works at Orchard Village.

With the agreement of Council and in accordance with the procedural motion agreed earlier in the meeting, this motion was withdrawn and resubmitted to the next meeting of Council.

56 VOTING RECORD

The record of voting is attached as appendix 3 to these minutes.

Mayor

COUNCIL, 15 DECEMBER 2020, AGENDA ITEM 8 – EXEMPTIONS TO THE CALL-IN PROCESS

Question by Residents' Group

Would the Leader of the Council explain why so many Executive Decisions on this report have a reason for no “Call in” as Special Urgency due to Gold Command? Furthermore, would the Leader of the Council explain what this means and why they were needed given that the Executive Decisions in question were for non-Covid related decisions?

Answer:

The Key Executive Decisions listed in the report before Members were made exempt from call-in with the agreement of the Chairman of Overview & Scrutiny Board. The need for urgency was a direct or indirect consequence of the COVID pandemic, with action taken by the Chief Executive utilising the statutory powers conferred to him under the Civil Contingencies Act 2004 (Gold Command), or through the scheme of delegation by Cabinet, Individual Cabinet Member or Officer.

The Council's previous Monitoring Officer put in place measures to monitor all requests for exemption from call-in and urgency prior to consideration by the Chairman of Overview & Scrutiny Board. Our current Monitoring Officer has maintained that practice.

For reasons of openness and transparency, the Chief Executive made a commitment at the outbreak of the pandemic to keep Members updated of decisions made during this period when exercising his powers. He has honoured that commitment both through the publication of decisions listed in the report before Members but also through regular updates at All Member Briefings. I'm sure all Members are grateful for the hard work and commitment demonstrated by the Chief Executive and his staff during these difficult times.

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Appendix 2

FULL COUNCIL, Tuesday 15 December 2020

MEMBERS' QUESTIONS

Parking Charges in Hornchurch and Upminster Town Centres

**1) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Paul Middleton**

Businesses in Hornchurch and Upminster Town Centres are suffering due to the Covid19 pandemic. Hornchurch is losing a major retailer (Peacocks) which is a huge loss to the area and we are likely to see more shops close unless more positive action is taken. An experimental order to introduce 29 on-street parking spaces in Hornchurch Town Centre with a free hour parking has been introduced, but is having little impact and are in the main next to existing car parks that remain mostly empty. During the lockdown period these car parks were made free to use and were 90% full – which shows there is a requirement for off street parking. Would the Cabinet Member introduce one hour free parking in Hornchurch and Upminster Town Centre car parks to encourage the use of the car parks and help save the shops?

Answer

The Council are supporting local businesses, high streets and residents across the borough and this is why measures introduced from 3rd August for parking included a 20% discount when paying by the cashless app (Ringo) in all Council Car Parks. This was in addition to introducing a number of new on-street parking bays in Hornchurch to increase opportunities for parking and across these we have introduced one hour **free** parking.

This means local residents can visit Hornchurch and Upminster, shop for up to one hour, so putting money into the local economy and not have to pay to do so. In addition, if people want to support local businesses for a longer period for things like a haircut or having a meal, again they can do so by paying a discounted rate in the car parks and again this supports the local economy.

And further to this, we have once again introduced free parking in Council Car Parks over five weekends across the Christmas and new Year period to help people shop locally and support the local economy. The parking offer in Havering is better than our surrounding boroughs. Neighbouring boroughs such as Newham, Redbridge and Thurrock offer no reduced or free parking charges within their Council owned car parks and only a limited 30 minutes at some on-street locations.

Some initial analysis demonstrates that the average uptake of customers using car parks and benefitting from the 20% discount when paying cashless so far this year is, on average 34% of all transactions across the borough. It would

Council, 15 December 2020

therefore appear to be a welcomed much improved offer to the customer with an upward trend over a much shorter period when compared with 2019/20 which was 28%.

Almost half of the total number of on-street transactions since August have been made using the cashless app. With 45% of all on-street parking utilising the 1-hour free parking period compared to 26% in 2019/20 when 30 minutes free was offered.

We will continue to monitor use of car parks and parking bays but I believe our parking offer is popular and being well-used and it is too earlier to consider changes to the system.

Parking Review in Upminster and Cranham

2) To the Leader of the Council (Councillor Damian White) From Councillor Ron Ower

Last year the Council sought views from residents concerning parking restrictions for Maple Avenue, Acacia Avenue and Sycamore Avenue. The scheme was put on hold pending the consultation on a borough-wide parking plan, the details of which have not been revealed to Members. What is the status of the borough-wide review and how much did it cost?

Answer

The CPZ review ended in November 2019 and results have been collected with recommendations pending via an ED to the Director of Neighbourhoods.

The Council's response to the Covid pandemic has delayed the outcomes of the consultation from being published and presented to Cabinet. It is hoped that this will happen before the end of the financial year.

The total costs for the consultation was £27,850+VAT which included face to face consultation in the areas involved, focus group meetings with local businesses and an online consultation.

Lockdown Restrictions

3) To the Leader of the Council (Councillor Damian White) From Councillor Jeffrey Tucker

The Council Leader has suggested there will need to be many lockdown restrictions until a COVID-19 vaccine is available. Surely this is a recipe for mental/health and economic devastation! Is this still his view?

Answer

Faced with an unprecedented pandemic, the Government has chosen to prioritise the health of the nation and particularly that of vulnerable citizens – the elderly and those with pre-existing health problems above other considerations and thereafter mitigate the knock on impact on the social, cultural and economic life of the country. I continue to agree with this approach. Allowing the disease to spread unchecked would result in thousands of both deaths and survivors with persistent and debilitating disability. I note the concern of the councillor for the mental health of residents but wonder how bereavement on this scale would help in this regard? However, we will soon launch a campaign with Mind and other partners to support our residents in addition to the support already available.

What is clear is that there are no easy choices – this Council will continue to do all it can to protect the health of residents and the economic life of the borough while the pandemic persists. With this in mind we need to make sure contrary messages are not promoted to residents which either confuses or encourages people not to stick to the rules.

Moreover, we will encourage every resident who can to take up the offer of vaccination as soon as they are authorised for use as being safe and effective. At that point we can truly begin to put the pandemic behind us.

“Laptops for Schools” Programme

- 4) **To the Cabinet Member for Education, Children and Families (Councillor Robert Benham)**
From Councillor Paul McGeary

How many laptops have been provided for Havering’s children as part of the ‘Laptops for Schools Programme’? How many have been provided directly by schools and separately by the Council? How many such laptops have been gifted to children and how many are on loan?

Answer

As part of phase one of the Department for Education’s (DfE) digital device rollout, the council have allocated 662 laptops to children and young people with a Havering Social Worker as per the eligibility criteria. We have also set up a dedicated phone line, in partnership with OneSource, operating five days a week to provide after care support for the devices.

Any remaining devices will continue to be allocated to children and young people with a Havering social worker as part of business as usual. Collection from the Town Hall on a fortnightly basis is carried out by the child’s social worker.

As per DfE guidance, the devices allocated as part of this rollout are a DfE asset until March 2021. After this point, they will become an asset of the council.

Phase two of the DfE's digital device scheme for vulnerable children without a social worker is managed directly by the schools with allocations set by the DfE. The council is currently awaiting details as to how many laptops have been allocated directly by schools as this data is held directly by the schools.

Public Protection

5) To the Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud)

From Councillor Brian Eagling

What powers do the Council's Enforcement officers have when dealing with issues regarding Covid-19 and related matters.

Answer

The Council has a number of enforcement options available, which in general, focus around the obligations placed on businesses. These are outlined in the Public Protection Outbreak Control Enforcement Policy. In addition to the informal enforcement options such as guidance and signposting and verbal/written advice, officers have powers to provide both written and verbal warnings. These would be appropriate where contraventions are due to a lack of understanding and no significant health risks are present or likely to be present.

Formal enforcement options include:

- Prohibition notices under the Coronavirus Regulations to deal with business that should not be open
- Closure Notices, where authorised, necessary and appropriate, in consultation with the Director of Public Health in cases of serious and imminent threat to Public Health.
- Fixed Penalty Notices may be used as an alternative or precursor to prosecution.
- Revocation, refusal or review of licence (where relevant)
- Prohibition notices under the Health and Safety at Work Act may be appropriate in certain situations
- Formal cautions, may be offered as an alternative to a financial penalty or prosecution
- Prosecution, in the most serious of cases

Throughout the COVID pandemic – we have ensured our enforcement and compliance teams get the balance right between encouragement and enforcement. We continue to engage with businesses to offer advice support – as well as using

our enforcement powers where necessary to ensure the safety of our residents and communities.

Mayor's Charities 2019/20

**6) To the Leader of the Council (Councillor Damian White)
From Councillor Ray Morgon**

Would the Leader of the Council confirm how much Councillor Michael Deon Burton raised as Mayor for his chosen charities?

Answer

When funds are donated in response to a mayoral appeal, payment may in some cases be made directly to the nominated charities rather than through the Council. Payments made to the Council are processed through the "The Mayor of Havering General Appeal Fund". In accordance with the relevant regulations, records are kept for each financial year as opposed to each mayoral year and passed to the Charity Commission. However, the efforts of current and past Mayors in promoting worthy local causes deserve the support of all members.

School Streets

**7) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Christopher Wilkins**

The Council has introduced the School Streets' Scheme in Cedar Avenue, where Branfil School is situated. Local Members were provided with very short notice regarding the scheme. During the consultation period, Local Members did raise concerns regarding increased congestion and pollution for those living in adjoining streets, prior to the scheme being introduced. There appears to have been no, or little, consultation with residents in adjoining roads. Can the Cabinet Member confirm:

What steps will be taken to alleviate the pollution and congestion in the adjoining roads, where the School Streets' Scheme was introduced?

Answers

We monitored roads surrounding all of the School Street schemes during November. This involved looking at the volume and type of traffic using the school streets scheme. We used video cameras to record and analyse the behaviour of motorists, such as double parking, drop kerb obstruction and dangerous manoeuvring. This monitoring took place for one week during the morning and afternoon school runs.

Pollution cannot be measured in any meaningful way for a period of less than six months to a year. Diffusion tubes passively monitor nitrogen dioxide and are highly unlikely to demonstrate any effect on minor roads with low traffic volumes.

Air Quality mesh monitoring provides hourly monitoring and is more effective, but unfortunately is too expensive and not covered by TfL funding.

The results from the monitoring will provide the basis for a lesson learned report – including any suggested actions - for the consideration of senior management and Members.

The school's streets scheme was consulted on with those residents where the restrictions would be put in place. This is our normal practice with any traffic and parking consultation, in that the consultation is with those affected by the restrictions being proposed and not the surrounding areas. Other boroughs in London have forged ahead with changes to their streets in response to the Covid pandemic with no consultation with local people and as a result have received considerable backlash and, in some cases have had to reverse the work they'd implemented. Taking the approach we have, ensure local residents are on board with our proposals before we undertake any costly work.

“DoingMyBit” Campaign

8) To the Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud)

From Councillor David Durant

The Council's “DoingMyBit” campaign was launched without undertaking a Medical Risk Assessment into the pros and cons of mask wearing and without a report being approved by Cabinet. This failure matters as the morally coercive campaign could undermine human and employment rights and result in an increase in Disability Hate Crime, and make the council potentially financially liable for any medical harm caused to people from heeding the campaign.

In view of this does the Cabinet Member for Public Protection agree the “DoingMyBit” campaign should be halted until an MRA is undertaken and a full report on the matter is prepared and approved by Cabinet?

Answer

No, I do not agree.

It is a lawful requirement to wear face coverings in public settings. The hugely successful Public Services Communications award winning Doing My Bit campaign sets out to raise awareness of this along with a range of other measures to prevent transmission of Covid-19 and save lives. And because it is lawful requirement, people could be fined if they are not exempt.

Exemptions based on age, health or disability exist so that people who cannot wear one do not have to. We have promoted initiatives supporting awareness of this.

Council, 15 December 2020

Nobody who is exempt from wearing a face mask should experience discrimination or aggression because of it and because of that risk it is vital that only those with a legitimate reason use that exemption.

For those who are not exempt, there are no 'cons' of wearing a mask. It is part of being a decent and compassionate member of society.

The spread of this virus is enabled by the spread of hoaxes and lies. I hope Cllr Durant will see fit to retract his statement that, and I quote, "if you wear a face mask for a long period of time this could actually reduce your oxygen levels in your blood and cause you more harm". This is not true and has been comprehensively debunked by doctors. It is damaging and dangerous to spread this sort of fake news.

SEND Pupils in Havering

**9) To the Cabinet Member for education, Children and Families (Councillor Robert Benham)
From Councillor Keith Darvill**

How many SEND pupils are there in Havering and what is the current cost of sending some of those pupils out of Borough for their education needs separated between private and public sector providers?

Answer

- Currently there are 1870 children and young people with Education Health and Care Plans in Havering.
- Of these children/young people 205 (10.9%) attend educational placements out of the borough (further details below).
- The breakdown between maintained (public sector) and independent/voluntary sector (private) is as follows:

	Maintained Setting Placements		Independent/Voluntary Sector Placements	
	Current Numbers	Cost 2020-21 £000	Current Numbers	Cost 2020-21 £000
Pre-16	74	985	44	2,412
Post-16	76 (47 in B&D college)	690	11	941
Total	150	1,675	55	3,353

- Children are generally placed out of borough because there is no local provision, due to the speciality of the provision, or capacity that can offer a place at the necessary time, or because the child is placed out of the borough in a foster placement or residential care due to social care reasons. They tend to be the children with the most complex needs, and if they were to remain in Havering the placements would be in the higher cost brackets.
- The total cost of these placements is £5m. This represents 20% of the total spend of High Needs Budget of £25m.
- It is of note that Havering were in the top 10 authorities for achieving good outcomes for the amount of money invested from the high needs funding in the Impower Best performing Councils of 2020 report. It remains a priority to place children in education that represents good value and achieves positive outcomes.
- Havering's High Needs Review and action plan has identified the need to develop more local specialist provision with plans underway to increase Primary and Secondary Additional Resourced Provision (Specialist units in mainstream settings), by a further 50 places before 2022. This is in addition to the 60 place special free school due to open in 2022.

Public Firework Displays

**10) To the Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud)
From Councillor Martin Goode**

Further to our agreed Motion at January's Full Council meeting, what progress has the Council made to encourage all public firework displays within the Local Authority boundaries to be advertised in advance of the event? A public awareness campaign about the impact fireworks have on animal welfare and vulnerable people will allow residents to take appropriate precautions and encourage local suppliers of fireworks to stock 'quieter' fireworks for public display

Answer

As a result of the COVID-19 pandemic no applications for firework events were received this year. However all public firework displays organised by school or community groups which charge a nominal fee (e.g. up to £10.00) would normally be publicised in advance via our event webpage. Firework displays which are organised by Commercial operators will have their own independent advertising policy. Although the council would not fund the advertising of commercial events they would be able to advertise in Living in Havering magazine and the Heart magazine

All firework retailers were written to this year and reminded that the council had adopted the motion and that they should consider stocking quieter fireworks. The matter was also added to the authority's inspection sheets to remind officers to discuss the stocking of quieter fireworks during proactive visits.

Council communications have included advice on protecting vulnerable people, how to keep pets safe and encourage residents to buy quieter fireworks. Social media has also been used to promote this messaging throughout the firework period. We also linked up with the RSPCA campaign to increase awareness of how animals and pets are affected by fireworks and what steps can be taken to help keep pets secure during this time.

Educational Attainment Information

**11) To the Cabinet Member for Education, Children and Families
(Councillor Robert Benham)
From Councillor Ray Morgon**

Would the Cabinet Member confirm what steps he will take to ensure that all schools provide clear and transparent information on their results performance and place the collective information on the Council's website?

Answer

Maintained schools, academies, free schools and colleges must publish specific data online, including a range of exam, assessment results and information for key stages 2, 4 and 5 where appropriate.

<https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

<https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online>

The Local Authority checks that this information is made available through its existing quality assurance processes.

For academies, free schools and colleges, this is also done by the Department for Education Regional Schools Commissioner.

Ofsted also check this information is available as part of their inspection process.

In addition, a comprehensive set of statistics and performance tables is regularly published by the Department for Education;

<https://www.gov.uk/government/collections/statistics-performance-tables>

Council, 15 December 2020

This allows parents to review the performance of primary, secondary and post-16 providers across a wide range of measures, including progress, standards, absence, workforce and finance.

Schools must also include a link to the DfE school and college performance tables (above) and their school's performance tables page.

In response to the COVID-19 pandemic, the Department for Education has cancelled the 2019/20 national curriculum assessments and associated data collections. The Primary and Secondary school performance tables: 2020 publication has been cancelled due to coronavirus (COVID-19).

However, other non-standards related data will still be available, including progress, Not in Education Employment and Training (NEET), absence, finance, workforce, finance.

Havering Local Register

**12) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Linda Hawthorn**

There are many buildings in Havering, which although of local interest, are not eligible for national listing. We used to have a local list of such buildings, which gave them some protection. This has been shelved for many years now. Can the Cabinet Member please advise when this list will be returned, and Councillors are able to apply for buildings in their wards to be added to it?

Answer

A review of the existing entries on the Local List and the ability to propose additions to it will be considered further as part of the future planning policy work programme, following the adoption of the Local Plan.

The Local List highlights heritage assets which are of local heritage value, ensuring that their importance is taken into account through the planning process. Any impact upon these assets is always reviewed and carefully considered as part of the decision making process on planning applications.

Havering's Local List has not been 'shelved' - it continues to exist and is available to view on the Council's website.

This Council is extremely proud of our borough's rich history and heritage and we will always do our utmost to protect it.

Testing Centre in Cherry Tree Car Park

- 13) **To Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud)**
From Councillor Natasha Summers

Despite claiming to support the High Street the Executive harmed the High Street by closing the Cherry Tree car park, for 6 months, and opening a 'coronavirus testing centre'. No shopkeepers, residents or local councillors were consulted and the centre was operational before the decision to close the car park was made. Will the Cabinet Member for the High Street admit a terrible mistake has been made and relocate the testing centre to a more appropriate location?

Answer

No.

This decision was taken as a matter of urgency against a backdrop of rapidly increasing Covid-19 cases in the borough. It has been of huge benefit in the fight against this pandemic that we have had increased testing capacity located close to where people need it.

The Cherry Tree car park site is the one which we believe best meets both ours and Department of Health and Social Care criteria.

Not taking that decision or taking months over it would have the effect of drawing residents in Rainham and South Hornchurch in to making long journeys to Dagenham or Romford to obtain a test. The impacts on infections if that was the case do not bear thinking about.

Council and PSL Tenants

- 14) **To the Cabinet Member for Housing (Councillor Joshua Chapman)**
From Councillor Keith Darvill

How many Council and PSL Tenants are currently living in overcrowded accommodation (as defined in housing legislation) and have applied to the Housing Department to move into a property that meet their housing needs?

Answer

Housing legislation defines a property as being overcrowded only in very severe circumstances and therefore it includes few households. As a result the council uses the more reasonable bedroom standards that includes more households. We have applications on the Housing Register from 24 households in PSL properties, and 227 in council properties, who have requested a move because they require an additional bedroom for the size of their household.

Council, 15 December 2020

The Council is committed to reducing the levels of overcrowding in all tenures and we have taken action to increase the supply of larger homes in the borough:

- Purchasing of 38 three and four bedroom homes at Crow Lane.
- Increasing the support provided to under-occupiers in council housing to enable them to down-size thereby releasing their home for another family to move to.
- Amending the Housing Allocation Scheme to give greater priority to under-occupying tenants and overcrowded households.
- Increasing the supply of family sized homes in our housing regeneration schemes.
- Buying back former family sized council homes for overcrowded tenants to move to.
- Implementing a programme of loft conversions and extensions where it is feasible to give families more space and create more large family homes.
- Increasing the supply of family homes in the private rented sector through the Capital Letters Scheme.

Charging Points for Electric Vehicles

**15) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Reg Whitney**

Given the increasing demand and need for electric vehicles, would the Cabinet Member confirm the Administration's Strategy on charging points?

Answer

The Government wants the UK new car market to offer no petrol or diesel vehicles by 2030.

The Department for Transport (DfT) has restated its vision that all drivers of Electric Vehicles in the UK should be able to access public charging infrastructure that is affordable, efficient, and reliable.

The current London Plan requires all new developments with parking provision to include 20% of the spaces with Electric Vehicle Charging Points ready to use and 20% of the spaces ready prepared for the addition of charging infrastructure when demand increases in the future.

Havering's emerging Local Plan states that developments will need to include the minimum required electric vehicle charging points in line with the London Plan requirements.

Council, 15 December 2020

It is recognised that electric vehicle (and hybrid vehicle) numbers will increase significantly over the coming years and that presents both opportunities and challenges.

Last year the Council commissioned a study on Electric Vehicle Charging Points and the potential demand for such infrastructure in the borough.

Further work is taking place exploring options for how EVCP infrastructure can be introduced in the borough and the funding opportunities that are available.

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DIVISION NUMBER:	1	2	3	4	5
The Mayor [Cllr. Cllr John Mylod]	0	0	0	0	0
The Deputy Mayor [Cllr Christine Vickery]	✓	✗	✗	✓	✓
CONSERVATIVE GROUP					
Cllr Robert Benham	✓	✗	✗	✓	✓
Cllr Ray Best	✓	✗	✗	✓	✓
Cllr Joshua Chapman	✓	✗	✗	✓	✓
Cllr John Crowder	✓	✗	✗	✓	✓
Cllr Philippa Crowder	✓	✗	✗	✓	✓
Cllr Michael Deon Burton	✓	✗	✗	✓	✓
Cllr Osman Dervish	✓	✗	✗	✓	✓
Cllr Jason Frost	✓	✗	✗	✓	✓
Cllr Judith Holt	✓	✗	✗	✓	✓
Cllr Sally Miller	✓	✗	✗	✓	✓
Cllr Robby Misir	✓	✗	✗	✓	✓
Cllr Dilip Patel	✓	✗	✗	✓	✓
Cllr Nisha Patel	✓	✗	✗	✓	✓
Cllr Viddy Persaud	✓	✗	✗	✓	✓
Cllr Roger Ramsey	✓	✗	✗	✓	✓
Cllr Timothy Ryan	✓	✗	✗	✓	✓
Cllr Carol Smith	✓	✗	✗	✓	✓
Cllr Christine Smith	✓	✗	✗	✓	✓
Cllr Matt Sutton	✓	✗	✗	✓	✓
Cllr Maggie Themistocli	✓	✗	✗	✓	✓
Cllr Ciaran White	✓	✗	✗	✓	✓
Cllr Damian White	✓	✗	✗	✓	✓
Cllr Michael White	✓	✗	✗	✓	✓
RESIDENTS' GROUP					
Cllr Nic Dodin	✓	✓	0	✓	✗
Cllr Paul Middleton	0	0	0	✓	✗
Cllr Raymond Morgon	✓	✓	0	✓	✗
Cllr Barry Mugglestone	✓	✓	0	✓	✗
Cllr Stephanie Nunn	✓	✓	0	✓	✗
Cllr Gerry O'Sullivan	✓	✓	0	✗	0
Cllr Reg Whitney	A	A	A	A	A
UPMINSTER & CRANHAM RESIDENTS' GROUP					
Cllr Gillian Ford	✓	✓	0	✓	✗
Cllr Linda Hawthorn	✓	✓	0	✓	✗
Cllr Ron Ower	✓	✓	0	✓	0
Cllr John Tyler	✓	✓	0	✓	✗
Cllr Linda Van den Hende	✓	✓	0	✓	✗
Cllr Christopher Wilkins	✓	✓	✗	✓	✓
INDEPENDENT RESIDENTS' GROUP					
Cllr David Durant	0	✓	✗	✗	✗
Cllr Tony Durdin	0	✓	0	✗	✗
Cllr Natasha Summers	0	✓	0	✗	✗
Cllr Jeffrey Tucker	0	0	0	0	✗
Cllr Graham Williamson	0	✓	✓	✗	✗
LABOUR GROUP					
Cllr Carole Beth	✓	✓	✓	✗	✗
Cllr Keith Darvill	✓	✓	✓	✓	✗
Cllr Tele Lawal	✓	✓	✓	✗	✓
Cllr Paul McGeary	✓	✓	✓	✗	✗
Cllr Denis O'Flynn	✓	✗	✓	✗	✓
NORTH HAVERING RESIDENTS' GROUP					
Cllr Brian Eagling	✓	✗	✗	✓	✓
Cllr Martin Goode	✓	✗	✗	✓	✓
Cllr Darren Wise	✓	✗	✗	✓	✓
INDEPENDENT					
Cllr Bob Perry	0	✓	0	✗	✗
Cllr Jan Sargent	✓	0	✗	✓	✗
Cllr Melvin Wallace	✓	✗	✗	✓	✓
TOTALS					
✓ = YES	45	20	6	41	31
✗ = NO	0	29	31	10	19
0 = ABSTAIN/NO VOTE	8	4	16	2	3
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0	0
A = ABSENT FROM MEETING	1	1	1	1	1
	54	54	54	54	54

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REPORT OF GOVERNANCE COMMITTEE

Council, 20 January 2021

STAFF EMPLOYMENT PROCEDURE RULES

At its meeting on 13 January 2021, Governance Committee was due to consider a report on the Staff Employment Procedure Rules (report and appendices attached).

This recommends, at appendix B of the report, a revised set of Staff Employment Procedure Rules, which have had obsolete job titles removed and provide greater clarity. Under the proposed rules Member decision making in employment matters will continue, as under the existing arrangements, to be the responsibility of the Appointments Sub-Committee or the oneSource Joint Committee, as appropriate. Further detail of the proposed revised Staff Employment Procedure Rules are given within the attached report.

Subject to approval of the report by Governance Committee, Council is recommended to approve the proposed Staff Employment Procedure Rules as shown in appendix B of the report of Governance Committee of 13 January 2021 and agree that the Monitoring Officer be authorised to update the Constitution and make all necessary consequential changes.

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GOVERNANCE COMMITTEE

Subject Heading:

SLT Lead:

Report Author and Contact Details:

Policy Context:

Financial Summary:

Staff Employment Procedure Rules

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Governance

None

The subject matter of this report deals with the following council objectives:

Communities making Havering	[]
Places making Havering	[]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

This report seeks approval of proposed changes to Part 5 of the Constitution, which contains the Staff Employment Procedure Rules (“the Rules”). The proposed changes are designed to update and generally improve the Rules.

RECOMMENDATIONS

That the Committee:

1. consider and comment on the proposed Rules attached at **Appendix B**
2. decide which Deputy Chief Officer posts should be appointed to by members and which, if any, should be appointed to by officers (four options are presented at **Appendix C**)
3. decide if the decision to take disciplinary action against or dismiss Deputy Chief Officers should be made by members or delegated to officers
4. recommend to Council that the proposed Rules (whether as they are set out at **Appendix B** or as amended by the Committee) be approved and that the Monitoring Officer be authorised to update the Constitution and make all necessary consequential changes

REPORT DETAIL

1 Background

- 1.1 All local authorities are required by law to incorporate into their constitutions, as standing orders, rules relating to the employment of officers. These rules include the appointment, the taking of disciplinary action against, and the dismissal of officers, and are currently found in the Local Authorities (Standing Orders) Regulations 1993 as amended and the Local Authorities (Standing Orders) (England) Regulations 2001 as amended (“the Regulations”). While the Regulations impose certain mandatory rules on local authorities, there is freedom and flexibility for local authorities to otherwise adopt their own procedures.
- 1.2 In summary, the Regulations set out the following requirements:
 - 1.2.1 the appointment of the Chief Executive (as the Head of Paid Service) is a decision that must be approved by Full Council
 - 1.2.2 the appointment of other Chief Officers and Deputy Chief Officers may be decisions for members (sitting as a committee) or officers
 - 1.2.3 disciplinary action against and dismissal of Chief Officers and Deputy Chief Officers may be decisions for members (sitting as a committee) or officers

- 1.2.4 specific rules apply to the taking of disciplinary action against and the dismissal of the Head of Paid Service, the Chief Financial Officer (ie. s151 officer) and the Monitoring Officer
- 1.2.5 specific rules apply to the appointment of political assistants
- 1.2.6 proposals to appoint, take disciplinary action against, or dismiss Chief Officers or Deputy Chief Officers are subject to a process whereby Cabinet Members may object; if an objection is received, the decision-maker must consider the objection and can only proceed if the objection is not material or well-founded
- 1.2.7 all decisions relating to the employment of officers below the level of Deputy Chief Officer are the responsibility of the Chief Executive as the Head of Paid Service
- 1.3 Chief Officers include statutory officers and those reporting directly to the Chief Executive. Deputy Chief Officers are those reporting into Chief Officers. Administrative staff are excluded from these definitions.
- 1.4 At its meeting on 8 January 2020, the Committee deferred consideration of the proposals set out in this report and requested that the changes between the current and proposed Rules be spelt out with reasons provided for any substantive change.
- 1.5 The Rules have been recast, which is to say the current and proposed versions are two different documents. For this reason, it is not possible to use the “track changes” functionality in Word to highlight the differences. However, the changes are explained in detail at 2.9 below.

2 Key Considerations and Proposals

- 2.1 The current Rules are attached at **Appendix A**. The proposed Rules are attached at **Appendix B**. The Rules have been rewritten to improve the wording and formatting of the text, to remove obsolete job titles, and to provide greater clarity. If these new Rules are approved, they will have the following effects:
 - 2.1.1 Members will continue to be responsible for appointing all Chief Officers. In practice, this is the following roles in the senior management structure:
 - Chief Executive
 - Chief Operating Officer (Chief Financial Officer, ie. s151 officer)
 - Deputy Director of Legal and Governance Services (Monitoring Officer; appointment is made via the oneSource Joint Committee)
 - Director of Adult Services
 - Director of Children’s Services
 - Director of Regeneration Programmes

- Director of Housing Services
 - Director of Neighbourhoods
 - Director of Public Health
 - Executive Director of oneSource (appointment is made via the oneSource Joint Committee)
- 2.1.2 Members will be responsible for appointing whichever Deputy Chief Officer roles it is decided by the Committee should be subject to member appointment. This provision is addressed further at 2.3 – 2.5 below.
- 2.1.3 The Chief Executive (or his/her nominee) will be responsible for interim, temporary or fixed-term appointments to Chief Officer and Deputy Chief Officer roles, subject to the requirements and limits specified in paragraphs 2.17 – 2.20 of the proposed Rules. This is a new provision as the current Rules do not incorporate the delegated authority to make such appointments that was agreed by the Committee on 30 August 2017. In addition, the proposed Rules: explicitly confer this authority upon the relevant Chief Officer in the case of temporary appointments to Deputy Chief Officer roles; require the Chief Executive, upon making a temporary appointment, to notify the Appointments Sub-Committee in writing of the timescales for making a permanent appointment; and, in cases where it is proposed to extend a temporary appointment beyond one year, require approval of the extension from the Appointments Sub-Committee.
- 2.1.4 Members will be responsible for taking disciplinary action against the Chief Executive or a Chief Officer only. Currently, members are also responsible for taking disciplinary action against and dismissal of Deputy Chief Officers. This provision is addressed further at 2.6 – 2.8 below.
- 2.1.5 In accordance with the Council's HR policies and employment law, any Chief Officer or Deputy Chief Officer assessed as having "direct non-competitive assimilation into a post" does not need to be appointed by members (see para. 2.10 of the proposed Rules at Appendix B). This covers circumstances where an officer is at risk of redundancy, a new or vacant post provides suitable alternative employment, and assimilation into the role is uncontested.
- 2.1.6 The Chief Executive may make minor changes to the Rules to ensure they remain accurate and up to date – for example, by updating job titles or grades to reflect changes to the Council's management structure as and when they occur.
- 2.2 Under the proposed Rules, member decision-making in relation to employment matters will continue to be the responsibility of the Appointments Sub-Committee, other than in the case of the Executive Director of oneSource and the oneSource Directors, where member decision-making will continue to be via the oneSource Joint Committee.

Appointments to Deputy Chief Officer posts

- 2.3 A Deputy Chief Officer is any non-administrative role reporting into a Chief Officer. The Regulations allow appointments to these roles to be made by either members (sitting as a committee) or officers.
- 2.4 Over time, as the Council has delayed its management structure, the number of posts that are defined as a Deputy Chief Officer has grown. It is therefore appropriate for members to consider whether they wish to continue appointing to all of these roles or whether it would be preferable to delegate some of these appointments to officers. The following four options are set out at **Appendix C** for the Committee's consideration:
- Option 1: members appoint to all Deputy Chief Officer positions
 - Option 2: members appoint to all Deputy Chief Officer positions where the postholder is employed on Chief Officer terms and conditions (ie. roles graded G13 and above)
 - Option 3: members appoint to all Deputy Chief Officer positions graded G14 and above
 - Option 4: members appoint to all Deputy Chief Officer positions graded G15 and above
- 2.5 The proposed Rules will be updated to reflect the decision of the Committee prior to the Rules being put to Council for consideration.

Taking disciplinary action against and dismissing Deputy Chief Officers

- 2.6 The Regulations allow the taking of disciplinary action against and the dismissal of Deputy Chief Officers to be decisions for members (sitting as a committee) or officers.
- 2.7 The proposed Rules have been drafted to delegate responsibility for these functions to the Chief Executive as the Head of Paid Service. This drafting reflects the following factors: as the Council has delayed, the number of posts defined as a Deputy Chief Officer has grown; greater delegation of the disciplinary and dismissal process should result in faster, more efficient decision-making; and these responsibilities sit well with the Head of Paid Service given the postholder's responsibility for the management and co-ordination of the Council's employees. However, ultimately it is for members to decide if this is an appropriate and desirable delegation. Alternative options the Committee may wish to consider include:
- maintaining members' existing responsibility for taking disciplinary action against and dismissing all Deputy Chief Officers
 - aligning the responsibility for disciplinary action and dismissal with the responsibility for appointment – ie. where members make the appointment to a Deputy Chief Officer role, they also have responsibility for disciplinary action and dismissal

- 2.8 Subject to the Committee's decision, the proposed Rules will be updated as required before they are put to Council for consideration.

Detailed comparison of the current and proposed Rules

- 2.9 The following table compares the current Rules at **Appendix A** with the proposed Rules at **Appendix B**.

Current Rules	Comments (para. numbers are to the draft Rules – see Appendix 2)
Para. 1 (Seeking support for appointment)	Replaced by para. 2.3 & 2.4
Para. 2 (Declarations)	Replaced and amended by para. 2.1 and 2.2
Para. 3 (Recruitment)	Replaced by para. 2.5
Para. 4 (Appointment of Head of Paid Service)	Replaced by para. 2.6
Para. 5 (Appointment of Deputy Chief Executives, Chief Finance Officer, Monitoring Officer, Assistant/Deputy Directors and Heads of Service)	Replaced by para. 2.9 (subject to the Committee's consideration of the list of Deputy Chief Officers), 2.11, 2.12, 2.15 and Appendix 1
Para. 6 (Appointment of Director of Public Health)	Replaced by para. 2.13
Para. 7 (Appointment of oneSource Directors)	Replaced by para. by 1.2.1
Para. 8 (Assistants to political groups)	Replaced by para. 2.16
Para. 9 (Disciplinary action)	Replaced by para. 3.5
Para. 10 (Suspension)	Replaced and amended by para. 3.4. The decision to suspend rests with the Committee only
Para. 11 (Independent person)	Replaced by para. 3.5
Para. 12 (Dismissal)	Replaced by para. 3.3
Para. 13 (Role of the Cabinet)	Replaced by para. 4 – see definition of "Committee"
Para. 14 (Appointment process)	Replaced by para. 2.12 and Appendix 1
Para. 15 (Dismissal process)	Replaced by para. 3.7 and Appendix 1
Para. 16 (Dismissal of Head of Paid Service, Chief Finance Officer and Monitoring Officer)	Replaced by para. 3.5
Para. 17 (Independent Persons)	Replaced by para. 3.5 (as necessary)

Current Rules	Comments (para. numbers are to the draft Rules – see Appendix 2)
Para. 18 (Appointment of Panel)	Replaced by para. 3.6
Para. 19 (Determination of Proposal to Dismiss)	Replaced by para. 3.5
Para. 20 (Remuneration of Independent Persons)	Deleted – this is stated in the 2001 Regulations (see para. 1.1.3)
Para. 21 (Capability process)	Deleted – unnecessary and/or covered by para. 1.2.2
Para. 22 (Grievance process)	
Para. 23 (Bullying and Harassment process)	

IMPLICATIONS & RISKS

Financial implications and risks:

N/A

Legal implications and risks:

These are incorporated into the body of the report.

Human Resources implications and risks:

These are incorporated into the body of the report.

Equalities implications and risks:

Under section 149 of the Equality Act 2010, the Council has a duty when exercising its functions to have “due regard” to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

“Due regard” is the regard that is appropriate in the circumstances. The weight to be attached to each need is a matter for the Council. As long as the Council is properly aware of the effects and has taken them into account, the duty is discharged.

Governance Committee, 13 January 2021

There are no direct equality implications arising from the proposed changes to the Rules, but the Council's policies, procedures and practices are designed to achieve equality of treatment and a level playing field.

Background Papers

None

Appendix A – Current Rules

STAFF EMPLOYMENT PROCEDURE RULES

Recruitment and appointment

1. Seeking support for appointment

The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. This statement shall be included in any recruitment information.

No councillor will seek support for any person for any appointment with the Council.

2. Declarations

The Council shall ask any candidate for appointment as a member of staff to state in writing whether they are related to an existing councillor or member of council staff; or the partner of such persons. No candidate who declares such a relationship will be appointed without the authority of Director of Human Resources and/ or a Deputy Chief Executive.

3. Recruitment

Where the Council proposes to appoint a Head of Paid Service, a Deputy Chief Executive, a one Source Director or a Head of Service and it is not proposed that the appointment be made exclusively from among the existing members of staff, the Council's usual recruitment procedures shall apply.

4. Appointment of Head of Paid Service

The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointments Committee. The Appointments Committee must include at least one Cabinet member.

5. Appointment of Deputy Chief Executives, Chief Finance Officer, Monitoring Officer, Assistant/ Deputy Directors and Heads of Service

The Appointments Committee will appoint Deputy Chief Executives, Chief Finance Officer, Monitoring Officer, Assistant/ Deputy Directors and Heads of Service. The committee must include at least one Cabinet member.

An offer of employment as a Deputy Chief Executive, Chief Finance Officer, Monitoring Officer, Assistant/ Deputy Directors or a Head of Service shall be made only where no well-founded objection from any member of the Cabinet has been received (as set out in rule 14 below).

6. Appointment of Director of Public Health

The Council must in accordance with Part 3 of the National Health Service Act 2006 as amended by Section 30 of the Health and Social Care Act 2012, jointly with the Secretary of State, appoint an individual to have responsibility for all local authorities public health functions, including any conferred by regulation. The individual is to be known as an officer of the local authority and is to be known as the Director of Public Health. The appointment of the Director of Public Health shall be made by the Advisory Appointments Committee.

7. Appointment of oneSource Directors

The Managing Director, Directors, Assistant/Deputy Directors and Heads of Service of oneSource shall be appointed pursuant to the provisions of the Inter-Authority Agreement between the London Boroughs of Havering and Newham dated 1 September 2014 and the variation thereto dated 18 June 2015

8. Assistants to political groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group, and in accordance with statutory regulations.

9. Disciplinary action

No disciplinary action in respect of the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer, except action described in paragraph 10 below, may be taken other than in accordance with a recommendation in a report made by a Panel of Appointments Sub-Committee under regulation 6 of the Local Authorities (standing Orders) (England) (Amendment) Regulations 2015.

10. Suspension

The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended by the Council whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and should last no longer than two months. In exceptional circumstances, the decision to suspend may be made by a Deputy Chief Executive in conjunction with the Director of Human Resources and Organisational Change; this decision must be notified to all councillors as soon as possible.

11. Independent person

No other disciplinary action may be taken in respect of any of the officers referred to in 9 above except in accordance with a recommendation in a report made by a Panel of the Appointments Sub-Committee

Councillors will not be involved in the disciplinary action against any officer below Head of Service level except where:

- (a) such involvement is necessary for any investigation or inquiry into alleged misconduct
- (b) the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.

12. Dismissal

Councillors will not be involved in the dismissal of any officer below Head of Service level except where:

- (a) such involvement is necessary for any investigation or inquiry into alleged misconduct
- (b) the Council's disciplinary, capability and related procedures as adopted from time to time may allow a right of appeal to members in respect of dismissals.

13. Role of the Cabinet

Where a committee or a sub-committee of the Council is discharging, on behalf of the authority, the function of the appointment or dismissal of the Head of Paid Service, a Deputy Chief Executive, Chief Finance Officer, Monitoring Officer or a Head of Service at least one member of the Cabinet must be a member of that committee or sub-committee.

14. Appointment process

In this paragraph, "appointor" means, in relation to the appointment of a person as a member of staff of the Council, the Council or, where a committee, sub-committee or member of staff is discharging the function of appointment on behalf of the Council, that committee, sub-committee or member of staff, as the case may be.

An offer of an appointment as Head of Paid Service, Deputy Chief Executive, Chief Finance Officer, Monitoring Officer, Assistant/Deputy Director or Head of Service must not be made by the appointor until the appropriate notification has been advised to Cabinet, in accordance with regulations and objections have been received and considered. Such appointments must be in accordance with the appropriate terms and conditions of employment

15. Dismissal process

In this paragraph, "dismissor" means, in relation to the dismissal of a member of staff of the Council, the Council or, where a committee, sub-committee or another member of staff is discharging the function of dismissal

on behalf of the Council, that committee, sub-committee or other member of staff, as the case may be.

Notice of the dismissal of a Deputy Chief Executive, or Head of Service must not be given by the dismissor until the appropriate notification has been advised to Cabinet, in accordance with regulations and objections have been received and considered.

16. Dismissal of Head of Paid Service, Chief Finance Officer and Monitoring Officer

The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer may not be dismissed by the Council unless the procedure set out in the following paragraphs is complied with.

17. Independent Persons

The Council must invite relevant independent persons to be considered for appointment to a Panel, being a committee appointed by the Council under Section 102(a) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of any of the officers referred to in Paragraph 16 above with a view to appointing at least two such persons to the Committee.

A 'relevant independent person' means any independent person appointed by the Council under Section 28(7) of the Localism Act 2011 or where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.

The Council is not required to appoint more than two relevant independent persons to its Panel but may do so if it wishes.

The Council must appoint to its Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraphs above with the following priority order:

- (a) A relevant independent person who has been appointed by the Authority and who is a local government elector;
- (b) Any other relevant independent person who has been appointed by the Authority
- (c) A relevant independent person who has been appointed by another Authority or Authorities.

18 Appointment of Panel

The Council must appoint any Panel at least 20 working days before a meeting of the Council to consider whether or not to approve a proposal to dismiss any of the officers referred to in Paragraph 16 above.

19 Determination of Proposal to Dismiss

Before the taking of a vote on whether or not to approve a dismissal, the Council must take into account in particular:

- (a) Any advice, views or recommendations of the Panel
- (b) The conclusions of any investigation into the proposed dismissal, and
- (c) Any representations from the officer the subject of the disciplinary action

20 Remuneration of Independent Persons

Any remuneration or fees paid by the Council to an independent person appointed to the Panel must not exceed the level of remuneration, allowances of fees payable to that independent person in respect of that person's role as independent person under the Localism Act 2011

21. Capability process

The process to be followed must be in accordance with the appropriate terms and conditions of employment for that member of staff and the appropriate Council employment policy/procedure

22 Grievance process

The process to be followed for a grievance must be in accordance with the appropriate terms and conditions of employment for that member of staff appropriate Council employment policy/procedure

23 Bullying and Harassment process

The process to be followed for a complaint must be in accordance with the appropriate terms and conditions of employment for that member of staff appropriate Council employment policy/procedure

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Appendix B – Draft Proposed Rules

STAFF EMPLOYMENT PROCEDURE RULES

1 PURPOSE

1.1 These rules:

- 1.1.1 set out the general principles and requirements in relation to the appointment and dismissal of, and taking disciplinary action against, officers;
- 1.1.2 define the role of the Leader, Members, officers and others in the employment of Council officers; and
- 1.1.3 incorporate the mandatory standing orders relating to the employment of officers that apply to all local authorities and set out in the Local Authorities (Standing Orders) Regulations 1993 (as amended) and the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

1.2 These rules are supplemented by, or should be read in conjunction with:

- 1.2.1 the oneSource Inter-Authority Agreement between the London Boroughs of Havering and Newham dated 1 September 2014 as varied from time to time; and
- 1.2.2 Operational Guidance and/or HR Policies and Procedures issued by the Chief Executive and/or the Director of Human Resources and Organisational Development from time to time.

1.3 Any changes to these rules will be approved by Full Council but the Chief Executive is authorised to make minor changes to ensure that the rules remain accurate, relevant and up to date. For example, the Chief Executive may update job titles or grades to reflect the management structure of the Council current at the time.

2 RECRUITMENT AND APPOINTMENT

Declarations

- 2.1 The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.

- 2.2 No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by him/her.

Seeking support for appointment

- 2.3 The Council will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- 2.4 No Member will seek support for any person for any appointment with the Council.

Recruitment of Chief Executive and Chief Officers

- 2.5 Where the Council proposes to appoint the Chief Executive or a Chief Officer and it is not proposed that the appointment be made exclusively from existing officers, the Council will:
- 2.5.1 draw up a statement specifying the duties of the officer concerned and any qualifications or qualities to be sought in the person to be appointed;
 - 2.5.2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
 - 2.5.3 make arrangements for a copy of the statement mentioned in sub-paragraph (i) to be sent to any person on request; and
 - 2.5.4 make arrangements for at least a short list of qualifying applicants to be interviewed.

Appointment of Chief Executive

- 2.6 Full Council will approve the appointment of the Chief Executive (as the Head of Paid Service) following the recommendation of such an appointment by the Committee.
- 2.7 The Director of Human Resources and Organisational Development will be responsible for the functions set out at 2.5 for the appointment of the Chief Executive following consultation with the relevant Cabinet Member(s).

Appointment of Chief Officers and Deputy Chief Officers

- 2.8 The Chief Executive will be responsible for the functions set out at paragraph 2.5 following consultation with the relevant Cabinet Member(s).
- 2.9 Subject to paragraph 2.10, the Committee will be responsible for the appointment of the following posts:
- 2.9.1 Chief Officers; and

- 2.9.2 Deputy Chief Officers [subject to Governance Committee consideration of the list of Deputy Chief Officers]
- 2.10 Paragraph 2.9 does not apply to posts where, in the event of a restructure, an officer is assessed as having direct non-competitive assimilation to a post.
- 2.11 The Chief Executive will be responsible for the appointment of all other Deputy Chief Officer posts (or other posts subject to the 2001 Regulations) [subject to Governance Committee consideration of the list of Deputy Chief Officers].
- 2.12 An offer of employment as a Chief Officer or a Deputy Chief Officer will only be made if:
- 2.12.1 the procedure set out in **Appendix 1** is followed; and
 - 2.12.2 no well-founded objection has been made by the Leader or any Cabinet Member.
- 2.13 An offer of employment as the Director of Public Health will be made in accordance with the additional statutory requirements that apply to this post. In particular, the appointment will be made jointly with the Secretary of State for Health and Social Care.

Other Appointments

- 2.14 The Chief Executive is responsible for the appointment of all other Council employees.
- 2.15 Prior to making an appointment of a Deputy Chief Officer post, the Chief Executive will follow the procedure set out in **Appendix 1** [this clause will only apply if Governance Committee decide that the appointment to any Deputy Chief Officer posts should be delegated to officers].
- 2.16 The appointment of an assistant to a political group will be made in accordance with the wishes of that political group and other requirements prescribed by law.

Interim, temporary or fixed term appointments

- 2.17 Decisions to appoint a Chief Officer or a Deputy Chief Officer [where a permanent appointment would be made by members] on an interim, temporary or fixed term contract will be made by the Chief Executive but limited to one year (including any contract extensions). Following such appointment, the Chief Executive will notify the Committee in writing setting out the timescales for a permanent appointment.
- 2.18 Prior to extending the appointment of a Chief Officer or a Deputy Chief Officer [where a permanent appointment would be made by members] on an interim, temporary or fixed term contract beyond one year, the approval of the Committee shall be obtained.

- 2.19 The appointment of a Chief Executive on an interim, temporary or fixed term basis will be recommended by the Committee for approval by Full Council.

3 DISCIPLINARY ACTION

General

- 3.1 Subject to paragraph 3.5, any proposal in relation to the dismissal or the taking of disciplinary action against the Chief Executive or a Chief Officer will be considered by the Committee.
- 3.2 Any proposal in relation to the dismissal or the taking of disciplinary action against other officers will be the responsibility of the Chief Executive or the relevant officer under the Council's Scheme of Delegation.
- 3.3 Members will not be involved in the taking of disciplinary action against or the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary as part of an investigation, inquiry or appeal.

Chief Executive, Monitoring Officer and Chief Finance Officer

- 3.4 The Committee may suspend the Chief Executive, the Monitoring Officer or the Chief Finance Officer whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and will be reviewed if it lasts longer than two months.
- 3.5 A proposal to dismiss the Chief Executive, Monitoring Officer or Chief Finance Officer, as a result of 'disciplinary action' (as defined by regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001) will be approved at a meeting of Full Council before notice of dismissal is given. Before the taking of a vote at any such meeting, Full Council will take into account, in particular:
- (i) any advice, views or recommendations of an Independent Panel, comprising of at least two Independent Persons, appointed by Full Council for the purposes of advising the Council;
 - (ii) the conclusions of any investigation into the proposed dismissal; and
 - (iii) any representations from the officer concerned.
- 3.6 The Independent Panel referred to in paragraph 3.5(i) will be appointed at least 20 working days before the relevant Full Council meeting.

Chief Executive, Chief Officers and Deputy Chief Officers

- 3.7 Before notice is given of the dismissal of the Chief Executive, a Chief Officer or a Deputy Chief Officer, the notification and objection procedure set out in **Appendix 1** will be followed as if references to the appointment of an officer (e.g. 'make an offer', 'appointment', 'appointing officer' etc.) are to the dismissal of an officer (e.g. 'dismiss', 'dismissal', 'notice of dismissal' etc.) as appropriate.

Director of Public Health

- 3.8 The Secretary of State for Health and Social Care will be consulted before terminating the appointment of the Director of Public Health.

4 DEFINITIONS

Chief Executive = the Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989. Where reference is made to the exercise of a function by the Chief Executive, it includes his/her nominee.

Chief Finance Officer = the officer having responsibility for the purposes of section 151 of the Local Government Act 1972.

Chief Officer = an officer for which the Chief Executive is directly responsible or an officer who reports directly to or is directly accountable to the Chief Executive (but not if their duties are solely secretarial or clerical or are otherwise in the nature of support services); an officer who reports directly or is directly accountable to the Council (or a Council committee or sub-committee); the Monitoring Officer or the Director of Public Health.

Committee = the Appointments Sub-Committee or such other Council committee, sub-committee or panel responsible for exercising the Council's employment functions. The Committee must include at least one Cabinet Member.

Deputy Chief Officer as defined by section 2 of the Local Government and Housing Act 1989.

Independent Persons any appointment under section 28(7) of the Localism Act 2011.

Monitoring Officer the officer designated under section 5(1) of the Local Government and Housing Act 1989.

Political assistant(s) any appointment under section 9 of the Local Government and Housing Act 1989.

Appendix 1: Cabinet Objection Procedure

- 1 This procedure will apply to the appointment of the following posts:
 - 1.1 Chief Executive;
 - 1.2 Chief Officers;
 - 1.3 Deputy Chief Officers;
 - 1.4 Any other post identified by the 2001 Regulations.
- 2 If the Committee or an officer agrees on a candidate suitable for appointment to a post, they will submit their recommendation of an offer of employment to the Chief Executive as soon as practicable in writing.
- 3 Where the Chief Executive is the appointing officer, they will simply take the steps at 4 onwards.
- 4 The Chief Executive will then notify each Cabinet Member of:
 - 4.1 the name of the person the Committee or officer wish to make an offer;
 - 4.2 any other particulars relevant to the appointment;
 - 4.3 the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Cabinet, (or a shorter period which will be determined by the Chief Executive in cases of urgency).
- 5 The notification will be by e-mail and **the period of objection will be 2 working days** but a Cabinet Member may provide a response within a shorter period. If the period of objection is to be shortened, then notification will be by telephone and e-mail.
- 6 Cabinet Members may indicate they have no objection verbally (which will be recorded by the Chief Executive) or in writing (including email). Any objections including the grounds on which it is considered to be well founded must be submitted to the Leader by a Cabinet Member in writing including by email.
- 7 If:
 - 7.1 the Leader notifies the Chief Executive that neither s/he or any other Cabinet Member has an objection to the making of the offer; or
 - 7.2 the Chief Executive notifies the Committee, that no objection has been received from the Leader within the objection period;

an offer of employment may be made to the candidate without the need for the Committee to re-convene.

- 8 If an objection is received from the Leader, the Committee or officer, as appropriate, will re-convene to consider the objection and, if satisfied that any objection received from the Leader is not material or is not well founded, will confirm its decision and a formal offer will be made. In making this decision, legal and human resources advice must be taken.
- 9 If an objection is considered to be well founded, the Committee, Sub Committee or officer must take legal and human resources advice on the action to be taken but the appointment may not be made at this time.

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Appendix C –Deputy Chief Officers

Option 1: Members appoint to all Deputy Chief Officer positions

If this option is agreed, members (sitting as a committee) will appoint to the following Deputy Chief Officer positions:

Directorate	Deputy Chief Officers	Grade
Adult Services	Adult Safeguarding Service Manager	G11
	Head of Business Management	G12
	Head of Integrated Service	G12
Chief Operating Officer	Assistant Director of Customer, Communications & Culture	G14
	Assistant Director of Policy, Performance and Community	G14
	Assistant Director of Transformation	G14
	Head of Joint Commissioning Unit	G12
	Head of Programme Office	G12
Children's Services	Assistant Director of Children's Services	G15
	Assistant Director of Education Services	G15
	Principal Social Worker and Head of Social Care Practice	G13
	Head of Clinical Practice	G12
Housing Services	Assistant Director of Housing Demand	G13
	Assistant Director of Housing Services	G13
	Assistant Director of Property Services	G13
	Assistant Director of Supported Housing	G13
	Head of Housing Strategy and Development	G12
	Housing Systems Manager	G10
Neighbourhoods	Assistant Director of Civil Protection	G14
	Assistant Director, Highways and Environment	G14
	Assistant Director of Planning	G14
	Head of Registration and Bereavement Service	G13
oneSource*	Director of Asset Management	G15
	Director of Exchequer and Transactional Services	G15
	Director of Finance	G15
	Director of HR and Organisational Development	G15
	Director of Legal and Governance Services	G15
	Director of Procurement	G14
	Director of Technology and Innovation	G15
	Assistant Director, Performance, Policy and Programmes	G13
Public Health	Public Health Consultant x 4	G12
Regeneration Programmes	Head of Development	G13
	Head of Inclusive Growth	G13
	Head of Programmes and Support	G11

* Member decision-making for oneSource roles takes place via the oneSource Joint Committee.

Option 2: Members appoint to all Deputy Chief Officer positions where the postholder is employed on Chief Officer terms and conditions

In line with the Council's 2017 review of terms and conditions, all Deputy Chief Officers graded G13 and above are employed on Chief Officer terms and conditions. This may therefore represent an appropriate threshold for determining that members (sitting as a committee) should be responsible for appointing to the post. The appointment of Deputy Chief Officers graded G12 and below would be delegated to the Head of Paid Service.

If this option is agreed, members (sitting as a committee) will appoint to the following Deputy Chief Officer positions:

Directorate	Deputy Chief Officers	Grade
Chief Operating Officer	Assistant Director of Customer, Communications & Culture	G14
	Assistant Director of Policy, Performance and Community	G14
	Assistant Director of Transformation	G14
Children's Services	Assistant Director of Children's Services	G15
	Assistant Director of Education Services	G15
	Principal Social Worker and Head of Social Care Practice	G13
Housing Services	Assistant Director of Housing Demand	G13
	Assistant Director of Housing Services	G13
	Assistant Director of Property Services	G13
	Assistant Director of Supported Housing	G13
Neighbourhoods	Assistant Director of Civil Protection	G14
	Assistant Director, Highways and Environment	G14
	Assistant Director of Planning	G14
	Head of Registration and Bereavement Service	G13
oneSource*	Director of Asset Management	G15
	Director of Exchequer and Transactional Services	G15
	Director of Finance	G15
	Director of HR and Organisational Development	G15
	Director of Legal and Governance Services	G15
	Director of Procurement	G14
	Director of Technology and Innovation	G15
	Assistant Director, Performance, Policy and Programmes	G13
Regeneration Programmes	Head of Development	G13
	Head of Inclusive Growth	G13

* Member decision-making for oneSource roles takes place via the oneSource Joint Committee.

Option 3: Members appoint to all Deputy Chief Officer positions where the postholder is graded G14 and above

If this option is agreed, members (sitting as a committee) will appoint to the following Deputy Chief Officer positions:

Directorate	Deputy Chief Officers	Grade
Chief Operating Officer	Assistant Director of Customer, Communications & Culture	G14
	Assistant Director of Policy, Performance and Community	G14
	Assistant Director of Transformation	G14
Children's Services	Assistant Director of Children's Services	G15
	Assistant Director of Education Services	G15
Neighbourhoods	Assistant Director of Civil Protection	G14
	Assistant Director, Highways and Environment	G14
	Assistant Director of Planning	G14
oneSource*	Director of Asset Management	G15
	Director of Exchequer and Transactional Services	G15
	Director of Finance	G15
	Director of HR and Organisational Development	G15
	Director of Legal and Governance Services	G15
	Director of Procurement	G14
	Director of Technology and Innovation	G15

* Member decision-making for oneSource roles takes place via the oneSource Joint Committee.

Option 4: Members appoint to all Deputy Chief Officer positions where the postholder is graded G15 and above

If this option is agreed, members (sitting as a committee) will appoint to the following Deputy Chief Officer positions:

Directorate	Deputy Chief Officers	Grade
Children's Services	Assistant Director of Children's Services	G15
	Assistant Director of Education Services	G15
oneSource*	Director of Asset Management	G15
	Director of Exchequer and Transactional Services	G15
	Director of Finance	G15
	Director of HR and Organisational Development	G15
	Director of Legal and Governance Services	G15
	Director of Technology and Innovation	G15

* Member decision-making for oneSource roles takes place via the oneSource Joint Committee.

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REPORT OF THE CHIEF EXECUTIVE

SUBJECT: ALLOCATION OF SEATS ON THE COMMITTEES OF THE COUNCIL

- 1 On 16 December 2020, Councillor Jan Sargent joined the North Havering Residents' Group, ceasing to be an Independent Member on the Council.
- 2 This report seeks to address the change in the make-up of the Council by re-visiting the allocation of seats on Committees in accordance with the Local Government (Committees and Political Groups) Regulations 1990. As a consequence of Councillor Sargent joining the North Havering Residents' Group, a further 3 seats are added to the total number of seats on all committees. In accordance with political balance rules, those seats are allocated to the North Havering Residents Group (Adjudication & Review Committee, Crime & Disorder Overview and Scrutiny Committee and Individuals Overview and Scrutiny Committee). There is no impact on committee seat allocations for the other Groups on Council.
- 3 A brief summary of the legal requirements on political balance and their impact on the present makeup of the Council is set out at Appendix 1. Greater detail is provided in Annex B.
- 4 There are no legal, human resources, finance or equalities implications or risks attached to this report.

RECOMMENDATIONS

That Council agrees to:

1. Increase the total number of seats on committees from 136 to 139;
2. The seat allocation for political balance as set out in Annex A.

Staff Contact: Andrew Beesley
 Designation: Head of Democratic Services
 E-mail address: andrew.beesley@onesource.co.uk

Andrew Blake-Herbert
Chief Executive

Background Papers List

None

APPENDIX 1

POLITICAL BALANCE PRINCIPLES

The Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. The relevant principles are, in order of priority:

1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
3. The total share of all the seats available for all Committees allocated to each political Group and to Members not in a Group must be proportionate to that Group's/Members' share of the total Council membership.
4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group or to Members not in a Group must be proportionate to that Group's/those Members' share of total Council membership.

In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own. With the distribution of seats on the Council that results from the election, it is inevitable (a) Groups/Members will not all be able to be represented on every Committee and (b) that one Group's representation on some Committees will be at the expense of another's.

The minimum number of councillors in a group for it to exist is two.

The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.

To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.

Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to the Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.

The “wishes of the Group” may be communicated to the Proper Officer and will be implemented forthwith. Changes may be effected at any time by notice to the Proper Officer and will be notified to all Members in the next available edition of the weekly Calendar Brief.

It should be noted that the Constitution provides that the Chairmen and Vice-Chairmen of Committees are appointed by Council and any change in membership affecting a Chairman or Vice-Chairman will therefore require consideration by Council.

RECOMMENDED SEAT ALLOCATION

Having regard to the principles of political balance and of seat allocation referred to in Appendix 1, the following allocation of seats is recommended on the basis that, taking all factors into account, it shows a “reasonably practicable” allocation of seats and is therefore the default position.

		CONS	RES	UCRG	LAB	IRG	NHRG
Governance	12	6	2	1	1	1	1
Licensing	11	5	2	1	1	1	1
Planning	8	4	1	1	1	1	0
Strategic Planning	8	4	1	1	1	1	0
Highways Advisory	8	4	1	1	0	1	1
Adjudication	9	4	1	1	1	1	1
Pensions	7	3	1	1	1	0	1
Audit	6	3	1	1	0	0	1
JV WP	9	4	1	2	1	1	0
O&S Board	16	8	2	2	1	2	1
Children's	9	5	1	1	1	1	0
Crime & Disorder	7	4	0	1	1	0	1
Towns & Communities	9	4	2	1	1	1	0
Environment	6	3	1	0	1	0	1
Health	6	3	1	0	0	1	1
Individuals	8	3	1	1	1	1	1
Total seats allocated	139	67	19	16	13	13	11

- Committee seats are allocated, and each Committee is balanced, as “reasonably practicably” as possible

POLITICAL BALANCE PRINCIPLES

- 1.1 In allocating seats on Committees to the Groups, the Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. The relevant principles are, in order of priority:
1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
 2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
 3. The total share of all the seats available for all of the Council main Committees allocated to each political Group must be proportionate to that Group's share of the total Council membership.
 4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group must be proportionate to that Group's share of total Council membership.
- 1.2 Moreover, in determining entitlements to seats, any members who are not in a Group are disregarded, as they are not entitled to a seat on any Committee; but the proportions on which entitlements are calculated must relate to the total number of Councillors.
- 1.3 **In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own.** With the distribution of seats on the Council that results from the election and recent changes in political make-up, it is inevitable (a) that the smaller Groups will not be able to be represented on every Committee, (b) that one Group's representation on some Committees will be at the expense of another's and (c) that, with calculations made as accurately as possible, one or more Groups may have actual seat numbers that differ from their entitlements.
- 1.4 The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.
- 1.5 To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.
- 1.6 Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to each Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.

- 1.7 The “wishes of the Group” may be communicated to the Chief Executive (or the Head of Democratic Services on his behalf) by notice in writing by the Group Leader (or on his/her behalf by a recognised deputy) and will be implemented forthwith. Changes may be effected at any time by notice to the Chief Executive (or Head of Democratic Services) and will be notified to all Members in the next available edition of the weekly Calendar Brief.
- 1.8 It should be noted that the Chairmen and Vice-Chairmen of Committees were appointed by Council and any change in membership affecting a Chairman or Vice-Chairman would therefore require consideration by Council, and be dealt with by formal motion where necessary.
- 1.9 The Health and Wellbeing Board, while a Council Committee, is an executive Committee with separate statutory rules on membership. As with the Cabinet therefore, the Health and Wellbeing Board is not included in this seat allocation process.

PRINCIPLES FOR ALLOCATION OF SEATS ON COMMITTEES

- 2.1 The principles of seat allocation follow the requirements of the political balance principles, using a formula that takes account of the respective sizes of the Groups and the number of seats on Committees available for distribution among the Groups.

Basic allocation of seats

- 3.1 The Regulations specify that the minimum size of a Group is two Members. As seats are allocated on the basis of Groups, Members who do not belong to a Group do not have a right to be allocated any Committee seat.
- 3.2 The seat entitlements of the Groups are determined by a formula using the percentage of seats held by each Group, operating through a sequence of stages as follows:
 - **First**, the percentage of each Group’s membership of the Council is calculated.
 - **Next**, that percentage is then applied to the number of seats available on each Committee to determine each Group’s potential entitlement to seats on that Committee (rounded to the nearest whole number following the mathematical convention that numbers below 0.5 are rounded down, and those 0.5 or more are rounded up).

In some cases, a Group may be entitled to a seat even though, rounded down, its potential entitlement appears nil (i.e. less than 0.5), as there is a specific number of seats available on each Committee and no Group may have more seats on any Committee than its entitlement.

Those figures are then applied to the total number of seats available on each Committee, the seats being allocated in order, highest entitlement first, until all seats have been allocated.

- **Finally**, fine adjustment is required to ensure that, so far as reasonably practicable, the total of seats allocated reflects the overall proportion of Council membership held by each Group and the numerical strength of its entitlement to seats on particular Committees. For that purpose, at this stage the seat allocation of particular Committees will be adjusted from the ideally-balanced number reached in earlier stages of the process. This can result in a group being allocated more seats than appears to be its strict entitlement: this is the inevitable result of tensions within the political balance rules, which require different balancing arrangements as between the overall number of seats available, and the number of seats on each Committee.

Specific allocations

- 4.1 For the allocation of seats on specific Committees, several permutations are possible. Although the Council's Constitution does specify particular numbers of seats to each Committee, it is expressed as being "or such other number as the Council may agree", so there is discretion as to Committee sizes.
- 4.2 Once the number of seats available on each Committee has been determined, the allocation of seats to the individual Groups would then need to be adjusted between the Groups to achieve, so far as possible and practicable, an allocation that gives each Group its proportionate share of seats overall while ensuring that each Committee is proportionately balanced. In practice, it will be impossible to achieve both aims without enlarging Committee memberships to an unworkable size, so a degree of compromise is required.

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COUNCIL, 20 January 2021

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: The importance of COVID-19 vaccination

SUMMARY

The emergence of a new, more transmissible variant has contributed to very high rates of coronavirus infection that threaten to overwhelm the NHS.

In response, the Government has enforced a third lockdown to bring infection rates down and thereby relieve pressure on the NHS.

A number of effective vaccines are now available, adding a powerful new tool to complement such non-pharmaceutical interventions.

The immediate priority is to vaccinate the most vulnerable and those that care for them so that the pressure on the NHS can be relieved, enabling the current lockdown to be relaxed sooner than might otherwise be the case.

Vaccination on this scale represents a massive operational challenge to the NHS.

Inequitable resourcing and vaccine hesitancy may impede progress locally and leave residents and the NHS unnecessarily vulnerable.

Information regarding progress will be needed to ensure the efficiency, equity and effectiveness of the programme for local residents

In the short term at least i.e. this side of summer, vaccination must be seen as a complement to, not replacement for non-pharmaceutical interventions.

RECOMMENDATIONS

Note the contents of the report.

REPORT DETAIL

1 The emergence of a new, more transmissible variant has contributed to very high rates of coronavirus infection that threaten to overwhelm the NHS

- 1.1 In late November 2020, PHE first linked high and increasing infection rates in north Kent during the second lockdown to the spread of a new variant of coronavirus. Subsequently, rates of infection in Havering and S W Essex, and then North East London, London and S E England as a whole have followed a similar path as the new variant has come to predominate¹.
- 1.2 For a number of weeks, rates of infection in Havering and adjacent areas have been amongst the highest in the country and the highest recorded anywhere in the UK since widespread community testing for coronavirus became available².
- 1.3 The high and sustained infection rates have resulted in a rapid increase in the number of patients requiring hospital treatment. Approaching two thirds of beds at Queens and King Georges Hospitals, operated by Barking, Havering and Redbridge University Hospitals NHS Trust are now occupied by patients with COVID-19³.
- 1.4 The Trust has redeployed staff and resources to maximise capacity to care for patients severely unwell with COVID-19 effecting 'business as usual' services including the postponement of non-urgent surgery and outpatient appointments⁴.
- 1.5 A 'major incident' has been declared in London due to the rapid spread of the coronavirus across the capital and the increase of Covid-19 cases in hospitals, which has left the NHS at risk of being overwhelmed.
- 1.6 All cause death rates are already higher than the historical average, with COVID-19 contributing to a significant proportion. Further increases in death rates are inevitable and would increase dramatically if the NHS is indeed overwhelmed affecting the care of

¹ <https://www.gov.uk/government/news/covid-19-sars-cov-2-information-about-the-new-virus-variant>

² <https://www.havering.gov.uk/covid19havering>

³ <https://www.bhrhospitals.nhs.uk/covid-19-data-for-our-hospitals>

⁴ <https://www.bhrhospitals.nhs.uk/our-services-during-covid-19>

patients severely unwell with both COVID-19 and other life threatening conditions.

2 The Government has enforced a third lockdown to bring infection rates down and thereby relieve pressure on the NHS.

2.1 On January 4th 2021, the UK's four Chief Medical Officers jointly endorsed a recommendation from the Joint Biosecurity Centre that the UK COVID-19 level should move from level 4 to level 5 because rates of infection were high or rising exponentially and there was a material risk of healthcare services being overwhelmed⁵. Subsequently, Government introduced national lockdown measures requiring people to stay at home except where necessary⁶.

2.2 It is too soon to be sure that these measures will be enough to bring infection rates down and reduce pressure on the NHS. In the short term, rates of infection have continued to increase.

2.3 SAGE – the Government's scientific advisory group stated it is not known whether measures with similar stringency and adherence as the initial lockdown in spring 2020, with both primary and secondary schools closed, would be sufficient to bring R below 1 in the presence of the new variant⁷. It seems likely therefore that R will remain close to, rather than drop well below 1. If so, infection rates will remain close to their current levels i.e. very high for an extended period, as will pressure on the NHS.

3 A number of effective vaccines are now available, adding a powerful new tool to complement non-pharmaceutical interventions.

3.1 A small number of treatments have now been demonstrated to reduce the risk of death from COVID-19 and are being made available on the NHS⁸. However, they improve outcomes for patients who are already severely ill. So, whereas they will improve outcomes and reduce pressure on intensive care, they will have only a modest impact on hospital capacity as a whole.

⁵ <https://www.gov.uk/government/news/covid-19-alert-level-update-from-the-uk-chief-medical-officers>

⁶ <https://www.gov.uk/guidance/national-lockdown-stay-at-home>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/948606/s0991-sage-meeting-74-covid-19.pdf

⁸ <https://www.gov.uk/government/news/nhs-patients-to-receive-life-saving-covid-19-treatments-that-could-cut-hospital-time-by-10-days>

- 3.2 The NHS urgently needs interventions, like effective vaccines that, together with lockdown, will prevent people becoming severely ill in the first place.
- 3.3 A variety of organisations have a role in vaccination. The Medicines and Healthcare products Regulatory Agency (MHRA) approves vaccines for use. The Joint Committee on Vaccination and Immunisation (JCVI) advises the government on vaccine policy, including on what vaccines to commission and provide for the population. Vaccinations are commissioned by NHS England and delivered by a variety of providers such as GP surgeries and pharmacies.
- 3.4 Thus far the MHRA has approved 3 coronavirus vaccines, having received evidence that they are safe and effective, manufactured by Pfizer/BioNtech⁹, AstraZeneca¹⁰ and Moderna¹¹. The first two vaccines are available for use now but supplies are limited. Supplies of all three vaccines are expected to increase in coming weeks and months and further vaccines may be approved and come on line through the coming year.
- 3.5 The Joint Committee on Vaccination and Immunisation (JCVI) has advised¹² that the first priorities for the current COVID-19 vaccination programme (using the currently available Pfizer /BioNtech and AstraZeneca vaccines) should be the prevention of COVID-19 mortality and the protection of health and social care staff and systems by immunising the groups listed in the table below that account for 99% of preventable mortality from COVID-19.

Priority	Description
1	residents in a care home for older adults and their carers
2	all those 80 years of age and over and frontline health and social care workers
3	all those 75 years of age and over
4	all those 70 years of age and over and clinically extremely vulnerable individuals
5	all those 65 years of age and over
6	all individuals aged 16 years to 64 years with underlying health conditions which put them at higher risk of serious disease and mortality

⁹ <https://www.gov.uk/government/news/uk-medicines-regulator-gives-approval-for-first-uk-covid-19-vaccine> 5

¹⁰ <https://www.gov.uk/government/news/oxford-universityastrazeneca-covid-19-vaccine-approved>

¹¹ <https://www.gov.uk/government/publications/regulatory-approval-of-covid-19-vaccine-moderna>

¹² <https://www.gov.uk/government/publications/priority-groups-for-coronavirus-covid-19-vaccination-advice-from-the-jcvi-30-december-2020/joint-committee-on-vaccination-and-immunisation-advice-on-priority-groups-for-covid-19-vaccination-30-december-2020>

7	all those 60 years of age and over
8	all those 55 years of age and over
9	all those 50 years of age and over

Moreover, given high rates of infection; intense pressure on the NHS; evidence that both vaccines offer significant protection against severe disease a few weeks after administration of the first dose; the JCVI has advised that the NHS should focus on inoculating as many people as possible with a first dose, with the second booster dose needed to maximise and prolong protection, given up to 12 weeks after the first.

The JCVI further recommend that secondary priorities could include vaccination of those at increased risk of hospitalisation and at increased risk of exposure, and to maintain resilience in essential public services.

4 Vaccination on this scale represents a massive operational challenge to the NHS.

- 4.1 Government has stated that everyone in the top four JCVI priority groups – some 13.9 million people - will be offered a first dose of vaccine by the 15th February. Thereafter people in groups five to nine will be offered a first dose by the end of April. All adults aged 18 and over will be offered vaccination by ‘the autumn’, with those at greater risk of exposure and / or contributing to essential services being prioritised. Everyone will receive a second dose within 12 weeks of the first.
- 4.2 To meet the initial mid-February milestone, the NHS will need to deliver 2 million jabs a week. To do so, a number of obstacles will need to be overcome. Manufacturers must supply the vaccine at the required volume. Preparation of individual doses is separately dependant on the supply of needles and vials. Independent inspectors must check the production process used and samples of vaccine in every batch. Only then is the vaccine available for distribution.
- 4.3 A nationwide network of at least 1000 vaccination sites is being established including 70 hospitals, 50 mass vaccination centres and large numbers of GP surgeries, community centres and community pharmacies.
- 4.4. The detail of the local infrastructure has still be confirmed. The first mass vaccination in London will operate from the ExCeL Exhibition centre. BHRUHT has been offering vaccination at Queens Hospital

and Havering Primary Care Networks (collectives of local GPs) have been vaccinating from Victoria Hospital and Hornchurch Library, as well as taking the vaccine to larger care homes within the borough.

- 4.5 Inoculation will be undertaken by existing healthcare staff including GPs, practice and community nurses and pharmacists; with some impact on business as usual services likely. In addition, a campaign is underway to encourage health professionals that have recently left practice to return. It also envisaged that volunteers will contribute in a variety of non-clinical roles.

5 **Inequitable resourcing and vaccine hesitancy may impede progress, leaving individual residents and the NHS less protected.**

- 5.1 The population of Havering is relatively old. As such proportionally more Havering residents will fall in high-risk groups prioritised by the JCVI for early vaccination. Havering will need to receive proportionally more vaccine than other boroughs in NE London to keep pace with the trajectory required to offer everyone in groups 1-4 a first dose of vaccine by mid-February.
- 5.2 Primary care services in Barking, Havering and Redbridge are under-resourced and under-developed in comparison with those in inner N E London. Without additional support, staff constraints are likely to limit the pace of vaccination and / or disproportionately affect the delivery of business as usual health care.
- 5.3 There is no guarantee that all residents will respond positively to the offer of vaccination. Obvious practical barriers to uptake need to be addressed. Invitations should provide clear and specific information, including where to go and how to get there, and offer a variety of convenient times and locations. A domiciliary service will be necessary for the housebound. Some residents may find visiting a mass testing centre a daunting prospect making adequate local provision essential. Historically, uptake of seasonal flu vaccination by at-risk working age adults has been well below the national aspiration¹³. Uptake this year has been better but a significant proportion of eligible patients remain unimmunised. Convenient options for working adults are essential and employers should positively encourage and enable uptake.
- 5.4 Over and above direct barriers to access, further work will be necessary to tackle vaccine hesitancy. In recent years, public

¹³<https://fingertips.phe.org.uk/search/influenza#page/0/gid/1/pat/6/par/E12000007/ati/302/are/E09000016/cid/4/page-options/ovw-do-0>

acceptance and uptake of vaccinations has fallen, both in childhood and adult vaccination programmes with significant implications for public health. Data suggests that many of the groups in society who have already been disproportionately affected by COVID-19 e.g. the socially disadvantaged and BAME groups, are those that are least likely to say they will be vaccinated¹⁴. The risk therefore is that the vaccine roll out further exacerbates these inequalities. Targeted, locally led communications, using local insights and interventions to engage vulnerable and marginalised groups will reduce the likelihood of this occurring¹⁵.

6 Information regarding progress will be needed to ensure the efficiency, equity and effectiveness of the programme for local residents.

6.1 If the right data systems are not in place, or health records are incomplete, people will be missed from the vaccination programme or invited later than they ought to be. Systems need to be in place to identify both individuals who have ignored initial automated invites to enable more personalised approaches and communities with low uptake requiring more targeted communication and engagement.

6.2 As representatives of their community, local authorities should be provided with a regular feed of the rolling immunisation data for each local authority area to ensure efficiency, equity and effectiveness of the programme for local residents.

6.3 Currently the only published information about uptake of vaccination is for the country as a whole and isn't broken down by priority group¹⁶. In addition, information about provision of vaccination to staff and residents in care homes is self-reported by care homes using the Capacity Tracker system. The most up to date information available at the time of writing this report is provided as Appendix 1.

7. In the short term, vaccination is a complement to, not replacement for non-pharmaceutical interventions

7.1 The speed and extent to which vaccination reduces pressure on the NHS is difficult to predict. The most vulnerable cohort (JCVI groups 1-4) will not all receive their first dose until mid-February, and effective short-term immunity takes three weeks to develop.

¹⁴ <https://www.rsph.org.uk/about-us/news/new-poll-finds-bame-groups-less-likely-to-want-covid-vaccine.html>

¹⁵ ADPH_Vaccine_Explainer_January_2021_.pdf

¹⁶ <https://www.england.nhs.uk/statistics/statistical-work-areas/covid-19-vaccinations/>

Younger cohorts are less likely to develop severe COVID-19 but if infection rates remain very high, as they are now, high rates of hospital admission could well continue into early summer. As vaccination begins, any messaging must counter the suggestion that non-pharmaceutical measures can be relaxed too far, too soon.

Financial Implications and Risks:

While there were financial implications around the decisions described in this report, there are none directly associated with this report.

Legal Implications and Risks:

There are no immediate legal implications directly associated with this report.

Human Resource Implications and Risks:

There are none directly associated with this report.

Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

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Background paper List

None



Havering
LONDON BOROUGH

Appendix 1:



**NEL Capacity Tracker COVID-19
Vaccination daily report**

06th January 2021

COVID-19 Care Home vaccination reporting summary:



COVID-19 Care Home vaccination reporting summary:



Residents

- Currently across NEL 612 residents have been recorded as having received the first dose of the COVID-19 vaccine.
- 197 Residents have been vaccinated in Barking and Dagenham, 115 in Havering and 104 in Redbridge.
- As per Capacity Tracker, on 06th January a total of 18.5% of the NEL Care Home resident population has been recorded as having received the COVID-19 vaccine. This is a 2% increase on the previous working day.

Workforce

- Currently across NEL 701 members of staff have been recorded as having received the first dose of the COVID-19 vaccine.
- The majority of recorded staff vaccination have taken place within BHR, 201 in Havering, 154 in Redbridge and 135 in Barking and Dagenham. 19 recorded staff vaccination have been administered in City & Hackney and 192 in WEL.
- As per Capacity Tracker, a total of 12.38% of the NEL Care Home workforce had been recorded as received the first dose of the COVID-19 vaccine. The greatest uptake of staff vaccinations have been taking place within BHR, where 13.57% of the workforce have received the first dose, in WEL it is 11.22% and C&H 5.56%

* Source: Capacity Tracker COVID-19

* All data is subject to accurate and timely submissions from providers directly.

* Data submissions by providers at weekends and public holidays fluctuate and are inconsistent.

Care Home daily Vaccination report: 06th January 2021

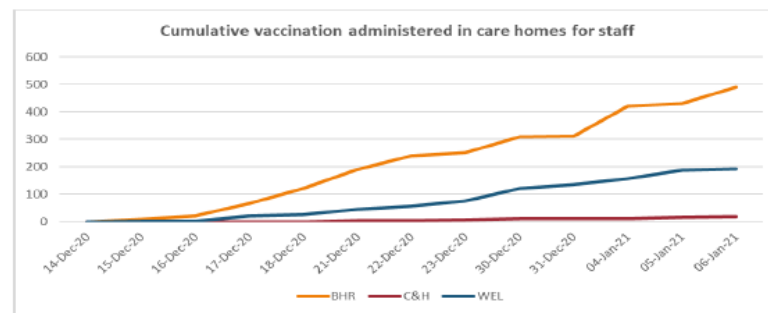
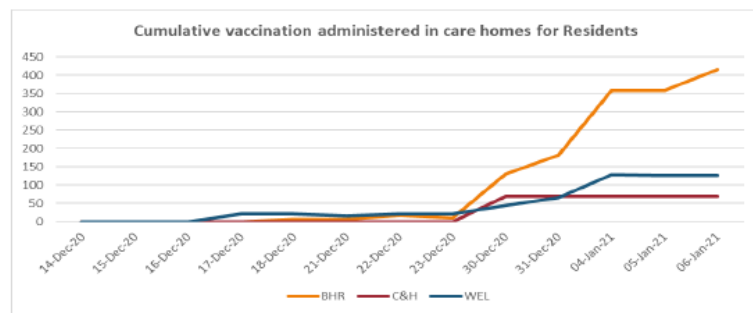
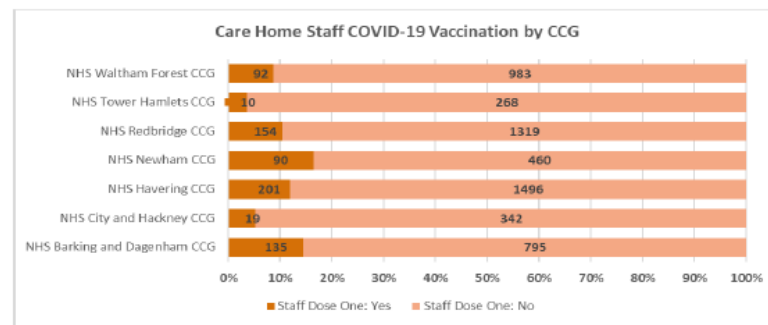
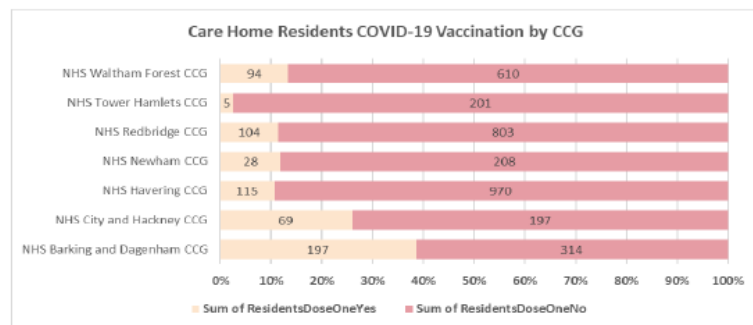


% of Staff and Residents Vaccinated in Care Homes

Sum System	Staff % Vaccinated	Residents % Vaccinated
BHR	13.57%	19.93%
WEL	11.22%	12.46%
C&H	5.56%	35.03%

Administered vaccination in care homes amongst staff and residents

CCG	Residents	Staff
NHS Barking and Dagenham CCG	197	135
NHS City and Hackney CCG	69	19
NHS Havering CCG	115	201
NHS Newham CCG	28	90
NHS Redbridge CCG	104	154
NHS Tower Hamlets CCG	5	10
NHS Waltham Forest CCG	94	92
Grand Total	612	701



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FULL COUNCIL, Wednesday 20 January 2021

MEMBERS' QUESTIONS

Financial Stability of Academies

- 1) **To the Cabinet Member for Education, Children and Families (Councillor Robert Benham)**
From Councillor Stephanie Nunn
Would the Cabinet Member confirm what steps have been taken to ensure the financial stability of academies in Havering?

Flooding in Rainham

- 2) **To the Cabinet Member for the Environment (Councillor Osman Dervish)**
From Councillor Jeffrey Tucker
In August council officers responded fast to the flooding in Rainham and are working closely with Thames Water, Network Rail, High Speed 1, the RSPB and council departments to stop if possible further flooding. Please can an update be provided on the action being taken to improve matters?

Provision of Specialist Education to Deaf Children

- 3) **To the Cabinet Member for Education, Children and Families (Councillor Robert Benham)**
From Councillor Keith Darvill
According to a report in the Independent on Sunday (2/1/21) one in two deaf children in England are not getting the necessary specialist teaching support since returning to school in September. How many deaf children are being educated in Havering Schools and how many receive specialist teaching?

Council Database

- 4) **To the Leader of the Council (Councillor Damian White)**
From Councillor Martin Goode
What enhancements have been introduced or are currently being considered, in order to improve the efficiency of the Council's General information database. In particular, the collation of information that has been obtained or logged from the different departments within the Council, especially, when the information relates to either a complaint or concerns that have been received regarding Residential property or landlords?

Enforcement on Domestic Waste

**5) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Ray Morgon**

Would the Cabinet Member explain why this Administration has a relaxed attitude to residents who place their domestic waste out overnight for foxes and other animals to spread all the contents all over roads and pavements?

Testing Centre in Viking Way Car Park

**6) To the Leader of the Council (Councillor Damian White)
From Councillor David Durant**

The Viking Way car park was closed to provide a new corona-testing centre without consulting Cabinet Member for Public Health and local councillors and without an Executive Decision being formally made. As this decision costs money and harms the high street, it is an abuse of emergency powers to close the car park before and without a formal Executive Decision explaining the details and cost of the decision being formally made. Please reference the constitution where it allows Executive Decisions to be implemented without being formally made.

Proposed Revisions to Housing Allocation Policy

**7) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Paul McGearry**

What benefit is there to Havering Residents seeking Council homes as tenants to extend the residency requirement from 6 to 10 years?

School Streets

**8) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Jan Sargent**

Following on from the school streets safety initiatives, results showed that the part time closure of streets to traffic was not appropriate for all schools within the Borough.

As road safety around our schools continues to raise serious concerns what further actions will the Council be taking to ensure a plan of action is implemented to identify hazards, evaluate the associated risks and undertake regular/permanent enforcement in these areas.

Housing Waiting Lists

**9) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Graham Williamson**

Could Council advise how many residents there are on the Housing waiting list with any appropriate breakdown?

Overcrowded Accommodation in the Borough

**10) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Keith Darvill**

In the light of your response at Full Council on 15th December 2020 to my question relating to overcrowded accommodation in the Borough and to the Health Foundations research conclusion that overcrowding together with other housing problems such as dampness and insecure tenancies has led to a rise in physical and mental health ailments, will the Lead Member inform Members how many additional homes are anticipated to be delivered over the next three years for each of the 7 initiatives he highlighted in his response to me?

Relaxation of CPZ in Tier 4

**11) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Darren Wise**

As we are now in Tier 4 restrictions with non-essential shops closed, has the Council considered relaxing parking restrictions in CPZ areas to allow residents to park outside their homes if they are unable to attend their normal place of work as not everyone has access to off street parking.

Special Urgency Decisions

**12) To the Leader of the Council (Councillor Damian White)
From Councillor Gerry O'Sullivan**

There has been a surge in the use of "Special Urgency" Executive Decisions. Would the Leader of the Council explain why so many are non-covid related decisions, where is the justification for such urgency and why has this not been properly documented for appropriate scrutiny?

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COUNCIL, 20 JANUARY 2021

MOTIONS

A. LOWER THAMES CROSSING

Motion on behalf of the Upminster and Cranham Residents' Associations Group

Following on from several consultations regarding the Lower Thames Crossing and the responses from this Council (March 2016 and this year) Highways England submitted a Planning Application for a 14.5mile road, including a 2.4 mile tunnel, connecting the M2 near Rochester and the M25 by North Ockendon.

We have been advised that following feedback from the Planning Inspectorate that the Application has been withdrawn and a new one will be submitted.

Therefore we ask that this Council calls upon the Leader to reiterate its concerns to the Government and our Members of Parliament in respect of the following:

- Adverse impact on residential amenity for homes in Havering in terms of noise, disturbance and vibration
- Loss of homes in the North Ockendon area
- Impact on conservation areas and heritage assets in the locality
- Adverse impact of ongoing works and siting of works compounds.
- Should the Crossing go ahead as planned, that Havering residents are eligible to a toll discount scheme (on the same basis as received by residents of Thurrock and Dartford for the Dartford Crossing).

Amendment on behalf of the Conservative Group

This Council welcomes the withdrawal of the Lower Thames Crossing planning application following the objections raised by the Administration as part of the public consultation; notes that the previous scheme failed to adequately address the projected increases in noise and air pollution that would result across Havering from increased traffic movements; notes the unwillingness from Highway England to include sufficient upgrades of the strategic highway network as part of the overall design; notes the unwillingness from Highways England to offer Havering residents a user discount, and calls upon the Administration to take all necessary steps to engage with Highway England, to ensure that these issues are addressed.

B. ORCHARD VILLAGE

Motion on behalf of the Labour Group

This Council call upon the Government to increase funding for the safe removal and replacement of the external building cladding at Orchard Village and other residential blocks irrespective of the height of the buildings in order that shared owners and leaseholders are relieved of the substantial costs involved. Clarion Housing Association is urged to bring forward a programme to make all necessary safety works at Orchard Village.

(No amendments redeived).

Amendment on behalf of the Conservative Group

This Council welcomes the £1billion made available by the Government for this financial year to support the remediation of unsafe non-ACM cladding systems on residential buildings 18 metres and above in height, in both the private and social housing sectors. This Council also notes the Government's publication of the draft Building Safety Bill which lays out the framework and enabling powers to implement a new approach to building safety regulation. Clarion Housing Association is therefore urged to bring forward a programme to carry out all necessary safety works at Orchard Village.

C. FIRST DO NO HARM

Motion on behalf of the Independent Residents' Group

Council calls upon the Executive to contact other like-minded councils to explore whether there is support and determine the merits of launching a claim for Judicial Review into the Government's decision to use the 1984 Public Health Act to impose a vastly disproportionate response to a microscopic respiratory virus, undermining the mental/health and economy of Britain.

(No amendments received).

D. SUPPORT TO VACCINATION PROGRAMME

Motion on behalf of the Conservative Group

This Council welcomes the steps taken by the authority in supporting the NHS to roll out the national coronavirus vaccination programme, which is vital to protect the vulnerable; ensure that the NHS can meet the health needs of all local residents and support the resumption of normal life; and calls upon the Administration to launch an enhanced communication campaign to provide information, support and encouragement to Havering residents to take up their vaccination when invited by the NHS.

Amendment on behalf of the Independent Residents' Group

This Council welcomes the steps taken by the authority in supporting the NHS to roll out the national coronavirus vaccination programme, which is vital to protect the vulnerable; ensure that the NHS can meet the health and safety needs of all Havering residents and support the resumption of normal life.

And calls upon the Administration to launch an enhanced communication campaign to provide residents information about the contents of the vaccines and any possible side-effects, particularly for people on other medication, so they can make an informed choice when invited to take up their vaccination by the NHS. And furthermore fully informs those who may refuse the vaccines for medical reasons of the wonderful benefits of Vitamin D, healthy eating, exercise and socialising in the sunshine to strengthen the immune system which is vital for a healthy body and mind.

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