

## Final Report of the Project Team to the Review Committee

# Review of the Member Role on Outside Bodies/Benefit to the Council/Outside Body



# REVIEW OF THE MEMBER ROLE ON OUTSIDE BODIES/BENEFIT TO THE COUNCIL/OUTSIDE BODY

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## 2 Glossary

DC	District Council

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### **3 Introduction**

- 3.1 Apart from attending Council Meetings and other constituency work, Councillors are required to sit as representatives of the Council on other organisations and agencies. These organisations and agencies are known as outside bodies.
- 3.2 Councillors are appointed to these outside bodies at Annual Council in May each year based on their experience and interests. Those roles that are considered Statutory or Strategic have the Portfolio Holder with the corresponding remit linked to the body appointed to them.
- 3.3 There are a number of reasons for appointing Councillors to outside bodies that can benefit both the Council and the Outside Body. This report looks at the issues around the number of appointments and tries to rationalise the number of appointments without compromising the Council or the Outside Bodies.

## **4 Background**

- 4.1 During the 2002-2003 Municipal Year the former Finance & Procedures Overview & Scrutiny Committee established an Outside Body Review Sub-Committee. The Sub-Committee made a number of recommendations, which were recommended to Council by the former Finance & Procedures Overview & Scrutiny Committee and agreed by Council on the 29 April 2003.
- 4.2 It was suggested at the meeting of the Review Committee on 9 March 2010 that as it was 7 years since the previous review it would be worthwhile revisiting this topic. This was agreed at the meeting of 3 June 2010.
- 4.3 During the previous review it was identified that it would be beneficial to ally the appointment process with Committee Membership. At the time the Authority was operating under a Committee structure where there were a number of policy and overview & scrutiny committees whose Members were likely to be cognisant of the Authority's policy on relevant matters.
- 4.4 Since the Council has moved to the Executive model of decision making a number of the appointments to outside bodies have been recognised as statutory or strategic, to be filled by the Portfolio Holder with the appropriate remit. It has been agreed that it would be inappropriate to include these within the review.

## **5 Terms of reference**

- 5.1 To examine the role of Members on outside bodies and assess the benefits to both the Council and the outside body.
- 5.2 To look to rationalise the number of appointments to outside bodies and identify the responsibilities of Members as representatives on outside bodies.
- 5.3 The following to be excluded from the review:-
  - statutory or strategic appointments made by the Council.
  - the funding from the Council that any outside body might receive.
  - how Members are selected for appointment to an outside body.

## **6 Methodology**

- 6.1 The team started by looking at the final report of the Outside Body Review Sub-Committee submitted to the Finance & Procedures Overview & Scrutiny Committee and agreed by Full Council on 29 April 2003.
- 6.2 It was identified that in the seven years since the previous review there had been significant changes to the way the Council appoints Members to outside bodies.
- 6.3 The team contacted the outside bodies to assess the benefit of the appointments to them and also contacted those Members on outside bodies to obtain their input as to the value to the Council of membership.
- 6.4 The team also looked at what other Authorities do in relation to placing Members on outside bodies.

## **7 Findings**

### **7.1 Outcomes from the Previous Review**

7.1.1 The following were recommended to Council by the former Finance & Procedures Overview & Scrutiny Committee on 23 March 2003 and agreed by Council on 29 April 2003:-

(1) That, subject to having three appointees on the Joint Health Partnership Board with Castle Point, membership of outside bodies be changed on the basis set out at Appendix 1 of the report.

(2) That, to enable allying to appropriate Service Areas, appointments to outside bodies should, wherever possible, be from the membership of an appropriate Policy Committee or Overview and Scrutiny Committee on the basis set out at Appendix 2 of the report.

(3) That all appointees to outside bodies have a substitute, with the exception of the London Southend Airport Consultative Committee, for which there should be at least two substitutes.

(4) That appointees to outside bodies receive initial briefings on the work of the body by an appropriate officer or a body representative.

(5) That Member and officer appointees be asked to report back on the work of bodies to which they are appointed via the Members' Bulletin twice per year. The possibility of an appointee reporting into the appointing Committee should not be discounted as an alternative in appropriate circumstances.

(6) That when Members consider appointments, information should be available on the timing, frequency and location of meetings.

7.1.2 Since these recommendations were agreed there have been various changes to the outside bodies that the Council appoints to. This has meant that it is not possible to compare the outside bodies that existed at the time of the last review and those that the Council presently appoints to.

7.1.3 During the seven years following the first review the Authority has made a number of changes to its decision making process. The Council now has Portfolio Holders with responsibilities that align with those of the former policy committees.

7.1.4 The first recommendation has been superseded in that there has been a restructuring within the health service and there is no longer a Joint

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Health Partnership Board with Castle Point. The Portfolio Holder with responsibility for Health has been appointed to the South East Essex Primary Care Trust.

- 7.1.5 The second recommendation regarding the appointment of Members from the appropriate Policy Committees has been superseded in that the relevant Portfolio Holder is now appointed to the appropriate outside body instead.
- 7.1.6 The third recommendation from the previous review stands. Each appointment is backed up with a substitute, apart from the two Community Associations where the constitutions do not allow it.
- 7.1.7 Although requested to do so, the fourth recommendation is not followed by some outside bodies. However, this would appear more of an issue in terms of appointments that Members have questioned as being of value to the Authority.
- 7.1.8 Recommendation five was reconsidered by the Executive on 24 March 2010 following a report by the Charter Implementation Group. The Executive resolved that Members be encouraged to continue to use the existing Bulletin related mechanism.
- 7.1.9 The sixth recommendation is being complied with, the report submitted to Annual Council each year containing details of the timing, frequency and location of meetings.

## 7.2 Existing Appointments

- 7.2.1 Currently, Councillors that are appointed to serve on outside bodies fulfil a number of roles and are provided with guidance documentation at the time of the appointment from the Head of Legal, Estates and Member Services.
- 7.2.2 The project team agreed to issue a questionnaire to the outside bodies and the appointees to gather information on the various bodies. The team used this information to inform and develop the recommendations contained within this report.
- 7.2.3 To assist in discussions the team established a criteria set to assess each of the appointments against. It was considered that any appointment should meet one or more of the following:-
  - The aims of the organisation align to the objectives of the Authority.
  - A Service Level Agreement exists between the Council and the organisation.
  - The outside body receives funding from the authority.
  - The outside body leases an asset from the Council.



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- The appointee has an interest in the aims of the outside body and can add value to the organisation.

### 7.3 Other Authorities

- 7.3.1 In comparing the number of appointments to outside bodies with those in our near neighbours group i.e. those authorities that are nearest to us in size and make up, it can be observed that Rochford DC appoints to fewer outside bodies than some other authorities.
- 7.3.2 Ribble Valley Borough Council, when considering improvements to the way it appointed Members to outside bodies, looked at the arrangements for handover when representatives changed. Whilst Members were either briefed by a representative of the outside body or an officer it was felt that, for continuity purposes, it would be useful if the Member being replaced could be alerted to the need to prepare to hand over to subsequent representatives the necessary documentation and the benefit of their experience.
- 7.3.3 The team felt that this practice would be beneficial to the Members at Rochford DC.

### Recommendation No 1

It is recommended that when a Member is replaced on an outside body their successor should contact them to obtain the benefit of their experience in sitting on the outside body, together with any relevant documentation.

### 7.4 Applications for appointees from new outside bodies

- 7.4.1 As previously mentioned, in considering the existing appointments the project team established a criteria set to assess the appointments.
- 7.4.2 The team concluded that, in future, the criteria could be used to assess the suitability of requests for new councillor appointments.

## Recommendation No 2

It is recommended that any requests for new councillor appointments be assessed to ensure that they comply with one or more of the following criteria :-

- The aims of the organisation align to the objectives of the Authority.
- A Service Level Agreement exists between the Council and the organisation.
- The outside body receives funding from the authority.
- The outside body leases an asset from the Council.
- The appointee has an interest in the aims of the outside body and can add value to the organisation.

## 7.5 Suggested changes to Council representation

### Recommendation No 3

It is recommended that the membership of Outside Bodies be changed on the basis set out below.

Body	Change
<b>Activerochford</b> (Currently 1 seat)	In view of the involvement of a RDC officer as secretary for this organisation it was felt that there was no need for a Councillor to attend the meetings as well. Should be an officer appointment.
<b>Adult Community Learning South Essex Stakeholder Forum</b> (Officer appointment)	Should retain membership.

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<b>Bradwell Local Community Liaison Council</b> (Currently 1 seat)	Appointment no longer necessary as nuclear decommissioning has been completed.
<b>Campaign to Protect Rural Essex</b> (Currently 1 seat)	Should end membership as district is represented by Parish/Town Councillors.
<b>Castle Point and Rochford Domestic Violence Panel</b> (Currently 1 seat)	Due to the complexities of the work undertaken and to the fact that an officer already attends the meetings, it was felt that this should be an officer appointment.
<b>Castle Point and Rochford Police Community Consultative Group</b> (Currently 1 seat)	Should be an Officer appointment.
<b>Cory Environmental Trust in Rochford</b> (Currently 1 seat)	Should retain membership.
<b>Essex Rail Seminar</b> (Currently 1 seat)	Should end membership, meeting can be advertised to Members so District can be represented. Also, it would be worthwhile for the Council to receive minutes of their meetings for information purposes.
<b>Hockley Community Centre Association</b> (Currently 2 seats)	Should retain membership.
<b>Local Government Association Rural Commission</b> (Currently 1 seat)	Should retain membership.
<b>Local Government Association Urban Commission</b> (Currently 1 seat)	Should retain membership.
<b>London Southend Airport Consultative Committee</b> (Currently 3 seats)	Should retain membership, the team felt that the relevant Portfolio Holder should be one of the appointments. It was not felt that substitutes were appropriate for this body.
<b>NACRO N.C.E. Ltd</b> (Officer appointment)	Should retain membership.

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<b>Rayleigh Grange Community Association Governing Body</b> (Currently 2 seats)	Should retain membership.
<b>Rayleigh Mount Local Committee</b> (Currently 1 seat)	Should end membership given the marginal linkage with the Council's objectives.
<b>Relate South Essex</b> (Currently 1 seat)	Should end membership given the marginal linkage with the Council's objectives. This is the first year since 2006 that an appointment has been made to this organisation.
<b>Rochford Hundred Association of Local Councils</b> (Currently 1 seat)	Should retain membership.
<b>Rochford and Rayleigh Citizens Advice Bureau Management Committee</b> (Currently 1 seat)	Should retain membership.
<b>South Essex Environmental Protection Advisory Group (SEEPAG)</b> (Currently 3 seats)	Should be a Portfolio Holder appointment.
<b>Springboard Home Improvement Service Support Group</b> (Officer appointment)	Should retain membership.
<b>Traffic Penalty Tribunal</b> (Currently 1 seat)	Should be an officer appointment as the role is an observer only; the officer can obtain updates on new legislation.
<b>Warehouse Centre, Active Christian Trust</b> (Currently 1 seat)	Should end membership given the marginal linkage with the Council's objectives.

## 8 Summary of Recommendations

### Recommendation No 1

It is recommended that when a Member is replaced on an outside body their successor should contact them to obtain the benefit of their experience in sitting on the outside body and any relevant documentation.

### Recommendation No 2

It is recommended that any requests for new councillor appointments be assessed to ensure that they comply with one or more of the following criteria:-

- The aims of the organisation align to the objectives of the Authority.
- A Service Level Agreement exists between the Council and the organisation.
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