

APPOINTMENTS TO OUTSIDE BODIES PROCEDURE RULES

Contact Name:

Nick de la Taste
Telephone: 247 4560

Body/Person with authority
to change the document:
Full Council

APPOINTMENTS TO OUTSIDE BODIES PROCEDURE RULES

1.0 Scope

- 1.1 These Procedure Rules relate to those external organisations and partnerships (referred to as *Outside Bodies*) which have requested the Council to appoint an Elected Member (or suitable nominee) to them.
- 1.2 For the avoidance of doubt, these Procedure Rules do not apply to appointments to Joint Committees/authorities which are reserved to Council. These are listed separately in Part Three (Section 1) of the Constitution - Responsibility for Local Choice Functions.
- 1.3 Additionally it is recognised that, often at a local level, individual Elected Members may be personally approached to attend meetings of a variety of organisations in their personal capacity rather than in their capacity as a Councillor. Such instances are not covered within the scope of these Procedure Rules

2.0 Determination of Outside Bodies to which an Appointment should be Made

- 2.1 The Chief Democratic Services Officer will maintain a list of all Outside Bodies which have notified the Council of a request to appoint an Elected Member to them.
- 2.2 Each year the Member Management Committee will review the list of notified Outside Bodies and will determine whether the Council should make/continue to make an appointment to those bodies.
- 2.3 Determination will be based on one or more of the following criteria being met:
 - the proposed appointment is a statutory requirement;
 - the proposed appointment would be consistent with the Council's policy or strategic objectives; and/or
 - the proposed appointment would add value to the Council's activities.
- 2.4 Requests to make an appointment received after such an annual review will be similarly referred to the Member Management Committee for determination by reference to the same criteria.

3.0 Determination of how an Appointment should be made

- 3.1 Where an organisation is deemed to have met one or more of these criteria, the Member Management Committee will allocate it into one of the following categories.
 - **Strategic and Key Partnerships** – participation contributes to the Council's strategic functions, priorities and community leadership role.
 - **Community and Local Engagement** – not necessary to fulfil strategic or key partnership role but, nonetheless, beneficial in terms of leading, engaging and supporting the community from an area or ward perspective

Appointments to Outside Bodies Procedure Rules

- 3.2 Where an Outside Body has been categorised as **Strategic and Key Partnership**, appointment to it will be made by the Member Management Committee.
- 3.3 Where an Outside Body has been categorised as **Community and Local Engagement**, appointment to it will be made by the appropriate Area Committee.
- 3.4 Where it is not clear as to which particular Area Committee should make an appointment, the Member Management Committee will refer the request to the relevant Area Committee Chairs who will determine which is the appropriate Area Committee to make the appointment. This will be reported to the next meeting of the Area Committee.

4.0 The Appointment Procedure

Strategic and Key Partnerships

- 4.1 The Member Management Committee will first consider whether it is appropriate for an appointment to be of a specific office holder¹ either by reference to the constitution of the outside body concerned or in the light of any other circumstances as determined by the Member Management Committee. Such appointments will then be offered on this basis.
- 4.2 Nominations will then be sought for the remaining places. The Member Management Committee will have regard to the principle of securing an overall allocation of places which reflects the proportion of Members from each Political Group on the Council as a whole.
- 4.3 All appointments are subject to annual change unless otherwise stated in the constitution of the external organisation. Each appointment (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 4.4 Elected Members² will fill all available appointments but it is recognised that Party Groups may not wish to take up vacancies which are made available to them. In such circumstances vacancies will be notified to the Member Management Committee and agreement sought as to whether the vacancy will be filled
- 4.5 A vacancy occurring during the municipal year will normally be referred to the Member Management Committee for an appointment to be made, having regard to the principles as described above.
- 4.6 The Director of Legal and Democratic Services will have Delegated authority to make an appointment in the following circumstances:

¹ For example it may be considered necessary or otherwise appropriate to appoint a specific Executive Board Member

² Section 249 Local Government Act 1972 states that Aldermen and Honorary Freemen may attend and take part in civic ceremonies but do not have the right to attend Council/committee meetings or receive any allowances or payments under a Members Allowance Scheme. This establishes the principle that such persons should not to be treated as Councillors, and therefore cannot be appointed to outside bodies in place of a Councillor if the request from an organisation is for a Councillor

Appointments to Outside Bodies Procedure Rules

- (i) where an appointment has been agreed by the Member Management Committee as a Whips nominee and the appropriate group Whip subsequently submits a nomination;
- (ii) where a group Whip wishes to replace a Member previously approved by the Member Management Committee with another Member of the same group; and/or
- (iii) where an organisation requires an appointment prior to the next meeting of the Member Management Committee, subject to this appointment being agreed by all Members of the Member Management Committee.

That any instances of this delegation being used be reported to the next meeting of the Member Management Committee

Community and Local Partnerships

- 4.7 The Area Committee will first consider whether it is appropriate for an appointment to be of a specific office holder³ either by reference to the constitution of the outside body concerned or in the light of any other circumstances as determined by the Area Committee. Such appointments will then be offered on this basis.
- 4.8 Nominations will then be sought for the remaining places, having regard to trying to secure an overall allocation of places which reflects the proportion of Members from each Political Group on the area as a whole.
- 4.9 Elected Members⁴ will fill all available appointments but it is recognised that Party Groups may not wish to take up vacancies which are made available to them. In such circumstances vacancies will be notified to the Area Committee and agreement sought as to whether the vacancy will be filled.
- 4.10 A vacancy occurring during the municipal year will normally be referred to the Area Committee for an appointment to be made, having regard to the principles as described above.
- 4.11 Area Management Committees may review the list of organisations to which they are asked to make appointments at any time and make recommendations to the Member Management Committee.

Support for Elected Member Appointees To External Organisations

Lead officer: A lead officer will be identified by the Chief Democratic Services Officer in consultation with the relevant Director for all relevant appointments in the Strategic and Key Partnerships category .

³ For example it may be considered necessary or otherwise appropriate to appoint a specific Ward Member

⁴ Section 249 Local Government Act 1972 states that Aldermen and Honorary Freemen may attend and take part in civic ceremonies but do not have the right to attend Council/committee meetings or receive any allowances or payments under a Members Allowance Scheme. This establishes the principle that such persons should not be treated as Councillors, and therefore cannot be appointed to outside bodies in place of a Councillor if the request from an organisation is for a Councillor

Appointments to Outside Bodies Procedure Rules

This officer will work closely with the appointed Member(s) to provide briefings and support. Further advice will also be offered by the Chief Finance Officer and/or the Chief Legal Services Officer as appropriate.

Briefings: For organisations in the Community and Local engagement category, a lead officer will not be allocated unless the Director and/or relevant Executive Member for the service area deem that this will be beneficial. However, the representative may still seek support and briefings from Council officers.

Induction: Partner/external organisations are expected to provide an induction into their affairs for newly appointed Council representatives. In the case of Strategic and Key Partnership Category appointments it is the lead officer's responsibility to ensure that an induction is arranged.