

## 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<sup>1</sup>) to them
- 1.2 For the avoidance of doubt, these Procedure Rules do not apply to appointments 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 Head of Governance and Scrutiny Support will maintain a list of all Outside Bodies to which the Council appoints an Elected Member.
- 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 from an Outside body to make an appointment received after such an annual review will be referred to the relevant Director who will:
  - Provide advice on whether the Outside Body meets one or more of the criteria in Rule 2.3; and;
  - Identify the Lead Officer to work with the appointed Member should an appointment be made to the Strategic and Key Partnerships category.
- 2.5 Such requests will then be referred to the Member Management Committee for determination by reference to the same criteria.

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<sup>1</sup> Which shall include an appointment of an individual, who is not an elected member, made upon the nomination of an elected member when such a nomination is a requirement of statute and/or the Trust Deed of a registered charity.

### 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 or ward perspective

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 Community Committee.

3.4 Where a political group has been allocated a position to fill, then that position must be filled by Elected Members from the political group that has been allocated the place.

3.5 Should a political group wish to cede a place to another political group or where an appointment of an individual other than an elected Member is being considered, then such appointments must be made by either the Member Management Committee, or if delegated, by the Community Committee with that authority.

~~3.3~~3.6 Where it is not clear as to which particular Community Committee should make an appointment, the Member Management Committee will refer the request to the relevant Community Committee Chairs who will determine which is the appropriate Community Committee to make the appointment. This will be reported to the next meeting of the Community 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 holder<sup>2</sup> 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 should have regard to a Member's current interests prior

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<sup>2</sup> For example it may be considered necessary or otherwise appropriate to appoint a specific Executive Board Member

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to making any appointment. 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 Members<sup>3</sup> 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.~~

~~4.54.4~~ 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.

~~4.64.5~~ The City Solicitor will have delegated authority to make an appointment in the following circumstances:

- (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 Group Whips or their nominee.

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 Community Committee will first consider whether it is appropriate for an appointment to be of a specific office holder<sup>4</sup> either by reference to the constitution of the outside body concerned or in the light of any other circumstances as determined by the Community Committee. Such appointments will then be offered on this basis.

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~~<sup>3</sup> 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~~

<sup>4</sup> For example it may be considered necessary or otherwise appropriate to appoint a specific Ward Member

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- 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 Members<sup>5</sup> 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 Community Committee and agreement sought as to whether the vacancy will be filled.~~
- 4.10.9 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.
- 4.10.4 A vacancy occurring during the municipal year will normally be referred to the Community Committee for an appointment to be made, having regard to the principles as described above.
- 4.11.2 Community 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.
- 4.12.3 The City Solicitor will have delegated authority to make an appointment where an organisation requires an appointment prior to the next meeting of the relevant Community Committee, subject to all Members of that Community Committee being consulted on the proposals.
- 4.13.4 That any instances of this delegation being used be reported to the next meeting of the relevant Community Committee.

## **Support for Elected Member Appointees To External Organisations**

**Lead officer:** A lead officer will be identified by the relevant Director for all relevant appointments in the Strategic and Key Partnerships category .

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 City Solicitor 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.

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<sup>5</sup> ~~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~~

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**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.