

To the Chair and Members of the COUNCIL

COUNCIL APPOINTMENTS TO OUTSIDE BODIES 2017/18

EXECUTIVE SUMMARY

1. The purpose of this report is to determine the appointment of representatives to the schedule of Outside Bodies which are deemed Council appointments for the 2017/18 Municipal Year.

RECOMMENDATIONS

2. The Council is asked to:-
 - (i) Determine the appointments to Outside Bodies as set out in Appendix A to the report; and
 - (ii) Agree that should any vacancies remain on the schedule of appointments to outside bodies, the relevant Group Leader be requested to contact the Monitoring Officer following the meeting, to confirm details of the appointment(s); these will be reported to the next available Council meeting.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. In addition to being appointed to Committees and Panels within the Council, Members are also appointed to external bodies such as charitable bodies, local partnerships and other organisations. This can be either as representatives of the Council, as trustees or directors in their own right. The Council also has representatives on bodies such as the South Yorkshire Fire and Rescue Authority, South Yorkshire Pensions Authority and the Police and Crime Panel.

BACKGROUND

4. Appendix A to this report details the outside bodies where appointments are required to be made at this meeting. This includes those outside bodies where appointments have previously been made and run beyond the 2017/18 period but also require some appointments to be made for 2017/18.
5. Work is on-going to ensure all details held on file in respect of the outside body and the capacity in which the appointee will serve, are correct and up-to-date as this information can change regularly. Incorporated within Appendix A are details of each outside body, term of office, capacity in which the appointee(s) will serve and any other relevant details. This is based on information provided by each of the outside bodies. Unless otherwise specified, the term of office for outside bodies runs from the date of appointment (this is usually Annual

Council) until the appointment is reviewed at the next Annual Council meeting. Where it is not possible to review appointments at Annual Council, current appointments will roll forward until such time as they can be reviewed; this is to ensure that the Council retains representation on these bodies. Where vacancies arise in-year or cannot be made at Annual Council e.g. an appointee is no longer eligible to represent the Council or resigns, the Council will look to fill these positions as soon as is reasonably practical.

6. In order to ensure expediency and timely representation on outside bodies, it is recommended that should Council be unable to make appointments to any of the outside bodies, the appropriate Group Leader contact the Monitoring Officer following the meeting to provide details of any individual(s) to be appointed. This will help prevent prolonged delays in filling any outstanding vacancies.

Review of Partnerships

7. Members are asked to note that following a recent review of the Council's external partnership working, its ongoing involvement in a range of partnerships will be considered during 2017/18 and this may result in some changes to appointments being required from 2018/19. Details of any required changes will be reported as this work progresses. This review has also resulted in a number of partnership organisations being identified, upon which the Council is represented, where the appointments have not officially been confirmed through the Council's annual outside bodies appointments process. These are:
 - **Team Doncaster**, the Elected Mayor chairs the partnership by virtue of being deemed the Council 'leader';
 - **Doncaster Safeguarding Adults Partnership Board**, where the relevant Cabinet Member attends because of their position;
 - **Doncaster Safeguarding Children's Board**, where the relevant Cabinet Member attends because of their position;
 - **Sheffield City Region Local Enterprise Partnership**, the Elected Mayor represents the Council by virtue of being deemed the Council 'leader';
 - **Dementia Partnership**, which is attended by the relevant Cabinet Member;
 - **Learning Disability Partnership Board**. Established by DMBC, this is a Joint meeting co-chaired by a Council representative (Assistant Director Adult Social Care) and a member of the learning disability community;
 - **Humberhead Levels Partnership (Executive Board)**. This Partnership comprises representatives of organisations responsible for the implementation of the Humberhead Levels Strategic Plan and Delivery Plan (aimed at delivering landscape-scale biodiversity in an integrated way). DMBC has historically been represented by the relevant Officer (currently Melissa Massarella, Principal Officer Biodiversity);
 - **Joint Commissioning Co-ordination Committee** – a shared partnership with the Care Commissioning Group. It is chaired by the Council's Chief Executive;

- **Doncaster Schools' Forum**, where the relevant Cabinet Member attends as an observer because of their position.

For completeness, it is proposed that the above appointments should be formally ratified by the Full Council in the appointments process each year and these bodies have, therefore, been added to the schedule of outside bodies listed in Appendix A.

South Yorkshire Joint Authorities

8. Appointments to the Joint Authorities are made annually and are subject to the rules of "political proportionality" provided by the Local Government and Housing Act 1989.
9. Based on proportional entitlement to Political Groups at Doncaster Council, the three seats to be allocated to Political Groups on each Joint Authority will be 2 seats to the Labour Group and 1 seat to the Conservative Group.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

10. Council has a duty to consider arrangements it wishes to put in place for the appointment of individuals to Outside Bodies during 2017/18. No other options are considered relevant or appropriate.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

11. This report has no direct impact on the Council's Key Outcomes. Indirectly, clear responsibility and effective Constitutional provisions for making appointments to Outside Bodies contributes towards the Council's outcome 'Working with our partners we will provide strong leadership and governance', thus demonstrating that effective governance arrangements are in place.

RISKS & ASSUMPTIONS

12. Appointees to outside bodies will need to act strategically and ensure issues of significance are effectively reported back to the Authority where appropriate.
13. Work is ongoing to review the Governance of the Council's arrangements and relationship with outside bodies and partnerships. One of the key elements of this work has been to ensure that representatives appointed to Outside Bodies are clear of their roles and responsibilities. A particular risk exists where representatives may act beyond their powers or potentially commit the Council to unauthorised actions or expenditure. To mitigate this risk training has been arranged for all individuals appointed to outside bodies to raise awareness and provide clarity and understanding of their roles. In addition, the Council may also provide indemnity insurance for individuals against personal liability, provided they act reasonably, and where this is not provided by the relevant partner organisation.

LEGAL IMPLICATIONS

14. Members of the Council are appointed in different capacities. The bodies range from incorporated bodies to Associations, Schemes and Statutory Bodies. The nature of the organisation and its constitution and nature of the appointment will affect any personal liabilities of the Members.
15. Members may be appointed to a body to represent the Council either with voting rights or as observers. The nature of appointment will be specified in the Articles/Constitution of the organisation. In some cases, Members may be appointed as Directors or Trustees in which case they are obliged to act in the interests of the charity or company and are personally liable in the event of any breach of their duties. Where Members are appointed to Outside Bodies as Directors or Trustees or where they are expected to carry out a management function for the Outside Body, they should seek legal advice as to their duties and responsibilities and any personal liability which may accrue.
16. The rules of political proportionality are set out in Sections 15 and 16 of the Local Government and Housing Act, 1989 (as amended). The SYFRA and the SYPA are Joint Authorities to which the duties under Sections 15 and 16 apply for so long as the Council appoints 3 or more seats on the Joint Authorities. In simplistic terms, the political group that holds the majority of seats on the Council has the majority of seats on a committee appointed to by Council.
17. The Local Government (Committees and Political Groups) Regulations 1990, provides the mechanism by which to implement this requirement.

FINANCIAL IMPLICATIONS

18. There are no financial implications associated with this report in agreeing the nominations to Outside Bodies for the 2017/18 Municipal Year. Representatives appointed to the Joint Authorities receive an allowance for undertaking their duties which is paid by the relevant Joint Authority. The Council's representatives on the Police and Crime Panel also receive an allowance for undertaking their role in holding the Police and Crime Commissioner to account. This allowance is funded by the Home Office. Costs associated with any of the appointments are not met directly from the Council.

TECHNOLOGY IMPLICATIONS

19. There are no specific technology implications arising from this report.

EQUALITY IMPLICATIONS

20. There are no specific equality implications associated with this report.

CONSULTATION

21. Consultation has taken place with Group Leaders in respect of the appointment of Members onto Outside Bodies, prior to the Council meeting taking place.

BACKGROUND PAPERS

Report to Council – 13th May 2016: Council Appointments to Outside Bodies – 2016/17.

REPORT AUTHOR AND CONTRIBUTORS

Jonathan Goodrum
Senior Governance Officer
Tel: 01302 736709
Email: jonathan.goodrum@doncaster.co.uk

Colin Earl
Head of Internal Audit
Tel: 01302 862939
Email: colin.earl@doncaster.gov.uk

Simon Wiles
Director of Finance and Corporate Services