



Doncaster Council

Report

18th May, 2018

To the Chair and Members of the COUNCIL

COUNCIL APPOINTMENTS TO OUTSIDE BODIES 2018/19

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 2018/19 Municipal Year.

RECOMMENDATION

2. The Council is asked to determine the appointments to Outside Bodies as set out in Appendix A to the report.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. In addition to being appointed to Committees and Panels within the Council, Councillors 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. Such appointments help to ensure that the Council's views are represented to local and national groups and, where the representative has voting rights, that the Council is involved in any decisions that may affect the people of the Borough.

BACKGROUND

4. Appendix A to this report details the outside bodies where appointments are required to be made at this meeting. The schedule in the Appendix also includes a small number of outside bodies where no appointment is required this year e.g. where an appointment has previously been made on the basis of a 4 year term of office. However, Members may wish to consider whether any of these should be reviewed.
5. Work is carried out each year to ensure that all details held on file in respect of each 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. Detailed below are any notable changes to the schedule of Outside Bodies that have occurred since last year's appointments were made:-

Mexborough Citizens Advice Bureau and North East Doncaster Citizens Advice Bureau (CAB)

As a result of a restructuring exercise currently being undertaken, the Mexborough CAB and North East Doncaster CAB will cease to exist in their present forms and are due to be merged to form a new Borough-wide body, Citizens Advice Doncaster Borough. At the time of this report's publication, the likely representation arrangements on the new body are unknown, as the new joint Trustee Board is not due to hold its first meeting until 13th June 2018. Pending confirmation of the new structure, these two bodies have, therefore, been deleted from the schedule of appointments in Appendix A and a further report will be brought back to a future Council meeting when details are confirmed as to Doncaster Council's representation on the new Citizens Advice body.

Sheffield City Region Combined Authority Transport Committee

The Sheffield City Region Combined Authority Transport Committee is currently on hiatus, pending the outcome of a review commissioned by the Sheffield City Region Combined Authority of its governance structures and supporting committee arrangements. Consequently, this body has been deleted from the schedule set out in Appendix A.

Joint Commissioning Co-ordination Committee

The Joint Commissioning Co-ordination Committee (JCCC), which was a new addition to the schedule of outside bodies last year, has now been replaced by a Health and Social Care Joint Commissioning Management Board (JCMB), the membership of which includes both Member and Officer representatives. The JCCC has, therefore, been deleted and the JCMB inserted as a new addition in the schedule set out in Appendix A to this report.

South Yorkshire Joint Authorities

7. 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.
8. 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

9. Council has a duty to consider arrangements it wishes to put in place for the appointment of individuals to Outside Bodies during 2018/19. No other options are considered relevant or appropriate.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

10. 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 'Connected Council' outcome 'Working with our partners and residents to provide effective leadership and governance', thus demonstrating that effective governance arrangements are in place.

RISKS & ASSUMPTIONS

11. Appointees to outside bodies will need to act strategically and ensure issues of significance are effectively reported back to the Authority where appropriate.
12. Over the past eighteen months, the Council has reviewed 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 is provided for all individuals appointed to outside bodies to raise awareness and provide clarity and understanding of their roles. A partnership officer has also been identified for each group to support the appointed members. 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. As agreed at the 2017 Annual Council, the partnership officer for each outside body and partnership will produce an annual report back to an appropriate part of the Council detailing the work carried out during the previous year and the work programme for the upcoming year.

LEGAL IMPLICATIONS [Officer Initials SRF Date 30/4/18]

13. 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.
14. 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.
15. 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.

16. The Local Government (Committees and Political Groups) Regulations 1990, provides the mechanism by which to implement this requirement.

FINANCIAL IMPLICATIONS [Officer Initials LR Date 19/04/2018]

17. There are no financial implications associated with this report in agreeing the nominations to Outside Bodies for the 2018/19 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.

HUMAN RESOURCES IMPLICATIONS [Officer Initials MLV Date 13/04/18]

18. There are no specific HR implications related to the content of this report.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date...17/04/18]

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

HEALTH IMPLICATIONS [Officer Initials RS Date 12/4/18]

20. There are no specific health implications arising from this report. However, the outside bodies themselves have the potential to improve health and reduce health inequalities. Individuals appointed to the outside bodies should be aware of this and can seek guidance from the public health team about how to maximise these opportunities and minimise any risks to the health of Doncaster residents.

EQUALITY IMPLICATIONS [Officer Initials JG Date 12/4/18]

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

CONSULTATION

22. 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 – 19th May 2017: Council Appointments to Outside Bodies – 2017/18.

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