



# Doncaster Council

## Report

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19th July, 2018

### To the Chair and Members of the COUNCIL

### **COUNCIL APPOINTMENTS TO OUTSIDE BODIES: POLICE AND CRIME PANEL, DONCASTER AND DISTRICT DEAF SOCIETY AND SHEFFIELD CITY REGION COMBINED AUTHORITY OVERVIEW & SCRUTINY AND AUDIT COMMITTEES**

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to appoint Council representatives to fill outstanding vacancies on the Police and Crime Panel and the Doncaster and District Deaf Society, and to appoint substitute Member representatives on the Sheffield City Region Combined Authority's (SCRCA) Overview and Scrutiny Committee and Audit Committee.

#### **RECOMMENDATIONS**

2. The Council is asked to:-
  - a) endorse the appointment of Councillor David Nevett as this Council's second representative on the Police and Crime Panel;
  - b) appoint a second representative to the current vacancy on the Doncaster and District Deaf Society; and
  - c) appoint 1 x Labour and 1 x Conservative substitute Member representative to sit on the SCRCA Overview and Scrutiny Committee and SCRCA Audit Committee.

#### **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 as directors. 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 views of the Council 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. At its Annual Meeting held on 18th May 2018, the Council determined the appointment of representatives to Outside Bodies which are deemed Council appointments for the 2018/19 Municipal Year, with the exception of a small number of vacancies which remained outstanding in the absence of nominations from the political groups.

### Police and Crime Panel (PCP)

5. Council appointments to the Police and Crime Panel are subject to political proportionality across South Yorkshire. Currently, the Labour Group is entitled to nominate two representatives (voting members) plus two substitutes. Following the Council AGM on 18th May 2018, one voting member vacancy remained unfilled and a failure to appoint a representative in good time would have meant that Doncaster would not have the full representation to which it is entitled. While the appointment is technically an appointment of Full Council, there was not a Council meeting until 19th July 2018 and in the event of the Council failing to nominate a replacement representative, the Police Reform and Social Responsibility Act 2011 states that the Secretary of State may step in and appoint a representative. In these circumstances and to avoid the risk of Central Government stepping in, it was considered appropriate that the appointment was made by the Monitoring Officer and reported to the next Full Council meeting. Therefore, after consultation with the Deputy Mayor and Members of the Labour Group, the Monitoring Officer agreed the appointment of Councillor David Nevett to the PCP on 31st May 2018 by way of an Officer Decision Record, in order to ensure that the Council retained representation on this body and could be represented at PCP meetings.

### Doncaster and District Deaf Society

6. The Council is entitled to appoint two representatives in an advisory/observer capacity to sit on the Doncaster and District Deaf Society. Following the Council's Annual Meeting, one vacancy on this body remained. The Labour Group has since given notification that it wishes to nominate Councillor David Nevett to serve as the Council's second representative on the Doncaster and District Deaf Society, following him volunteering for the role. The Council is therefore asked to determine this appointment in the light of this nomination.

### Sheffield City Region Combined Authority (SCRCA) – Overview and Scrutiny Committee and Audit Committee

7. At its meeting held on 11th June 2018, the SCR Combined Authority resolved to adopt a new Mayoral Combined Authority Constitution, which makes appropriate provision for the attendance of substitute Members on both its Overview and Scrutiny Committee and its Audit Committee. The protocol endorsed by the Combined Authority determines that up to 3 substitute Members may be named for each substantive Member. Substitute Members must be representative of the same political party as the Member they are standing in for. The Joint Authorities Governance Unit will be responsible for engaging named substitutes on receipt of a lead Member's apologies.

8. As agreed at the Council's AGM on 18th May 2018, this Council's current representation on these committees, based on the SCRCA's political proportionality requirements, is as follows:

SCRCA Overview and Scrutiny Committee	Cllr A White
	Cllr R A Jones
SCRCA Audit Committee	Cllr A White
	Cllr R A Jones

The SCRCA's preferred arrangement is to have the same representatives sitting on both the Scrutiny Committee and the Audit Committee. It would therefore be preferable if the same substitute Members are appointed to both of these bodies. Accordingly, nominations are sought for 1 x Labour and 1 x Conservative Member representative to sit on these two Committees.

### **OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION**

9. To appoint a Council representative to fill current vacancies on the Police and Crime Panel and the Doncaster and District Deaf Society, and substitute Members on the SCRCA Overview & Scrutiny and Audit Committees (recommended option);
10. To not appoint a Council representative on the Police and Crime Panel and the Doncaster and District Deaf Society and substitute representatives on the SCRCA Scrutiny and Audit Committees. The option not to appoint to these bodies would mean that vacancies remain and a loss of opportunity for the Council in lobbying, decision making, representing the Council's views and influencing future policy.

### **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 '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**

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. 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.

## **LEGAL IMPLICATIONS [Officer Initials SRF Date 4/7/18]**

14. Members of the Council are appointed to outside bodies 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 Police and Crime Panel must reflect political proportionality across South Yorkshire and therefore the appointed representative must be a Labour member. The proposed appointment has been consulted upon with the Labour group. Similarly, proportional appointments are also made to the SCRCA Committees, therefore the substitute Members must be representative of the same political party as the Member they are standing in for.

## **FINANCIAL IMPLICATIONS [Officer Initials VJB Date 26/06/2018]**

17. Approval of the recommendations does not have additional cost implications for the Authority. The Council's representatives on the Police and Crime Panel receive an allowance for undertaking their role in holding the Police and Crime Commissioner to account. This allowance is funded by the Home Office.
18. Member representation on other outside bodies is covered by Members' allowances, which are funded by a budget within the overall Member Services budget.

## **HUMAN RESOURCES IMPLICATIONS [Officer Initials MLV Date 26/06/18]**

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

## **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 25/06/18]**

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

## **HEALTH IMPLICATIONS [Officer Initials CH Date 26/06/2018]**

21. 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 21/6/18]**

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

## **CONSULTATION**

23. Council appointments to the Police and Crime Panel are subject to political proportionality across South Yorkshire. Currently, the Labour Group is entitled to nominate 2 representatives (voting members) plus 2 substitutes. Following the Council AGM on 18th May 2018, 1 voting member vacancy remained unfilled. Consultation has therefore taken place with the Deputy Mayor and Members of the Labour Group were consulted on this appointment and support the appointment of Councillor Nevett.
24. Similarly, the Labour and Conservative Group Leaders have been consulted on the proposal to appoint substitute Member representatives on the SCRCA Overview and Scrutiny and Audit Committees and invited to submit nominations from their respective Groups.

## **BACKGROUND PAPERS**

Report to Council – 18th May 2018: Council Appointments to Outside Bodies 2018/19.  
Agenda Item 17 – Combined Authority meeting held on 11th June 2018

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