



Doncaster Council

Report

24th September, 2020

To the Chair and Members of the COUNCIL

COUNCIL APPOINTMENTS TO OUTSIDE BODIES 2020/21

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 remainder of the 2020/21 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.

South Yorkshire Joint Authorities

6. 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. Seat allocations on these bodies are determined by calculating political proportionality across South Yorkshire.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

7. The option to appoint to the Outside Bodies detailed within the appendix seeks to ensure the Council’s views are represented to local and national groups and, where the representative has voting rights, to be involved in any decisions that may affect the people of the Borough.
8. The option not to appoint to the list of Outside Bodies would mean 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

9. 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

10. Appointees to outside bodies will need to act strategically and ensure issues of significance are effectively reported back to the Authority where appropriate.
11. In recent years, 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.

LEGAL IMPLICATIONS [Officer Initials SRF Date 15/08/20]

12. 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 appointed representatives.
13. Representatives may be appointed to a body either with voting rights or as observers. The nature of appointment will be specified in the Articles/Constitution of the organisation. In some cases, the appointment may be as Directors or Trustees in which case the representative will be obliged to act in the interests of the charity or company and will be personally liable in the event of any breach of their duties. Where representatives 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.
14. 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.
15. The Local Government (Committees and Political Groups) Regulations 1990, provides the mechanism by which to implement this requirement.

FINANCIAL IMPLICATIONS [Officer Initials PH Date 19/08/2020.]

16. Approval of the recommendations does not have additional cost implications for the Authority. Representatives appointed to the Joint Authorities receive an allowance for undertaking their duties which is paid either by the relevant Joint Authority or by Doncaster Council. Where Members' allowances are paid by Doncaster Council, these are funded by a budget within the overall Member Services budget.

HUMAN RESOURCES IMPLICATIONS [Officer Initials...KG....Date...140820]

17. There are no specific HR implications related to the content of this report. However, officers should be reminded that for any new nominations a revised Declaration of Interest form should be completed.

TECHNOLOGY IMPLICATIONS [Officer Initials...AM Date...19/08/20]

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

HEALTH IMPLICATIONS [Officer Initials.....RS.....Date...18/08/2020]

19. 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 13/08/20]

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 – 17th May 2019: Council Appointments to Outside Bodies – 2019/20.

REPORT AUTHOR AND CONTRIBUTORS

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