

Committee Name and Date of Committee Meeting

Cabinet – 20 January 2020

Report Title

Councillor Representation on Outside Bodies – Appointment to Rotherham Citizens Advice Bureau

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Outside bodies are external organisations which have requested that the Council appoint a representative to them. Outside bodies have separate governance structures to the Council. Appointments to outside bodies can be an important mechanism for: community leadership, partnership and joint working and knowledge and information sharing.

At the Annual Meeting on 19 May 2017, the Council approved procedure rules that detail how councillors will be appointed to serve on outside bodies. Cabinet is now responsible for the appointment of councillors to serve on outside bodies.

Following the resignation of Councillor Steele as the authority's representative on the Board of Rotherham Citizens Advice Bureau, a nomination has been received to appoint to this vacancy.

Recommendation

1. That Councillor Victoria Cusworth be appointed as the Council's representative on the board of Rotherham Citizens Advice Bureau for the remainder of the 2019-20 municipal year.

List of Appendices Included

Appendix 1 Initial Equality Analysis

Background Papers

The Council's Constitution

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Councillor Representation on Outside Bodies – Appointment to Rotherham Citizens Advice Bureau

1. Background

- 1.1 Outside bodies are external organisations which have requested that the Council appoint a representative to them. Outside bodies have separate governance structures to the Council. Appointments to outside bodies can be an important mechanism for: community leadership, partnership and joint working and knowledge and information sharing.

2. Key Issues

- 2.1 The procedure rules governing the appointment of councillors to serve on outside bodies requires the Cabinet to review the list of notified Outside Bodies and determine whether the authority should make or continue to make an appointment to those bodies. Determination should 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
- 2.2 With regard to making appointments, the Cabinet should first consider whether it is appropriate for an appointment to be of a specific office holder either by reference to the constitution of the outside body concerned or in the light of any other circumstances as it (Cabinet) may determine. The procedure rules do not require the Cabinet to adhere to the principles of political balance.
- 2.3 The Cabinet is responsible for making any appointment to an outside body, other than those reserved to Overview and Scrutiny Select Commissions. In making such appointments, the procedure rules require the Cabinet to have regard to a Member's current interests prior to making any appointment.

3. Options considered and recommended proposal

- 3.1 The appointment of representatives to outside bodies is at the discretion of the Cabinet. It is evident that the level of appointments to outside bodies has an impact on already busy councillor workloads. Whilst retaining links with outside bodies is an important aspect of community leadership, it is also important that the activities of the Council and councillors are focused around corporate priorities.
- 3.2 A vacancy has arisen following the resignation of Councillor Steele from the Board of Rotherham Citizens Advice Bureau. A nomination has been received from the Labour Group to appoint Councillor Victoria Cusworth. The Cabinet is therefore recommended to approve the appointment of Councillor Cusworth to serve on the board of Rotherham Citizens Advice Bureau.

4. Consultation on proposal

- 4.1 It is incumbent on the Council's political groups to nominate councillors to serve as representatives on outside bodies.
- 4.2 There is no requirement for consultation beyond internal political group arrangements.

5. Timetable and Accountability for Implementing this Decision

- 5.1 In accordance with the procedure rules that govern the appointment of councillors to serve on outside bodies, Cabinet is accountable for the decisions it makes in appointing individual councillors. Appointments will take effect following the end of the period where non-executive councillors can call-in decisions on 31 January 2020.

6. Financial and Procurement Advice and Implications

- 6.1 There are no financial or procurement implications arising from this report beyond any expenses that may be incurred from a Member's travel to and from a meeting outside of the borough.

7. Legal Advice and Implications

- 7.1 There are no specific legal implications arising from the report, but it is important for individual Councillors appointed to outside bodies to be clear about the nature of the appointment, including whether they have a decision making role or not. As set out at paragraph 12.2 below, different duties and responsibilities will apply depending on the individual councillor's role on the outside body. In particular, councillors appointed to outside bodies will need to be clear as to whether their duty is to the Council or to the outside body and will need to identify potential conflicts of interest

8. Human Resources Advice and Implications

- 8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people or vulnerable adults arising from this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 As this report is submitted to enable the nomination of councillors for appointment to serve on outside bodies, the initial equality screening analysis has identified that there are no equalities implications associated with this report. Political groups are advised to have regard to the provisions of the Equality Act 2010 when making such appointments to outside bodies.

11. Implications for Ward Priorities

11.1 There are no implications for ward priorities arising from this report.

12. Implications for Partners

12.1 The appointment of councillors to serve on outside bodies (i.e. external organisations and partnership) is intended to be a mutually beneficial act for both the authority and the bodies listed. The implications associated with the proposed appointments are considered to be positive.

12.2 It is important that partners, as much as councillors, understand the role that councillors undertake in serving on outside bodies. The role of the councillor can be as a representative, trustee or director as the table below demonstrates:

Title	Brief Description of Role
Representative	Represents the Council's interests and provide advice, guidance and contributes at meetings of the organisation.
Trustee	To act in accordance with the trust deed and to protect the trust's assets. They must comply with the Trustee Act 2000.
Director	Has a duty of care towards the company, to act in the best interests of the company as a whole. Directors therefore have a "quasi-trustee" role taking proper care of the assets of the company.

13. Risks and Mitigation

13.1. No risks have been identified in respect of the recommendation in this report.

14. Accountable Officers

James McLaughlin, Head of Democratic Services

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	05/01/20
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	02/01/20
Head of Legal Services (Monitoring Officer)	Bal Nahal	02/01/20

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