

<b>Committee:</b> Audit & Scrutiny Committee	<b>Date:</b> 8 <sup>th</sup> March.2022
<b>Subject:</b> Review of Outside Organisations	<b>Wards Affected:</b> All
<b>Report of:</b> Steve Summers – Strategic Director	<b>Public</b>
<b>Report Author:</b> Name: Taylah Bland – Corporate Apprentice Telephone: 01277 312882 E-mail: taylah.bland@brentwood.gov.uk	<b>For Decision</b>

### Summary

An annual Outside Organisation review has been undertaken to ensure effective partnership working wherever appropriate to help deliver the Council's goals and overcome constraints and to ensure that the Council's time is spent productively and effectively, this forms part of the Scrutiny Work Programme.

### Recommendation(s)

**Members are asked to:**

- R1. That Members review Appendix B and recommend the removal of any Outside Organisations to Ordinary Council for the new municipal year 2022/2023.**

### Main Report

1. Many of the Outside Organisations support and advance the broad objectives of the Authority. Representations come about either through the Authority initiating the appointment, or an organisation requesting a representative which are appointed by Council.
2. These appointments are made at the first Ordinary Council of the Municipal Year. The appointments for 2021/2022 are attached at Appendix A.
3. Where a Councillor is appointed to an Outside Organisation, the Council inform the Organisation of the appointment and they should make contact with the Member.
4. The list of nominations for representatives/ point of contact on outside organisations is presented at the first Ordinary Council meeting of the new Municipal Year for Members' approval.

## Introduction and Background

5. The Council will need to be satisfied, and remain satisfied throughout the year, that the list of outside bodies only contains bodies upon which the Council could properly or would wish to nominate representatives and to be represented. Or where a councillor could be an appropriate point of contact.
6. The choice of nominations put forward by the relevant Group Leaders are made in the light of the need to avoid conflicts of interest (including how any such nomination if successful would impact on the particular Member's other duties such as being a member of any committee of the Council upon which they have been nominated to serve and are serving). No nomination for a role should be put forward where a conflict of interest is likely to arise to a significant degree.
7. The capacity upon which a successful nominee is to serve needs to be borne in mind and the implications fully understood, from their personal viewpoint, that of the Council and that of the particular organisation.
8. Members that serve on outside bodies must exercise independent judgement in the interests of the organisation.
9. In January 2021, Council approved an amendment to Chapter 4, Paragraph 27 of the constitution to state:

### *27. Outside Bodies*

*27.1 Any person appointed by the Council to serve as our representative to an outside body shall be appointed until they resign, are dismissed or their successor is appointed. Members shall cease to hold appointments on the fourth day after the ordinary day of election unless they are re-elected as a Borough Member at the Election.*

*(a) The Council should not appoint where there is a conflict of office or interest*

*(b) The Council should not appoint where the appointment holds a risk that insolvency of the body would render the appointee debarred from office i.e. where the appointment is an effective directorship listed at Companies House.*

*27.2 The Chief Executive will:*

*(a) in consultation with the appropriate Group Leaders, revise as necessary appointments to outside bodies arising as a result of a vacancy or otherwise;*

*(b) in consultation with the Leader of the Council and the Group Leaders, agree the allocation of appointments to any new outside bodies or organisations.*

*(c) ensure that the body meets the criteria for an appointee*

**27.3** *The Appointee will:*

*(a) ensure a good flow of communication between the outside body and the council. This will include non-confidential matters that the appointee may consider to be of interest or significance to either party.*

*(b) upon request of the Chief Executive, provide an update on any disclosable matters pertaining to the outside body.*

*(c) be prepared to provide a brief report to the Audit & Scrutiny committee when requested to do so under the work programme*

## **Issue, Options and Analysis of Options**

10. When a Councillor is appointed to an outside organisation, they act on behalf of that organisation, and may participate fully in activities. Where it is felt appropriate the nominated Councillor can act as a point of contact and make agreement with the outside organisation how the Councillor can best serve them.

## **Consultation**

11. A full consultation took place in January 2022 with Outside Organisation and Members who are appointed as Council representatives (Appendix B).
12. Details of outside organisations and their nominated Councillor representatives are published on the Council's website.
13. Results of this consultation are attached as Appendix B. As a result of these findings, we recommend that outside organisations are reviewed for the new municipal year.
14. Appointments for the municipal year 2022/2023 will be presented at Full Council in June 2022.

## References to Corporate Plan

15. Explore opportunities to work further with stakeholders and partner organisations.

## Implications

### Financial Implications

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)**  
**Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

16. There are no direct financial implications arising from this report. However, financial implications may need to be taken into consideration when reports are reviewing outside organisations each municipal year.

### Legal Implications

**Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer**  
**Tel & Email: 01277 312705/amanda.julian@brentwood.gov.uk**

17. Those appointed to serve on outside bodies will need to remain alert and exercise careful judgment to avoid conflicts of interest (actual and perceived). The concept of bias or perceived bias is wider than the Members' Code of Conduct.
18. The Members' Code of Conduct applies whenever a Member (a) conducts the business of the Authority, or (b) acts as a representative of the Authority.
19. When a Member acts as a representative of the Authority (a) on another relevant authority, the Member must, when acting for that other authority comply with that other authority's code of conduct; or (b) on any other body, the Member must, when acting for that other body, comply with the Authority's Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

### Economic Implications

**Name/Title: Phil Drane, Corporate Director (Planning and Economy)**  
**Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk**

20. There are no direct economic implications arising from this report.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

## **Background Papers**

None

## **Appendices to this report**

Appendix A: List of outside bodies and nominated representatives 2021/2022

Appendix B: Outcome of Consultation – January 2022