

# Gloucester City Council

<b>Meeting:</b>	<b>General Purposes Committee</b>	<b>Date:</b>	<b>12 January 2021</b>
	<b>Audit and Governance Committee</b>		<b>18 January 2021</b>
	<b>Council</b>		<b>30 January 2021</b>
<b>Subject:</b>	<b>Review of Appointments to and Representation on Outside Bodies</b>		
<b>Report Of:</b>	<b>Corporate Director and Monitoring Officer</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
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<b>Appendices:</b>	<b>1. List of Appointments to Outside Bodies 2020/21</b>		
	<b>2. Draft Guidance for councillors appointed to outside bodies</b>		
	<b>3. Annual Reports Template</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

1.1 In January 2020 the Audit and Governance Committee received a report as part of a review into the operation and effectiveness of the Council's appointments to Outside Bodies. This report updates that review and responds by providing a draft Guidance Document for Council Appointees to Outside Bodies, new mechanisms for reporting back on the work undertaken with and by outside bodies and taking forward the rationalisation of the number of organisations to which the Council makes external appointments.

### 2.0 Recommendations

2.1 **Audit Committee and General Purposes Committee are recommended** to consider the report, adopt the draft Guidance and reporting mechanisms and endorse the rationalisation of the range of existing appointments and to recommend to Council that the changes are approved and incorporated into the Constitution;

2.2 **Council is recommended** to accept the recommendations of the Audit and Governance and General Purposes Committees and incorporate the changes and the Guidance into the Constitution.

### 3.0 Background and Key Issues

3.1 In July 2019 the Audit and Governance Committee began a review on the Council's appointments to outside bodies and the contribution of Councillors appointed to outside bodies.

3.2 It was noted that Gloucester City Council makes annual appointments to the managing boards, committees or trusts of 27 external organisations. 19 Councillors and 12 external appointees are appointed. A full list of appointments is considered and approved at the Council's Annual Meeting each May and the list for 2020/21 is attached to this report at appendix 1.

3.3 In broad terms the outside bodies fall into one of five types:

**Partner Organisations** – Bodies which the Council works with in a contractual or transactional relationship to deliver City Council objectives.

**Collaborative Organisations** – Bodies which have objectives or purposes compatible with or contributing to the objectives of the City Council.

**Charities** – Charitable organisations with governing documents which allow or require appointees from the local authority – often because of longstanding practice or statute.

**Other Public Bodies or Joint Committees (Non-Executive)** – boards, committees or groups set up by other public bodies with representation from Gloucester City Council

**Other Public Bodies or Joint Committees (Executive)** – boards, committees or groups set up by other public bodies with executive representation from Gloucester City Council.

The table below categorises each of Gloucester City's 27 Outside Bodies

<b>Partner Organisations</b>	
1	Aspire Sports and Cultural Trust
2	Gloucester Docks Estate Company Ltd
3	Citizens Advice Bureau
4	Gloucester City Homes Board
5	Gloucester Culture Trust
6	Gloucester Historic Buildings Ltd
7	Gloucester Law Centre Management Committee
8	Gloucestershire Airport Ltd
9	Gloucestershire Airport Consultative Committee
<b>Collaborative Organisations</b>	
10	Barton and Tredworth Development Ltd
11	Gloucester Playing Fields Association
12	Gloslink
13	Llanthony Secunda Trust
<b>Charities</b>	
14	Charity of John Ward
15	Free Hospital Fund for Children
16	Gloucester Charities Trust
17	Gloucester Relief of Sickness Fund

18	Gloucester United Schools Charity
19	St Ann Society of Gloucester
<b>Non-Executive Public Bodies</b>	
20	Environment and Ecology Forum
21	Gloucestershire Economic Growth O&S Committee
22	Gloucestershire Health and Care O&S Committee
23	Lower Severn Drainage Board
<b>Executive Public Bodies</b>	
24	LGA General Assembly
25	National Parking Adjudication Service
26	South West Councils
27	South West Provincial Council

3.4 The Committee agreed to consider whether engagement with and participation in each of these organisations was:-

- 3.4.1 Worthwhile to the host organisation in terms of the time, input and outcomes achieved by having a City Council appointee(s)
- 3.4.2 Worthwhile to the City Council in terms of the time, input and outcomes achieved through providing a City Council appointee(s)
- 3.4.3 Achieving appropriate two-way dialogue so that the corporate objectives of the City Council are communicated clearly to the host organisation and the issues facing the host organisation are fed into the forward planning of the City Council.
- 3.4.4 Providing appropriate mechanisms for communicating, highlighting and showcasing the City Council's engagement with the host organisations.
- 3.4.5 Holding City Council appointees to account for their contribution to delivering 3.4.1 to 3.4.4 above.

3.5 The Committee also noted that the study might make some or all of the following recommendations:-

- 3.5.1 Withdrawing representation in appropriate cases
- 3.5.2 Adding to the Outside Bodies if gaps become apparent
- 3.5.2 Amending the support given to appointees where necessary or appropriate
- 3.5.3 Introducing mechanisms to facilitate greater reporting back to Council
- 3.5.4 Providing an Annual Report on the City Council's engagement with its Outside Bodies.

3.6 A Councillor Working Group consisting of Cllrs N Hampson, D Norman and D Wilson was appointed to agree the mechanics of the study and to interview a number of outside bodies and appointees. A questionnaire was developed and sent to all appointees and all of the outside bodies. A number of outside bodies (Aspire Trust and Citizens Advice Bureau) were invited to the Audit and Governance Committee on 18 November 2019 as part of the review process and to facilitate direct discussion with the Committee.

3.7 In broad terms the findings were as follows:-

### **3.7.1 Worthwhile to the host organisation in terms of the time, input and outcomes achieved by having a City Council appointee(s)**

The response was mixed. Some pointed to the historical or constitutional nature of the appointments rather than the tangible benefits, one reported that the post was vacant and had been for some time. One questioned whether as many as seven appointees were necessary. Others said that the representation was valuable because of the contribution made by the particular appointee or by virtue of their role in the Council or as a representative of the community.

### **3.7.2 Worthwhile to the City Council in terms of the time, input and outcomes achieved through providing a City Council appointee(s)**

Benefits were cited in terms of providing access to training, helping keep councillors informed and enabling the Council to show commitment to the organisation or the services they provide. Others thought that the benefit to GCC were debatable or were a hangover from the past that had never been questioned or reviewed. Stronger benefits were cited in terms of the Council's oversight of its assets or the delivery of contracted services.

### **3.7.3 Achieving appropriate two-way dialogue so that the corporate objectives of the City Council are communicated clearly to the host organisation and the issues facing the host organisation are fed into the forward planning of the City Council.**

Responses to this question were less emphatic. The commitment of the appointee or their role within the Council appeared to affect the effectiveness of two-way dialogue. Other responders either didn't answer or pointed to other mechanisms like Overview and Scrutiny Committee and SLA or service contract meetings as the more effective way of having a dialogue with the City Council.

### **3.7.4 Providing appropriate mechanisms for communicating, highlighting and showcasing the City Council's engagement with the host organisations.**

None of the responders pointed to effective mechanisms except via other means, e.g. SLAs where they exist.

### **3.7.5 Holding City Council appointees to account for their contribution to delivering 3.4.1 to 3.4.4 above.**

None of the responders indicated that they were aware of mechanisms to hold appointees to account for their work as an appointee.

## **3.8 Further Actions**

3.9 Arising from the consultations it was clear that there was some need for additional clarity on the role, expectations, obligations and liability of Councillors and other Council appointees to outside bodies.

3.10 To address this, appendix 2 sets out draft guidance to Council Appointees. The guidance clarifies the general roles and responsibilities and how to deal with potential conflicts of interest. It also deals more specifically with appointments as

Directors of Companies, Charitable Trusteeships, membership of partnerships and involvement in unincorporated organisations. Finally, the guidance sets out the scope and limitations of the indemnity that the Council can provide to appointees. It is recommended that the Guidance is considered and endorsed and is incorporated into Part 5 of the Council's Constitution (Codes and Protocols).

3.11 In addition to the Guidance at appendix 2 a briefing session for Councillors on the roles and responsibilities of being a Council appointee to an outside body will be included in the Councillor Induction programme.

3.11 A second issue arising from the consultation was the lack of mechanisms for reporting back to Council on the work and engagement of appointees to outside bodies. Three new mechanisms are proposed and are reflected in the draft guidance at appendix 2.

3.11.1 **An annual report** is produced which brings together brief reports from each appointee on their work with the outside body over the previous year. It is suggested that the report is standardised to ensure consistency, brevity and relevance. The report will also prompt a degree of periodic reflection on the value of the engagement between the Council and the Outside Body. An example template for an Annual Report is attached at appendix 3

3.11.2 **Reports to Council** are incorporated into the agenda at full Council allowing up to three 5-minute verbal reports to Council from appointees at each ordinary Council meeting. The opportunity to report could be triggered by appointees, when they have something of interest or relevance to report, or could be mandated on a rota basis to ensure that every appointee presents a report at least twice during a 4-year term.

3.11.3 **Members' Bulletin** an open invitation to appointees to include brief updates on their work or the work of the outside body they are appointed to which will be included in Member's Bulletins.

3.10 The final issue to be addressed is the total number of Council external appointments. In January the Audit and Governance Committee considered:

a) Retaining a formal appointing relationship where there is a clear and continuing partner or contracting relationship which is best served by making appointments to the organisation.

The following are recommended for retention:-

1	Aspire Sports and Cultural Trust
2	Gloucester Docks Estate Company Ltd
3	Citizens Advice Bureau (potential to revise the number of appointees)
4	Gloucester City Homes Board
5	Gloucester Culture Trust
6	Gloucester Historic Buildings Ltd
7	Gloucester Law Centre Management Committee
8	Gloucestershire Airport Ltd
9	Gloucestershire Airport Consultative Committee
21	Gloucestershire Economic Growth O&S Committee

22	Gloucestershire Health and Care O&S Committee
23	Lower Severn Drainage Board
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- b) Exploring alternatives to annual appointees where there is a governance or constitutional obligation which could be revised in a way which does not undermine the organisation concerned.

The following have been contacted and discussions opened on revising how appointments are made:-

11	Gloucester Playing Fields Association
16	Gloucester Charities Trust
17	Gloucester Relief of Sickness Fund
19	St Ann Society of Gloucester
20	Environment and Ecology Forum
25	National Parking Adjudication Service

- c) Ending the practice of making annual appointments where practical and inviting the organisations instead to consider the direct appointment of City Councillors where they feel that such an appointment would be beneficial and would not create a conflict of interest.

The following organisations have been contacted with a suggestion that appointments by the Council cease with effect from the end of April 2021 and that direct appointments are made if continued engagement by specific individuals is worthwhile:-

10	Barton and Tredworth Development Ltd
12	Gloslink
13	Llanthony Secunda Trust
14	Charity of John Ward
15	Free Hospital Fund for Children
18	Gloucester United Schools Charity

#### **4.0 Social Value Considerations**

- 4.1 The Council's engagement with 27 outside organisations demonstrates a high degree of commitment to working with partner organisations as harness the potential of the assets based in Gloucester and Gloucestershire. This report seeks to propose mechanisms to audit that engagement and make recommendations to strengthen and improve our approach to ABCD

#### **5.0 Environmental Implications**

- 5.1 Not applicable

## **6.0 Alternative Options Considered**

6.1 Not applicable

## **7.0 Reasons for Recommendations**

7.1 To enable to Committee to conclude its study into Outside Bodies.

## **8.0 Future Work and Conclusions**

8.1 Further work will be required to follow up the approaches to outside bodies prior to the 2021 Annual Council Meeting and to make any approved changes/additions to the Council's Constitution.

## **9.0 Financial Implications**

9.1 None arising from the content of this report

(Financial Services have been consulted in the preparation this report.)

## **10.0 Legal Implications**

10.1 None arising from the content of this report

(One Legal have been consulted in the preparation this report.)

## **11.0 Risk & Opportunity Management Implications**

11.1 There is a risk that the actions following the review will be perceived as a reduction of interest or commitment in the range of organisations to which the Council makes appointments.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

12.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **13.0 Community Safety Implications**

13.1 Not applicable

## **14.0 Staffing & Trade Union Implications**

14.1 Not applicable

**Background Documents:** None