

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

20 DECEMBER 2010

**REPORT OF EXECUTIVE
SCRUTINY TASK AND FINISH
GROUP**

CABINET DECISION

**Corporate Management and Finance – Lead Cabinet Member – Councillor Terry Laing
Access and Communities – Cabinet Member – Councillor David Coleman**

SCRUTINY REVIEW OF OUTSIDE BODIES

1. Summary

This report presents the finding of the Executive Scrutiny Committee's Task and Finish Group following their review of Outside Bodies.

The review examined the process of appointing Members to Outside Bodies, how Members report back from these bodies, and the benefits of appointments to both the Authority and the Outside Body.

2. Recommendations

- R1 That the information requested annually from Outside Bodies and held by Democratic Services be improved and expanded to include a description of the Body, meeting frequency, time and dates/days of meetings and whether substitutes are permitted, and are categorised in to types of body, e.g. statutory, partnership, joint, community to improve understanding of the nature of the organisations**
- R2 That the further information identified above be circulated to Political Groups prior to Annual Council to assist with the consideration of whether a nomination(s) is appropriate, and if so the number of nominations, and identify the appropriate nominee(s) (to be considered at recommendations 3)**
- R3 That Group Secretaries be given the opportunity to meet prior Annual Council to discuss nominations to Outside Bodies**
- R4 That appointments are made on a four year term basis, recognising however, that for various reasons decisions might be required during the 4 years to terminate the original term of office and/or agree a replacement appointment**
- R5 That the appointment process is mapped and made available to all Members**
- R6 That an area in the Members Library section on the intranet (and internet if the information can be made available to the public) be allocated for officers to upload relevant information received from Outside Bodies, including reports, minutes, and links to the organisations websites where applicable**

- R7 That, in addition to officers, Members are requested to provide annual feedback from the bodies they are appointed to, monitoring the activity of these bodies and the value of the appointments
- R8 That Members be advised of the relevant officer(s) and Cabinet Member to contact with issues or concerns for each body
- R9 That the Community Development Team and Catalyst be asked to continue to facilitate the provision of advice and assistance to community groups regarding Trustee Liability insurance issues
- R10 That the names of the schools governing bodies which Members are appointed to is stated on each Members Egenda profile.

3. Reasons for the Recommendations/Decision(s)

To ensure Members appointments to and reporting back from bodies become more efficient and effective, thereby improving the quality of outcomes for both the Authority and SBC residents

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is

prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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RECOMMENDATIONS

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DETAIL

1. The attached report presents Cabinet with the findings of the Scrutiny review of Outside Bodies undertaken by a Task and Finish Group made up of Executive Scrutiny Committee Members between July and October 2010.
2. The topic for review was identified by Scrutiny Liaison Forum in February 2010, incorporated into the scrutiny work programme, and delegated to a Task and Finish Group by Executive Scrutiny Committee. The Group examined how appointments are made, the level of Member participation and how Members report back. The overall aim of the review was to ensure that appointments were of benefit to the Council/outside body and to establish clear reporting back mechanisms thereby improving the quality of outcomes for both the Authority and Stockton residents.
3. Following consideration by Cabinet an action plan will be submitted to Executive Scrutiny Committee setting out how approved recommendations will be implemented detailing officers responsible for action and timescales

FINANCIAL IMPLICATIONS

4. None

LEGAL IMPLICATIONS

5. None

RISK ASSESSMENT

6. This Scrutiny Report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

7. Stronger Communities – Help develop a stronger, more cohesive society and Organisational and Operational Effectiveness – Enhance Local Democracy

EQUALITIES IMPACT ASSESSMENT

8. This report is not subject to an Equality Impact Assessment because it is making no major change to any policy or service provision.

CONSULTATION INCLUDING WARD/COUNCILLORS

9. Consultation was carried out with Council Members, Heads of Services, the individual outside bodies and other Local Authorities including Stockton's CIPFA statistical neighbours and former CAA comparable Authorities.

Name of Contact Officer: Judith Trainer
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Education related?

No

Background Papers

None

Ward(s) and Ward Councillors:

Not ward specific

Property

None