

<b>CONSTITUTION AND ETHICS COMMITTEE</b>	AGENDA ITEM No. 4
<b>21 NOVEMBER 2022</b>	<b>PUBLIC REPORT</b>

Report of:	Fiona McMillan, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer	Tel. 452409

## PROCESS FOR APPOINTMENT TO OUTSIDE BODIES

RECOMMENDATIONS	
<b>FROM:</b> Director of Law and Governance	<b>Deadline date:</b> N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> <li>1. Recommend that Full Council approve the revised 'Section 5 – Appointments to External Organisations' as set out in Appendix 1 to the report.</li> </ol>	

### 1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following consideration at the Committee meeting on 6 October 2022.

### 2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for the Constitution and Ethics Committee to review the current process for the appointment to outside bodies and determine whether this should be amended.
- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

*Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.*

### 3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	<b>N/A</b>
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### 4. BACKGROUND AND KEY ISSUES

#### APPOINTMENTS TO OUTSIDE BODIES

- 4.1 The process for appointments to outside bodies (also known as external organisations) is set out in the Council's constitution at 'Part 3, Delegations Section 5 - Appointments to External Organisations'.
- 4.2 The current process is, in summary, that the political proportionality for each year is determined and sent around to Group Secretaries. Each Group will then feedback to officers their proposals for their group seats.
- 4.3 If there are any disputes between groups in relation to which seats they want, then these disputed seats will be put to the Leader to determine. The Leader must take into consideration proportionality rules when making his determination.
- 4.4 It is local choice to have this decision rest with the Leader. Previous versions of this process have had this decision rest with Full Council. At its meeting on 6 October 2022, the Committee expressed a desire to have this decision rest with Full Council rather than the Leader.
- 4.5 Appendix 1 sets out the changes required to the Constitution in order for this to happen, and what the process would be. The rules in relation to automatic appointments to relevant Cabinet Members would continue to exist, as would guidance around the political proportionality of other appointments or nominations.
- 4.6 Full Council would note all appointments and nominations that are informally agreed at the Annual Council meeting. If there are any appointments or nominations that are still disputed by the date of the Annual Council meeting, these will be submitted to the Annual Council meeting for determination. Any proposals to resolved disputed appointments or nominations to positions outside of political proportionality must be accompanied with a rationale as to why this was considered to be the best course of action.

## **5. CORPORATE PRIORITIES**

- 5.1 This proposal links to the following of the Council's Corporate Priorities:
1. The Economy and Inclusive Growth
    - There are no Carbon Impact implications arising from this report.
  4. Sustainable Future City Council – How we Work, How we Serve, How we Enable

## **6. CONSULTATION**

- 6.1 No further consultation has taken place following the previous debate by the Constitution and Ethics Committee on 6 October 2022.

## **7. ANTICIPATED OUTCOMES OR IMPACT**

- 7.1 That the process for appointment to outside bodies is as effective, transparent, and democratic as possible.

## **8. REASON FOR THE RECOMMENDATION**

- 8.1 To ensure that the process for appointments to outside bodies is as up to date and effective as possible.

## **9. ALTERNATIVE OPTIONS CONSIDERED**

- 9.1 That the process is not reviewed. This was discarded, as this would not reflect the wishes previously expressed by the Constitution and Ethics Committee.

## **10. IMPLICATIONS**

### **Financial Implications**

- 10.1 There are no financial implications arising from the report.

### **Legal Implications**

- 10.2 If any recommendations are agreed this may involve updates to the Councils constitution.

### **Equalities Implications**

- 10.3 There are none.

## **11. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1 None.

## **12. APPENDICES**

- 12.1 Appendix 1 - Revised 'Section 5 – Appointments to External Organisations' – Track Changed Version
- 12.2 Appendix 2 - Revised 'Section 5 – Appointments to External Organisations' – Clean Version

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