

CHESHIRE EAST

GOVERNANCE AND CONSTITUTION COMMITTEE

Date of meeting: 12 January 2009

Report of: Task Group (Appointments to Outside Organisations)

Title: Progress Report – Appointments to Outside Organisations

1. INTRODUCTION

At its meeting held on 14 July 2008, the Governance and Constitution Committee set up a Task Group *“To devise a work programme and develop recommendations to deal with appointments and implement best practice.”*

The Task Group comprises Councillors R Cartlidge, S Jones, A Ranfield, R Walker and P Whitely.

At its first meeting, Councillor Shirley Jones was elected Chair.

2. DECISION REQUIRED

No decision required. The report is for information to enable the Governance and Constitution Committee to note progress to date.

3. CRITERIA FOR APPOINTMENTS

- 3.1** At its meeting held on 6 October 2008, the Governance and Constitution Committee adopted the following criteria for making appointments to outside organisations.

(a) The Appointment is a Statutory Requirement

There will be a limited number of bodies to which the authority is required to appoint but statutory requirement should be included as a criterion. Examples include the Police Authority and Fire Authority.

(b) Appointment allows the Authority to Influence Policy at National or Regional Level

This will apply to those organisations which give the authority a voice at national or regional level and enables it to influence high-level policy decisions. Examples will include the Local Government Association, 4 North West and the North West Employers Organisation.

(c) Appointment Assists the Authority to Deliver its Strategic Objectives and Priorities

This is a key part of any appointment system, where it can be demonstrated that the appointment will make a direct or significant contribution to the authority's strategic objectives, in particular the Community Strategy and Corporate Plan.

(d) Appointment is to an Organisation Receiving Major Funding from the Authority, or Provides Key Public Services

Representation will ensure that the organisation uses its funding properly and develops in a way which the authority considers appropriate.

Those organisations which provide key public services, for example Housing Trusts, are often created by a local authority which reserves the right to place Members on its Board.

3.2 Criterion for Declining to make Appointment

In rare cases, it may not be appropriate to appoint to an outside organisation; for example, where there are significant cost or resource implications for the Authority when balanced against the benefits.

3.3 Additional Criterion for Appointment

The Group has agreed to recommend that for organisations whose activities relate to a single ward only, where possible, the representative should be one of the Ward Members.

4. PROGRESS TO DATE

The Task Group has met on five occasions and expects to be able to make its final recommendations to the Governance and Constitution Committee at its meeting on 9th March 2009.

To assist in its work, each of the constituent authorities provided a schedule of current appointments which were prioritised –

Category 1 Statutory or high level strategic (which the Cabinet has agreed to reserve to itself)

Category 2 Organisations which are important to each authority and must continue after 31st March 2009

Category 3 Organisations where representation is useful but not crucial

Category 4 Organisations which did not fall into Categories 1, 2 or 3

In addition, the Task Group surveyed each organisation requesting the information listed below to enable it to assess the relevance to the new authority of representation on each.

- 1) Copy of organisation's constitution.
- 2) Category of representative – for example, does the representative need to be an elected Member, or is the Council entitled to nominate a representative from the community?
- 3) Does the Council make a nomination, which is then agreed by the organisation, or is the Council entitled to *appoint* to it?
- 4) How many representatives will be required from Cheshire East Council? *Under the new Council, given that there are only 81 Councillors for the whole of the Cheshire East area, it may be that there will be 1 representative only appointed, whereas at present, there may be up to 4 representatives who are drawn from each of the constituent authorities.*
- 5) Does the organisation's constitution require the representative to be the local Ward Member?
- 6) How many times a year does the organisation meet and where are the meetings held? *This was to enable the Task Group to assess the commitment required of the representative.*
- 7) How long is the term of office?
- 8) Is the representative a voting member, a trustee or an observer? (or other category)
- 9) Is there any financial remuneration, either in the form of expenses or honoraria?
- 10) Is there a Service Level Agreement or other contract in place between the organisation and the current appointing Council?

There was a reasonable response rate to the survey and the information provided has proved helpful.

5. RECOMMENDATION

The Task Group expects to hold another three meetings, following which, it will be able to recommend to the Governance and Constitution Committee –

- (a) A procedure for making appointments to outside organisations, with effect from 1st April 2009 which will include -
 - Recommendation as to Cabinet appointments
 - Recommendation as to appointments to be made by the Governance and Constitution Committee
 - Term of office

- Basis of making appointments
- Means of monitoring effectiveness of representation
- Protocol for dealing with casual vacancies

(b) Recommended named appointments to Category 2 organisations.

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