

Minutes 11 November 2014

29. REVIEW OF OUTSIDE BODIES APPOINTMENTS – DRAFT TERMS OF REFERENCE

The Committee received the draft terms of reference for a review of the outside bodies appointments, as set out on Agenda pages 8 to 10. The Committee was also asked to consider the timescales for a possible review. This issue had been proposed for review by Councillor Dee Tomlin at a meeting of the Overview and Scrutiny Management Committee on 26 June 2014.

It was noted that some of the appointments, such as to the Royal Berkshire Fire Authority, were very important, however, some Members had expressed a view that they did not find some of the other appointments very useful.

Members briefly discussed some of the outside bodies they had been appointed to and agreed that a review should be undertaken. Members queried which outside bodies received funding from the Council and the Senior Democratic Services Officer undertook to find this out and advise Members accordingly.

The Chairman advised that some bodies were not included in the Council's directory of outside bodies, such as the Berkshire Local Transport Body and he suggested that there may well be other bodies not included in the list. He also advised that four Members appointed to outside bodies had not produced a report to Annual Council in 2014, as required. The Chairman suggested using those reports as the basis for the review. It was also suggested that those Members who did not submit a report to Council be invited to attend the next meeting to discuss their appointment informally.

The Committee agreed to carry out the review as a whole Committee, rather than create a Task and Finish Group. The Committee also agreed to classify the various outside bodies into three groups as follows:

- a) those that are in the directory for historical reasons and those where Member appointments have been requested by the outside body;
- b) those who receive funding from the Council;
- c) those which Members feel add value to the Council.

The Committee also suggested that this item be considered further at the next meeting, with an extraordinary meeting being organised between the January meeting and the March meeting so that any changes arising from the review could be fed into the Council's budget, if necessary.

RESOLVED: That:

- 1) those Members who did not submit a report to Annual Council in 2014 be invited to attend the next meeting to discuss their appointment informally;
- 2) the Senior Democratic Services Officer investigates which outside bodies receive funding from the Council;
- 3) this item be considered further in January 2015,
- 4) an extraordinary meeting be convened between January and March so that any changes arising from the review can be fed into the Council's budget, if necessary.

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36. REVIEW OF OUTSIDE BODIES APPOINTMENTS

The Committee received a report, which was circulated at the meeting by the Chairman.

The report stated that the Outside Bodies Directory produced by Democratic Services recognised that “there is no absolute definition of an Outside Body, but we have defined them as ‘organisations which have either asked the Borough Council to nominate a representative to serve on that body, or where historically the Borough Council has always been represented in their governance arrangements.’” The Committee accepted that there was no absolute definition of an Outside Body but the “where historically the Borough Council has always been represented” suggested that the current review may be timely and that changes in circumstances may make continuing representation no longer appropriate.

There also appeared to be a lack of clear distinction between “Other Bodies” as listed in the Council’s Year Book and “Outside Bodies”. For example, the Thames Valley Police and Crime Panel was listed as an “Other Body”, while the Royal Berkshire Fire Authority was listed as an “Outside Body”. Representatives on Outside Bodies are required to submit a report to Council (although regrettably some Members had failed to do so in 2014) but there was no such requirement on representatives of Other Bodies. The Committee considered that membership of statutory or quasi- statutory bodies (where the Council was required to nominate representatives) should be listed as ‘Other Bodies’ but, where membership was discretionary, the ‘Outside Body’ terminology should be used. The Committee could see charitable organisations dominating the list of Outside Bodies. Members noted that the Council paid fees or grants to certain Outside Bodies; in these cases , the Committee considered it self-evident that membership should continue to get value for money from the Council’s subscriptions or to have some oversight on charitable spending.

The Committee also noted that various Other Bodies were not listed in the Outside Bodies Directory, such as representation on the Berkshire Local Transport Body. These should be included in the listing in the Council’s Yearbook to inform Members (and others) of the Council’s representation on these bodies.

The Chairman suggested the following recommendations:

- That the Other Body and Outside Body lists are reviewed to consider listing all statutory or quasi-statutory as Other Bodies while Outside Bodies should essentially be bodies where membership is discretionary;
- That the Royal Berkshire Fire Authority, Bracknell and Wokingham College, the membership of the LGA General Assembly and the Thames Valley Berkshire LEP should be listed as ‘Other Bodies’;
- That other appointments to bodies, such as the Berkshire Local Transport Body and the Berkshire Strategic Transport Forum should be listed appropriately; in these cases as ‘Other Bodies’; and
- That the requirement of a timely report to Council on their membership of an Outside Body should be stressed to Members.

The Committee was concerned that the Council gave grants / funding to various outside bodies but that the amount and frequency of these payments was not recorded in the Outside Bodies Directory.

The Committee agreed that the term "Outside Bodies" should be changed to "External Bodies". Members agreed that there was no need for the Council to receive annual reports from joint committees or working groups but that an annual report to Council was required by the Councillor Representative and that the amount of funding the Council gives to each of the external Bodies should be investigated.

The Committee requested that this item be brought back to the March meeting with the additional information sought.

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44. REVIEW OF OUTSIDE BODIES

The Committee received information, verbally, regarding the grants/funding received by outside bodies and given by the Council.

The Chairman explained that following the last meeting only limited information had been obtained about the detail of funding given to outside bodies. Information was given in the Outside Bodies Directory to indicate which Bodies received grants/funding, and a list had previously been circulated.

Brian Grady, indicated that his brief as Head of Strategic Commissioning for Children and Adult Services, included taking a lead on the involvement of the Community and Voluntary Sector organisations with the Council. He will be reporting to the Executive and Deputy Executive Members for Regeneration and Communities on a review of the activities of the voluntary and community sector organisations, some of which are included in the list of Outside Bodies. Many voluntary/community organisations give a lot of time in providing services for Borough residents, and as such some receive funding from the Council. Part of the review will be to understand the governance of these organisations and will include the relevance/effectiveness of any Council appointed representatives.

The annual reports on Outside Bodies that the Member representatives make to Council, include a section on their roles within the organisation. It was noted that this year all representatives had submitted their annual reports and these will be reported to the Council meeting on 19 March 2015. The Community Safety Partnership has a clear statutory framework to receive reports from the Thames Valley Police and Crime Panel.

Brian said that he would present a copy of the report on his review on the accountability/reporting structure of the voluntary/community organisations that are working in partnership with the Council to the next meeting of the Committee.

RESOLVED: That Brain Grady's report on his review of the accountability/reporting structure of the voluntary/community organisations that are working in partnership with the Council, which will include some of the organisations on the Outside Bodies list, be presented to the next meeting of the Committee on 15 June 2015.

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6. REVIEW OF OUTSIDE BODIES

The Committee received and considered a report from Brain Grady, Head of Strategic Commissioning Children and Adults, giving an update on the review of the accountability and reporting structure of the voluntary and community organisations that are working in partnership with the Council, which included some of the organisations on the list of Outside Bodies.

Members were pleased to see that a review of the work of voluntary and community sector organisations is being carried out by the Deputy Executive Member for Regeneration and Communities, to give councillors visibility of voluntary and community activity in the Borough.

However they felt that the report did not give them the information they required around funding. A list of Outside Bodies indicating those that received some financial support from the Council had been previously presented to the Committee, but no details of the actual amounts had been obtained.

Diane King said that in a previous role within the Council, she had been involved in reviewing applications for funding from outside organisations, with recommendations being put to Executive for approval. More recently this work had been taken on by the Giving Partnership, but that body had now been disbanded.

Members questioned how the allocation of funding to outside organisations was made and what was the level of funding provided. There should be transparency as to who made such decisions and how they were made.

It was noted that the Outside Bodies Directory gave information about each of the bodies/organisation on the list where the appointment of representatives was made at Annual Council. The information given included details of: the legal status; aims/objectives; status of the Council's representative; and financial status of the organisations. The Directory also included a copy of the section in the Council's Constitution which set out the protocol for Councillor representation on Outside Bodies, and the requirement for an annual report of their representation to Council.

There was some discussion as to whether there were other organisations where Members served as representatives of the Council that should be included on the Outside Bodies list. It was pointed out that the only bodies/organisations in the list were those where the appointment of representatives were made by Council. In some instances, Members served on panels/boards where the appointment was made by the Leader as his representative.

There was still some confusion as to the definition of 'Outside Bodies' and 'Various Bodies'. It was explained the 'Outside Bodies' were those organisations external to the Council's services, who had requested or were required to have, a Council representative to serve on their management committees etc.

It was suggested that they should be renamed 'External Bodies', and any organisation with an external focus, where a Member is represented, should be included in the list, irrespective of how they are appointed, so that their activities can be reported.

RESOLVED: That the following recommendations be passed to the Leader of Council and the Executive Member for Regeneration and Communities for consideration:

- 1) Change the name of the 'Outside Bodies' list to 'External Bodies'.
- 2) Add to the list any organisation that has an external focus which has a Member representation.
- 3) Seek clarity on how funding or grants are made to Outside Bodies; who makes the decisions; and the amounts allocated. An annual report should be made to Executive on the allocations.

A report on progress be made to the new joint Overview & Scrutiny Committee at its meeting in September.

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16. WORK PROGRAMME

With regard to the Review of Outside Bodies Appointments Members clarified that they wanted a list of such bodies and how much funding is allocated to them by the Council.

Update January 2016

There are a number of external bodies, not listed in the Year Book, on which the Borough is officially represented by the relevant Executive Member but they have invited other Members to represent them. Executive Members have been requested to notify Democratic Services of any such situations and the following have been identified:

Body	Executive Member	Representative
Berkshire Local Transport Body	John Kaiser	John Halsall
Climate Berkshire	Angus Ross	Philip Houldsworth
Safety Advisory Group	Pauline Jorgensen	John Halsall

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