

Scrutiny Review

Member Roles on Outside Bodies and as Member Champions

RYEDALE
DISTRICT
COUNCIL



DRAFT

Overview and Scrutiny Committee
February 2014

Executive Summary

This Report sets out the results of a review of Member roles on outside bodies and as Member Champions. This review has been carried out by Ryedale District Council's Overview and Scrutiny Committee.

The aim of the review was to make best use of the Council's resources such as member time and expertise in relation to representation of the Council on outside bodies and as member champions, and best use of the Council's corporate systems.

The Committee made the following recommendations:

Recommendations to Management Team

- (i) That a named Council officer contact be provided for each outside body, where appropriate, to support Member representatives;
- (ii) That details of remit, frequency, timing and venue of meetings and links to outside bodies' websites be published on the Council's website via the modern.gov committee management system;

Recommendations to the Member Development Task Group

- (iii) That training needs relating to outside bodies be investigated and a generic role description be developed;
- (iv) That consideration be given to including a briefing to all Members on the modern.gov committee management system in the Member Development Programme;

Recommendations to the Policy and Resources Committee, and then on to Full Council

- (v) That the following outside bodies be removed from the list: Supporting People NY Joint Committee (agreed at Annual Council on 16 May 2013), Endowment Governors Charity called Malton School, LG Yorkshire & Humber Elected Members Cohesion Group (agreed at Annual Council on 16 May 2013), Rural Action Yorkshire (formerly YRCC);
- (vi) That substitute representatives be appointed for outside bodies, where their governance arrangements permit, and that it be the nominated representatives responsibility to notify the substitute if they are unable to attend a meeting of the outside body;
- (vii) That a précis from Member representatives on outside bodies be published on the website following each meeting, subject to the approval of the outside bodies, to ensure feedback of key decisions and discussions relevant to the Council is available, and including their attendance record;

- (viii) That appointments to outside bodies be for four year terms, from 2015 onwards to coincide with the District elections, subject to an annual review to address any attendance issues;
- (ix) That attendance on outside bodies be reviewed annually by the Overview and Scrutiny Committee, at its meeting in February, as part of its role reviewing and scrutinising performance, based on the attendance details in the précis and prior to consideration at Annual Council, and that recommendations be made on appointments to Annual Council;
- (x) That nominations of representatives to outside bodies should be recommended to Council based on their skills and expertise, in addition to attendance records, and that Members be asked to provide an oral statement of this upon nomination. That Members of Council should consider the recommendation made by the Overview and Scrutiny Committee to inform the vote at Annual Council;
- (xi) That the Independent Remuneration Panel be requested to review allowances payable to representatives on outside bodies, where a payment is currently made;
- (xii) (a) That subject to the exceptions in sub paragraph (b) below , all Members note that any representative on an outside body cannot be involved in any financial or regulatory decision taken by the Council that relates to that body. They can make representations, either through the public speaking opportunity for a relevant application at Planning Committee, or for other committees and Full Council by addressing the meeting at the chairman's discretion;
- (b) The exceptions where Members may participate and vote are the setting of council tax or a precept under the Local Government Finance Act 1992 or where a dispensation has been granted.
- (xiii) That the Member Champion role be abolished.

The Task Group wishes to thank all those who gave their time in contributing to this review.

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Scope of the review

The terms of reference for the Review were agreed at the Overview and Scrutiny Committee on the 13th December 2012 and revised on 21st February 2013. (See Annex A)

The aim of the review was to make best use of the Council's corporate systems and of the Council's resources such as member and officer time and expertise in relation to representation of the Council on outside bodies and as member champions.

The scope of the review covered the following:

- To review the list of outside bodies and consider if representation on all of them is beneficial to the Council and Ryedale.
- To find out more about the outside bodies on which RDC is represented including remit of body, frequency, timing and venue of meetings, any trustee role and requirements, phone and email contacts, and websites.
- To explore the use of the modern.gov. committee management system to best effect to provide more information about outside bodies to both members and the public.
- To consider any conflicts of interest for Members by sitting on outside bodies where they undertake a trustee role and how this may impact on members decisions making role within the Council.
- To consider paperless ways of making more information about the activities of outside bodies accessible to Members.
- To understand the role of member champions and review the themes of these.
- To estimate the cost of representation on outside bodies to the Council and identify the value this may add for the Council and Ryedale.
- To investigate how we can ensure Members appropriate skills are used when assigning Members to organisations.
- To consider whether appointments to outside bodies should be political.
- To prepare a recommendation for Council on if and when these appointments should be political.
- To consider how many organisations receive regular Council funding and how many of these do not have either Member or officer Council representation on them.

Membership of the committee

Current : P J Andrews, SL Collinson, D E Cussons, Mrs J Frank, G E Hawkins, J R Raper, L Richardson, Mrs E L Shields (Vice Chairman), C R Wainwright (Chairman)

Previous: Mrs A D Hopkinson, S Ward, J Windress

Meeting dates of the Scrutiny Review Task Group:

- 23/01/13 Considered list of outside bodies and representatives for 2012/13, feedback from Members on their roles on outside bodies (gathered Feb-March 2012), list of Member Champions for 2012/13 and the Member Champion role description.
- 06/03/13 Considered information received to date from Members who are representatives on outside bodies, information received to date from Members who are Member Champions, information received to date from outside bodies, information from North Yorkshire District Councils on Member Champions, details of funding given to external organisations and details of expenses claimed by representatives on outside bodies.
- 16/04/13 Considered summary and detailed information received from Members who are representatives on outside bodies, summary and detailed information received from Members who are Member Champions, summary and detailed information received from outside bodies, and list of responses and non-responses.
- 21/05/13 Considered advice on declarations of interest in relation to outside bodies, and in particular trustee roles, from the Monitoring Officer.
- 16/07/13 Considered draft report and recommendations.
- 21/01/14 Reviewed draft report and recommendations as requested by the Policy and Resources Committee, considering comments from Members and additional information from outside bodies.

Scrutiny Review Task Group supporting officers:

Simon Copley (Democratic Services Manager)
Jane Robinson (Transformation Officer)
Justine Coates (Business Improvement Officer)
Will Baines (Business Improvement Officer)
Anthony Winship (Council Solicitor)
Paul Cresswell (Corporate Director (s151))

Methodology

The Committee/Task Group approached the review through:

- An audit of current representation on outside bodies, roles of members and requirements of those bodies.
- A review of feedback from current member champions and representatives on outside bodies to inform future representation by members of the Council. To clarify the role and expectations of members understanding of their role as a trustee.
- A review of the member champion job description
- A review of the role officers should play in supporting members in their role as representative, trustee or member champion.

Findings

The research undertaken highlighted the following key findings:

Member Champions

- A third of the Member Champions did not respond to the survey.
- Half of the Member Champions who responded were not aware of the role description.
- The role of Member Champions is not clearly defined in the Constitution of the Council.
- There is no framework in place to facilitate how Council officers should work with the Member Champions.
- All Member Champions who responded felt they had the skills and expertise to fulfil the role, however, some felt there was a need for additional training.
- There is no formal mechanism of reporting to Council about the Member Champion role and the progress being made in that role.
- The Member Champion role has no decision making powers.
- There was the potential risk of the Member Champion role straying into either an officer role or a Member decision making role which did not exist.
- Half of the Member Champions who responded did not feel their expectations of the role were being met.
- The perception of the group carrying out the review was that there was limited demonstrable value added by the Member Champion role and no subjective way of measuring this.
- Selby and Hambleton District Councils have recently removed their Member Champion roles, Richmondshire District Council does not have a Member Champion role and Harrogate Borough Council has sought to limit the number of Member Champions because of the difficulty in representing the Council when having no decision making powers.

Recommendations

That the Member Champion role be abolished.

Representation on Outside Bodies

- The majority of members representing the Council on outside bodies have voting rights (70%)
- 14% of members felt that their expectations of the role were not being met, citing the following reasons:
 - § The Council could do more to support the organisation concerned
 - § Meetings not always relevant
 - § No voting rights
 - § Limited discussions
 - § No meetings held
 - § Some meetings are a waste of time.
- There is no standard process for feeding back to Council.
- The majority of members did feel it was important for these outside bodies to have a Council representative.

- In 74% of cases there was no named substitute, and 71% thought there should be and that these substitutes should be named rather than taken from a pool of substitutes.
- Of the 27 out of 50 outside bodies who responded to the request for further information, 48% had governance arrangements which allowed for substitutes and 22% did not.
- Overwhelmingly, Members thought that the appointment of representatives should be based on skills and expertise.
- All Members felt they had the skills and expertise to fulfil the role, however, some felt there was a need for additional training.
- Nearly 60% of Members received officer support in their role, and only one member felt that the support could be improved.
- The majority of representatives did attend meetings on a regular basis.
- Minutes are produced for the majority of meetings although only half of these are made public.
- Only 2 of the outside bodies paid expenses to the representatives, the remaining representative's expenses being met by the Council.
- Representatives on three outside bodies (Local Government York & North Yorkshire, the LGA General Assembly and the LGA Rural Commission) receive an allowance of £29.50 per month under the Members' Allowances Scheme.
- Information regarding the outside bodies is not easily available and Members expressed interest in the work being undertaken to make more information available through the modern.gov committee management system.
- Of the 27 out of 50 outside bodies who responded to the request for further information, 30% confirmed that representation from the Council was a statutory requirement for their organisation and 67% that it was not. Of those where there was no statutory requirement, 32% stated that they no longer required Council representation.
- That some outside bodies could be removed from the list in the light of feedback received.
- That longer terms of appointment to outside bodies would allow representatives to build up a more detailed knowledge of the organisations and provide greater continuity.
- Members felt that because of their role, they were often excluded from Council meetings where a decision was being made about the organisation they are a representative on, and the skills, knowledge and expertise in that area were not available to support other members in their decision making.

Recommendations

That a named Council officer contact be provided for each outside body, where appropriate, to support Member representatives;

That details of remit, frequency, timing and venue of meetings and links to outside bodies' websites be published on the Council's website via the modern.gov committee management system;

That training needs relating to outside bodies be investigated and a generic role description be developed;

That consideration be given to including a briefing to all Members on the modern.gov committee management system in the Member Development Programme;

That the following outside bodies be removed from the list: Supporting People NY Joint Committee (agreed at Annual Council on 16 May 2013), Endowment Governors Charity called Malton School, LG Yorkshire & Humber Elected Members Cohesion Group (agreed at Annual Council on 16 May 2013), Rural Action Yorkshire (formerly YRCC);

That substitute representatives be appointed for outside bodies, where their governance arrangements permit, and that it be the nominated representatives responsibility to notify the substitute;

That a précis from Member representatives on outside bodies be published on the website following each meeting, subject to the approval of the outside bodies, to ensure feedback of key decisions and discussions relevant to the Council is available, and including their attendance record;

That appointments to outside bodies be for four year terms, from 2015 onwards to coincide with the District elections, subject to a review mid term to address any attendance issues;

That attendance on outside bodies be reviewed annually by the Overview and Scrutiny Committee, at its meeting in February, as part of its role reviewing and scrutinising performance, based on the attendance details in the précis and prior to consideration at Annual Council, and that recommendations be made on appointments to Annual Council;

That nominations of representatives to outside bodies should be recommended to Council based on their skills and expertise, in addition to attendance records, and that Members be asked to provide an oral statement of this upon nomination. That Members of Council should consider the recommendation made by the Overview and Scrutiny Committee to inform the vote at Annual Council;

That the Independent Remuneration Panel be requested to review allowances payable to representatives on outside bodies, where a payment is currently made;

- (a) That subject to the exceptions in sub paragraph (b) below , all Members note that any representative on an outside body cannot be involved in any financial or regulatory decision taken by the Council that relates to that body. They can make representations, either through the public speaking opportunity for a relevant application at Planning Committee, or for other committees and Full Council by addressing the meeting at the chairman's discretion;
- (b) The exceptions where Members may participate and vote are the setting of council tax or a precept under the Local Government Finance Act 1992 or where a dispensation has been granted.

Annexes

Annex A - Terms of Reference

Annex B – Summary of information from outside bodies

Annex C – Summary of information from Member representatives on outside bodies

Annex D – Summary of information from Member Champions

Annex E – Declaring Interests Flowchart

Annex F – Summary of additional information from outside bodies

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