Outside Bodies' Review 2023

To review all Outside Bodies on which members sit and to look at improving the method for reporting back to Council.

Author: Stephanie Cox, Principal Democratic Services Officer (Designated Scrutiny Officer) Version: 1
Date: December 2023

Table of Contents

Chair's Foreword

If, like me, you have in the past been appointed to an Outside Body but have had very little interaction with them, despite approaches, or felt ill prepared for the role, I hope this review will assist in future to ensure we get the best results for the Council and the Outside Body from the appointments we make.

It is important that the Council is not isolated from all the various groups and organisations that make up the life of, not just the City, but the region and indeed the country, where we can play a part.

At the forefront of our minds when working with these organisations should be the enhancement of our knowledge, input and interaction in order to provide benefit to our residents, businesses and visitors. Unless we are observers, we should play as active a part as possible, within the bounds of our Council remit, and make sure that our fellow councillors are kept informed and notified, particularly if something affects their ward.

The regime which is contained in this document and its attachments will go a long way to assist in improving our systems and knowledge and the discipline of being responsive at all times to bodies of which we form part.

This has been a mammoth task and I would like to thank Stephanie Cox for the time and effort she has put in in contacting and chasing people for information, consulting other councils and putting together a package for us to consider. It was no mean feat.

I hope once the final decision is taken the Council can move forward in these partnerships with the right people in place using their knowledge and expertise and furthering the cause of working with others for the benefit of all.

Councillor Carole Mulroney
Chair of Outside Bodies' Task and Finish Group

1. Introduction

The Outside Bodies' Task and Finish Review was suggested as a potential topic by the Scrutiny Chairs Forum. The membership of this forum is constituted from the Chairs and Vice-Chairs of each of the Council's three scrutiny committees.

It had been recognised by Councillors that, when appointed to some Outside Bodies at Appointments Council, they did not receive any meeting invitations or contact from the Outside Body. There were also no formal reporting mechanisms in place for Councillors sitting on these bodies to report back to other Councillors.

This highlighted the need to conduct a review of current processes, procedures and representation, to improve our communication and engagement with the Outside Bodies and strengthen our partnership working going forward.

The Council has a strong commitment to partnership working with many bodies and this work takes many forms. The Council may give financial or other support to an organisation, or it may commission services, or be a partnership based on a dialogue and consultation.

Outside Body representation serves many purposes, including the following:

- Enabling the Council to contribute to, and influence, the decision making of an organisation.
- Enabling the organisation to have direct information about Council policy and practice.
- Providing, through particular appointees, a local perspective.
- Satisfying a legal requirement for the Council to serve on the body.
- Providing an essential lead focus on behalf of the Council.
- Facilitate the objectives of the Council.

In July 2023 each of the Council's three Scrutiny Committees agreed the cross-cutting Outside Bodies' Task and Finish Group to be established, in accordance with proportionality allocations.

2. Scope

Purpose of the Review

To review all Outside Bodies on which Councillors sit and to look at improving the method for reporting back to Council.

Aims

- To identify which appointments continue to be beneficial.
- To identify which appointments may no longer be required, for example if the Outside Body is now defunct and no longer functioning.
- To identify any Outside Bodies which may need a different number of representatives.
- To identify any new bodies which may benefit from Councillor representation.

- To improve contact and relationships with Outside Bodies to and strengthen internal processes, for example how Outside Bodies will be notified when new appointments are made.
- To deepen understanding of the work of each Outside Body and the capacity in which they would like Councillors appointed, for example a decision-making capacity (member of management committee, board of directors, committee of trustees) or in an 'observer' capacity undertaking a monitoring role.
- To investigate ways by which all appointed Councillors can provide regular feedback to the Council on the work of their Outside Bodies.

Methodology

Group Leaders were asked to submit their nominations to the Task and Finish Group, in accordance with proportionality allocations. The Leader of the Council confirmed that the Conservative Group would offer two of their allocated seats to non-aligned Councillors to ensure representation across the Council. As a result, the Members of this Task and Finish Group were:

Councillor C Mulroney (Chair)
Councillor S Aylen
Councillor M Borton
Councillor T Cowdrey
Councillor A Jones
Councillor D Richardson
Councillor M Terry

The Task and Finish Group met on two occasions; to agree a way forward and the surveys to be sent to Councillors and Outside Bodies, to look at what other comparable Council's did and to discuss the final recommendations.

The Group agreed the following approach:

Desktop Research:
To look at other Councils and how they dealt with Outside Bodies and their reporting mechanisms.

Survey to Outside Bodies:
A questionnaire was agreed by the Group with the aims of:

- updating contact details held on file;
- confirming whether the Outside Body was still in existence;
- confirming the capacity of the role required (trustee, director, committee member and voting status); and
- confirming the time commitment required of the Councillor and meeting patterns (to ensure that appropriate appointments are made in future).

Survey to Councillors:
A survey was agreed and circulated to all Councillors to seek their views on the Outside Bodies they were representing (or had previously represented).

A Councillor 'drop-in' session was also held by Stephanie Cox (Principal Democratic Services Officer). Councillors were encouraged to contact Democratic Services by whichever method was easiest, whether through phone, email or in person.

Director Information Gathering:

The Council's Corporate Management Team (CLT) was contacted to help identify whether the current list of Outside Bodies was up-to-date, and importantly, to highlight whether there were any new organisations of which Councillors should have oversight.

During the review process Councillors had highlighted that whilst it was likely some organisations were now defunct, there were also likely to be other organisations that Councillors should be appointed to in order for the Council to have effective oversight.

3. Findings

3.1 Desktop Research

From the evidence they have received as part of this review, Councillors have noted that the issue of appointments to Outside Bodies is something that many authorities have reviewed over recent years.

Information, reviews and reports were obtained from Coventry City, Cumbria County, Dorset, Eden District, Essex County, East Cambridgeshire District, East Staffordshire Borough, South Hams District and Stroud District Councils.

All of these authorities had undertaken similar reviews and adopted comparable approaches and this information helped to gain an overview of the national picture regarding engagement with, and attendance at, Outside Bodies.

This work highlighted that Southend-on-Sea was not alone in some of the challenges faced by making appointments to Outside Bodies and monitoring the impact of this work.

Councillors felt that there was a need to report back on a regular basis, to enable the Council as a whole to be aware of any important issues discussed and to have transparency over what Elected Members were doing. Reporting forms had been produced by other local authorities and a similar form has been produced for Southend-on-Sea City Council, please see **Appendix 3.**

3.2 Responses from Outside Bodies

All 58 Outside Bodies that the Council currently appoints to were surveyed, using a combination of letters, emails and telephone calls.

A good level of response was received, however there were some organisations for which little or no information could be obtained. In these circumstances the nominated Councillors for both the 2022-23 and 2023-2024 years were contacted to ask if they could provide any feedback or knowledge, and then a judgement taken based on what was found.

The survey results were collated and a Red, Amber, Green status applied with those highlighted as:

- Red: being non-operational and appointment no longer required.
- Amber: unsure whether the appointment should continue based on response received or in some cases no responses or feedback could be obtained.

- Green: those organisations that were active, received funding from the Council or positive feedback received from the Outside Body and/or Councillors.

The Task and Finish Group reviewed this feedback in conjunction with the contributions from Councillors and compiled a list of those which the Council should continue to appoint going forward, please see **Appendix 2**.

A list of those which it was felt the Council should not continue to appoint to is set out in **Appendix 1**, along with an explanation as to why.

3.3 Feedback from Councillors

The Group consulted with each representative on an Outside Body (both current and historic) by asking them to complete a questionnaire. The evidence received was used to determine if appointments should continue to be made, only appointing representatives to those Bodies where it adds real value to the Council, Body or Community to do so.

Through this process a number of questions have been raised as to the reason for the City Council engagement with some of the Bodies concerned and the value that both the Body and the Council gains from representation.

It was apparent from responses that a significant number of Outside Bodies had not met, some for considerable time (over 2+ years). Further communication with Outside Bodies was undertaken to try to identify if this was a result of communication breakdown (Councillors not being invited to meetings or the Outside Body not aware of changes to appointments) or whether this was because such organisations were now non-operational.

It was regularly reported by Councillors that no contact had been made from a representative from the Outside Body they were appointed to, and in some cases the Councillor themselves had been contacted by a third-party organisation asking for information on a body – as a result of seeing the Councillor's name listed on the Southend City Council website.

It was also evident that there was also a mixed approach when appointments had been made. Some Councillors had been proactive and contacted the Outside Bodies that they had been appointed to introduce themselves (and received no response), whilst other organisations had contacted the Councillors direct to ask for information and in some cases had not received the information that they required.

The review highlighted that in some instances, following appointments at Council, particular organisations needed additional forms to be completed to satisfy the Outside Body's own governance processes (in accordance with their Terms of Reference) and Councillor photographs for their websites supplied.

As a result, the Task and Finish Group concluded that the appointments process needed to be standardised and managed by Democratic Services. A process was agreed at **Appendix 4** which would ensure effective communication going forward.

A common theme from responses was that Councillors felt that appointments to Outside Bodies should be made based on the best 'fit' for the role, with Councillors' interests, skills, experience and knowledge taken into consideration when making appointments.

A summary of anonymised Councillor comments is set out below:

- Lack of clarity regarding the objectives of some of the Outside Bodies.
- Concern that there were “meetings for meetings sake” a lot of the time.
- Disappointment that there was no formal feedback or reporting process from Councillors, so the Council was unaware of any good work that may have been undertaken or issues that affected certain wards.
- That there currently was not a way of monitoring Councillor attendance (or lack thereof) on Outside Bodies.
- That appointments to Outside Bodies should largely come from ‘opposition’ or ‘back-bench’ Councillors, given that Cabinet Members already have significant commitments in their Executive functions, responsibilities and mandatory appointments to a variety of Outside Bodies.
- Whether gender balance could be considered on some panels, (such as school appeals) so that they were not male dominated. It was recognised that the school appeal panel was not an outside body, but the comments received were noted.

In addition, there were specific comments raised in relation to the following:

- **London Southend Airport Consultative Committee**
  Some Members felt that representatives appointed to this Outside Body should be from wards primarily affected by the airport (e.g. Ward Councillors whose residents were living under the flight path). It was also felt that this Committee had too many members with Leigh Town Council representatives and Rochford Board of Trade, but not Southend Chamber of Commerce. However, it should be noted that the number of committee members – and where and how these are appointed – are outside of the scope of this review and are for determination by the Consultative Committee.
- **Southend Boys and Southend Girls Choir Trust**
  The Trust was removed from the Outside Bodies list in May 2023. The trust no longer receives funding from the Council; however, it has advised that it would like to have a Councillor representative and it was agreed by the Task and Finish Group to add this back to the list.

During the review, some Councillors suggested other organisations that the Council could look to appoint to in future. It was agreed that these organisations should be added to the appointments list. These are set out in **Table 1**.

Table 1

Organisation	Purpose
Southend SEND Independent Forum	Commissioned group, independent of the Council, made up of volunteers, who are responsible for representing the voice of parents and carers of children with SEND. Quarterly meeting with portfolio holder and shadow portfolio holder has been suggested.
SEND Strategic Partnership Board	To consider whether an Elected Member should be appointed to this Board to

	ensure a line of communication to members as Corporate Parents.
Southchurch Hall Inspirational Parkers (S.H.I.P)	During the review this organisation contacted the Council to ask if they could have a Councillor representative to act as a 'Heritage Councillor' to oversee both the protection and raise awareness of heritage in the City.

3.4 Director Information Gathering

Following consultation with CLT, the following was identified:

- Opportunity South Essex and SELEP end on 31 March 2024 and should be deleted.
- PSP Southend LLP – no Councillors appointed, and the partnership is being dissolved - to delete.
- Southend Business and Community Charter – Charter Committee – Executive Director and appointed Councillor are not aware of any such organisation - delete.
- Essex Leaders and Chief Executives (ELCE) which is attended, as you would expect, by the Leader and CEx (or their subs). This is a slightly different name to that on the appointments list and should be amended.
- Transport East – attended by Portfolio Holder for Highways, Transport and Parking and Director of Infrastructure and Environment.
- Southend Local Bus Forum – Attended by Portfolio Holder for Highways, Transport and Parking and the main opposition group shadow councillor.
- Southend Strategic Business Partnership (Essex Chambers of Commerce) – Attended by Leader and Portfolio Holder for Economic Growth and Investment (not as formal board members)
- Local Government Association General Assembly appointments to continue in the same way, however it is proposed the LGA sub-groups, panels, special interest groups or commissions be removed from the main list and determined by the Leader/Cabinet under Cabinet appointments (currently they are Cabinet Member appointments).
- Key Cities Board – Executive Director in consultation with the Leader has agreed to withdraw from this organisation.
- British Destinations – recommended to withdraw.
- North Sea Commission – involvement to cease from 2024/25.
- Southend CITY Business Improvement District (BID) and Southend Tourism Partnership are critical to growth strategy and appointments should continue to be made.
- LGA sub-groups, special interest groups or commissions (under the LGA umbrella) – it is recommended that these should be nominated to by the Leader, as all are Cabinet Member positions. Local Government General Assembly appointments to continue in normal way, as applies to whole Council.
- Southend Boys and Southend Girls Choir Trust – it was felt that the Mayor should act as the Council representative.

4. Other issues

4.1 Cost implications

Given the Council's challenging financial situation, Councillors were also keen to ensure that any work with Outside Bodies was cost effective and delivering any cost savings where possible. In relation to this Councillors queried:

- whether the Council was incurring any costs in relation to travel or hotel expenses;
- The need to review any membership or subscription fees as a potential to deliver savings, although this is not the focus of the review; and
- where organisations were receiving grant funding from the Council, that Members were being appointed to these outside bodies and regularly attending meetings.

The Task and Finish Group is keen to highlight that although the focus of the review has not been the financial implications of engagement with Outside Bodies, this has been considered as part of this work.

There has been no evidence from Councillors, Directors or Outside Bodies themselves that any considerable travel expenses have been incurred from any appointments made. Councillors have reported that if there have been any travel expenses these have been nominal (such as parking charges), and no claims have been made to the local authority for hotel rooms or significant travel fares. The majority of Outside Bodies are local and based in the City, with some in the wider Essex locality. There are some regional bodies that may meet in London once a year, and others which meet quarterly, however with increasing hybrid ways of working more of these organisations appear to be meeting virtually.

The Kent and Essex Inshore Fisheries and Conservation Authority was identified as one organisation that may incur travel or hotel fees; however, no claims have been submitted to the Council and it is our understanding that any cost(s) have been reimbursed by the Outside Body directly.

During the review process a Councillor expressed concern that Councillors may be being paid additional monies to represent Outside Bodies, and as a result these appointments were more lucrative. No evidence of Councillors being paid additional sums to sit on any of the Outside Bodies listed has been found.

As part of the work undertaken, the Group looked at whether the authority was paying any subscription or membership fees to Outside Bodies – and whether the Councillors appointed to these found the work beneficial. This was one area that could potentially deliver cost savings.

4.2 Reporting Mechanisms

Feedback from Councillors highlights there is a need to put in place reporting mechanisms to allow feedback to the whole Council. This process needs to be simple and effective so as not to create a disproportionate amount of work for those Councillors attending Outside Body meetings.

The roles undertaken by Councillors across outside bodies vary and maybe relevant to the whole Council Membership, fellow Ward Members or Members in a more place-based setting.

Members are asked to consider the most appropriate way to feedback relevant information to other Councillors on the work being undertaken by the outside body they sit on. This may differ depending on whether the outside body is specific to a particular ward/local area, has a wider place-based remit such as Citywide or Essex County/Regional wide.

Some suggested ways to feedback are set out below:

- Email updates – representatives should forward Democratic Services any email updates from the outside body, for forwarding to all Councillors on a monthly update (or quarterly as appropriate).
- Through Councillor's own informal networks.
- Member briefings where a wider dissemination of information and knowledge is desirable.
- An 'Annual Feedback' form. Councillors are required to submit an 'end-of-year' report.

Councillors appointed as a representative to an outside body would be expected in future to feedback using a combination of these methods, with a minimum expectation of completing and 'Annual Feedback' form at the end of each municipal year. This would also assist with keeping the appointment list up-to-date as part of an annual 'light-touch' review.

4.3 Change of representation

As part of the review, it was evident that there needed to be an agreed process to manage any change of representation.

Any Outside Body is free to request an alternate Council representative on the understanding the replacement will be chosen by the Council, not by the Outside Body. Repeated non-attendance at meetings without good reasons offers valid grounds for an Outside Body to request an alternate Council representative.

An Outside Body is also free to inform the Council at any time that Council representation is no longer required (if its Constitution allows it to do so). Requests must be made in writing to Democratic Services.

If a Councillor wishes to stand down from their role, they should first inform Democratic Services who will then contact the Outside Body and make other necessary arrangements.

5. Conclusion

By undertaking this review, the Task and Finish Group have gained a much broader understanding of the levels of commitment required and produced a refreshed and more accurate central database of outside bodies.

Although it is suggested that it may be appropriate to reduce the levels of Council engagement with Outside Bodies, continuing to appoint representatives where it adds

real value to do so, the Task and Finish Group is aware that in their own private capacity many Members decide to take part in or sit on a range of Bodies for personal interest or as part of their ward work.

In these circumstances, the Group is keen that this local work and interest continues but wishes to highlight that Councillors need to ensure that they are clear in advising these Bodies when they are not serving on them as a representative of the City Council and its views.

The Group also wishes to take this opportunity to highlight the value that is gained from partnership working, and the need to develop and foster strong relationships both on an individual and at an organisational level, as many of the Council's priorities cannot be delivered alone, rather they are as a result of close working between a number of organisations.

The following recommendations have been developed as a result of the Task and Finish Group's review.

6. Recommendations

The Outside Bodies Task and Finish Group recommend:

1. **That with effect from the commencement of the municipal year 2024/25, Southend City Council no longer appoint representatives to the outside bodies tabled in Appendix 1.**

2. **That with effect from the commencement of the municipal year 2024/25, Southend-on-Sea City Council appoint representatives to the Outside Bodies tabled in Appendix 2.**

3. **That the number of Outside Bodies to which the Council currently appoints Councillor representatives is regularly reviewed using an appropriate set of criteria for establishing whether Councillor representation is appropriate. An annual 'light-touch' review should be undertaken each year by Democratic Services and Executive Directors, with a more detailed review to be undertaken in consultation with Councillors every 4 years (or as appropriate). The criteria to which appointments should be made to an Outside Body are where:**

    a) **The authority has a statutory duty to be involved.**
    b) **It is essential to the work of the Council and delivery of its service area.**
    c) **Cabinet Members / Councillors are required to attend because of their specific role in the Council.**
    d) **The Outside Body / City Council would derive a significant benefit from the engagement of a Councillor.**

4. **That consideration be given to appointing Councillors according to their knowledge and expertise of a subject**.

5. **That all Councillors who are appointed to Outside Bodies will be expected to provide a monthly update (if appropriate) and an annual report to feedback any key points from their attendance on the Outside Bodies (reporting**

template attached at Appendix 3).

6. **That Democratic Services support Councillors appointed to Outside Bodies by Council or Cabinet, in accordance with the process set out at Appendix 4.**

7. **As part of the induction process Councillors are supported in developing an understanding of their role and responsibilities regarding participation on Outside Bodies and provided with appropriate guidance. Role Profile attached at Appendix 5.**

8. **That an Outside Body is free to request an alternate Council representative on the understanding that the replacement will be chosen by Council, not the outside body (for example, repeated non-attendance at meetings without good reasons offers valid grounds for an Outside Body to request an alternate Council representative).**

9. **An Outside Body is free to inform the Council at any time that Council representation is no longer required (if its Constitution allows it to do so).**

10. **That for ease of reference, Cabinet Member only appointments be separated (if possible) from the main Outside Bodies appointee list but circulated for information only.**

11. **That nominations to Local Government Association sub-groups, special interest groups or commissions be determined by the Leader of the Council (as Cabinet Member appointments).**

12. **That officer only memberships should be removed from the Outside Bodies appointment list, as this is dealt with under a separate process.**