

Non-Executive Report of the: General Purposes Committee Tuesday, 12 December 2023	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Guidance for Members and Officers on Outside Organisations	

Originating Officer(s)	Matthew Mannion, (Head of Democratic Services)
Wards affected	(All Wards);

Reasons for urgency

This report was not published five working days in advance of the meeting due to delays with internal consultation. It is important that the guidance is considered at this meeting so an approved version can be provided to persons currently serving on outside bodies who would otherwise be at risk by not having the latest legal advice.

Executive Summary

The report presents to the Committee the current Guidance for Members and Officers on Outside Organisations and invites members to review the Guidance and consider whether it is content to approve the draft final version attached to this report.

This Guidance has been revised following suggestions made by members of the Standards Advisory Committee between September 2022 and September 2023, when the Guidance was considered and noted by the Advisory Committee.

Recommendations:

The General Purposes Committee is recommended to:

1. Review and comment on the revised Guidance attached at Appendix 1 to the report.
2. To note that, should the guidance be agreed, it will be circulated to all Members and in particular those Members who are appointed to sit on Outside Bodies by the Council.

1. REASONS FOR THE DECISIONS

- 1.1 The Committee has a role in the appointments of officers, Members or other persons to external bodies on behalf of the Council, where the appointment is not the responsibility of the Mayor.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee may make any suggestions it deems appropriate for consideration by the Monitoring Officer.

3. DETAILS OF THE REPORT

- 3.1 Under the terms of the Council's Constitution, the Mayor can make nominations to outside bodies where the activities of the outside body relate to executive functions. This includes almost all current outside body appointments.
- 3.2 The Constitution delegates the function of making appointments to outside bodies, where the activities of those outside bodies relate to Council functions, to the General Purposes Committee.
- 3.3 The role of serving on an outside body can be very different from the day-to-day role of a Member or an officer. The Council thus produces guidance to assist councillors and officers appointed or nominated by the Council to serve on outside organisations, whether as company director, trustee of a charity or a representative on a management committee.
- 3.4 The Guidance is designed for Members and officers. It sets out general expectations of both and includes an appendix which reflects the duties of directors/trustees as set out in law. It also sets out the various types of organisations that members may typically be appointed to.
- 3.5 The Guidance has been reviewed by the Standards Advisory Committee, which has a role in overseeing standards of behaviour on the part of Members appointed to outside organisations. Suggestions made by the Advisory Committee have been included in the draft guidance attached at Appendix 1.
- 3.6 The Committee is therefore asked to review the draft Guidance as set out in Appendix 1 to the report and make any final comments for the Monitoring Officer to consider.
- 3.7 It should be noted that an external review of the Council's governance in 2020, also recommended that the council review the appropriateness of current arrangements for supporting appointees to outside bodies to fulfil their responsibilities. The Guidance document forms a part of the framework of support.

4. EQUALITIES IMPLICATIONS

- 4.1 The Committee should consider the extent to which the Guidance supports equality of opportunity and engagement for all Members and officers including any impact on protected characteristics.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

- 5.2 None.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Guidance document sets out important information for members that are appointed to outside organisations . It is essential that it is reviewed from time to time to ensure that it reflects the law and meets members' needs.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 – Draft Guidance for Members and Officers on Outside Organisations

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE.

Officer contact details for documents:
Matthew Mannion (Head of Democratic Services)