

## SCRUTINY TOPIC REGISTRATION

|  |   |
|--|---|
| <b>Date:</b>                           | 23 <sup>rd</sup> January 2023   |
| <b>Name of person proposing topic:</b> | Cllr. Wendy Flynn   |
| <b>Contact details:</b>                | <a href="mailto:cllr.wendy.flynn@cheltenham.gov.uk">cllr.wendy.flynn@cheltenham.gov.uk</a> ,<br>07870670578 |
| <b>Suggested title of topic:</b>       | Review of Nominations to Outside Bodies   |

### **What is the issue that scrutiny needs to address?**

The Leader/Cabinet/Council appoint representatives to Outside Bodies (OB). This is usually every 2 years, following local elections. The CBC website says that these appointments are to maintain effective partnerships with organisations that are independent of CBC but have an impact on its service areas. I am not aware of the subject of appointments to OBs ever being scrutinised. However, I am aware of some issues with the way this process has been carried out in recent years which I would like the Overview and Scrutiny Committee to look into, please.

#### **1. Annual Reports to Council**

The Council's Constitution states:

*Part 5G – Guidance for Councillors Appointed To Represent the Council on Outside Bodies  
13.1 Members who represent the Council on outside bodies are required to submit a written report to either full council, Cabinet or the Economy and Business Improvement, at least annually, on the activities of the organisation.*

I'm not aware of this being done, despite it being a constitutional requirement. I believe this should be the starting point for the Overview and Scrutiny Committee's investigation. Should reports be submitted and if so when and what should be included?

I believe it is important that reports are submitted annually and that they should contain, as a minimum:

- A summary of what the OB does, including how it supports CBCs aims;
- The number of meetings that have taken place along with the number of meetings the nominee has attended;
- Highlights of the OB's work over the past year and their aims for the coming year/s.
- How the nominee has contributed to developing/maintaining the effective partnership between CBC and the OB?

#### **2. Repeat nomination of a member/s with low/zero input to Outside Body**

The reports are really crucial when looking at the wider subject of nominations to OBs. I am aware of situations where a member has been nominated to an OB but not acted in a way that is conducive to an effective partnership with the OB. For example, one member was nominated to an OB on 3 occasions but never completed the paperwork that would enable them to sit on that OB, depriving the OB of a CBC representative for a total of 6 years and harming the Council's relationship with that OB. Without members submitting annual reports, CBC could be repeatedly nominating to organisations where the nominees are not attending meetings and negatively affecting the Council's relationship with that OB.

#### **3. Process of nomination**

Another area the O&S Committee might want to look into is how CBC nominates to OBs. When more nominations are put forward than there are places available, should the OB be given the opportunity to hear from each potential nominee and to select the one that's the best fit for them? I've heard from a number of people involved in OBs who feel the CBC nomination is something done to them. Over the years, I've come across resentment, and even anger, with committees or boards putting up with the CBC representative rather than embracing their involvement and contribution. Offering an OB a choice of representative would be one way to improve the relationship.

Also, should CBC look to rotating representatives rather than keep appointing the same member to the same OB? Obviously, there are arguments for and against this but adopting this approach would give more members the opportunity to learn first-hand about the work some of the OBs do and their contribution to Cheltenham. It could play an important part in member development.

The current process means that the ruling political group are able to take any of the positions they want, with other political groups being thrown the unwanted crumbs. If an OB does not want to accept the nomination, then they forfeit the opportunity to have CBC representation. Some OBs I've been involved with over the years have expressed the belief that rejecting the nomination could affect their access to funds and other support. The O&S Committee might want to consider whether the strong political aspect of nominations is conducive to good relationships; the relationship between the OBs and CBC should transcend politics and be independent of a change in political make-up of the Council.

#### **4. Appropriateness of nomination**

Are the OBs that CBC currently nominate to and the number of nominees appropriate? Are there organisations that it would be advantageous for CBC, and advantageous for the organisation, to have a representative on that it doesn't currently? The climate emergency, cost of living crisis, and the Golden Valley development have seen changes in CBC's priorities. The new Corporate Plan depends on partnership working for its success. How might the nominations to Outside Bodies process, if done right, support the Plan? Should CBC continue to allow nominations to OBs of non-councillors?

#### **What do you feel could be achieved by a scrutiny review (outcomes)**

Stronger partnerships with Outside Bodies.  
 A more effective and fairer system of nomination.  
 Improved accountability and transparency.  
 Support for Corporate Priorities.  
 Better/broader member engagement with OBs and member development.

|  |   |
|--|---|
| <b>If there a strict time constraint?</b>  | No  |
| <b>Is the topic important to the people of Cheltenham?</b>   | Yes   |
| <b>Does the topic involve a poorly performing service or high public dissatisfaction with a service?</b> | Not a service CBC delivers to the public, no. |
| <b>Is it related to the Council's corporate objectives?</b>  | Yes   |

## OFFICER IMPLICATIONS

|   |  |
|---|--|
| <b>Date:</b>  | 25 <sup>th</sup> January 2023  |
| <b>Officer name:</b>  | Claire Hughes  |
| <b>Officer title:</b>   | Corporate Director and Monitoring Officer  |
| <b>Contact:</b>   | <a href="mailto:claire.hughes@cheltenham.gov.uk">claire.hughes@cheltenham.gov.uk</a> |
| <b>Please give your comments on this proposed topic, for example: is there any other similar review planned or in progress, are there any potential resource constraints?</b>   |  |
| <p>The process of appointing members to outside bodies is set out in the Constitution. Any changes to this process are a matter for the Constitution Working Group to consider and then to make recommendations to Council as appropriate. Therefore this is a subject that would be more appropriately addressed via the Constitution Working Group.</p> <p>The issue regarding a lack of annual reports has already been identified and officers are in the process of making contact with all representatives to remind them of their obligations and request that their reports be prepared for presentation at the March Council meeting. In view of this, the committee may wish to consider what value they are able to add at this stage.</p> <p>Additionally, a number of outside bodies, such as Ubico, the Cheltenham Trust and Publica, are regularly called to O&amp;S for performance reviews where Members of the committee can put questions directly to the Chair/CEO.</p> |  |