

SUBJECT:	Guidance Note for Councillors and Officers on Outside Bodies
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Joanna Swift – Head of Legal and Democratic Services and Monitoring Officer
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WARD/S AFFECTED	None

1. Purpose of Report

To seek the Committee's views on proposed guidance for members and officers who are appointed to outside bodies.

RECOMMENDATION

That members consider and agree the Guidance Note attached as an Appendix.

2. Reasons for Recommendations

To ensure high ethical standards are maintained and that members and officers are aware of their responsibilities and duties when they are appointed to outside bodies.

3. Content of Report

- 3.1 Members and officers can be appointed by the Council or Cabinet to serve on a range of outside bodies including voluntary organisations, public bodies and local authority companies. In performing this role councillors and officers can act as individuals, representatives of the Council, directors or trustees. Whilst serving on an outside body can bring many benefits to the Council, the organisation and the community, there is also scope for conflicts of interest with a councillor or officer's work. There are also legal responsibilities and duties which members and officers need to understand and adhere to when carrying out their roles. In particular the Council has recently set up company and appointed the Chief Executive and Director of Services as directors. It is therefore considered appropriate to provide some general guidance on these issues.
- 3.2 The Council's Code of Conduct applies when a member is acting in their official capacity and this includes acting as a representative of the Council. Similarly officers are required to comply with the Employees Code of Conduct. However, when acting as director of a company, a trustee or as a member of an organisation's management board, it is important to understand that councillors and officers will also owe duties and responsibilities towards the organisation concerned. This means acting in accordance with the best interests of the outside body and not simply acting in accordance with the instructions or wishes of the Council. Usually the best interests of the outside body and the Council will be aligned but where there is a conflict and councillors or officers are involved in taking a decision, they must act in the best interest of the outside body. Where a conflict arises you may need to

consider whether it is appropriate to be involved in that particular decision and should seek advice from the Head of Legal and Democratic Services or the outside body's advisers.

- 3.3 The draft Guidance Note appended to this report sets out some of the most important responsibilities and issues but is not meant to be a fully comprehensive guide. If members or officers have particular queries they should contact the Head of Legal and Democratic Services for advice.

4. Consultation

Not applicable.

5. Options

The Committee is invited to consider and comment on the draft Guidance Note.

6. Corporate Implications

Financial – As set out in the Guidance Note
Legal – As set out in the Guidance Note
Risks issues – As set out in the Guidance Note
Equalities - No specific implications

7. Links to Council Policy Objectives

Whilst there are no direct links to the Council's main policy objectives effective working with outside bodies is a matter of good governance and is important in preserving the confidence of local communities and organisations.

8. Next Steps

The guidance would be circulated to members and officers and published on the intranet.

Background Papers:	None except those referred to in the report.
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