



**Standards Committee**  
25 August 2009

**Report from the  
Borough Solicitor**

Wards Affected:  
None

**Guidance for Members Involved in Outside Bodies**

**1.0 Summary**

- 1.1 This report provides members with a copy of the guidance for members involved in outside bodies. The guidance has recently been updated as part of a wider review of Council appointments to outside bodies which is also discussed in this report.

**2.0 Recommendations**

- 2.1 That members note the guidance issued by the Borough Solicitor and attached to this report as **appendix 1**.

**3.0 Detail**

- 3.1 Each year the Council nominates or appoints members to be Council representatives on external organisations or outside bodies. This includes a wide variety and large number of organisations. In some cases the Council is required by statute or Trust Deed to make a nomination or appointment but in others the organisation has simply requested that the Council make an appointment.
- 3.2 Officers have recently conducted a review of the appointment of members to outside bodies and in doing so have consulted members who hold positions on outside bodies, representatives of the organisations that the Council nominates to, as well as the Corporate Management Team and relevant lead members. The appointment of members as school governors was not part of this review as these appointments are made by the Director of Children and

Families under a policy and procedure that was recently reviewed by the Executive.

- 3.3 There were four main aspects to the review;
- a) To carry out a review of the list of outside bodies to which appointments and nominations were being made at the time to ensure that all appointments were necessary and appropriate.
  - b) To develop a standard form and process for assessing the merits of appointing or nominating members to new outside bodies
  - c) To publish an updated guidance for members who are appointed to outside bodies about the rights, responsibilities and duties that arise with an appointment or nomination.
  - d) To develop a comprehensive database of the outside bodies to which the Council makes appointments or nominations and relevant information on the organisation i.e. trust deeds or constitutions.
- 3.4 As a result of the review in May 2008 and May 2009 the Council ceased making appointments to a number of outside bodies where such appointments were identified as not being required. A full list of all the outside bodies to which the Council makes appointments is set out in **appendix 2**.
- 3.5 A report was submitted to the General Purposes Committee setting out the conclusions of the review and on 30 June 2009 the Committee agreed to introduce;
- A standard procedure for dealing with new requests for nominations to outside bodies
  - A standard set of questions which the Council will rely when deciding whether to make a new appointment to an outside body; and
  - An annual report from members about their activities on outside bodies to provide ongoing feedback about the outside body and the member's role.
- 3.6 The attached update guidance for members deals with matters of conduct, ethics and probity and therefore falls within the terms of reference of the Standards Committee rather than the General Purposes Committee. Members are therefore asked to note the guidance which is attached to this report as **appendix 1**.
- 3.7 The guidance is divided into two sections. The first section deals with general principles relating to outside bodies such as what a member's role on an outside body is, issues of personal and prejudicial interests and predetermination, bias and apparent bias. The second section explains the types of organisations that a member may be appointed to such as a limited company, trust or unincorporated association and highlights the rights, duties and responsibilities that arise from each type of organisation and a member's position on that organisation.
- 3.8 In some cases, such as when a member is appointed as a director or trustee, this could result in situations where the member is held personally liable for actions of the organisation. It is therefore important that members are made aware of the situations in which this can occur (through the guidance) and that as far as possible members are covered by insurance.

## **4.0 Financial Implications**

4.1 There are no financial implications from this report.

## **5.0 Legal Implications**

5.1 The legal implications that arise from the appointment of a member to an outside body are dealt with in the guidance that is attached to this report as **appendix 1**.

## **6.0 Diversity Implications**

6.1 Officers believe that there are no diversity implications.

## **7.0 Background Information**

*Report on Brent Council's Representation on Outside Bodies considered by the General Purposes Committee on 30 June 2009*

### **Contact Officer:**

Anybody wishing to inspect this document should contact:

Dan Bonifant, Borough Solicitors Office, Legal & Democratic Services, Brent Town Hall, Forty Lane, Wembley, HA9 9HD, Tel: 020 8937 1368.

**Terry Osborne**  
**Borough Solicitor**

## Appendix 2 – List of outside bodies to which the Council makes appointments

Age Concern London  
Brent Housing Partnership (BHP) Board  
Brent Learning Disabilities Partnership Board  
Brent Sports Council  
Central and North West London NHS Foundation Trust  
Chalkhill Community Centre  
Chalkhill Community Trust Fund  
Edward Harvist Trust  
Energy Solutions (North West London)  
Environmental Protection UK  
Fortunegate Community Housing (sub of parent body Catalyst)  
Greater London Enterprise Board Ltd  
Hillside Housing Trust  
Historic Environment Champion (English Heritage)  
LHC - Building Components & Services  
Local Government Association General Assembly  
Local Government Information Unit (Management Committee)  
London Accident Prevention Council  
London Council Children, Young People and Families Forum  
London Councils (Ltd)  
London Councils Crime & Public Protection Forum  
London Councils Culture, Tourism & 2012 Forum  
London Councils Economic Development Forum  
London Councils Greater London Employment Forum  
London Councils Health & Social Care Forum  
London Councils Housing Forum  
London Youth Games Ltd Committee  
Museums Association  
North West London Valuation Tribunal  
Park Royal Partnership Limited  
Partners for Brent (Local Strategic Partnership)  
Queen's Park Joint Consultative Group  
Reserve Forces and Cadets Association for Greater London  
Shepherd's Bush Housing Association  
South Kilburn Neighbourhood Partnership Board  
South Kilburn Neighbourhood Trust  
South Kilburn Project Steering Group  
Stadium Housing Association Ltd Management Committee  
Standing Advisory Council for Religious Education (SACRE)  
Tricycle Theatre  
Wembley Educational Foundation  
Wembley Eleemosynary Charities  
West London Alliance  
West London Partnership  
West London Waste Authority  
Willesden Consolidated Charities  
Willow Housing Board