



**Report to: Policy and Resources Committee, 26<sup>th</sup> July 2022**

**Report of: Corporate Director – Planning and Governance**

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**Subject: APPOINTMENTS TO OUTSIDE BODIES**

**1. Recommendation**

**1.1 That the Committee agree the appointment of a Trustee to Worcester Consolidated Municipal Charities and confirms the term of that appointment.**

**2. Background**

2.1 The Council makes appointments annually to a variety of outside bodies. The appointments are a function of the Policy and Resources Committee.

2.2 The Committee considered various appointments at its meeting on 24<sup>th</sup> May 2022.

2.3 Since that meeting, a vacancy has arisen in respect of Worcester Consolidated Municipal Charities. The Council appoints four Trustees, one of whom, Mike Johnson, has resigned.

2.4 The Charity has proposed that a new Trustee is appointed by the Council for the remainder of Mr Johnson's four-year term of office, which expires on 1<sup>st</sup> May 2023. This gives the Charity and its Trustees the opportunity to reset the appointment next year. However, an equally appropriate option is that the new Trustee is appointed for four years (as per the Charity's Constitution below); because trusteeships or directorships are personal appointments, in law, the time that a predecessor appointee has served in the role does not "roll over" and get counted into any successor's term of appointment.

2.5 The relevant clause of the Charity's Constitution states:

Worcester City Council Appointed Trustees

(a) The Council of the City of Worcester may appoint up to FOUR charity trustees ("WCC Appointed Trustees").

(b) Any appointment must be made at a meeting held according to the ordinary practice of Worcester City Council.

(c) Each appointment shall be for a term of four years.

(d) The appointment will be effective from the later of:

(i) the date of the vacancy; and

(ii) the date on which the charity trustees or their secretary or clerk are informed of the appointment in writing.

- (e) The person appointed need not be a member of the appointing body.
- (f) A WCC Appointed Trustee has the same duty under clause 9(1) as the other charity trustees to act in the way he or she decides in good faith would be most likely to further the purposes of the CIO.
- (g) In selecting individuals for appointment as WCC Appointed Trustees, the Council of the City of Worcester must have regard to the skills, knowledge and experience needed for the effective administration of the CIO.

2.6 Nominations are currently being considered by Group Leaders and will be reported at the meeting.

### **3. Alternative Options Considered**

3.1 The alternative option is to leave this appointment vacant until the term of office expires, which is not recommended as it will mean the Charity will not have its full number of appointed Trustees.

### **4. Implications**

#### 4.1 Financial and Budgetary Implications

None.

#### 4.2 Legal and Governance Implications

The role and responsibilities of the representative on an outside body depends on the composition and terms of reference of the organisation. Some are appointed to the organisation as a Director or a Trustee and these positions carry with them legal responsibilities to the organisation concerned.

#### 4.3 Risk Implications

When Councillors are representing the Council on another body, they must follow the Council's Code of Conduct and relevant guidance, unless it conflicts with a legal duty owed to the other body.

#### 4.4 Corporate/Policy Implications

Participation by elected members and representatives of the Council in the work of outside bodies assists in supporting the aims of the Council's City Plan by encouraging people to participate and volunteer to support each other and their communities.

#### 4.5 Equality Implications

None.

#### 4.6 Human Resources Implications

None.

#### 4.7 Health and Safety Implications

None.

#### 4.8 Social, Environmental and Economic Implications

See 4.4 above.

**Ward(s):** All Wards  
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**Background Papers:** None