

26 November 2019

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Guidance for Councillors and Officers on Outside Bodies		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Council provides guidance for councillors and officers who are appointed by it to outside bodies and their respective roles and responsibilities.

2. Decision(s) Required

- 2.1 To approve the attached Guidance for Councillors and Officers on Outside Bodies and that it be included within the Constitution.
- 2.2 That all Councillors and Officers who are appointed to serve on outside bodies are provided with a copy of the Guidance.

3. Background

- 3.1 The Council has for several years provided guidance to Councillors and officers who are nominated by Cabinet to serve on outside bodies. Nominations are usually for a period of one year and can be to a variety of organisations which can have differing legal status. The existing Guidance was last reviewed by this committee on 15 October 2013. Accordingly, it is now timely to update and review its contents particularly following the creation of Colchester Commercial (Holdings) Limited.
- 3.2 Councillors and in some circumstance's officers, are initially appointed to outside bodies to represent the Council however along with the appointment comes potential liability in other capacities. For example, if a Councillor is appointed to the board of a company they become a director of that company and with that comes the responsibilities of a company director including their fiduciary duty to the company which must take priority to their responsibility back to the Council. The revised Guidance attached to this report seeks to provide advice the Councillors in these situations.
- 3.3 The revised guidance seeks to provide guidance for Councillors and officers in relation to the law and practical advice to situations that they could find themselves in having been appointed to an outside body.
- 3.4 It is suggested that the revised guidance is provided to all Councillors and officers who are nominated to outside bodies and that it be included in the Constitution.

4. Strategic Plan References

- 4.1 The manner in which the Council governs its business is an underpinning mechanism in the Council's Strategic Plan aims to set out the direction and future potential for our Borough.

5. Publicity Considerations

5.1 The Constitution is available on the Council's website.

6. Financial, Equality, Diversity and Human Rights, Consultation, Health, Wellbeing and Community Safety, Health and Safety and Risk Management Implications

6.1 None.