

NEWTON ABBOT TOWN COUNCIL



Role of Representatives on Outside Bodies

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Role of Representatives on Outside Bodies

1. Background

The Town Council is frequently asked to nominate a Councillor to sit on an outside body, an organisation that seeks support, advice and help of the Town Council, but is not a Town council committee, function or working party.

- 1.2 The Town Council can nominate any Councillor to sit on any of these bodies. In some circumstances more than one Councillor is requested to attend the meetings.
- 1.3 A Councillor nominated to sit on an outside body does so as a representative of the Town Council and as such any personal interest must be governed by the corporate body and policies of the Council. As there is no current policy or protocol to advise Councillors on their responsibilities and how to act within the framework, it is suggested that Council adopt guiding principles.
- 1.4 Councillors need to be aware that local authorities do not have the legal power to grant indemnities to Members serving on outside bodies except in limited circumstances. These are:
 - (a) where a Councillor acts solely on behalf of their authority within the Terms of Reference laid down by the Town Council and solely in pursuance of the Town Council's statutory powers
 - (b) where the Councillor acts solely in an advisory capacity in connection with the Town Council's function
 - (c) where the Councillor occupies an observational role on the board or committee of an outside organisation, representing the Town Council's interests (rather than a decision-making capacity)
 - (d) where the Councillor acts on behalf of a joint committee established by two or more local authorities such as Devon Association of Local Councils.
- 1.5 A Councillor nominated to serve on an outside body needs to declare this in the register of interests. However, as the nominated representative of the Town Council the Councillor can both debate and vote on any issue relating to the outside body.

2. Role of representatives on outside bodies

The following guidance is issued to ensure that members comply with their responsibilities when attending as a representative for Newton Abbot Town Council and keep from airing personal and/or political views.

- 2.1 A nominated Town Council representative on an outside body represents the Council in a corporate not a personal capacity. They must act in accordance with Council policy.

- 2.2 A nominated Town Council representative should seek advice from the Town Clerk in the event of being unsure on any Council policy prior to advising an outside body.
- 2.3 Representatives on outside bodies can aid outside bodies to access the expertise and knowledge of the Council and links with other public-sector organisations, such as the principal councils and the Police
- 2.4 A Town Council representative should not commit Council resources or support, whether financial or 'in kind', to an outside body but should bring all such requests back to Council in writing for consideration.
- 2.5 Administrative support by Council staff is not available to outside bodies or to Town Council representatives on outside bodies unless authorised by Council.
- 2.6 Representatives should update Council regularly, either directly or through the delegated committee, about the outside bodies on which they have been nominated to serve.
- 2.7 Representatives should attend as many meetings of an outside body as they are reasonably able. It is the representative's responsibility to send apologies if they are unable to attend a meeting. They should also notify the Town Clerk when they are unable to attend meetings.
- 2.8 The Town Council expects its representatives to be kept informed of all meetings of outside bodies in a timely fashion and also expects that all paperwork will be shared with them.
- 2.9 Any outside body is free to reject a specific Council representative on the understanding that their replacement will be nominated by Council, not by the outside body. Repeated non-attendance at meetings without good reason offers valid grounds to reject a specific Council representative.
- 2.10 All outside groups *are* free to inform the Council at any time that Council representatives are no longer required, if their constitution so allows.