

REPORT TO FORMARTINE AREA COMMITTEE – 21 SEPTEMBER 2021

NOMINATIONS TO OUTSIDE BODY

1 Reason for Report / Summary

- 1.1 This report asks the Committee to nominate a Member to the current vacancy on an outside body.

2 Recommendation

The Committee is requested to nominate a Member to the Formartine Area Partnership (SCIO) in an advisory/ observer capacity.

3 Purpose and Decision-Making Route

- 3.1 At the meeting of Aberdeenshire Council on 18 May 2017, the power to nominate Members to outside bodies was delegated to Area Committees.
- 3.2 At the meeting of Aberdeenshire Council on 17 March, 2021, (Item 12), a report was approved, in terms of Confident Governance, to accept the request from Formartine Area Partnership (SCIO) to seek a representative of the Area Committee to serve in an observer capacity on their Board.

4 Discussion

- 4.1 The nomination to outside bodies is managed through the Confident Governance process. This provides a cohesive and consistent process. All outside bodies provide their constitutional documents, accounts, and complete an application form, and these are examined by officers. Members who are nominated to an outside body will receive copies of these documents.
- 4.2 When a councillor takes on a role as **a decision-maker** for an outside body, the councillor becomes a member of that organisation (which is separate from his/her role as a councillor), can make decisions on behalf of the organisation and carries liability for those decisions. Where the role taken on is one of **advisory**, the councillor does not become a member of the outside body and simply observes proceedings or provides advice on what the Council's position is on a particular issue. Members should be aware that when they take on an observational role, they must be careful to limit their remit accordingly and not inadvertently influence policy or management decisions of the outside body, otherwise they may be treated as decision-makers for the organisation and thereby take on liability for the decisions made.

5 Council Priorities, Implications, and Risk

- 5.1 This report helps to support the following Council Strategic Priorities: Community Resilience: Develop existing partnerships and build new ones with our key stakeholders

Further information can be found here:

<https://www.aberdeenshire.gov.uk/council-and-democracy/council-plan/delivering-our-priorities-across-services/>

- 5.2 The table below shows whether risks and implications apply if an appointment is approved.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities and Fairer Duties Scotland		X	
Town Centre First		X	
Sustainability		X	
Children and Young People's Rights and Wellbeing		X	

- 5.3 An Integrated Impact Assessment (IIA) has been not been completed in relation to the proposed appointment as the matter is procedural.
- 5.4 There are no particular staffing or financial implications arising from this report. Any remaining staffing resources being applied to the Confident Governance Project, in particular from within Legal and Governance, are met from existing budgets.
- 5.5 The following Risks have been identified as relevant to this matter on a Corporate Level: Budget Pressures (Risk ACORP001); and (Risk ACORP005) Working with other organisations. **(Corporate Risk Register).**

No risks have been identified as relevant to this matter on a Strategic Level **(Directorate Risk Registers).**

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and are satisfied that the report complies with the **Scheme of Governance** and relevant legislation.
- 6.2 The Committee is able to consider and take a decision on this item in terms of Section B.1.10 of the **List of Committee Powers in Part 2A** of the Scheme of Governance as it relates to the appointment of elected members as directed by Full Council.

Ritchie Johnson
Director of Business Services

Report prepared by Jan McRobbie, Formartine Area Committee Officer, 11 September, 2021