

## REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE – 1 SEPTEMBER 2022

### NOMINATIONS TO OUTSIDE BODIES

#### 1 Executive Summary/Recommendations

- 1.1.1 This report seeks nominations by the Committee, for the appointment of Elected Members to represent Aberdeenshire Council on a number of outside bodies as listed in **Appendix 1** to the report.
- 1.1.2 The nomination to outside bodies is managed through the Confident Governance process. That provides a cohesive and consistent process. All outside bodies provide their constitutional documents, accounts and complete an application form and those are examined by officers. Members who are nominated to an outside body will receive copies of those documents.
- 1.1.3 Nominations, if approved, are effective for the full Council term unless a resignation is received, reappointment is provided for otherwise by statute or a motion to remove a Member is carried by a majority of Members present and voting at Committee meeting as appropriate.

#### 1.2 The Committee is recommended to:

- 1.2.1 Nominate Members to each of the outside bodies in the capacity listed through the Confident Governance Process (Appendix 1); and**
- 1.2.2 Instruct Officers to ensure that the necessary formalities are dealt with regarding resignations and nominations of Elected Members to outside bodies as listed in Appendix 1 to the report.**

#### 2 Decision Making Route

- 2.1 At the meeting of Aberdeenshire Council on 19 May 2022 (Item 11) the power to nominate Members to outside bodies and partnerships was delegated to this Committee.
- 2.2 At its meeting on 9 June, 2022 (Item 16), the Committee agreed, as part of the process of determining the nomination of members to Outside Bodies, to defer the decision in relation to the Outside Bodies listed in Appendix 1 to the meeting of the Committee on 1 September, 2022.

#### 3 Discussion

- 3.1 The councillor names noted in the appendices are the nominees from the previous Council. The names are in the appendices for information.
- 3.2 As a reminder, 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 **observer**, 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.

#### 4 Council Priorities, Implications and Risk

4.1 This report helps to deliver the all Six Strategic Priorities by promoting the underlying principle of having the right people, in the right place, at the right time.

4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

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

4.3 There are no staffing or financial implications arising directly as a result of this report. Any remaining staffing resources being applied to the Confidential Governance Project, in particular from within Legal and People, are met from existing budgets.

4.4 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken because the proposals are procedural matters and do not have a differential impact on any of the protected characteristics.

4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:

- ACORP005 - Working with other organisations and partnership working – [Corporate Risk Register](#).
- No Risks have been identified from the Directorate Strategic Risk Register.

#### 5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are

incorporated within the report. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.

- 5.2 The Committee is able to consider and take a decision on this item in terms of Section E.5.4 of the [List of Committee Powers in Part 2A](#) of the Scheme of Governance as it relates to the approval of nominations and appointments of elected members to outside bodies, and partnerships.

**Ritchie Johnson**  
**Director of Business Services**

Report prepared by Kasia Balina, Committee Officer  
Date: 22/07/2022

**List of Appendices:**

Appendix 1 - List of Outside Bodies which require nominations

## APPENDIX 1

### List of Outside Bodies which require nominations

<b>Education &amp; Children's Services Committee</b>				
<b>Outside Body</b>	<b>Capacity</b>	<b>Number Requested</b>	<b>Former Representation</b>	<b>Comments</b>
Dick Bequest Trust	Decision Making	2	(Cllr. C Buchan) Cllr. I Davidson	
Proctor's Trust	Decision Making	1	Administration (1) Cllr. I Walker	

Key: () No longer a Councillor.