

Remuneration Committee

Wednesday, 9 July 2025

ADDENDA

6. Local Government Reorganisation and Devolution - Increasing Strategic Capacity (Pages 1 - 12)

This report sets out how the Council is increasing its capacity to meet the commitments of the Devolution White Paper.

8. For information: Review of Appointments to Outside Bodies (Pages 13 - 22)

The Audit and Governance Committee will consider a report at its meeting on 16 July 2025 on appointments to Outside Bodies. It is proposed that appointments to Category B* bodies will in future be approved by the Audit and Governance Committee rather than by the Remuneration Committee.

The report will be provided to this Committee for information purposes when it is available.

* Category B body: "has not been identified by the Cabinet and endorsed by the Council as strategic".

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REMUNERATION COMMITTEE

09 July 2025

LOCAL GOVERNMENT REORGANISATION AND DEVOLUTION - INCREASING STRATEGIC CAPACITY

Report by Executive Director of Resources and Section 151 Officer

RECOMMENDATION

The Remuneration Committee is RECOMMENDED to:

- i. Note the establishment of the temporary roles of Programme Director – Local Government Reorganisation and Programme Director – Devolution.
- ii. Note the remits of the job descriptions enclosed at Annex A.

Executive Summary

1. Oxfordshire County Council is facing significant, externally driven change to its present form and future functions. This report outlines the need to increase the capacity and capability of the organisation to meet those challenges now, and in the future, through a number of fixed term programme director posts.

Background

2. In April 2024, Remuneration Committee endorsed a significant restructure to the senior leadership of the County Council to ensure that, through the right structure, it can deliver effective, outcome-based, responsive services to our residents, whilst ensuring the organisation moves towards becoming more financially sustainable.
3. The local government sector has never before faced such a perfect storm of revenue and capital spending reductions, increased volume, and complexity of demand across many of its services and a turbulent, uncertain external political, economic, and environmental context. Within this unprecedented context, it is invidious to think that councils can remain static and rely on the same organisational and leadership models which have characterised the sector for many decades.
4. Since April 2024, this external political context has shifted, significantly, with the publication of the Devolution White Paper in December 2024 which brings to an end the 'two tier' system of local government and seeks to 'complete the map' of England by bringing Strategic Authorities to every part of country. To that end, and to ensure existing service delivery / 'business as usual' leadership arrangements, two fixed term programme director roles have been established one with responsibility for local government reorganisation and the other with responsibility for devolution. Both roles are for a two-year period, with the potential to extend by one further year, depending on the timing of the creation of a new Mayoral Combined Authority and new unitary council or councils in Oxfordshire.

5. Both posts have been externally evaluated by Korn Ferry, and have been evaluated at Senior Leader, Level 3 as set out below.

Grade/Role Profile	scp1	scp2	scp3	scp4	scp5
Senior Leader, Level 3	£110,000	£112,500	£115,000	£117,500	£120,000

6. It should be noted that in accordance with terms and conditions, a cost of living pay award is due from 1 April 2025, which is still to be agreed nationally and will be backdated to 1 April 2025 when implemented.
7. The appointments to the Director roles and pay scales will be made on JNC for Chief Officers terms and conditions.

Governance Arrangements

8. There are local government employment rules that govern the appointment of statutory chief officers, non-statutory chief officers, and deputy chief officers. The Local Authorities (Standing Orders) (England) Regulations 2001, SI 2001/3384 provides that the power to discharge powers in relation to staff (which would include the above named appointments) should be set out in standing orders. Those standing orders are contained in the Council Constitution, specifically at Part 8.4 the Officer Employment Procedure Rules.
9. Section 5 of Part 8.4 provides that the Head of Paid Service will make such interim arrangements for the appointment of officers including chief officers to interim posts as may be necessary from time to time to ensure that the statutory functions of the council are adequately fulfilled, subject to consultation with both the Chair and Deputy Chair of the Remuneration Committee.
10. The Programme Director – Devolution will report directly to the Chief Executive Officer and is a non-statutory chief officer. The Programme Director – LGR reports directly to the Executive Director of Resources and Section 151 Officer and is a non-statutory deputy chief officer.
11. This Policy will be refreshed to reflect the changes outlined in the report and any other changes, if any, that have been made over the course of the year.

Financial Implications

12. In January 2025 Cabinet approved the creation of a new reserve to hold funding to support the development of reorganisation and devolution proposals for Oxfordshire and an initial contribution of £5.0m. A further contribution of £5.0m, increasing the total to £10.0m, was agreed by Cabinet in March 2025.
13. The cost of these temporary roles will be met from this reserve.

Comments checked by:

Kathy Wilcox, Head of Corporate Finance

Legal Implications

14. By virtue of the relevant legislation and the Council Constitution the Head of Paid Service has authority to create the two fixed-term posts in response to the forthcoming constitutional changes. The two roles have been designated as non-statutory chief officers, in accordance with s.2(1) of the Local Government and Housing Act 1989 these are politically restricted posts.
15. Due consideration has been given to suitable remuneration for the positions, and they have been externally evaluated by Korn Ferry thereby mitigating any potential equal pay risk.

Comments checked by:

Stephen Woodman
Solicitor - Employment

Employee Implications

16. This recruitment process has been undertaken using the agreed recruitment processes including job evaluation and fair advertisement of these roles on an internal basis.

Equality & Inclusion Implications

17. None immediately arising from this report.

Contact Officer:

Lorna Baxter
Deputy Chief Executive (Resources) and Section 151 Officer
Lorna.baxter@oxfordshire.gov.uk

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Role Profile

Role Title	Programme Director - Devolution (2-year fixed-term contract, with potential extension by up to 12 months subject to mutual agreement)
Reference Number	
Service	Chief Executive's Office
Reports to	Chief Executive Officer

Role Purpose

Lead a programme team and work with internal and external stakeholders to achieve targeted results, priorities and statutory requirements. Accountable for delivery, effectiveness, corporate support and community outcomes, the role is critical to the achievement of devolution for Oxfordshire County Council and the wider devolution area. The focus is on driving devolution by translating strategy into successful delivery and delivering service excellence for the residents of Oxfordshire.

Lead the strategy and delivery for devolution and work with the Director of Local Government Reorganisation to promote and develop a new form of regional governance for Oxfordshire. This is a fixed term project, delivering a substantial and complex change for the county council, reporting into the OCC's Chief Executive Officer (who is the lead CEO for devolution) and supporting a network of regional chief executives.

Responsible for driving Oxfordshire County Council's (OCC's) Delivering the Future Together (DTFT) values and the devolution principles, being a role model within and throughout the organisation as organisational leaders, to deliver excellent services to Oxfordshire's residents. [Delivering the Future Together](#), is our ambitious transformation programme enabling the organisation to be an employer, partner, and place shaper of choice. Lead on OCC's value of '[daring to do it differently](#)', as the organisation continues to strive to do better.

Corporate Accountabilities

- Work with senior leaders across the wider region, and with government, to establish and develop a new high-performing and inclusive authority, delivering an excellent service for residents and communities through an ambitious programme of change.
- Inspire, motivate, and develop leaders and staff, to create a positive and inclusive working environment that creates a culture of trust, collaboration, and ambition where all belong and thrive and perform at their best to deliver excellent services to residents.
- Work corporately to remove barriers and enable staff to be entrepreneurial and innovative, and work with stakeholders across organisational boundaries to co-design inclusive and joined-up services that are efficient, effective, and meet the requirements of residents and communities.
- Align portfolio with the County Council's strategic priorities, developing annual plans and ensuring resources (staff, resources, assets) necessary to achieve objectives against priorities with appropriate consideration for medium-term requirements.
- Lead considerable change and transformation across services, while ensuring continuity in performance, financial constraints, and statutory obligations.
- Negotiate and collaborate with residents, Members, other County Council departments, and external stakeholders to develop joined up solutions that effectively serve Oxfordshire and its residents.
- Act as a Leader, creating an environment in which the County Council can jointly design, commission (if required), and deliver outcomes with partners, by unlocking barriers and monitoring the success of these partnerships.

- Serve all Members and work with the Cabinet and the relevant Cabinet Member(s) as the County Council's expert on devolution and provide advice, guidance, clarity and insight into functional delivery and performance.
- Deputise for the Director of Local Government Reorganisation as required.

Portfolio Accountabilities

- **Strategic Leadership:** Providing strategic direction for the devolution agenda across Oxfordshire and regional partners. This involves developing and implementing devolution strategies aligned with government priorities and regional needs.
- **Stakeholder Engagement:** Building and maintaining strong relationships with a wide range of stakeholders, including central government departments (e.g. Ministry of Housing, Communities & Local Government), local council leaders, chief executives, businesses, universities, and community representatives. This includes effective communication and negotiation.
- **Programme Development and Implementation:** Leading the design, development, and implementation of devolution programme and initiatives. This involves creating comprehensive plans, defining governance structures, managing budgets, and ensuring effective delivery.
- **Policy Development:** Contributing to the development of regional policy and the devolution strategy, ensuring they promote inclusion, public services system integration, and community engagement.
- **Financial Management:** Overseeing the financial aspects of devolution, including managing funding arrangements and ensuring effective allocation of resources.
- **Change Management:** Driving transformative change across the region, challenging conventional thinking, and ensuring smooth programme delivery in preparation for significant events like mayoral elections.
- **Team Leadership:** Assembling and leading multi-skilled teams across the region, ensuring the right expertise is in place to deliver programme objectives and fostering a culture of continuous improvement.
- **Risk Management:** Identifying and addressing key challenges and ensuring robust risk mitigation strategies are in place.
- **Public Engagement:** Developing and implementing effective communications and engagement strategies to ensure transparency and public involvement in the devolution process.
- **Advisory Role:** Acting as a trusted advisor to senior leadership and political figures (e.g. CEOs, Cabinet members) on devolution matters, providing strategic insight and leadership.
- **Work with the Oxfordshire Chief Executive, other senior leaders, and Cabinet to ensure that the County Council has an effective brand as a place leader both nationally and for the sub-region in leading the devolution agenda.**
- **Ensure effective communications strategies are in place, which support understanding and decision-making on the devolution proposals and provide proactive and timely policy advice to senior leaders across the council to enable informed and appropriate decision-making.**
- **Ensure that the County Council has strong, effective and proactive relationships with key stakeholders.**
- **Lead the integrated delivery, improvement, management and performance of the devolution portfolio, commissioning and directing activity within the County Council and externally as required.**
- **Evaluate risk and make changes to established plans to react to significant business challenges, opportunities, or threats.**
- **Ensure the service/function(s) uses all available resources in the most efficient and effective way that represents excellent value for money, managing department budgets and ensuring services are continuously improved to see if they can be delivered in a more cost effective and streamlined way.**

Knowledge / Skills / Experience required

- Seasoned professional in area of expertise, with a breadth of understanding of all areas that the role covers.

- In-depth understanding of regulations/legislation and best practice within their area of specialism and the wider sector. Understanding of national and local government developments, policy, and emerging trends.
- Experience of leading a large service within a complex and diverse organisation, and leading constant change and transformation, establishing a mandate for change and inspiring the workforce to improve.
- Significant experience of leading diverse and multifaceted functions / teams at a senior level, bringing activities together to achieve an aligned objective.
- Experience of working with key external stakeholders including other public bodies and government.
- Commercial acumen and financial management skills.
- Ability to use deep personal understanding of the agendas or motivations of others to keep them positively engaged, building behind the scenes support for ideas and initiatives.
- Ability to recognise and make use of alliances/relationships to gain support for the devolution agenda
- Excellent knowledge of the impact of underlying demographic, social or political drivers, and understands the formal and informal politics at the regional and national level and what this means for the County Council.
- Evidence of cultivating a high-performance, cost-effective culture, which delivers outstanding outcomes, through a variety of mechanisms, including structure, working methods, contracts, etc.

Dimensions of role

- The role will lead a largely related portfolio for the County Council, developing a vision and leading strategy.
- Significant financial oversight of the devolution programme.
- Planning will be over a multi-year horizon.

Working Conditions

- Working conditions do not have a material impact on the nature of the job once all reasonable actions have been taken to moderate or eliminate them.

Working Arrangements

- The role is politically restricted.

Leading through our values and behaviours

Providing clear and visible leadership by putting our values front and centre of every behaviour, decision, and action.

- Always learning.
- Be kind and care.
- Equality and Integrity in all that we do.
- Taking responsibility.
- Daring to do it differently.

Date	April 2025
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Role Profile

Role Title	Programme Director - Local Government Reorganisation (2-year fixed-term contract, with potential extension by up to 12 months subject to mutual agreement)
Reference Number	
Service	Resources Directorate
Reports to	Executive Director of Resources

Role Purpose

Lead a programme team and work with internal and external stakeholders to achieve targeted results, priorities, and statutory requirements. Accountable for delivery, effectiveness, corporate support and community outcomes, the role is critical to the achievement of local government reorganisation for Oxfordshire. The focus is on driving performance by translating strategy into successful service delivery and delivering service excellence for the residents of Oxfordshire.

Lead the strategy and delivery for local government reorganisation and work with the Director of Devolution to promote and develop a new form of county-wide governance for Oxfordshire. This is a fixed-term project, delivering a substantial and complex change for the County Council and the wider county.

Responsible for driving Oxfordshire County Council's (OCC's) Delivering the Future Together (DTFT) values, being a role model within and throughout the organisation as organisational leaders, to deliver excellent services to Oxfordshire's residents. [Delivering the Future Together](#), is our ambitious transformation programme enabling the organisation to be an employer, partner, and place shaper of choice. Lead on OCC's value of '[daring to do it differently](#)', as the organisation continues to strive to do better.

Corporate Accountabilities

- Work with senior leaders across Oxfordshire, and with internal and external stakeholders, to shape and develop a high-performing and inclusive unitary council or councils for Oxfordshire, delivering integrated and excellent services for residents and communities.
- Inspire, motivate and develop leaders and staff to create a positive and inclusive working environment that creates a culture of trust, collaboration and ambition, where all belong and thrive and perform at their best to deliver excellent services to residents.
- Work corporately to remove barriers and enable staff to be entrepreneurial and innovative, and work with stakeholders across organisational boundaries to co-design inclusive and joined-up services that are efficient, effective and meet the requirements of residents and communities.
- Align portfolio with the County Council's strategic priorities, developing annual plans and ensuring resources (staff, resources, assets) necessary to achieve objectives against priorities with appropriate consideration for medium-term requirements.
- Lead considerable change and transformation across services, while ensuring continuity in performance, financial constraints, and statutory obligations.
- Negotiate and collaborate with residents, Members, other County Council departments, and external stakeholders to develop joined up solutions that effectively serve Oxfordshire and its residents.
- Act as a Leader, creating an environment in which the County Council can jointly design, commission (if required), and deliver outcomes with partners, by unlocking barriers and monitoring the success of these partnerships.
- Serve all Members and work with the Cabinet and the relevant Cabinet Member(s) as the County Council's expert within the portfolio area and provide advice, guidance, clarity and insight into functional delivery and performance.

- Deputise for the Executive Director as required.

Portfolio Accountabilities

- **Strategic Leadership:** Providing strategic direction for a major reorganisation programme across Oxfordshire councils, working with local authority partners. This involves developing proposals for local government reorganisation and the implementation of significant structural changes aligned with government priorities and regional needs.
- **Stakeholder Engagement:** Building and maintaining strong relationships with a wide range of stakeholders, including central government departments (e.g. Ministry of Housing, Communities & Local Government), local council leaders, chief executives and community representatives. This includes effective communication and negotiation in a politically sensitive environment.
- **Programme Development and Implementation:** Leading the design, development and implementation of a reorganisation programme and initiatives. This involves the development of a comprehensive, compelling and evidence-based business case for a single unitary council for Oxfordshire.
- **Financial Management:** Overseeing the financial aspects of local government reorganisation, including managing funding arrangements and ensuring effective allocation of resources.
- **Change Management:** Driving transformative change across the county, challenging conventional thinking, and ensuring smooth programme delivery in preparation for new structures and governance models.
- **Team Leadership:** Assembling and leading multi-skilled teams, ensuring the right expertise is in place to deliver programme objectives and fostering a culture of continuous improvement.
- **Risk Management:** Identifying and addressing key challenges and ensuring robust risk mitigation strategies are in place.
- **Public Engagement:** Developing and implementing effective communications and engagement strategies to ensure transparency and public and stakeholder involvement in the reorganisation process.
- **Advisory Role:** Acting as a trusted advisor to senior leadership and political figures (e.g. CEOs, Cabinet members) on reorganisation matters, providing strategic insight and leadership.
- **Work with the Oxfordshire Chief Executive, other senior leaders, and Cabinet to ensure that the County Council has an effective brand as a place leader both nationally and for the sub-region in leading the reorganisation agenda.**
- **Ensure effective communications strategies are in place, which support the understanding and decision-making on the reorganisation proposals and provide proactive and timely policy advice to senior leaders across the council to enable informed and appropriate decision-making.**
- **Ensure that the County Council has strong, effective and proactive relationships with key stakeholders.**
- **Ensure the County Council has effective equalities and inclusion policies and procedures in place, which fulfil the organisation's Public Sector Equality Duty obligations.**
- **Lead the integrated delivery, improvement, management and performance of the programme team, commissioning and directing activity within the County Council and externally as required.**
- **Evaluate risk and make changes to established plans to react to significant business challenges, opportunities or threats.**
- **Ensure the programme team uses all available resources in the most efficient and effective way that represents excellent value for money, managing budgets and ensuring services are continuously improved to see if they can be delivered in a more cost-effective and streamlined way.**

Knowledge / Skills / Experience required

- Seasoned professional in area of expertise, with a breadth of understanding of all areas that the role covers.
- In-depth understanding of regulations/legislation and best practice within their area of specialism and the wider sector. Understanding of national and local government developments, policy and emerging trends.
- Experience of leading a large service within a complex and diverse organisation, and leading constant change and transformation, establishing a mandate for change and inspiring the workforce to improve.



- Significant experience of leading diverse and multifaceted functions / teams at a senior level, bringing activities together to achieve aligned objectives.
- Experience of working with key external stakeholders including other public bodies and government.
- Commercial acumen and financial management skills.
- Ability to use deep personal understanding of the agendas or motivations of others to keep them positively engaged, building behind the scenes support for ideas and initiatives.
- Ability to recognise and make use of alliances/relationships to gain support for the reorganisation agenda.
- Excellent knowledge of the impact of underlying demographic, social or political drivers, and understands the formal and informal politics at the regional and national level and what this means for the County Council.
- Evidence of cultivating a high-performance, cost-effective culture, which delivers outstanding outcomes through a variety of mechanisms, including structure, working methods, contracts, etc.

Dimensions of role

- The role will lead a largely related portfolio for the County Council, developing a vision and leading strategy.
- Significant financial oversight of the reorganisation programme.
- Planning will be phased and over a multi-year horizon.

Working Conditions

- Working conditions do not have a material impact on the nature of the job once all reasonable actions have been taken to moderate or eliminate them.

Working Arrangements

- The role is politically restricted.

Leading through our values and behaviours

Providing clear and visible leadership by putting our values front and centre of every behaviour, decision, and action.

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Date	April 2025
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AUDIT & GOVERNANCE COMMITTEE

16 JULY 2025

REVIEW OF APPOINTMENTS TO OUTSIDE BODIES

Report by Director of Law & Governance & Monitoring Officer

RECOMMENDATION

The Audit & Governance Committee is **RECOMMENDED** to:

- a) agree the amended method of appointment to non-strategic Outside Bodies useful to the Council's work, known as Category B Outside Bodies, and Other Outside Bodies that request Council representation or are of primary value to local councillors/the local community, known as Category C Outside Bodies;
- b) agree that Category B appointments be made by the Audit and Governance Committee;
- c) agree that Category C appointments be delegated to the Monitoring Officer;
- d) **RECOMMEND** to Council to approve the Constitutional Amendments in Annex 1 to reflect these changes;
- e) adopt the Guidance for Members who are appointed to Outside Bodies (attached at Annex 2); and
- f) approve a list of appointments to Category B Outside Bodies for this Council subject to Council approving the Constitutional Amendments (Annex 3, to follow).

Executive Summary

1. The procedures and guidance around Council appointments to Outside Bodies has not been reviewed since 2013. This report proposes to change the procedures for appointments to Category B (Non-strategic) and Category C (Local) Outside Bodies.

Background Information

2. In September 2005 the Democracy & Organisation Committee, which had responsibility for Outside Bodies at that time, agreed the categories and process shown below for the Council's appointments to Outside Bodies:

Category	Appointed by	Basis of Membership
A – Outside Bodies listed by the Cabinet (and endorsed by the Council) as “Strategic”.	The Cabinet	As determined by the Cabinet
B – Non-strategic Outside Bodies useful to the Council’s work.	Democracy & Organisation Committee following nominations by political groups	Best person for the role
C - Other Outside Bodies that request Council representation or are of primary value to local councillors/the local community.	Chief Executive in the case of local member(s) or group nominations; otherwise Democracy & Organisation Committee.	To reflect local membership

3. When the Democracy & Organisation Committee was decommissioned in 2013, the responsibility for Category B appointments was passed to the Remuneration Committee.

Proposal for Appointments

4. However, the Remuneration Committee, for the most part, deals with Human Resources issues. This report recommends that the responsibility for Category B appointments would more appropriately sit with the Audit & Governance Committee.
5. In practice, Category C appointments have been confirmed by the Monitoring Officer, following consultation with the Local Member(s), and the Chief Executive recently confirmed the delegation of this responsibility to the Monitoring Officer. Given the Monitoring Officer’s responsibility in relation to the Member Code of Conduct, this report proposes that Category C Outside Body appointments would be more appropriately allocated directly to the Monitoring Officer.
6. If the recommendations of this report are adopted, appointments would be made as follows:

Category	Appointed by	Basis of Membership
A – Outside Bodies listed by the Cabinet (and	The Cabinet	As determined by the Cabinet

endorsed by the Council) as “Strategic”.		
B – Non-strategic Outside Bodies useful to the Council’s work.	Audit and Governance Committee, following nominations by political groups	Best person for the role
C - Other Outside Bodies which request Council representation or are of primary value to local councillors / the local community.	Monitoring Officer, following consultation with Local Member(s)	To reflect local membership

Guidelines for Members of Outside Bodies

7. There is currently very little guidance for those representing the Council on Outside Bodies.
8. The proposed guidance for members of Outside Bodies is attached at Annex 2. This is intended to support those appointed to Outside Bodies and to help them understand their responsibilities and liabilities in connection with their involvement with the body to which they have been appointed.

Financial Implications

9. There are no new or additional financial implications.
Comments checked by Drew Hodgson, Strategic Finance Business Partner
Drew.hodgson@oxfordshire.gov.uk

Legal Implications

10. There are no new or additional legal implications.
Comments checked by Kim Sawyer, Interim Head of Legal & Governance
Kim.sawyer@oxfordshire.gov.uk

Anita Bradley, Director of Law & Governance & Monitoring Officer

Annex: Annex 1 – Constitutional Amendments
Annex 2 – Guidance for Members who are appointed by Oxfordshire County Council to serve on Outside Bodies
Annex 3 – List of appointments to Category B Outside Bodies for 2025

Background papers: None

Contact Officer: Jack Nicholson, Democratic Services Officer,
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June 2025

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Annex 1 – Constitutional Amendments

Part 5.1C The Remuneration Committee

In Section 3 Role and Function, delete

- (4) In the case of any office or body which has not been identified by the Cabinet and endorsed by the Council as strategic, the functions relating to appointment of individuals to offices or bodies as specified in Paragraph 19 of Schedule 2 to the Local Authorities (Functions and Responsibilities) Regulations (England) 2000.

And renumber current subsections (5), (6) and (7)

Part 5.1A Regulatory and Other Committees

In Section 1(a) Audit & Governance Committee

Insert subsection (16)

- (16) In the case of any office or body which has not been identified by the Cabinet and endorsed by the Council as strategic, the functions relating to appointment of individuals to offices or bodies as specified in Paragraph 19 of Schedule 2 to the Local Authorities (Functions and Responsibilities) Regulations (England) 2000.

And renumber current subsections (16) to (49)

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Annex 2

Guidance for Members who are appointed by Oxfordshire County Council to serve on Outside Bodies – Draft

Introduction

This guidance is intended to support Councillors appointed to outside bodies and to help understand their responsibilities and liabilities in connection with their involvement with these organisations. This is not a fully comprehensive guide and if further advice is required, Democratic Services or the Council's Monitoring Officer should be contacted.

Oxfordshire County Council appoints Councillors to serve on a wide range of non-statutory organisations outside of the Council, mostly charitable trusts and community associations. Membership can take various forms and Councillors may be involved as either trustees or members or simply as a point of contact between the organisation in question and the Council.

Such involvement is important, ensuring the County Council's involvement and influence, alongside other authorities, as in the Thames Valley Fire Control Service Joint Committee, through Oxfordshire partnerships, and in the local community. Councillors are also able to bring benefits from their experience to the bodies concerned, and in doing so, enhance the profile and reputation of the Council.

Issues to consider before appointment

Appointments deemed to be strategic are made by the Cabinet, but there are other outside body appointments that are the responsibility of the Remuneration Committee or local processes as appropriate.

The Councillor's role, responsibilities, and potential liabilities on an outside body will depend upon the legal nature of that organisation and the capacity in which they have been appointed. Councillors have responsibilities to that body that must be acted upon according to the framework set by the outside body.

If Councillors serve in a decision-making capacity or have a position of general control or management on the outside body, then they owe duties and responsibilities to that body that are separate and distinct from duties owed to the Council. Whilst it is permissible for a Councillor to take account of the Council's interests, Councillors will also make judgements as individuals.

Before accepting an appointment to an outside body, therefore, it would be prudent for Councillors to consider the following points:

- Whether there is likely to be any significant conflict of interest between their role in the organisation and their Council role
- The purpose of the organisation and how this relates to the Council's functions and objectives

- The legal status of the organisation, for example company, trust, charity, unincorporated association, or community association
- Any legal responsibilities attached to the appointment, for instance, as a trustee
- The organisation's constitution, trust deed, memorandum, or articles of association
- Whether they will have voting rights or observer status
- The financial status and funding of the organisation
- The governance and decision-making arrangements
- Members' Code of Conduct
- Any potential liabilities
- Insurance arrangements.

Code of Conduct

The Council has a duty to promote and maintain high standards of conduct by members and co-opted members of the Council and has formally adopted a code of conduct in accordance with the Localism Act 2011.

All elected Oxfordshire County Councillors and co-opted members (referred to jointly as members) must comply with the members' Code of Conduct. The code sets out the ethical framework within which members must conduct themselves and the Council's business. They must observe various rules of conduct, such as registering any employment, business, or financial interests they may have.

A full description of the rules that members must observe, including what financial and other interests are relevant, is set out in the Council's [Constitution: 9.1 Members' Code of Conduct \(including General Principles\) \(pdf format, 40Kb\)](#).

When Councillors act as representatives of the Council on another authority, they must comply with the other authority's Code of Conduct. However, when Councillors act as the Council's representative on any other sort of outside body, they must comply with the Council's Code of Conduct unless it conflicts with the lawful obligations of the other body.

Some outside bodies may require an appointed Councillor to treat their business as confidential, which may create a dilemma for the Councillor and seem contrary to the idea of assisting public accountability. However, a Councillor will be bound by any confidentiality undertaking given.

Interests

If a Councillor is appointed to an outside body, they will have a personal interest in that body and will need to consider their position when they sit on Council, the executive, a Council committee, or any other decision-making body that is considering a matter relating to that body. The outside body's interest may be taken into consideration, but the primary consideration is public interest.

When attending a meeting where there is an item of business that relates to or affects the outside body, the Councillor will need to disclose the interest at the meeting, regardless of whether they were appointed onto the outside body by the Council, or by the outside body itself. This may be a report that will affect that outside body, even if it is not named. For example, the budget setting meeting of Full Council can have implications for Council funding of voluntary organisations.

Councillors who have a Disclosable Pecuniary Interest (DPI) would be required to disclose it and should leave the room during any discussion of, or any vote on that matter.

Similarly, where a matter arises that relates directly to the financial interest or wellbeing of a Councillor's Other Registerable Interest, this must be disclosed, and the Councillor must leave the room and not take part in any discussion or vote on the matter.

Councillors should take advice from the Monitoring Officer if any situation arises where they think they might have a problem with an interest arising from their involvement with the outside body.

Bias

Appointed Councillors need to be aware of the possibility of bias when they are dealing with matters involving an outside body on which they serve.

Any Councillor who is about to take part in a decision, either collectively with other Councillors or independently, must not allow themselves to be unduly influenced by their allegiance to any outside body or individual, nor should they give the impression that they might be influenced by it. Participation in decision making at a Council committee meeting by a Councillor found to have been biased potentially invalidates the decision in the event of legal challenge.

Insurance

Appointed Councillors should establish what, if any, insurance is in place to cover them in their role.

The Council may only indemnify appointed Councillors in certain circumstances as prescribed by [The Local Authorities \(Indemnities for Members and Officers\) Order 2004](#).

Duties and responsibilities of Councillors appointed as a Trustee

There are several useful publications available on the Charity Commissions website at www.charitycommission.gov.uk.

Trustees of a charity are responsible for the control and administration of a charity, and they retain personal liability. Trustees must act in accordance with the terms of the Trust deed. In the case where the charity is also a company, these terms will be

found in the Memorandum and Articles of Association. Other Trusts may be found in the documentation under which the charity was founded, such as a will or deed of gift.

The responsibilities of a Charity Trustee are: -

- to act in accordance with the Trust deed or other governing document.
- to comply with the Charities Act and the Trustee Act 2000.
- ensure information relating to the Trust and Trustees is registered with the Charity Commissioners.
- ensure that accounts are properly maintained and returns are completed and sent.
- not to make a private profit or personal gain from their position.
- take proper expert advice on matters on which they are not competent.

Further Information

If you require further information about the issues raised in the Guidance Note, please contact committeesdemocraticservices@Oxfordshire.gov.uk or Oxfordshire County Council's Monitoring Officer.