

## **Appendix 1 – Trusts & Charities Committee Meeting 20 April 2016**

### **TRUSTS & CHARITIES COMMITTEE - APPOINTMENTS PROTOCOL PANEL (the “Panel”)**

**MEETING 8th MARCH 2016**

**Members: Councillors Philip Davis, John Alden and Paul Tilsley**

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#### **Background**

1. The City Council had historically made a number of appointments of trustees to charitable bodies across the City. The Trusts & Charities Committee (the “Committee”) had asked the Panel to consider how links to charities and trusts might be improved in terms of an improved appointments process to appropriate charities. This inquiry is partly promoted by poor attendance at trustee boards by some Council nominees once nominated, or the long-standing absences of nominees despite requests to fill trustee places.
2. While the assumption is that most appointments should remain with Cabinet directly, some charity trustee appointments could more appropriately come via the Committee, which already, for example, receives annual accounts for noting from some of the charities concerned. The Committee was chiefly concerned with 'historic' trusts or trusts related to assets held in trust e.g. The Highbury Estate. Here the City, via the Committee, had a natural and legal connection to the charity or trust concerned.
3. The City Council has key relationships with a number of 'strategic' charitable trusts - for example the Library of Birmingham and the Birmingham Museums Trusts. No change is suggested for appointments to this category of trusts.
4. Birmingham Conservation Trust (“BCT”) recently reviewed its structure and has already asked if the Committee could nominate City trustees to its board, given its work on assets held in trust. BCT has, however, a historic relationship with the City Planning Department, so the views of Cllr Mike Sharpe, Planning Chairman should be sought.

#### **Proposals made by the Panel**

5. The Panel is considering how the appointment process could meet certain principles. It is suggested that Appointed Trustees should be:
  - A Birmingham resident (preferable, but not compulsory)
  - Regarded as equivalent to a voluntary Non Executive Director role, with appropriate attendance and diligence required. A 'Statement of Responsibilities' should be drawn up (unless already existing in City Codes of Conduct), in addition to Guidance issued by the Charity Commission on the roles and responsibilities of a Trustee (the “Essential Trustee-What you need to know”)
  - Requested to Report at least annually to the Committee on the work of the appropriate charitable trust.
  - Subject to removal at any point by decision of the Committee on advice from the City Solicitor and Monitoring Officer

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### **Future Nominations**

6. To assist in the nomination process any new Committee procedure should have regard to the following principles/procedure:
- Nominations should initially be sought via elected Members i.e. Members may put themselves forward, or put forward Non- Members, though the decision to appoint remains with the Committee;
  - Nominations may be received and considered by the Committee by the external body themselves

### **Further action**

Officers will assist the Panel to compile a list of relevant charitable trusts appropriate for Committee appointments.

Once the list is compiled, the Panel Members will liaise with the Chairman of District Committees for local perception of which charitable trusts are active in their Districts, if any, to better inform potential Committee appointment process.

Committee Services will provide the Panel with a definitive list of all charitable bodies the Council nominates to.

Councillor Davis will prepare note of today's Panel meeting and arrange another Panel meeting (if required).

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Councillor Philip Davis - Chairman, Trusts & Charities Committee