

# Policy

## EXTERNAL APPOINTMENTS POLICY

<b>TEAM:</b>	Governance
<b>RESPONSIBILITY:</b>	Governance Team Leader
<b>ADOPTED:</b>	7 December 2022
<b>REVIEW:</b>	Every five years, or as required
<b>RELATED DOCUMENTS:</b>	Ashburton District Council Delegations, Ashburton District Council Code of Conduct, Appointment of Directors Policy, Local Government Act 2002

### Policy Objective

To clarify Council's position when requested to make Council appointments to external organisations and community groups.

### Definitions

**Council** means Ashburton District Council.

**Community group** means a group of people who work collectively for the benefit of a defined community.

**External organisation** means any organisation outside of Council.

**Kaupapa** means a set of values, principles and plans which people have agreed on as a foundation for their actions.

### Policy Statement

Council will consider all requests for appointments to external organisations and community groups in a fair and consistent manner, with regard to Council's current priorities and delegations at the time of the request.

Council Controlled Organisations and Council Controlled Trading Organisations are not within the scope of this policy. These are covered under Council's Appointment of Directors Policy.

#### 1. Requests for Council appointments

Any community group or external organisation which requests an appointment by Council onto its board or committee must:

- 1.1 Hold an open Annual General Meeting (AGM), advertised as widely as practicable to the local community, that includes a process for electing committee members
- 1.2 Have an active membership of at least six people
- 1.3 Keep accurate and detailed financial accounts

- 1.4 Meet at least twice per year and keep minutes of those meetings
- 1.5 Agree to make financial accounts and minutes available to Council
- 1.6 Have a written constitution, rules or trust deed
- 1.7 Agree that the Council appointee will have full participation in the governance and decision making of the organisation
- 1.8 Note that the Council appointee (if an elected member) may declare a conflict of interest at Council meetings and not participate in any Council discussions or decisions regarding funding for that particular community group or external organisation.
- 1.9 Have goals and objectives that align with Council's strategic priorities
- 1.10 Conduct meetings openly, fairly and respectfully, and not behave in an abusive or discourteous manner to the Council appointee or to Council in general

## **2. Council Decision Making Criteria for Making Appointments**

Council will consider all requests made for an appointment to an external organisation or community group against the following criteria:

- 2.1 External organisations or community groups that Council is a shareholder or settlor of the trust will have greater priority than those where Council has no financial investment.
- 2.2 The kaupapa or philosophy of the organisation or group should align with Council's strategic priorities, goals and objectives.
- 2.3 The organisation or group must be working for the greater good of the community, or to address inequities within the community, and not for any individual's personal or pecuniary advantage.
- 2.4 The appointment must not disadvantage any other organisation, group, or individual in any way and should be the only one of its kind within the district.
- 2.5 The organisation or group must not be in an adversarial position to Council or be in any legal proceedings against, or negotiations with, Council at the time of the appointment.
- 2.6 If the organisation or group is funded by central government organisations, the Council appointment should be a good strategic fit that encourages cross-sector collaboration.
- 2.7 The organisation must have a sound financial basis, not be in debt to Council, and not pose a reputational risk to Council in any way.
- 2.8 The appointment may be an elected member if the Mayor determines there is capacity within the current term of Council's delegations.
- 2.9 Alternatively, private citizens may be appointed to represent Council's interests if the organisation or group agrees, provided they are of good character and pose no reputational risk to Council.
- 2.10 Council officers may be appointed with the permission of the Chief Executive Officer if there is no demonstrable conflict of interest in that appointment.
- 2.11 The organisation or group, or any individuals representing it as such, must not have behaved towards Council in an aggressive or negative manner in the media or public forum.
- 2.12 The organisation or group must have the ability to be self-sustaining for its administrative and financial matters, and not expect the Council appointment to act as an administrator or financial manager for that organisation or group.

Council retains the right to decline any requests for representation.

### **3. Conflict of Interest**

3.1 Council expects that Council-appointed members to any organisation or community group will avoid situations where their actions could give rise to a conflict of interest. This includes the acceptance of gifts, discounts, hospitality, travel and entertainment of a personal nature, as per the requirements in Council's Code of Conduct. Any gifts received over a certain value must be disclosed by a member in their annual pecuniary interests return as per section 54F(1)(b) of the Local Government Act 2002.

3.2 Council expects that all appointees will adhere to best practice standards for good governance.