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| Committee(s): | Date(s): |
| Education Board | 4 December 2014 |
| Subject: Actions Taken under Delegated and Urgency Procedure Since the Last Meeting | Public |
| Report of: Town Clerk | For Information |
| Summary | |
| <p>This report summarises actions taken under urgent authority procedure since the last meeting of the Education Board on 16 October 2014. In summary, the Town Clerk exercised urgent authority to recommend to the Court of Common Council, on behalf of the Education Board, that the City of London Corporation forgo its appointment rights to the Aldgate and Allhallows Foundation.</p> | |
| Recommendation(s) | |
| Members are asked to: | |
| <ul style="list-style-type: none"> • Note the report | |

Main Report

Background

1. Standing Order 41 of the Court of Common Council allows for decisions to be taken between meetings of Committees. They can be taken if, in the opinion of the Town Clerk it is urgently necessary for a decision to be made, or if the Committee or Sub-Committee have delegated authority to the Town Clerk to make such a decision.
2. If such instances arise, then the powers of the Committee or Sub-Committee may where lawfully possible be exercised by the Town Clerk. Before exercising such power, the Town Clerk must seek and obtain the comments of the Chairman and Deputy Chairman of the Committee or Sub-Committee or, failing either of them, their nominees. Each action or decision shall then be reported to the next meeting of the Committee or Sub-Committee.

Current Position

3. The City of London Corporation was contacted in July 2014 by the Clerk and Chief Executive of the Foundation with a request that the City of London Corporation forgo its right to appoint a Governor to the Foundation's Governing Body. The Foundation's request followed a review of its governance structure that concluded that it would be in the best interests of the charity to amend its constitution to bring it into line with modern best practice, by reducing the size of the Governing Body and by giving the

Governing Body greater control over the appointment of trustees with the requisite independence, skills and experience.

4. The Aldgate & Allhallows Foundation is an independent educational grant-making charity based in the City of London and operating in both the City and in Tower Hamlets. Over 120 years old, it is an amalgamation of three older charitable trusts founded by Sir Samuel Starling, a previous Lord Mayor (1675), Anthony Death (1679) and Alderman James Hickson (1686). The charity has a close association with the Sir John Cass's Foundation.
5. Following the abolition of the Inner London Education Authority (ILEA) in 1990, a right to appoint one Representative Governor to the Foundation's Governing (and trustee) Body was allocated to the City of London Corporation. This right was accepted by the Court of Common Council at its meeting on 15 November 1990 following a recommendation made by the Education Committee. In order for the City of London Corporation to forgo its appointment rights, this process needed to be reversed.
6. It was considered that the Foundation provided sufficient information to support its request as being in the best interests of the charity. Charity trustees should keep their governance arrangements under review to ensure that they remain fit for purpose and enable the charity to effectively operate to further its charitable objectives. Amending the charity's constitution to reduce the size of the Governing Body, and to provide the Governing Body with the power and flexibility to appoint trustees who have the appropriate skills and experience, would achieve this therefore being in the best interests of the charity. As such it was recommended that the City Corporation forgo its trustee appointment rights, and a report of the Town Clerk was submitted to the Court of Common Council on behalf of the Education Board to that effect.
7. The Court of Common Council next met on the same day as the next meeting of the Education Board – 4 December 2014 – which would have delayed the decision making process until the next Court meeting on 15 January 2015. The Town Clerk therefore made the recommendation to forgo the appointment right to the Court of Common Council under urgency procedure in consultation with the Chairman and Deputy Chairman of the Education Board.

Conclusion

8. This report summarises the actions taken under urgent authority procedure since the last meeting of the Education Board on 16 October 2014.

Appendices

- None

Alistair MacLellan

Town Clerk's Department

T: 0207 332 1416

E: alistair.maclellan@cityoflondon.gov.uk