

STAFF GOVERNANCE COMMITTEE

ABERDEEN, 25 August 2025. Minute of Meeting of the STAFF GOVERNANCE COMMITTEE. Present:- Councillor Copland, Convener; Councillor Al-Samarai, Vice-Convener; Councillor David Cameron, the Lord Provost; and Councillors Boulton, Macdonald (as substitute for Councillor Tissera for article 5), MacGregor (as substitute for Councillor Delaney for part of article 8 to the end of the meeting), McLeod, McRae (as substitute for Councillor Davidson), Thomson, Tissera (for articles 1 to 4 and 6 to 9) and Yuill (as substitute for Councillor Delaney for articles 1 to part of article 8).

Also present:- Councillor Macdonald for article 4 and Councillor Kuszniir for article 5.

Trade Union Advisers:- Kevin Masson and Neil Watson, GMB; David Cadenhead and Nigel McDowell, UNISON; Doug Haywood and Jacqueline Munro, EIS; and Mishelle Gray, UNITE.

The agenda and reports associated with this minute can be located [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

1. The following transparency statements were noted:-

- Councillor McRae made a general statement of transparency by virtue of being a staff representative for UNITE in a healthcare setting.
- Councillor Thomson made a general statement of transparency by virtue of her membership of UNISON Grampian Health Branch.

Neither Member considered that the above amounted to an interest which required to be declared and would prevent them from participating in the meeting.

MINUTE OF PREVIOUS MEETING OF 16 JUNE 2025

2. The Committee had before it the minute of its previous meeting of 16 June 2025 for approval.

The Committee resolved:-

to approve the minute as a correct record.

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COMMITTEE BUSINESS PLANNER

3. The Committee had before it the business planner as prepared by the Chief Officer – Governance.

The Committee resolved:-

- (i) to note the reasons outlined in the planner for the delay to items 4 (Mortuary Staff Move) and 8 (Supporting Attendance and Wellbeing Policy); and
- (ii) to otherwise the report.

NOTICE OF MOTION - COUNCILLOR MACDONALD

4. The Committee had before it a Notice of Motion from Councillor Macdonald, referred from Council on 2 July 2025, in the following terms:-

On 16 April 2025 the Supreme Court judgement in the For Women Scotland v The Scottish Ministers case was delivered. This gave an unequivocal ruling that women's rights are protected in law, as well as highlighting the continued protections for trans people under the Equality Act.

The Supreme Court unanimously agreed that the terms 'man', 'woman' and 'sex' in the Equality Act 2010 refer to biological sex. Holding a Gender Recognition Certificate does not change sex for the purposes of the 2010 Act.

The court ruling makes clear that the law protects women's rights to single-sex spaces and services.

As a consequence, the UK, Welsh and Scottish Governments, regulators and public bodies will now require to review and clarify their policies and guidance.

That Council agrees that in addition to reviewing all Council policies, procedures, guidance and training materials to ensure compliance with the Supreme Court ruling, the Chief Executive Officer should seek assurance from any services run or commissioned by the Council for compliance to the same end.

Councillor Macdonald was in attendance and spoke in support of her Notice of Motion.

Councillor Macdonald moved, seconded by Councillor Thomson:-

That the Committee approve the Notice of Motion.

The Convener, seconded by the Vice Convener, moved as an amendment:-

That the Committee –

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Note that on 16 April 2025 the Supreme Court judgement in the For Women Scotland v The Scottish Ministers case was delivered.

The Supreme Court unanimously agreed the terms 'man', 'woman' and 'sex' in the Equality Act 2010 mean biological sex i.e. sex recorded at birth, and holding a Gender Recognition Certificate does not change sex for the purposes of the 2010 Act. The Court also confirmed that trans people are protected from discrimination under the gender reassignment provisions of the Act.

As a consequence of this judgement, the UK, Welsh and Scottish Governments, regulators and public bodies will now require to review and clarify their policies and guidance as will employers and service providers. The Equality and Human Rights Commission is in the course of updating statutory Codes of Practice which will include practical guidance for service providers, associations and those delivering public functions on how they should comply with the Act.

The ongoing work of Officers to review and update policies and guidance for staff and building managers to ensure compliance with the judgment in For Women Scotland Ltd is noted, as well as the importance of sensitive and inclusive implementation, avoiding unlawful discrimination and maintaining a culture of dignity and respect for all employees and citizens.

The Council awaits the updated statutory guidance from The Equality and Human Rights Commission and guidance from The Scottish Government to ensure that the changes made to policies and guidance is fully compliant with the Equality Act.

On a division, there voted:- for the motion (4) – Councillors Boulton, McLeod, Thomson and Tissera; for the amendment (5) – the Convener; the Vice Convener; Councillor David Cameron, the Lord Provost; and Councillors McRae and Yuill.

That Committee notes:

to approve the amendment.

NOTICE OF MOTION - COUNCILLOR KUSZNIR

5. The Committee had before it a Notice of Motion from Councillor Kusznir, referred from Council on 2 July 2025, in the following terms:-

That the Council –

1. Notes the Supreme Court decision in For Women Scotland Ltd v The Scottish Ministers [2025] UKSC 16, clarifying legal protections for single-sex spaces.
2. Notes the declarator by Lady Ross in a judicial review brought by parents against Scottish Borders Council, affirming the requirement to provide single-sex toilets in schools.

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3. Acknowledges reports of increased incursions into women-only spaces by activists following the For Women Scotland Ltd decision, highlighting the need for clear Council guidance on separate or single-sex spaces.
4. Recognises the ongoing work of Officers to update guidance for staff and building managers to ensure compliance with the judgment in For Women Scotland Ltd.
5. Further recognises that the Council await updated statutory guidance from both The Equality and Human Rights Commission and The Scottish Government.
6. Instructs the Chief Officer - Corporate Landlord, in consultation with the Chief Officer - People and Citizen Services, to develop a separate or single-sex space policy or policies, in line with statutory guidance, for Aberdeen City Council to ensure the protection of such spaces in Council-owned and operated buildings.
7. Directs the Chief Officer - Corporate Landlord to present the proposed policy/ies to Council or the relevant committee for consideration and approval.
8. Recognises that a similar request was previously rejected by the Communities, Housing and Public Protection Committee before the aforementioned court decisions on 23 January 2024.
9. Affirms the necessity of this policy/ies, as the current delegation of decision-making on single-sex spaces to individual building managers lacks an overarching framework, potentially exposing the Council to legal risks due to inconsistent decisions across different buildings.

Councillor Kuszniir was in attendance and spoke in support of his Notice of Motion.

Councillor Kuszniir moved, seconded by Councillor Boulton:-
That Committee approve the Notice of Motion.

The Convener, seconded by the Vice Convener, moved as an amendment:-
That the Committee take no action in respect of the Notice of Motion.

On a division, there voted:- for the motion (2) – Councillors Boulton and McLeod; for the amendment (7) – the Convener; the Vice Convener; Councillor David Cameron, the Lord Provost; and Councillors Macdonald, McRae, Thomson and Yuill.

The Committee resolved:-

to approve the amendment and take no action in respect of the Notice of Motion.

CORPORATE HEALTH & SAFETY QUARTERLY REPORT - APRIL TO JUNE 2025 - CORS/25/195

6. The Committee had before it a report by the Executive Director Corporate Services which provided a summary of statistical health and safety performance information for the 3-month reporting period April to June 2025 to provide the Committee with the opportunity to monitor compliance with health and safety legislation.

The report recommended:-

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that the Committee note the report and provide comment on the health, safety policy, performance, trends, and improvements.

The Committee resolved:-

to note the report.

EMPLOYEE EQUALITY, DIVERSITY AND INCLUSION ACTION PLAN 2025-2029 - CORS/25/109

7. The Committee had before it a report by the Executive Director Corporate Services which presented the Aberdeen City Council Employee Equality, Diversity and Inclusion Action Plan 2025-2029. The report provided detail on how the action plan had been developed to support the Council's Equality Outcomes as an Employer.

The report recommended:-

that the Committee –

- (a) note the approach to and implementation of the proposed Equality, Diversity and Inclusion Action Plan 2025-2029;
- (b) note that officers would continue to engage with Employees and Trade Unions and incorporate changes to the action plan as required; and
- (c) instruct the Chief Officer – People and Citizen Services to report to the Anti-Poverty and Inequality Committee on progress against the action plan, in line with relevant statutory deadlines and to present an update to the Staff Governance Committee regarding any impacts this report had on the Equality, Diversity and Inclusion Action Plan, including any changes, updates, or new areas of focus identified through available data and analysis.

The Committee resolved:-

- (i) to note that officers would look at the timing of related reports on the Staff Governance Committee business planner, for example, the Leadership and Management update;
- (ii) to note the recommendations;
- (iii) to agree that officers would continue to engage with Employees and Trade Unions as well as Elected Members and incorporate changes to the action plan as required;
- (iv) to agree the report states 'our goal is to improve the diversity of our workforce to reflect that of our city's varied experiences and needs' and acknowledges the work of the Aspiring Leaders and Accelerator Scheme in playing an important role in helping to achieve this; and
- (v) to instruct the Chief Officer – People and Citizen Services to report to Anti-Poverty and Inequality Committee on progress against the action plan, in line with relevant statutory deadlines. This report to include the progress of the Aspiring Leaders and Accelerator Schemes to ensure these are achieving the Council's ambitions to develop future leaders from underrepresented groups and to present an update to the Staff Governance Committee regarding any impacts this report has on the

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Equality, Diversity and Inclusion Action Plan, including any changes, updates or new areas of focus identified through available data and analysis.

EMPLOYEE EXPERIENCE SURVEY 2024/25 - CORS/25/148

8. The Committee had before it a report by the Executive Director Corporate Services which presented the results of the Employee Experience Survey 2024, including analysis, commentary and further actions proposed to respond to issues which the survey had highlighted.

The report recommended:-

that the Committee note the results of the 2024 Employee Experience Survey and the action areas in Appendix 1 to this report.

During discussion of the report, there was mention of NHS Grampian, and Councillor Yuill made a transparency statement that he was a member of the Board of NHS Grampian, however he did not consider that this amounted to an interest which needed to be declared and would require him to leave the meeting.

Prior to the vote, Councillor Yuill had to leave the meeting, and was replaced by Councillor MacGregor from this point of the meeting forward.

The Convener, seconded by the Vice Convener moved:-
That the Committee note the report.

Councillor Thomson, seconded by Councillor Tissera, moved as an amendment:-

That Committee -

- (a) note the recommendation;
- (b) note that response rates varied considerably between different job families with response rates from Frontline Operational Services, Social and Community services and Teachers all less than 16%, whilst at a Chief Officer level the response rate was over 70%;
- (c) agree that with the wide variation in response rates, the overall results in this report may not provide a true reflection of employees' experiences in particular job families, whereas cluster-specific analysis is potentially more meaningful; and
- (d) instruct the Chief Officer – People and Citizen Services to report back to the Committee within 3 cycles on why the response rates between job families varies to such a high degree, a plan on how this can be addressed in future surveys, a summary of any significant differences in employee experience between different job clusters and the reasons for these differences.

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On a division, there voted:- for the motion (5) – the Convener; the Vice Convener; Councillor David Cameron, the Lord Provost; and Councillors MacGregor and McRae; for the amendment (4) – Councillors Boulton, McLeod, Thomson and Tissera.

The Committee resolved:-

- (i) to note that officers would consider the suggestion made by Members that an incentive scheme might encourage higher rates of participation; and
- (ii) to adopt the motion.

WHISTLEBLOWING POLICY REVIEW - CORS/25/197

9. The Committee had before it a report by the Executive Director Corporate Services which presented the reviewed and revised Whistleblowing Policy.

The report recommended:-

that the Committee -

- (a) note the undertaking of the review of the Whistleblowing Policy and the minor amendments as a result;
- (b) note the updates to guidance (outlined at section 3.9 of the report), in line with the recommendations of the Accounts Commission Section 102 Report on Aberdeen City Council, as reported to Council on 17 February 2025, and wider process review; and
- (c) instruct the Chief Officer – People and Citizen Services to widely communicate the Policy and Guidance as outlined within the report at section 3.18.

The Committee resolved:-

- (i) to note that officers would take on board the points raised by Members at the meeting in respect of highlighting anonymity and ensuring information was clear for new and less-experienced members of staff; and
- (ii) to approve the recommendations.

- **COUNCILLOR NEIL COPLAND, Convener**