

Approved by Council 4 March 2019



## ACC Committee Terms Of Reference

# Contents

	Page
1. ABERDEEN CITY COUNCIL-----	7
2. GENERAL DELEGATIONS TO COMMITTEES -----	9
3. EXCLUSIONS FROM DELEGATION TO COMMITTEES -----	11
4. URGENT BUSINESS COMMITTEE -----	12
5. STRATEGIC COMMISSIONING COMMITTEE -----	13
6. CITY GROWTH AND RESOURCES COMMITTEE -----	17
7. BUSINESS RATES APPEALS SUB COMMITTEE -----	21
8. COMMUNITY ASSET TRANSFER REVIEW SUB COMMITTEE -----	22
9. CAPITAL PROGRAMME COMMITTEE -----	23
10. OPERATIONAL DELIVERY COMMITTEE -----	25
11. EDUCATION OPERATIONAL DELIVERY COMMITTEE -----	27
12. AUDIT, RISK AND SCRUTINY COMMITTEE -----	30
13. STAFF GOVERNANCE COMMITTEE -----	33
14. APPEALS SUB COMMITTEE -----	37
15. PUBLIC PROTECTION COMMITTEE -----	38
16. PLANNING DEVELOPMENT MANAGEMENT COMMITTEE -----	41
17. LICENSING COMMITTEE -----	42
18. LICENSING SUB COMMITTEE -----	44
19. PENSIONS COMMITTEE -----	45
20. GUILDRY AND MORTIFICATION FUNDS COMMITTEE-----	47
21. ABERDEEN CITY REGION DEAL JOINT COMMITTEE-----	48
22. NORTHERN ROADS COLLABORATION JOINT COMMITTEE -----	49
<b>1. Introduction -----</b>	<b>4</b>
<b>2. Aberdeen City Council -----</b>	<b>5</b>
<b>3. General Delegations To Committees -----</b>	<b>6</b>
<b>4. Exclusions From Delegation To Committee -----</b>	<b>7</b>
<b>5. Urgent Business Committee -----</b>	<b>8</b>
<b>6. Strategic Commissioning Committee -----</b>	<b>11</b>
<b>7. City Growth And Resources Committee -----</b>	<b>14</b>

<del>8. Capital Programme Committee</del>	<del>15</del>
<del>9. Operational Delivery Committee</del>	<del>18</del>
<del>10. Education Operational Delivery Committee</del>	<del>20</del>
<del>11. Audit, Risk And Scrutiny Committee</del>	<del>23</del>
<del>12. Staff Governance Committee</del>	<del>25</del>
<del>Appeals Sub Committee</del>	<del>25</del>
<del>13. Public Protection Committee</del>	<del>29</del>
<del>14. Planning Development Management Committee</del>	<del>30</del>
<del>15. Licensing Committee</del>	<del>32</del>

Version ~~2.03.0~~

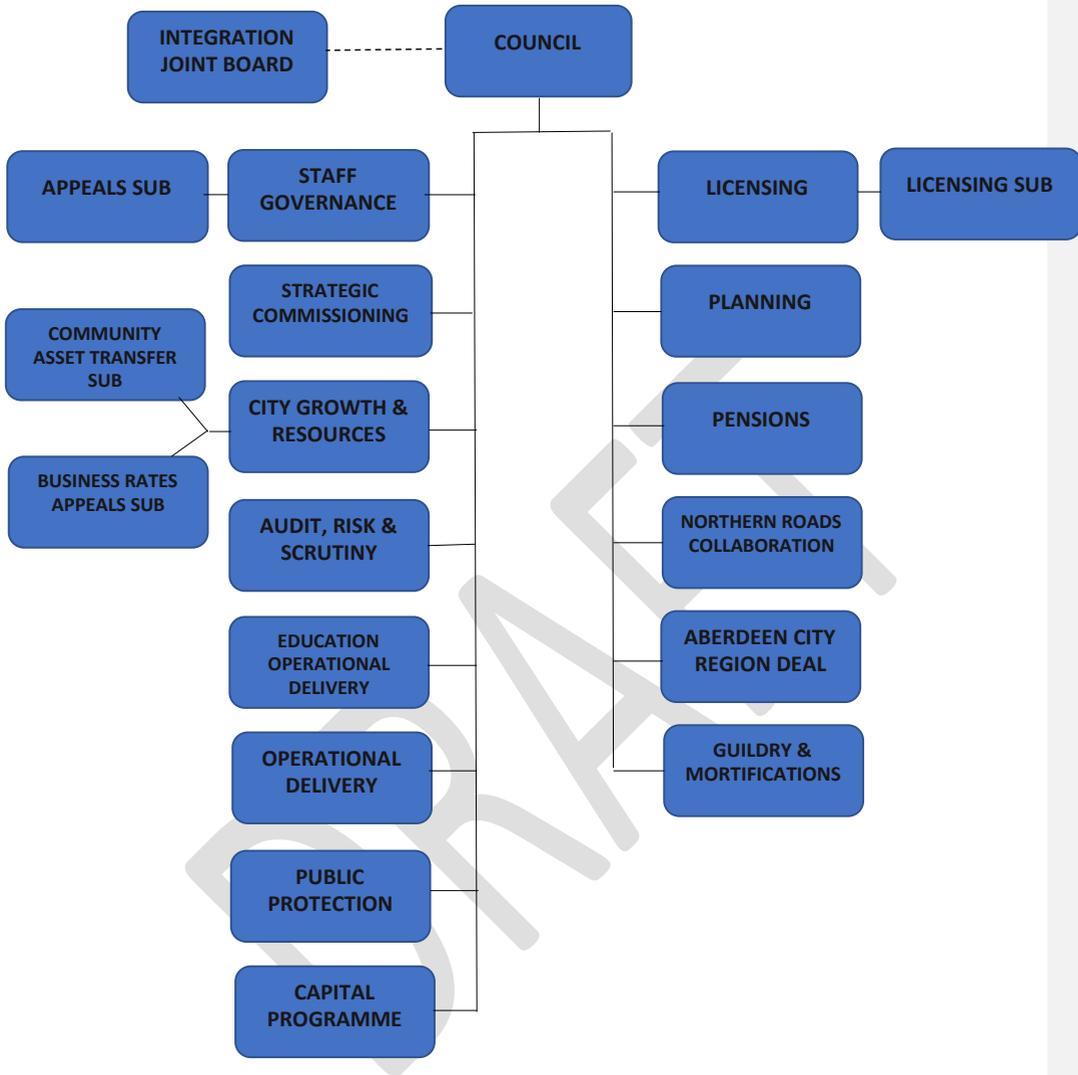
Effective From ~~6 March 2019~~ April 2020

To be Reviewed March 2021

Application of Policy Council-wide

Policy Author ~~Roderick MacBeath~~ Allison Swanson, Interim Democracy Manager

DRAFT



## INTRODUCTION

1. The Council derives its authority from the Local Government (Scotland) Act 1973 and subsequent legislation. In exercising all of its functions and undertaking its responsibilities it must comply with the law.
2. Under s57 of the 1973 Act, the Council is permitted to appoint committees, or with other Councils, joint committees, to discharge functions which the Council could itself discharge, other than as set out in legislation.
3. A committee can appoint sub committees to exercise any function delegated to it.
4. Under s56(1) of the 1973 Act, the Council is permitted to delegate the discharge of functions to officers. The Committee terms of reference should be read in the context of the Powers Delegated to Officers. Any delegation made to an officer shall not prevent the Council, ~~or~~ relevant committee or sub committee from exercising the power so delegated.
5. The Council has also delegated powers to the Integration Joint Board of the Aberdeen City Health and Social Care Partnership under the Public Bodies (Joint Working) (Scotland) Act 2014.
6. In accordance with Standing Order ~~476.7~~, Council can determine any matter which would otherwise fall to be determined by a committee or sub committee; and under Standing Order ~~476.8~~, a committee can determine any matter which would otherwise fall to be determined by one of its sub committees.
7. Any decision taken by a committee or sub committee is deemed to be a decision of Council itself.
8. These committee and sub committee terms of reference may be amended only after consideration of a report to Council or the appropriate parent committee by the Chief Officer – Governance.
9. Non material amendments to these committee and sub committee terms of reference can be made by the Chief Officer - Governance, following consultation with the Business Manager without the requirement to report to Council or the appropriate parent committee.
10. Any non material amendments made by the Chief Officer – Governance will be notified to members once completed.
11. The Terms of Reference will be reviewed annually by the Chief Officer – Governance as part of the review of the Scheme of Governance.
12. In exercising their functions, the Council, its committees and sub committees shall
  - i. meet their equalities obligations and take full account of their responsibilities to those customers and citizens with protected characteristics;
  - ii. ~~in accordance with Unicef’s Child Friendly Cities and Communities Programme, ensure, so far as possible,~~ that children are allowed a voice in decisions which affect both them and their City; and
  - iii. ~~work with outside bodies and partners in the emerging urban governance groups and civic leadership forums.~~

Commented [SD1]: To match proposed revisions to SOS

Commented [AS2]: Removed as reflected directly below in iv

iv. work with outside bodies and partner organisations, locally and nationally, to oversee strategic economic development and its governance in the city in the emerging urban governance groups and civic leadership forums.

**Commented [AS3]:** Added to reflect and update terminology to ensure clear to all audiences re urban governance groups

iii.v. consider the experience of customers and take such action to ensure to ensure that services meet customers' needs

### JOINT WORKING WITH COMMITTEES AND **NON** COUNCIL BODIES

**Commented [AS4]:** Added to reflect that this is applicable across the committee structure and to enable removal of this section from each of the Committees

It is recognised that the Council and each committee will maintain an awareness of key issues through the work of other committees, through lead officers, Conveners and Vice Conveners working together. In addition, key issues will be considered following engagement with external organisations and communities, through appropriate forums.

DRAFT

## 1. ABERDEEN CITY COUNCIL

The Council reserves the following functions:

1. The setting of council tax in accordance with s93(1) of the Local Government Finance Act 1992 or the setting of a reduced amount of council tax under s94 of that Act or paragraph 3 of Schedule 7 to that Act.
2. The setting of a balanced budget annually, including the setting of fees and charges, including the approval of commissioning intentions and service standards.
- 2.3. The approval of the capital programme.
- 3.4. The borrowing of money as provided for in section 56(6)(d) of the Local Government (Scotland) Act 1973.
- 4.5. The approval of any annual investment strategy or annual investment report required by any consent issued by Scottish Ministers under s40 of the Local Government in Scotland Act 2003.
- 5-6. The approval of the Council's Treasury Management Policy and Strategy.
7. ~~The determining of an application for planning permission for a development where a pre determination hearing is held in terms of s38A(1) of the Town and Country Planning (Scotland) Act 1997.~~
- 6.8. The appointment of committees, including external members, and the number and allocation of committee places/seats, the appointment and removal from office of the Lord Provost, Depute Provost, Leader or Co Leaders and/ or Depute Leader, Business Manager and Depute Business Manager, a convener for each committee and a vice convener as appropriate and the approval of senior councillor allowances.
- 7.9. ~~To elect~~ The election of members to the Licensing Board.
- 8.10. ~~To review~~ The review of polling districts and polling places.
11. ~~The a~~ Administration of trusts in respect of which the Council is sole trustee or the only trustees are elected members and/or officers of the Council, such administration to include the exercise of all trustee powers in terms of legislation, common law and trust deeds.
- 9.12. The approval of the Local Development Plan.
- 10.13. The approval of an Administration's political priorities.
- 11.14. The consideration of the Council's Delivery Plan.
- 12.15. ~~The c~~ onsideration of its annual report of its effectiveness and each committee's annual report of its effectiveness.
- 13.16. The consideration, where required, of reports by both the Standards Commission for Scotland and the Financial Conduct Authority, and the overseeing of members' standards of conduct.
- 14.17. The establishment of the Appointment Panels in accordance with the Standing Orders for Council, Committees and Sub Committees.

**Commented [AS5]:** Addition to reflect that Council approves commissioning intentions and service standards

**Commented [AS6]:** Transferred to PDMC TORs in light of new Planning (Scotland) Act which removes the requirement for such applications to be determined by Full Council.

**Commented [AS7]:** Added to reflect reporting re EODC external members

**Commented [MO8]:** Amended as the term we use is committee places not seats

**Commented [AS9]:** Added to reflect reports submitted since March and which did not fall under a specific point in the TOR

**Commented [AS10]:** Added to reflect reports submitted since March and which did not fall under a specific point in the TOR

**Commented [AS11]:** Added to reflect items considered at the budget meeting

**Commented [AS12]:** Updated to make it clear that Council receives an annual report on its effectiveness

**Commented [AS13]:** Updated to provide full title

~~15-18.~~ The approval of the Council's Scheme of Governance.

~~16-19.~~ The approval of the Council/Committee Diary

~~17-20.~~ The approval of the Scheme of Establishment for Community Councils.

~~18-21.~~ The establishment of Working Groups.

~~22.~~ To consider any matter which the Council has previously considered and agreed to receive a further report.

**Executive Lead: Chief Executive**

**Commented [AS14]:** added to reflect reports considered by council which did not fall under a specific point in the TOR

**Commented [AS15]:** Added to reflect reports requested by council and to remove the need for the current practice of putting under TOR in the report "Previous Council Decision"

DRAFT

## 2. GENERAL DELEGATIONS TO COMMITTEES

1. Each committee can settle claims against the Council arising out of the functions supervised by the committee, irrespective of value so long as the amount can be met from an approved budget, except where an officer has exercised a delegated power.
2. Each committee can vire within those functions in its remit, to the extent set out in the Financial Regulations.
3. Each committee and sub committee can determine any applications for loans, grants, donations and subscriptions except where an officer has exercised a delegated power.
4. Each committee can appoint up to five members, consistent with the principles of political balance, to attend any meeting or conference relevant to the interests of the committee subject to the following provisions:
  - 4.1 no more than two members will be appointed to attend a conference outwith the European Union without the approval of the City Growth and Resources Committee;
  - 4.2 in the case of a meeting or conference of interest to more than one committee, no more than six members and officers will be appointed without the approval of the City Growth and Resources Committee; and
  - 4.3 in the event of a disagreement among committees, the matter will be determined by the City Growth and Resources Committee.
5. ~~Each committee will, as required, approve programmes of foreign travel for the financial year ahead as they relate to its remit, in accordance with the Travel Policy.~~
6. Each committee will consider and respond to petitions addressed to the Council as they relate to its ~~functions~~ remit, in accordance with the petitions procedure.
- 5.7. Except where an officer has chosen to exercise a delegated power, each committee can approve bids to awards programmes or for external funding relative to the ~~remit functions~~ which it oversees, subject to budget provision.
- 6.8. Each committee will, where appropriate:
  - 6.48.1 ~~approve Council policies and strategies (including partnership strategies) relative to its remit;~~
  - 6.28.2 approve appointments to outside bodies relative to its remit;
  - 6.38.3 meet the requirement to achieve Best Value in performing its role;
  - 6.48.4 ~~receive the note its own cluster risk registers relative to its remit and scrutinise to ensure assurance;~~
  - 6.58.5 monitor performance relevant to its purpose and remit;
  - 6.68.6 ~~consider receive~~ note its own committee planner; and

**Commented [AS16]:** Added to reflect Travel Policy requirements

**Commented [AS17]:** Function changed to remit throughout as the committee does not have a function.

**Commented [AS18]:** Added to reflect Travel Policy

**Commented [SD19]:** Updated to reflect that committees will also consider partnership strategies

**Commented [AS20]:** Updated to say remit rather than function

**Commented [AS21]:** Updated to say remit rather than function

**Commented [AS22]:** Updated to reflect role and ensure consistent terminology

**Commented [AS23]:** Updated to reflect role and ensure consistent terminology

8.7 receive reports, as required, on the implications of proposed draft legislation and evidencing the Council's readiness to comply with the new legal obligations and/or discretionary powers on the functions relative to its remit.

**Commented [AS24]:** New addition to General Delegations to reflect that committees will receive reports, as required, on the implications of proposed draft legislation.

DRAFT

### 3. **EXCLUSIONS FROM DELEGATION TO COMMITTEES**

Commented [AS25]: No changes to this section

1. Incurring revenue expenditure for which no provision or insufficient provision has been made in the revenue budget, except with the approval of the City Growth and Resources Committee.
2. Acquiring or disposing of any land or buildings or associated interests, except with the approval of the City Growth and Resources Committee.
3. Making representations to or appointing a deputation to meet any Government Minister or Government Department in relation to the financing of the Council or any of its services, except with the approval of the City Growth and Resources Committee.

DRAFT

## 4. URGENT BUSINESS COMMITTEE

### PURPOSE OF COMMITTEE

Subject to relevant legislation, to deal with items of business of an urgent nature that cannot wait for the next meeting of Council or the appropriate committee or sub committee.

**Commented [AS26]:** No numbers placed beside purpose section so as to remove the temptation for report authors to refer to this section when selecting relevant section of the TOR.

### REMIT OF COMMITTEE

1. Subject to 1.5 below, to exercise all functions of the Council, or the committee or sub committee which would otherwise have dealt with the matter.

### PROCESS

**Commented [AS27]:** Added to reflect that the following aspects are process related

- 1.1 A meeting of the Committee will be called by the Chief Officer - Governance on the instruction of the Chief Executive where the Chief Executive and the Business Manager are satisfied that the relevant business is urgent.
- 1.2 The Chief Officer - Governance may subject to the Business Manager's approval add further matters to the agenda of a meeting already called only where the Chief Executive and the Business Manager- are satisfied that the matters are urgent.
- 1.3 Before considering any item of business, the Committee will determine whether the item is urgent and requires to be considered, and if it does, the special circumstances will be specified in the minute.
- 1.4 If the Committee resolves not to consider the matter, the item of business will be placed on the agenda for the next scheduled meeting of the Council, committee or sub committee as appropriate.
- 1.5 The Committee cannot consider, in terms of Standing Order 5.3, any business relating to the removal of a member from office.

**Executive Lead: Chief Executive**

## 5. STRATEGIC COMMISSIONING COMMITTEE

### PURPOSE OF COMMITTEE

To approve all internal and external commissioning activity by the Council, in accordance with the commissioning cycle, with the exception of procurement relating to the Capital Programme.

- ~~1. To approve all internal commissioning activity of Council outwith the annual budget meeting, including the approval of service specifications, service standards, performance frameworks and outcomes and intentions.~~
- ~~2. When approving commissioning activity: i. to promote investment in the prevention, early intervention and reduction in the demand for services; and ii. to identify potential efficiencies and improvements in quality and outcomes, including across the public sector.~~
- ~~3. To approve the Council's strategic approach to joint and integrated commissioning across the public and private sectors to ensure that the needs of customers and citizens are met.~~
- ~~4. To identify potential efficiencies and improvements in quality and outcomes, including across partner organisations and public services.~~
- ~~5.1. To promote the strategic allocation of resources to outcomes through commissioning activity.~~

**Commented [AS28]:** All deleted sections covered above or within the remit

### REMIT OF COMMITTEE

#### ~~1. Engaging with Customers and Citizens~~

##### ~~1.1 Following consultation with appropriate forums:~~

- ~~i. to consider the experience of customers; and~~
- ~~ii. to take such action to ensure to ensure that services to be commissioned are co-designed to meet customers' needs.~~

#### ~~2.1. Analysis~~

~~2.1.1~~ to ~~consider receive~~ a bi-annual Population Needs Assessment ~~every two years~~ to understand the needs which public bodies must address;

~~2.1.2~~ to ~~consider receive, as appropriate,~~ an in-depth analysis of key groups, priorities and challenges across public services to identify and action potential efficiencies and improvements to help ensure that the needs of customers and citizens are met and commissioning intentions are delivered; and

~~2.1.3~~ to ~~consider receive, as appropriate,~~ sufficiency and market analyses to understand existing and potential provider strengths and weaknesses, and identify and take action in respect of any opportunities for improvement or change in providers.

**Commented [AS29]:** Now covered by the introduction

**Commented [AS30]:** Updated to ensure consistent language and to reflect that this information will be presented in a number of reports, for example procurement BCs.

**Commented [AS31]:** Updated to ensure consistent language and to reflect that this information will be presented in a number of reports, for example procurement BCs.

**3.2. Planning**

**3.2.1** to endorse the refresh of the Local Outcome Improvement Plan (LOIP, including recommending any changes which may be required);

**Commented [AS32]:** Updated to reflect it is the refresh and that is from the Council's perspective

**3.2.2** to approve annual procurement work-plans, reflecting the LOIP, the Population Needs Assessment, the Council's commissioning intentions, the Council's service standards, the views of customers and citizens, and the best evidence of effective interventions to ensure a preventative focus on demand reduction.

**4.3. Doing**

**4.3.1** To approve all procurement activity by the Council, with the exception of procurement relating to the Capital Programme which will be approved by the City Growth and Resources Committee, including

**Commented [AS33]:** 4.1. and 4.2 reworded to amalgamate/streamline previous wording.

- 3.1.1 Procurement Business Cases submitted in accordance with Procurement Regulations;
- 3.1.2 Grants and associated conditions;
- 3.1.3 Contract management arrangements and Service Level Agreements; and
- 3.1.4 The establishment of Arm's Length External Organisations (ALEOs) where it is determined that services should not be provided in-house.

**4.3.2** when approving procurement activity, the Committee will:

- 3.2.1 promote investment in the prevention, early intervention and reduction in the demand for services; consider the experience of customers and take such action to ensure that services to be commissioned are co-designed to meet customers' needs;
- 3.2.2 ensure that commissioned services are focused on delivering the Council's agreed commissioning intentions and contribution to the LOIP; and
- 3.2.3 identify potential efficiencies and improvements in quality, including across partner organisations and promote the strategic allocation of resources.

**4.3.3** to decommission services, including ALEOs, that do not meet the Council's commissioning intentions and outcomes.

**Commented [AS34]:** Addition to reflect that the committee can decommission

**4.3.4** to take such action to ensure that appropriate supply management and capacity building (market facilitation) is in place to ensure a good mix of resilient service providers, that offer customers an element of choice in how their needs are met;

**4.3.5** to approve the Strategy Framework to facilitate the delivery of agreed outcomes.

**Commented [AS35]:** Added to reflect role in terms of Strategy Framework

**4.6** to approve commissioning activity, including approval of commissioning intentions/ outcomes which aligns to and supports the delivery of the outcomes contained in the LOIP, and other relevant Strategic Plans;

**Commented [AS36]:** Covered at 3.1/3.2 above

**4.7** to approve the establishment of ALEOs or determine that services should remain in house; to undertake an annual review of ALEOs; and

**Commented [AS37]:** Covered at 3.1 above

**Commented [AS38]:** Moved to under the review section

**5.4. Reviewing**

~~4.1 to approve~~ amendments to the Council's Performance Management Framework (PMF);

**Commented [AS39]:** Refreshed wording to reflect that the PMF has been approved

~~5.14.2 to consider~~ receive annual reports on the LOIP and Locality Partnership Plans;

**Commented [AS40]:** Updated to ensure consistent terminology

~~4.3 to consider and monitor performance associated with the Council's agreed commissioning intentions and ultimate contribution to the LOIP outcomes~~

~~5.24.4 To scrutinise and note~~ receive annual reports from each of the council's ALEO ~~to enable scrutiny of performance~~;

**Commented [AS41]:** Moved from doing to reviewing section and updated to reflect the role of the committee

~~5.34.5~~ to receive an annual procurement performance report ~~to enable scrutiny of performance~~; and

~~5.44.6 to consider~~ receive reports ~~on any change in legislative requirements, policy and population needs which may facilitate opportunities to work differently to improve outcomes or may require revisions to existing commissioning intentions and outcomes.~~

**Commented [AS42]:** Refreshed wording

**Service Delivery**

**Commented [AS43]:** Section added to reflect SCC's role in respect of service delivery – previously silent on this.

5.1 The Committee will, for the Business Intelligence and Performance Management and Commercial and Procurement clusters:-

- 5.1.1 oversee, and make decisions relating to service delivery;
- 5.1.2 approve options to improve/transform service delivery;
- 5.1.3 scrutinise operational performance and service standards in line with the Performance Management Framework and consider recommendations for improvements where required;
- 5.1.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance of the controls in place;
- 5.1.5 approve all policies and strategies relative to its remit; and
- 5.1.6 receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.

~~5.2 to approve a Performance Management Framework reflecting the Council's commissioning intentions/outcomes, the LOIP, the views of customers and citizens, and the best evidence of effective interventions;~~

**Commented [AS44]:** Covered at 4.1 above - refreshed wording to reflect that the PMF has been approved

~~5.3 to consider an analysis of any changes in legislative requirements, policy and population needs, and to:~~

**Commented [AS45]:** Covered by 4.6 above

~~5.3.1 review the overall impact of services to identify and implement revisions needed to commissioning intentions/outcomes; and/or~~

~~5.3.2 to identify and facilitate opportunities to work differently to improve outcomes; and~~

~~5.4 to monitor service delivery against expected outcomes and plans.~~

### **JOINT WORKING WITH OTHER COUNCIL COMMITTEES**

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together and attending other committees as observers. Specifically:

1. the Strategic Commissioning and the City Growth and Resources Committees will cooperate to ensure that resources are allocated strategically to support outcomes; and
2. the Strategic Commissioning and the Operational Delivery Committees will cooperate to ensure that the internally commissioned services have clear service specifications which identify contributions to the LOIP outcomes and that funding is available to deliver the service specification.

### **JOINT WORKING WITH NON-COUNCIL BODIES**

This Committee is outward facing and will engage, through appropriate forums, with partners, the third sector and communities in order to ensure a joint and integrated commissioning approach.

**Executive Lead: Director of Commissioning**

**Commented [AS46]:** Covered in the introduction section

DRAFT

## 6. CITY GROWTH AND RESOURCES COMMITTEE

### PURPOSE OF COMMITTEE

To approve and monitor ~~financial strategies, budgets and financial performance in light of available funding~~. The Committee will also consider:

- ~~strategies to support the city's economic growth;~~
- ~~additions to the Capital Programme; and~~
- recommendations regarding ~~the Council's property and estates portfolio.~~

The Committee ~~approve and~~ monitors the ~~in-house~~ delivery of all services provided by ~~the Resources Function, City Growth, and Governance and Strategic Place Planning~~. It scrutinises performance and ~~approves, make improvements options to improve to~~ those services ~~within set budgets, to ensure best value and delivery of the Council's agreed outcomes~~. ~~To approve and monitor appropriate short, medium and long term financial strategies and plans for the Council in light of available funding.~~

1. ~~To approve the addition of new projects and associated budgets to the capital programme, to approve additional funding for existing projects and to approve procurement relating to the Capital Programme.~~
2. ~~To review the in-year financial performance of the Council and its committees and to make appropriate recommendations where a forecast overspend is projected.~~
3. ~~To oversee and take action to ensure adherence to the Council's budgetary control system.~~
4. ~~To approve and monitor an appropriate strategy for the Council's estate, including plans for investment, disposal and maintenance.~~
5. ~~To approve and monitor Council place-based strategies to support the City's plans for future economic growth.~~
6. ~~On receipt of the annual re-assessment of the Council's credit rating, to advise Council on appropriate financial strategies in order to preserve or improve the Council's credit rating.~~

### REMIT OF COMMITTEE

#### 1. Budgets

The Committee will:

- 1.1 approve ~~changes recommendations to regarding~~ the Council's resources including finance, staffing structures and property; and monitor all Council budgets including ~~all Useable~~ ~~Reserve the Transformation Fund~~, and in particular:
  - 1.1.1 scrutinise function budget monitoring reports ~~and make decisions to ensure that Council spending is delivered on budget;~~
  - 1.1.2 hold budget holders to account for the proper control of the budget ~~for~~ which they are responsible;

~~take such action as necessary to ensure that the Council's budget is always balanced;~~

**Commented [AS47]:** No need to limit this to only one usable reserve

- 1.1.3 approve changes to the budget including to vire between function budgets where this is in excess of the amount delegated to officers in the Financial Regulations and Powers Delegated to Officers;
- 1.1.4 ~~review annual workplans and consider~~ scrutinise and approve ~~and approve~~ ~~consider~~ Outline and Full Business Cases for ~~supporting new projects added to the Capital Programme outwith the budget process~~ capital investments, ensuring that all appropriate consultation has been undertaken;
- 1.1.5 ~~to~~ approve annual procurement workplans in respect of the Capital Programme,
- 1.1.6 ~~to~~ approve Procurement Business Cases in respect of ~~projects added to the Capital Programme outwith the budget process, the Capital Programme~~ submitted in accordance with Procurement Regulations;
- 1.1.7 approve the allocation of additional funding ~~or removal of funding~~ to existing projects, both capital and revenue;
- 1.1.8 approve the addition of new projects to the Capital Programme ~~outwith the budget process~~;

**Commented [AS48]:** Updated to clarify that CG&R approval is in respect of capital projects added outwith the budget process

**Commented [AS49]:** 1.1.5 and 1.1.6 added to reflect position re submission of Procurement BCs for capital projects approved outwith the budget meeting.

**Commented [AS50]:** Added to reflect that CG&R can stop funding

~~approve procurement relating to the Capital Programme;~~

**Commented [AS51]:** Covered at 1.1.6 above

- 1.1.9 approve use of the Council's ~~General-Use~~ ~~able~~ Reserves;

**Commented [AS52]:** Covered by change at 1.1.9 above

~~approve use of the Council's Transformation Fund; and~~

~~scrutinise the implementation of plans and monitor associated budgets; and~~

- 1.1.10 monitor the Code of Guidance on Funding External Bodies and Following the Public Pound and take such action as is required to ensure that the Council meets its duties; ~~and~~

~~1.1.11 receive~~ -Moody's formal credit rating reassessment

**Commented [AS53]:** Addition to reflect the committee considers Moody's formal reassessment.

~~1.1.11.1.12 approve financial guarantees, including requests received from relevant Admitted Bodies of the Pension Fund.~~

**Commented [JB54]:** The Council has a number of existing loan and bank guarantees which present a financial obligation. Similarly, from time to time the Council has considered requests from relevant outside bodies that have Admitted Body membership in the Pension Fund.

## 2. Service Delivery

~~1.2.2.1~~ The Committee will, for the Resources Function and City Growth, Governance and Strategic Place Planning Clusters:-

- ~~1.2.2.1.2~~ make decisions relating to service delivery;
- ~~1.2.3.1.3~~ approve options to improve/transform service delivery;
- ~~1.2.4.1.4~~ scrutinise operational performance and service standards in line with the Performance Management Framework and consider recommendations for improvements where required;
- ~~2.1.5~~ receive the cluster risk registers relative to its remit and scrutinise to ensure assurance that efficient controls are in place;
- ~~1.2.5.1.6~~ approve all policies and strategies relative to its remit; and
- ~~1.2.6.1.7~~ receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.

**Commented [AS55]:** Section added to reflect CG&R's role in respect of service delivery – previously silent on this.

~~1.3.2.2~~ In undertaking the aspects at 2.1, the Committee will ensure that it is acting within the budget set by Council and overseen by this Committee and in accordance with best value and supporting delivery of the Council's agreed outcomes, commissioning intentions, service specifications and service standards.

### 2.3. City Growth and Strategic Place Planning

The Committee will:

2.23.1 approve the annual report from the Economic Policy Panel set up all reports to support the annual re-assessment of the Council's credit rating;

**Commented [AS56]:** Very prescriptive, broadened as other reports may be submitted in this regard.

2.23.2 approve the Council's strategies actions for city growth and place planning except in relation to major infrastructural planning and the Local Development Plan; and

2.23.3 consider and approve on recommending key actions required by the Council to enable facilitate towards the delivery of strategies (including partnership strategies) the Regional Economic Strategy and the Inward Investment Plan to support city growth and place planning and take such appropriate action as it sees fit.

**Commented [AS57]:** Updated to clarify role of committee

**Commented [SD58]:** Updated to reflect that the committee will consider all strategies, including partnership strategies in respect of city growth and place planning

### 3.4. Property and Estates

The Committee will:

3.24.1 approve Determine, review and monitor a Portfolio Management Strategy recommendations regarding for the Council's assets, property and estates;

**Commented [AS59]:** Updated to cover reflect that the committee will consider all strategies in respect of the Council's property and estates.

3.24.2 approve an Estate and Investment Strategy;

**Commented [AS60]:** Covered above at 4.1

4.3 hear and determine requests for review under s86(10) of the Community Empowerment (Scotland) Act 2015 against the refusal by officers to approve community asset transfers;

3.34.4 approve the procedure for the Community Asset Transfer Sub Committee; and

**Commented [AS61]:** Added to be consistent with approval of procedure for the Appeals Sub

4.5 approve the acquisition and disposal of land and property.

### JOINT WORKING WITH OTHER COMMITTEES

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

1. the City Growth and Resources Committee and Strategic Commissioning Committee will cooperate to ensure that resources are allocated strategically to support outcomes.
2. the City Growth and Resources Committee and the Capital Programme Committee will cooperate in promoting city growth and place planning.

**Commented [AS62]:** Covered by introduction

### JOINT WORKING WITH NON-COUNCIL BODIES

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

the Aberdeen City Region Deal Joint Committee

Aberdeen Inspired

Opportunity North East

VisitAberdeenshire

the Regional Advisory Board

the Scottish Cities Alliance

Executive Lead: Chief Officer - Finance

- the Aberdeen Renewables Energy Group
- the Strategic Development Planning Authority
- EU Regional and Thematic Groups
- the World Energy Cities partnership
- CoSLA

DRAFT

## **7. BUSINESS RATES APPEALS SUB COMMITTEE**

Commented [AS63]: Addition to the Terms of Reference

### **PURPOSE OF SUB COMMITTEE**

To hear appeals against rating liability under section 238 of the Local Government (Scotland) Act 1947.

### **REMIT OF SUB COMMITTEE**

1. To determine all requests for appeal against the identification of an individual as being responsible for the payment of business rates.
2. The Sub Committee shall operate in terms of the agreed procedure, which shall comply with section 238 of the Local Government (Scotland) Act 1947.
3. The Sub Committee shall comprise five elected members and the quorum shall be three.

**Executive Lead: Chief Officer - Finance**

DRAFT

## **8. COMMUNITY ASSET TRANSFER REVIEW SUB COMMITTEE**

**Commented [AS64]:** Addition to the Terms of Reference

### **PURPOSE OF SUB COMMITTEE**

To act as the review body in respect of decisions relating to Asset Transfer Requests, as defined in Section 86(10) of the Community Empowerment (Scotland) Act 2015, which states that a review must be carried out by Councillors.

### **REMIT OF SUB COMMITTEE**

1. To determine all requests for a review of the decision taken by officers or the City Growth and Resources Committee in respect of Community Asset Transfers.
2. The Sub Committee shall operate in terms of the agreed procedure, which shall comply with the Asset Transfer Request (Review Procedure) (Scotland) Regulations 2016.
3. The Sub Committee shall comprise five elected members who have not participated in the original decision at City Growth and Resources Committee and the quorum shall be three.

**Commented [JF65]:** Added to make clear that procedure is, in part, set out in the Regs.

DRAFT

## 7.9. CAPITAL PROGRAMME COMMITTEE

### PURPOSE OF COMMITTEE

To monitor the development and delivery of the council's capital programme as well as monitoring the development of the Local development plan.

~~those projects flowing from the City Centre Masterplan, the Aberdeen City Region Deal, the Common Good and General Fund Capital Programme and the Housing Revenue Account; and~~

~~those interventions that contribute to the overall place outcomes for the City as a result of investment in infrastructure.~~

- ~~• To approve and monitor major infrastructure planning in the City.~~

### REMIT OF COMMITTEE

- The Committee in relation to the capital programme will:-
  - scrutinise the progress and delivery of capital projects against the approved business cases ~~for supporting new capital investments onto the Capital Programme;~~
  - review progress in the delivery of the benefits of the Capital Programme, including through the receipt and scrutiny of Post Project Evaluations (PPE's) and Post Occupancy Evaluations (POE's); and
  - request a report to allow for the detailed consideration of any project which is of particular concern or interest.
- The Committee will oversee and approve the preparation of the Local Development Plan, subject to final approval thereon being given by Council.

### JOINT WORKING WITH OTHER COMMITTEES

~~The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-~~

- ~~the Capital Programme Committee and City Growth and Resources Committee will cooperate strategically to promote city growth and place planning and to ensure that resources are allocated to support outcomes.~~
- ~~a key relationship will be required with the Planning Development Management Committee in respect of the preparation of the Local Development Plan.~~

### JOINT WORKING WITH NON COUNCIL BODIES

The Committee, through its lead officers, will regularly consider key issues arising through other external organisations, including:

- ~~the Aberdeen City Region Deal Joint Committee~~ • ~~the Aberdeen Renewables Energy Group~~
- ~~Opportunity North East~~ • ~~the Strategic Development Planning Authority~~
- ~~the Regional Advisory Board~~
- ~~EU Regional and Thematic Groups~~

Commented [AS66]: All covered above and streamlined

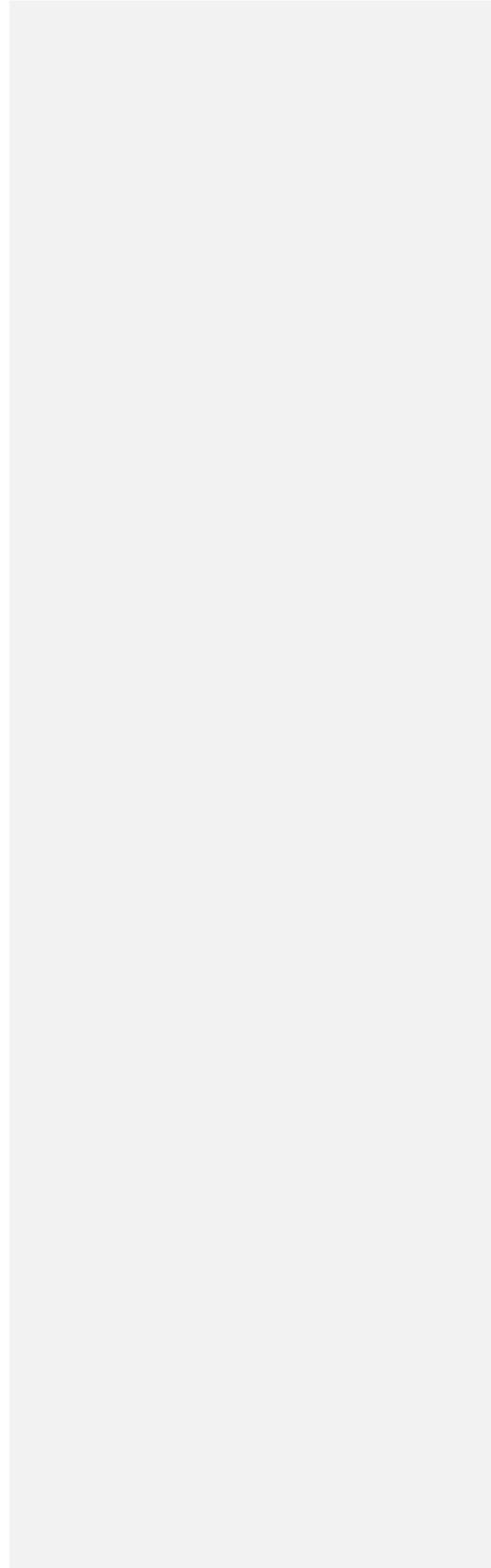
Commented [AS67]: Deleted unnecessary wording to make remit clearer.

Commented [AS68]: Covered in introduction section.

- Aberdeen Inspired
- the World Energy Cities partnership
- VisitAberdeenshire
- CoSLA
- the Scottish Cities Alliance

**Executive Lead: Chief Officer - Capital**

DRAFT



## 8.10. OPERATIONAL DELIVERY COMMITTEE

### PURPOSE OF COMMITTEE

To ~~approve and~~ monitor the ~~in house~~ delivery of all services provided by ~~the~~ Customer Services Function ~~(with the exception of educational services)~~, and ~~the~~ Operations Function ~~(with the exception of educational services)~~. It will also, ~~and to~~ scrutinise performance and ~~approve make improvements options, or make recommendations to another committee or sub committee, to improve to those services within set budgets in order, to ensure best value and delivery of the Council's agreed outcomes. including Integrated Children's Services but excluding educational services.~~

~~1. To ensure improvement to the Council's Public Performance Recording data, in line with outcomes and intentions set, excluding educational services.~~

**Commented [AS69]:** Making it explicit can only act within budget.

**Commented [AS70]:** Covered by remit

### REMIT OF COMMITTEE

#### 1. Service Delivery and Performance

1.1 The Committee will, in respect of the Customer Services Function ~~and the Operations Function (with the exception of educational services):-~~

- 1.1.1 oversee, and make decisions relating to, service delivery;
- 1.1.2 approve options to improve/transform service delivery;
- 1.1.3 scrutinise operational performance and service standards in line with the Performance Management Framework and consider recommendations for improvements where required;
- 1.1.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance of the controls in place;
- 1.1.5 approve all policies and strategies relative to its remit; and
- 1.1.6 receive reports on inspections and peer reviews in order to ensure best practice and note any actions arising from those inspections and reviews.

**Commented [AS71]:** Previous TOR reworded and streamlined to be clearer, duplication removed, reflect PMF etc. Consistent wording with CG&R and EODC re Service delivery

1.2 In undertaking the aspects at 1.1, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.

1.3 The Committee may make recommendations to the appropriate committee(s) or sub committee(s) on areas affecting the Customer Services Function ~~or~~ the Operations Function (with the exception of educational services) where the authority to approve sits within the remit of another Committee or Sub Committee.

~~1.2 approve all policies, plans and strategies to ensure delivery of the Council's agreed outcomes; and~~  
~~1.3 receive reports on inspections and peer reviews in order to ensure best practice and consider any actions arising from those inspections and reviews.~~

~~4. hold the organisation to account for the in house delivery of all services provided by Customer Services and Operations;~~

**Commented [AS72]:** Covered above

~~5. approve and monitor the in house delivery of services provided by Customer Services and Operations in all areas and take action to ensure that such performance is in line with the outcomes set by Council and the Strategic Commissioning Committee; to scrutinise performance in relation to the delivery of services provided by Customer Services and Operations and to make recommendations for improvements where required.~~

**Commented [AS73]:** Covered above

~~6. improve results for Public Performance Recording, where this is in line with the Council's own improvement goals, by scrutinising Key Performance Indicators through rigorous performance management arrangements and ensuring that such performance:~~

**Commented [AS74]:** Covered above and reflects PMF

~~6.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;~~

~~6.2 improves the Council's position in national tables; and~~

~~6.3 adheres to financial targets.~~

~~7. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;~~

**Commented [AS75]:** Covered by PMF

~~8.5 approve improvements to operational delivery where officers do not have the power to do so;~~

**Commented [AS76]:** Covered above

~~9. explore and approve options for transforming the service delivery model; and~~

**Commented [AS77]:** Covered above

~~note proposed peer reviews and inspections by the Local Area Network for the cycle.~~

**Commented [AS78]:** Covered above

~~To ensure improvement to the Council's Public Performance Recording data, in line with outcomes and intentions set, excluding educational services to scrutinise performance in relation to Customer Services and Operations in line with the Performance Management Framework and make recommendations for improvements where required.~~

**Commented [AS79]:** Covered above

~~10.6.~~

## **JOINT WORKING WITH OTHER COMMITTEES**

**Commented [AS80]:** Covered by introduction

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

~~1. the Strategic Commissioning Committee, the City Growth and Resources Committee and the Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contributions to the LOIP outcomes, and that sufficient funding is available to deliver the service specification.~~

### **JOINT WORKING WITH NON-COUNCIL BODIES**

~~Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and Tenant Participation Groups to understand how effectively services are being delivered to customers and how they can be improved.~~

**Executive Lead: Chief Operating Officer and the Director of Customer Services**

## 9.11. EDUCATION OPERATIONAL DELIVERY COMMITTEE

### PURPOSE OF COMMITTEE

To advise on and discharge the Council's functions as education authority as set out in the Education (Scotland) Act 1980 and all other relevant legislation and regulations where not otherwise delegated.

**Commented [AS81]:** Added to provide clarity on the role of EODC.

The committee will also:

- monitor the in-house delivery of educational services undertaken as education authority and provided by Integrated Children's and Family Services (with the exception of children's social work services which will be monitored by the Operational Delivery Committee);
- make recommendations in respect of school property matters to the City Growth and Resources Committee;
- scrutinise performance; and
- agree changes such as school zoning arrangements (within set budgets), or make recommendations to another committee, for improvements to functions related to education in order to ensure best value and delivery of the Council's agreed outcomes, commissioning intentions, service specifications and service standards.

1. To approve and monitor the in-house delivery of educational services, scrutinise performance and make improvements to those services.

**Commented [AS82]:** Covered above

2. To ensure improvement to the Council's Public Performance Recording data, in line with outcomes and intentions set, for educational services.

**Commented [AS83]:** Covered above

### REMIT OF COMMITTEE

#### 1. Service Delivery and Performance

**Commented [AS84]:** Previous TOR reworded and streamlined to be clearer, duplication removed, reflect PMF etc. Consistent wording with CG&R and EODC re Service delivery

1.1 The Committee will, in respect of educational services (early years and schools) provided by Integrated Children's and Family Services and the management of the school estate undertaken by the Corporate Landlord:-

- 1.1.1 oversee, and make decisions relating to service delivery;
- 1.1.2 approve options to improve/transform service delivery relative to the functions of the Council as education authority under the Education (Scotland) Act 1980 and all other relevant legislation and regulations;
- 1.1.3 scrutinise operational performance and service standards in line with the Performance Management Frameworks and consider recommendations for improvements where required;
- 1.1.4 receive the cluster risk registers relative to its remit and scrutinise to ensure assurance of the controls in place;
- 1.1.5 approve all policies and strategies relative to its remit; and
- 1.1.6 receive reports on school inspections and peer reviews in order to ensure best practice and note any resultant improvement actions arising from those inspections and reviews.

1.2 In undertaking the aspects at 1.1, the Committee will ensure that it is acting within the budget set by Council and is supporting the delivery of the Council's agreed outcomes, commissioning intentions and service standards.

4.21.3 The Committee may make recommendations to the appropriate committee(s) or sub committees on areas affecting educational services where the authority to approve sits within the remit of another committee or sub committee.

Commented [AS85]: Added to reflect practice and provide clarity

hold the organisation to account for the in house delivery of all educational services;

1. approve and scrutinise performance in relation to the monitor the in house delivery of educational services and take action to ensure that such performance is in line with the outcomes set by Council and the Strategic Commissioning Committee; in line with the Performance Management Framework and make recommendations for improvements where required;

Commented [AS86]: Covered above

2. Improve results for Public Performance Recording, where this is in line with the Council's own improvement goals, by scrutinising Key Performance Indicators through rigorous performance management arrangements and ensuring that such performance:-

Commented [AS87]: Covered above

2.1 is done in a manner which places the customer first and ensures the expected contribution to outcomes;

2.2 improves the Council's position in national tables; and

2.3 adheres to financial targets.

3. provide evidence to the Strategic Commissioning Committee, as requested, on the contribution of in house services to outcomes;

2. receive reports on an

Commented [AS88]: Covered above

4. approve improvements to operational delivery where officers do not have the power to do so;

5.3. explore and approve options for transforming the service delivery model; and

Commented [AS89]: Covered above

**receive reports on note proposed peer reviews and inspections by the Local Area Network for the cycle JOINT WORKING WITH OTHER COMMITTEES**

Commented [AS90]: Covered above

Commented [AS91]: Covered by introduction section

The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically:-

1. the Strategic Commissioning Committee, the City Growth and Resources Committee and the Education Operational Delivery Committee will cooperate to ensure that the internally commissioned services have clear service specifications, identifying contributions to the LOIP outcomes and that sufficient funding is available to deliver the service specification.

### JOINT WORKING WITH NON COUNCIL BODIES

Officers work closely with Internal Auditors, a service contracted from Aberdeenshire Council, and with external providers of assurance such as External Audit, Audit Scotland and external examining bodies. In addition, officers will work with local representative bodies such as the Disability Equity Partnership and the Aberdeen City Youth Council to understand how effectively services are being delivered to customers and how they can be improved.

### EXTERNAL MEMBERSHIP

Commented [AS92]: Condensed wording

The Committee's membership will include seven persons with voting rights who are not members of the Council. The seven external members will be appointed by the Council at its statutory meeting (or other meeting as appropriate) as follows:-

~~1. 1. three persons representing religious bodies in accordance with the requirements of Section 124 (4) of the Local Government (Scotland) Act 1973; and~~

~~1.2. in accordance with the discretion conferred by Section 124 (3) of the Local Government (Scotland) Act 1973:~~

~~1.12.1 two teachers employed in educational establishments managed by the Council nominated by the Teachers' Consultative Forum, comprising one representative from primary, including nursery, and one representative from secondary; and~~

~~1.22.2 two parent representatives, selected by the Aberdeen City Parent Council Forum from within its own membership, comprising one representative from primary, including nursery, and one representative from secondary.~~

~~2. —, being:~~

~~3. — one representative of the Church of Scotland nominated in such manner as may be determined by the General Assembly of that church;~~

~~4. — one representative of the Roman Catholic Church nominated in such manner as may be determined by the Scottish Hierarchy of that church; and~~

~~5. — one other person appointed by the Council having regard:~~

~~6. — to the comparative strength within the City of Aberdeen of all the churches and denominational bodies having duly constituted charges or regularly appointed places of worship there; and~~

~~7.3. — the representation provided for in (i) and (ii) above;~~

~~Education items are matters reported to the Education Operational Delivery Committee which relate to advising on or discharging the Council's functions as education authority which are under the responsibility of the Chief Officer of Integrated Children's and Family Services and the Corporate Landlord.~~

**Executive Lead: Chief Operating Officer and the Director of Customer Services**

**Commented [AS93]:** Streamlined and covered above

**Commented [AS94]:** Covered under purpose

## 10.12. AUDIT, RISK AND SCRUTINY COMMITTEE

### PURPOSE OF COMMITTEE

To ensure that the Council has robust arrangements for:

- Good governance including information governance, surveillance, fraud, bribery and corruption;
- Maintaining an effective control environment through an effective approach to risk management; and
- Reporting on financial and performance reporting.

~~The Committee will also~~ monitor the effectiveness of the Internal Audit function and the Council's implementation of its recommendations, as well as the implementation of the recommendations of its external auditors.

### REMIT OF COMMITTEE

#### 1. Risk Management

The Committee will ensure the effectiveness of the Council's risk management system and will:

- 1.1 receive an annual review of the system of risk management and an annual report on the corporate risk register and related action plans;
- 1.2 monitor the implementation of the Council's ALEO Assurance Framework by receiving reports from the ALEO Assurance Hub on the monitoring and mitigation of risks to the Council associated with its ALEOs;
- ~~1.3 receive reports from providers of independent assurance;~~
- ~~1.4.1.3 receive reports to provide assurance on the an annual review report in respect of the Council's information governance; and~~
- 1.4 approve all relevant policies.

#### 2. Internal Audit

The Committee will:

- 2.1 ~~contribute to and~~ approve the Internal Audit Annual Plan;
- 2.2 consider reports ~~issued-prepared~~ by Internal Audit (with the exception of reports related to Pensions);
- 2.3 monitor compliance with Internal Audit recommendations (with the exception of reports related to Pensions);
- 2.4 ~~ensure that there is an adequately resourced Internal Audit service and monitor its the performance of performance Internal Audit;~~
- ~~2.4 to receive an annual report from the Local Area Network detailing areas to be inspected.~~

**Commented [AS95]:** Updated to ensure consistent terminology

**Commented [AS96]:** Updated to reflect that audits in relation to pensions are considered by the Pensions Committee

**Commented [AS97]:** Updated to reflect the committee's role is to monitor the performance of internal audit and not to deal with resourcing

### 3. External Audit

The Committee will:

- 3.1 consider reports prepared by the Council's External Auditor;
- 3.2 monitor the Council's relationship with the External Auditor;
- 3.3 receive reports from the Local Area Network; and
- 3.4 monitor compliance with External Audit recommendations.

### 4 ~~Annual Reports and Accounts~~ Governance, Accounts and Finance

The Committee will:

- 4.2 ~~consider and~~ approve the Council's Annual Report and Annual Accounts; ~~and~~
- 4.3 ~~consider and~~ approve the annual governance statement; ~~:-~~
- 4.3.4 ~~approve and monitor the Council's Code of Corporate Governance and approve such~~  
action as appropriate; and
- 4.4.5 ~~provide independent assurance on,~~ monitor the integrity of financial reporting, and ~~annual~~ governance processes and ~~oversee the effectiveness of~~ internal control functions and approve such action as appropriate.

### 5 Legal obligations

The Committee will:

- 5.1 ~~seek assurance on the effectiveness,~~ consider reports in respect of the whistleblowing policy; and
- 5.2 ~~ensure the effectiveness of,~~ monitor the Council's compliance with its statutory obligations relating to surveillance, information governance, bribery, corruption and fraud, including the approval of all relevant policies.

### 6. Scrutiny

The Committee will:

- ~~6.1 consider any previously unscrutinised issue, process or practice, provided that the matter has been the subject of a report to Council or committee and the consideration of the subject matter concluded by Council or said committee;~~
- ~~6.2 where appropriate, review minuted actions from all committees with the exception of the Planning Development Management and Licensing Committees and the Appeals Sub Committee, to ensure good practice. It will not prevent any decision being taken and will only review the effectiveness of decision making or monitoring and may make recommendations to the relevant committee or Council;~~
- 6.1 once a matter, process or practice has been the subject of a report to Council or committee (including internal and external audits) and the consideration of the matter concluded by Council or said committee action (with the exception of quasi judicial matters and the Appeals, Business Rates Appeals and Community Asset Transfer Review Sub Committees), the committee, to ensure good practice, can determine that further consideration is required. It will not prevent, or alter, any decision being taken and will

**Commented [AS98]:** Updated to ensure consistent terminology

**Commented [AS99]:** As above

**Commented [AS100]:** Moved from scrutiny section below

**Commented [AS101]:** Moved from scrutiny section and wording updated

**Commented [AS102]:** 6.1 and 6.2 covered by new 6.1 below

**Commented [AS103]:** Updated wording to clarify previous 6.1 and 6.2

only review the effectiveness of decision making, or monitoring and may make recommendations to the relevant committee or Council

**6.36.2** on occasion, where appropriate and as it sees fit, seek information from partner organisations, contractors or other stakeholders such as Community Councils or groups of interest on any particular issue;

**6.46.3** monitor the Council's continued commitment and adherence to the key elements of good governance and approve such action as is appropriate;

**Commented [AS104]:** Covered above at 4.4

**6.56.4** monitor the implementation of the Council's ALEO Assurance Framework and approve such action as is appropriate;

**Commented [AS105]:** Covered above at 1.2

**6.6** approve and monitor the Council's Code of Corporate Governance;

**6.76.5** provide independent assurance on the integrity of financial reporting and annual governance processes and oversee the effectiveness of internal control functions;

**Commented [AS106]:** Covered at 4.4 above

**Commented [AS107]:** covered above at 4.3

**6.86.6** request, where appropriate and in terms of any contract or agreement, representatives of external organisations to attend and contribute to meetings; and

**6.96.7** receive reports from regulatory bodies and those providing external assurance such as the Scottish Public Services Ombudsman and Inspector of Crematoria, ensure that the Council responds appropriately and monitor compliance with recommendations.

## **JOINT WORKING WITH OTHER COMMITTEES**

The Committee will maintain an awareness of issues of mutual interest arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Areas of mutual interest may include, but will not be restricted to:

**Commented [AS108]:** Covered in introduction

1. a relationship with the Public Protection Committee in terms of the systems in place to manage the public protection risks; and
2. a relationship with the Staff Governance Committee in terms of the systems in place to manage the health and safety risks.

## **JOINT WORKING WITH NON COUNCIL BODIES**

The Committee, through its lead officers, will work jointly with external regulatory bodies to ensure that Council benefits from external review and assurance.

**Executive Lead: Chief Officer – Governance**

## 11.13. STAFF GOVERNANCE COMMITTEE

### PURPOSE OF COMMITTEE

- ~~1. To further develop the existing partnership approach between the Council and all trade unions in order to support the Council becoming an employer of choice.~~
- ~~2. To approve and monitor the Framework Agreement for Industrial Relations ("the FAIR agreement").~~

To act as a consultative ~~body and forum for discussion~~ between management, elected members and trade unions, ~~and act as a forum for discussion~~, on matters relating to staff in the pursuit of a workplace culture that reflect the requirements of a 21<sup>st</sup> Century public sector organisation ~~staff, f, including, but affecting~~

Through partnership working the committee will support the Council becoming an employer of choice by promoting positive values, behaviours, training and recruitment and ways of working.

The Committee also acts as safety committee within section 2(7) of the Health and Safety at Work etc Act 1974 and keeps under review measures taken to ensure the health and safety at work of employees. The committee and provides a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.

- ~~3. To approve and monitor workforce strategies which ensure the Council has a workforce fit for the capabilities required to be a 21st century council,~~
- ~~4. To approve all staff policies.~~
- ~~5. To provide a channel of communication, co-operation and involvement between the Council and trade union representatives on all relevant health and safety matters.~~
- ~~6. To act as a safety committee within section 2(7) of the Health and Safety at Work etc Act 1974 and to keep under review measures taken to ensure the health and safety at work of employees.~~
- ~~7. To monitor the Council's compliance with its policies and procedures and ensure that it takes such action to ensure it complies with all health and safety legislation.~~
- ~~8. To take the lead in establishing and promoting a positive culture, ways of working and values for the organisation and its staff which will reflect public expectation about the conduct and behaviour of public officials~~

**Commented [AS109]:** All covered in streamlined purpose or remit

### REMIT OF COMMITTEE

#### 1. Partnership approach arrangements

The Committee will:

- 1.1 ~~seek to maintain good relationships and model a partnership approach develop the con~~ partnership approach between the Council and trade unions; and
- 1.2 provide a ~~forum~~ decision making forum, ~~where appropriate, for the resolution of staffing matters that cannot be resolved through normal processes for discussion on and resolution of matters of common interest and/or concern,~~ including but not restricted to

**Commented [AS110]:** Partnership approach now developed reflecting progress

**Commented [AS111]:** Refreshed wording to provide clarity over remit

conditions of service, ~~or reorganisation/restructure affecting conditions of service~~ (except teachers<sup>1</sup>); ~~and~~

1.2.1 ~~arrangements for the strategic training and welfare of all staff; and~~

- 1.3 consider reports by the Chief Officer – ~~People and~~ Organisational Development on matters following a request by a trade union advisor provided always that the Chief Officer – ~~People and~~ Organisational Development is satisfied that the matter is appropriate and relevant to the remit of the Committee and that it raises no question of individual employee issues.

## 2. ~~Strategic Workforce Plans and Policies Strategies~~

The Committee will:

~~2.1~~ 2.1 ~~a~~ Approve the Framework Agreement for Industrial Relations (the FAIR agreement);

~~2.2~~ 2.2 ~~a~~ Approve strategic workforce plans which reflect the requirements of a 21st Century Council in terms of staff, skills and attributes;

~~2.3~~ 2.3 ~~a~~ Approve framework documentation in relation to workforce culture;

~~determine and monitor the compliance with workforce related strategies which reflect the requirements of a 21st century Council in terms of staff and skills and attributes; and~~

~~2.12.4~~ 2.4 ~~approve an annual~~ approve strategic training and development plans for the whole organisation

## ~~3. Council Policies Affecting Staff~~

The Committee will:

~~2.54~~ 2.54 ~~develop, approve and monitor the implementation of all staff policies, these being policies where the predominant factor affects the expected behaviour and actions of staff; and~~

~~2.65~~ 2.65 ~~monitor equality in employment and ensure that the Council, as an employer, complies with its statutory equal pay and other equality responsibilities.~~

2.7 receive people performance data to enable the monitoring of the wellbeing of our staff including but not limited to absence data.

## ~~3. Health, Safety & Wellbeing of Staff~~

The Committee will:

~~3.1~~ 3.1 ~~approve health, safety and wellbeing policies~~

~~3.2~~ 3.2 ~~approve the Corporate Health and Safety Annual Audit Plan~~

~~3.3~~ 3.3 ~~monitor performance and compliance across all functions of the Council in respect of~~  
i ~~Health and safety legislation~~

**Commented [AS112]:** Deleted, one example sufficient

**Commented [AS113]:** Updated wording to remove confusion re strategies

**Commented [AS114]:** Covered under 2.1

**Commented [AS115]:** Section header removed

**Commented [AS116]:** Wording updated to clarify what a staff policy is

**Commented [AS117]:** Section streamlined

<sup>1</sup> Teacher conditions of service are not agreed locally – they are agreed at national level, and therefore the Staff Governance Committee would have no locus to make any decisions on teaching terms and conditions.

ii Health, safety and wellbeing policies

iii Health and safety recommendations, including those from external inspection bodies

~~5.1 — actively reinforce health, safety and wellbeing roles and responsibilities amongst staff;~~

~~5.2 — receive appropriate levels of assurance to monitor compliance with health and safety legislation;~~

~~5.3 — scrutinise and review health, safety and wellbeing policy, performance, trends and improvements;~~

~~5.4 — approve and keep under review the Corporate Health and Safety Annual Audit Plan;~~

~~5.5 — consider reports on health, safety and wellbeing from all services of the Council to help ensure that services are complying with relevant policies; and~~

~~5.6 — monitor compliance with health and safety recommendations.~~

~~5. — **Establishing and Promoting Values for the Organisation**~~

The Committee will:

~~— 5.1 — approve and promote a Behavioural Framework for the Council.~~

Commented [AS118]: All covered above

Commented [AS119]: Covered at 2.5 above

## 6. Employment Appeals and Disputes

The Committee will:

6.1 ~~be responsible for approving and keeping under review~~ approve the procedure for the Appeals Sub Committee.

## MEMBERSHIP

Elected members

Local trades union representatives as advisers — two named advisers from each of the following trades unions:

- Unison
- Unite
- GMB
- Educational Institute of Scotland (EIS)
- Scottish Secondary Teachers' Association (SSTA); and
- VOICE

## **JOINT WORKING WITH OTHER COMMITTEES OF THE COUNCIL**

~~The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together and attending other committees as observers. This will help to ensure that relevant information is shared to aid understanding of workforce performance matters.~~

~~A key relationship will be required with committees in order to be assured that staff are being properly engaged and consulted with on specific transformation proposals.~~

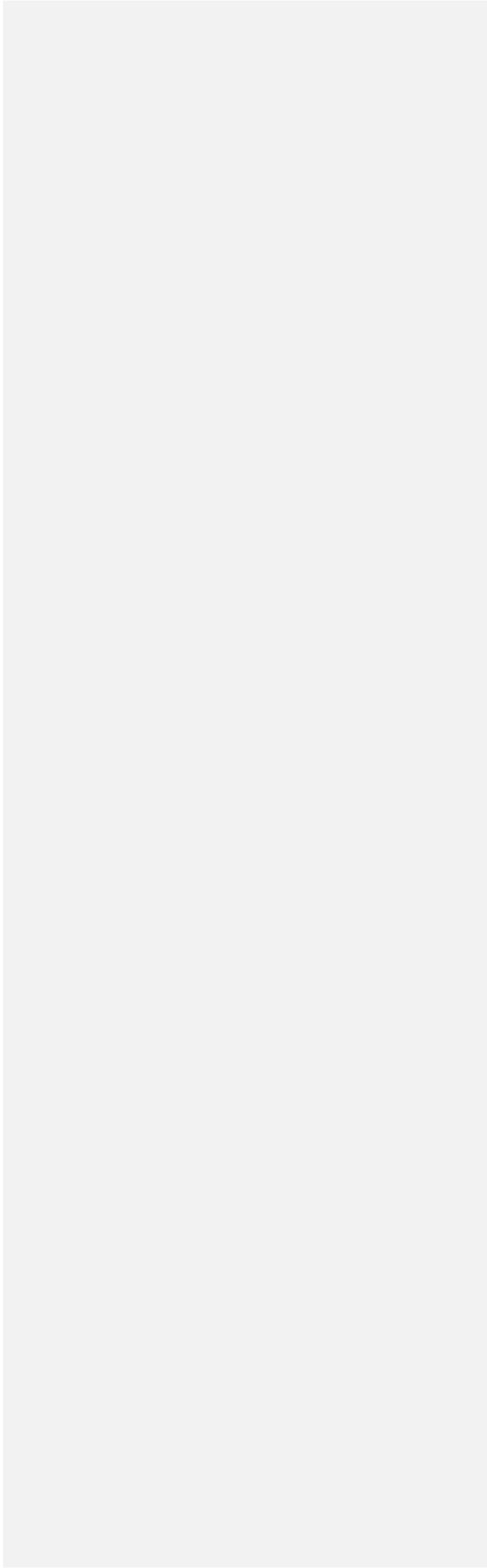
Commented [AS120]: Covered in introduction

**~~JOINT WORKING WITH NON COUNCIL BODIES~~**

~~The Committee, through its lead officers, will work jointly with external bodies such as the Health and Safety Executive to ensure that Council benefits from external review and assurance.~~

**Executive Lead: Chief Officer – People and Organisational Development**

DRAFT



## **14. APPEALS SUB COMMITTEE**

### **PURPOSE OF THE SUB COMMITTEE**

To determine all delegated staff employment issues raised in accordance with Council policy where provision exists for an appeal to ~~the former Appeals by Employees Committee or~~ this Sub Committee.

### **REMIT OF THE SUB COMMITTEE**

- ~~1. The Sub Committee shall operate in terms of the agreed procedure.~~
- ~~2. The Sub Committee shall comprise five elected members drawn from the pool of membership of the Staff Governance Committee and the quorum shall be three.~~
1. The Sub Committee will:
  - 1.1 determine appeals raised in accordance with Council policy where a right to appeal exists against dismissal or final written warning arising from hearings where the right of appeal exists; and
  - 1.2 determine disputes notified by Trades Unions in accordance with the Council's disputes resolution procedures.
- ~~2. The Sub Committee will operate in terms of the agreed procedure.~~
- ~~3. The Sub Committee will comprise five elected members drawn from the pool of membership of the Staff Governance Committee and the quorum will be three.~~

**Executive Lead: Chief Officer – People and Organisational Development**

**Commented [AS121]:** Made this standalone to be consistent with other Sub Committees

**Commented [AS122]:** Moved to point 2 and 3 below.

## 12.15. PUBLIC PROTECTION COMMITTEE

### PURPOSE OF COMMITTEE

To ~~provide~~ receive assurance on the statutory regulatory duties placed on the Council for:

- Child Protection;
- Adult Protection;
- Consumer Protection and Environmental Health;
- Civil Contingency responsibilities for local resilience and prevention; and
- Building control.

To undertake the Council's duties in relation to the Police and Fire and Rescue Services under the Police and Fire Reform (Scotland) Act 2012.

### REMIT OF COMMITTEE

#### 1. Child and Adult Protection

The Committee will ~~seek assurance~~ receive assurance from the Child and Adult Protection Committees on:

- 1.1 the impact and effectiveness of child and adult support and protection improvement initiatives, including:
  - 1.1.1 delivery of national initiatives and local implications;
  - 1.1.2 learning from significant case reviews;
  - 1.1.3 quality assurance;
  - 1.1.4 training and development; and
  - 1.1.5 local evidence based initiatives;
- 1.2 effective working across child and adult protection; and
- 1.3 statistics relating to the Child Protection Register and the Vulnerable People's Database, whilst noting that it has no remit to challenge entries.

The Committee will also:

- 1.4 ~~receive~~ assurance on the outcome of Council's duty to deliver an effective justice service as determined by statutory inspections;
- 1.5 ~~seek~~ receive assurance on the Council's compliance with statutory duties in respect of child poverty; and
- 1.6 consider the Chief Social Work Officer's Annual Report.

#### 2. Local Resilience

The Committee will:

- 2.1 ~~m~~Aonitor compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements and systems for incident management ~~as well as the systems for incident management;~~
- 2.2 ~~m~~Aonitor compliance with the Council's duties relating to the provision of a city mortuary, and its adequacy for supporting the needs of mass fatalities;

**Commented [AS123]:** The committee receive rather than provide assurance

**Commented [AS124]:** Addition to cover the Council's duty to deliver an effective justice service

2.3 ~~ensure receive assurance~~ that services ~~are~~ maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them;

2.4 ~~consider receive~~ relevant local, regional and national lessons learnt reports and recommendations ~~in respect of emergency planning matters~~ and monitor their implementation; and

~~2.5 monitor the Council's response to the National CONTEST strategy and associated plans relating to Counter Terrorism, consider the results from the Council's self assessment on resilience and CONTEST (the UK Government's Counter Terrorism Strategy) duties and monitor the implementation of associated action plans.~~

**Commented [AS125]:** Updated to clarify that it is in respect emergency planning matters

**Commented [AS126]:** Updated terminology and to clarify Committee's remit.

### 3. Protective Services

The Committee will:

3.1 ~~seek receive~~ assurance ~~from the in respect of the~~ Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services;

3.2 ~~scrutinise receive~~ external inspection and audit reports relating to the above services listed at 3.1; and

~~approve statutory plans aimed at protecting the public and delivered by or in partnership with Environmental Health and Trading Standards services; and~~

3.3 receive a summary of findings from statutory sampling and analysis work carried out by or on behalf of the Environmental Health and Trading Standards services ~~to ensure compliance with required standards.~~

**Commented [AS127]:** this is an anomaly, the Committee's remit is regarding assurance – this is an operational delivery matter and should be considered by ODC

### 4. Building Control

The Committee will consider reports on:

4.1 major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;

4.2 ~~informal and formal~~ activity by Building Standards in relation to public safety and dangerous buildings; and

4.3 ~~informal and formal~~ activity by Building Standards in relation to public safety for unauthorised building work and the unauthorised occupation of buildings.

### 5. Police and Fire and Rescue Service

In respect of the Council's responsibilities ~~under the Fire (Scotland) Act 2005 and the Police and Fire Reform (Scotland) Act 2012~~ in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service, the Committee will:

**Commented [AS128]:** Updated terminology

5.1 contribute to and comment on the Strategic Police Plan and the ~~Strategic Scottish~~ Fire and Rescue ~~Service Strategic~~ Plan when consulted by the relevant national authority;

5.2 respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;

5.3 be involved in the setting of priorities and objectives ~~both~~ for the policing of Aberdeen and for the Scottish Fire and Rescue Service ~~for in~~ the undertaking of its functions in Aberdeen;

- 5.4 specify policing measures the Council wishes the local commander to include in a Local Police Plan;
- 5.5 approve a Local Police Plan submitted by the local commander and to approve a Local Fire and Rescue Plan ~~(including a revised plan) prepared by the local senior officer and~~ submitted by the Scottish Fire and Rescue Service;
- 5.6 ~~monitor receive reports on~~ service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 5.7 consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;
- 5.8 agree, with the local commander, modifications to an approved Local Police Plan at any time; and
- 5.9 liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.

#### ~~JOINT WORKING WITH OTHER COMMITTEES~~

~~The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together and through attending other committees as observers. This will help inform the work of the Committee, specifically:~~

- ~~1. the relationship with the Audit, Risk and Scrutiny Committee in terms of the systems in place to manage the public protection risk; and~~
- ~~2. the relationship with the Staff Governance Committee in terms of ensuring staff have the required skills to underpin public protection.~~

#### ~~JOINT WORKING WITH NON COUNCIL BODIES~~

~~The Committee, through its lead officers, will work jointly with external regulatory bodies and statutory partners to ensure that Council is able to provide a high standard of public safety.~~

~~It will have close links with the work of the Aberdeen City Health and Social Care Partnership's Clinical Governance Committee to explore shared risks and responses to adverse events, the preparation of action plans and the sharing of best practice and learning.~~

**Executive Lead: Chief Officer - Governance**

**Commented [AS129]:** Covered by the introduction.

## **13.16. PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

### **PURPOSE OF COMMITTEE**

To ensure the effective undertaking of the Development Management and Building Standards duties of the Council.

### **REMIT OF COMMITTEE**

The Committee will:

1. determine all applications for consent or permission except those local applications which fall to be determined by an appointed officer under the adopted Scheme of Delegation or for which a Pre Determination Hearing has been held;  
~~1.1 for the avoidance of doubt, all major or national applications and all applications subject to a Pre Determination Hearing will be considered by Committee (or Council where appropriate);~~
2. visit application sites where agreed;
- ~~3. authorise the taking of enforcement action;~~
- ~~4.3. make Orders and issue Notices;~~
- ~~5.4. approve development briefs and masterplans;~~
- ~~6.5. develop and adopt non-statutory development planning management guidance (supplementary planning guidance);~~
6. conduct pre-determination hearings in pursuance of the provisions contained within Section 38A of the Town and Country Planning (Scotland) Act 1997; and
7. ~~determine an application for planning permission for a development where a pre determination hearing is held in terms of s38A of the Town and Country Planning (Scotland) Act 1997; and~~
- ~~8. review and approve policies and supplementary guidance relating to its function.~~

**Commented [AS130]:** Covered by remit 2 below

**Commented [AS131]:** Enforcement of a previous decision – this will now be undertaken through the CO-SPP PDOs and an annual report on all activity to PDMC

**Commented [AS132]:** Updated to reflect new Planning Act

**Commented [AS133]:** Transferred from Council to PDMC remit to reflect section 27 of the new Planning Act which comes into force on 1 March 2020 and thereby removes the requirement for such applications to be determined by Full Council.

**Commented [AS134]:** Covered by number 5 above.

**Commented [AS135]:** Covered in introduction.

### **JOINT WORKING WITH OTHER COMMITTEES**

~~The Committee will maintain an awareness of key issues arising through the work of other committees of the Council, through lead officers, conveners and vice conveners working together, and attending other committees as observers. Specifically, key relationships will be required with the Capital Programme Committee which will oversee the preparation of the Local Development Plan to the point where it will be approved by Council.~~

### **JOINT WORKING WITH NON COUNCIL BODIES**

~~The Committee, through its lead officers, will work jointly as appropriate with the Scottish Environment Protection Agency, Historic Environment Scotland and the Planning and Architecture Division of the Scottish Government.~~

**Executive Lead: Chief Officer – Strategic Place Planning**

## **14.17. LICENSING COMMITTEE**

### **PURPOSE OF COMMITTEE**

To deal with the functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts (not falling specifically within the remit of the Licensing Board or any other Committee) covering personal or other licences, certificates and permits. This includes but is not restricted to applications for: Mandatory and Discretionary Licences under Civic Government (Scotland) Act 1982; and Miscellaneous Licences under other Legislation.

#### **Mandatory Licences**

- Metal Dealer's Licences
- Indoor Sports Entertainment Licences
- Skin Piercing and Tattoo Licences
- Houses in Multiple Occupation Licences
- Knife Dealer's Licences
- Taxi Booking Office Licences

#### **Discretionary Licences**

- Taxi and Private Hire Car Licences
- Taxi and Private Hire Car Driver's Licences
- Second Hand Dealer's Licences
- Boat Hire Licences
- Street Trader's Licences
- Market Operator's Licences
- Public Entertainment Licences
- Late Hours Catering Licences
- Window Cleaner's Licences
- Sex Shop Licences
- Permission to organisations for public charitable collections and public processions

#### **Miscellaneous Licences under other Legislation**

- Houses in Multiple Occupation - Housing (Scotland) Act 2006
- Registration of Private Landlords - Antisocial Behaviour etc.(Scotland) Act 2004
- Theatre Licence – Theatres Act 1968
- Cinema Licence - Cinemas Act 1985
- Safety in Sports Grounds - Safety in Sports Grounds Act 1975

### **POWERS-REMIT OF COMMITTEE**

The Committee will:

1. ~~consider~~ **determine** applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. ~~consider~~ **determine** applications and reviews for Houses in Multiple Occupation under the Housing (Scotland) Act 2006 (the responsibility for all other matters relating to the licensing of Houses in Multiple Occupation resting with the Operational Delivery Committee);
3. ~~determine~~ ~~consider~~ all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances;
4. approve and monitor the Council's functions under the Safety of Sports Grounds Act 1975;
5. ~~determine~~ ~~consider~~ landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. ~~determine~~ ~~consider~~ film classifications under the Cinemas Act 1985;
- ~~7. review and approve policies relating to its function;~~
- 8.7. ~~determine~~ ~~consider~~ theatre licences under the Theatres Act 1968; and
- 9.8. ~~determine~~ ~~consider~~ which of the optional licences they will invoke and which categories of activity within those licence categories shall be licenced under the Civic Government (Scotland) Act 1982.

**Commented [AS136]:** Updated to ensure consistent language

**Commented [AS137]:** Updated to ensure consistent language

**Commented [AS138]:** Updated to ensure consistent language

**Commented [AS139]:** Updated to ensure consistent language

**Commented [AS140]:** Updated to ensure consistent language

**Commented [AS141]:** Covered in General Delegations

**Commented [AS142]:** Updated to ensure consistent language

**Commented [AS143]:** Updated to ensure consistent language

#### **JOINT WORKING WITH OTHER COMMITTEES**

~~The Committee, through its lead officers, Convener and Vice Convener, will regularly consider key issues arising through other committees of the Council, including the Public Protection Committee. This will help ensure that matters of mutual interest are dealt with in the most efficient and effective way.~~

**Commented [AS144]:** Covered in introduction section

## **15.18. LICENSING SUB COMMITTEE**

### **PURPOSE OF THE SUB COMMITTEE**

To act as the Licensing Committee in respect of applications referred by the Licensing Committee, or where there are items of urgent business to be determined.

**Commented [AS145]:** Purpose added

### **REMIT OF THE SUB COMMITTEE**

The Sub Committee will:

1. ~~consider~~ determine any application referred to it by the Licensing Committee for the grant, renewal, revocation, variation or suspension of any licence; and
2. ~~consider and~~ determine any urgent business placed before it by the Chief Officer - Governance or Chief Officer – Early Intervention and Community Empowerment relating to any matters falling within the remit of the Licensing Committee.

**Commented [AS146]:** Updated to ensure consistent language

**Commented [AS147]:** Updated to ensure consistent language

Members of the Sub Committee will be members of the Licensing Committee and the quorum will be 3 members.

**Executive Lead: Chief Officer – Governance**

DRAFT

## **16.19. 16. PENSIONS COMMITTEE**

### **PURPOSE OF COMMITTEE**

To discharge all ~~the~~ functions and responsibilities ~~relating in respect of~~ the Council's role as administering authority for the North East Scotland Pension Funds (NESPF). ~~This includes~~ managing the investment of the NESPF in accordance with the Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 2010 and other relevant legislation.

~~The Committee will work~~ alongside the Fund's Local Pension Board to consider any pension compliance matters raised.

Where reference is made to 'the Fund', this refers to the Main Fund (the North East Scotland Pension Fund) and the Transport Fund (the Aberdeen City Council Transport Fund).

including:-

- 1.1 ~~approving and monitoring the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2018 and other relevant legislation;~~
  - 1.2 ~~managing the investment of the NESPF in accordance with the LGPS (Management and Investment of Funds) (Scotland) Regulations 2010 and other legislation;~~
  - 1.3 ~~receiving regular training to enable the Committee members to make effective decisions under the LGPS Regulations and other relevant legislation and to make decisions in compliance with the Pensions Regulator's Code of Practice; and~~
  - 1.4 ~~working alongside the Fund's Local Pension Board, considering any pension compliance matters raised.~~
2. ~~Where reference is made to 'the Fund', this refers to the Main Fund (the North East Scotland Pension Fund) and the Transport Fund (the Aberdeen City Council Transport Fund).~~

### **REMIT OF COMMITTEE**

#### **1. Finance and Risk Management**

The Committee will:

- 1.1 ~~set the investment objective and~~ approve the Funding Strategy ~~strategy Statement, produced~~ in light of the Fund's ~~assets and~~ liabilities, and appoint or remove Fund Managers or new ~~financial~~ vehicles in furtherance of the strategy;
- 1.2 ~~approve the budget and~~ expenditure in connection with the administration of the Fund;
- 1.3 ensure that an effective system of internal financial control is maintained ~~through scrutinising financial information presented to Committee; and~~
- 1.4 ensure effective risk management of the Fund ~~through monitoring of adherence to the Fund Risk Management Policy and regular scrutiny of the Fund risk register; and~~
- 1.4.1.5 ~~determine applications for Admitted Body Status.~~

Commented [AS148]: Covered in purpose above

Commented [AS149]: To be covered in Standing Orders

Commented [AS150]: Covered in purpose above

Commented [AS151]: Section reordered

Commented [AS152]: Added to provide clarity in light of report considered earlier in 2019

Commented [AS153]: Transferred from 5.3 below

## 2. Internal and External Audit

The Committee will:

2.1 approve the annual audit plans ~~in relation to the Pension Fund~~; and

2.2 consider all reports prepared by the Council's Internal and External Auditors in relation to the ~~Pension Fund~~.

**Commented [AS154]:** Added to make it explicit

**Commented [SI155]:** Should just say "the Fund"

## 3. Annual Report and Accounts

The Committee will:

3.1 ~~review and approve the Annual Report and Accounts, including the Annual Governance Statement~~ ~~counting statement~~.

**Commented [AS156]:** Updated to reflect correct terminology.

## 4. Legal Obligations

The Committee will ensure:

4.1 compliance with the Local Government Pension Scheme (Scotland) Regulations as amended and with all other legislation governing the administration of the Fund; and

4.2 adherence to the principles set out in the Pension Regulator's Code of Practice.

## 5. Scrutiny

The Committee will:

~~5.1 approving and monitoring~~ monitor and approve the administration of the Local Government Pension Scheme (LGPS) in accordance with the LGPS (Scotland) Regulations 2018 and other relevant legislation; and

~~5.1.2~~ monitor ~~scrutinise~~ the performance of Fund Managers, including in relation to environmental, social and governance (ESG) and voting matters, through regular performance reports to Committee; and

~~5.2~~ determine applications for Admitted Body status.

**Commented [AS157]:** Moved to Finance and Risk Management Section as 1.5

**Commented [AS158]:** Covered in introduction

## **JOINT WORKING WITH OTHER COUNCIL COMMITTEES**

~~The Committee, through its lead officers, will regularly consider key issues arising through other committees, in particular the City Growth and Resources and Staff Governance Committees.~~

## **JOINT WORKING WITH NON COUNCIL BODIES**

~~The Committee, through its lead officers, will work jointly with the Fund's Investment Consultant and Actuary in the management of the Fund and with external contacts such as the provider of the pensions IT programme.~~

**Executive Lead: Chief Officer – Finance**

## **20. GUILDRY AND MORTIFICATION FUNDS COMMITTEE**

Commented [AS159]: Addition to the Terms of Reference

### **PURPOSE OF COMMITTEE**

To consider applications for payments from certain charitable funds held by the Council which fall into two categories, the Guildry Funds and the Mortification Funds.

### **REMIT OF COMMITTEE**

The Committee will:

- 1.1 consider applications for payments and make recommendations on the appropriate level of allowance to be made.
- 1.2 receive reports from the Lord Dean of Guild in respect of Burgess activity and business.

Executive Lead: Chief Officer – Finance

DRAFT

## **17.21. 17. ABERDEEN CITY REGION DEAL JOINT COMMITTEE**

The Aberdeen City Region Deal Joint Committee is a Joint Committee established by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) under sections 56 and 57 of the Local Government (Scotland) Act 1973.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities and Opportunity North East (“ONE”) to support and oversee the implementation of the Aberdeen City Region Deal.

In particular it shall have the power to:

1. Approve Business Cases for City Region Deal projects and any other related documentation with the exception of those where approval is reserved to either or both of the Constituent Authorities.
2. Make recommendations to the Constituent Authorities and ONE in respect of projects within the City Region Deal Strategic and Policy plans.
3. Monitor the effectiveness of the implementation and the delivery of the City Region Deal and to report to the Constituent Authorities on progress.
4. Receive updates from the United Kingdom and Scottish Governments in connection with any aspect of the City Region Deal, projects relating to the Memorandum of Understanding signed by the United Kingdom and Scottish Governments and the Constituent Authorities or additional United Kingdom and Scottish Government investment and any related projects.
5. Approve (i) the overall programme funding for the City Region Deal; and (ii) the detailed breakdown and use of the Constituent Authorities’ financial contributions to the City Region Deal in relation to such overall programme funding for the City Region Deal where this relates to programme funding already committed and approved by the relevant Constituent Authority.
6. Approve operational expenditure within agreed Aberdeen City Region Deal Joint Committee budgets allocated by the Constituent Authorities and/or ONE in order to further the aims of the City Region Deal.
7. Provide feedback to the United Kingdom Government and Scottish Government on the implementation of the City Region Deal and any strategic, economic or infrastructure activities associated with the City Region Deal.
8. Appoint three representatives and three named substitutes of ONE to the membership of the Joint Committee.

These terms of reference will be kept under review by the Constituent Authorities, ONE and the Joint Committee throughout the implementation of the City Region Deal to ensure sufficient accountability of public funds provided through City Region Deal funding.

**Executive Lead for the Council: Chief Officer – City Growth**

## **18.22. ~~18.~~ NORTHERN ROADS COLLABORATION JOINT COMMITTEE**

The Northern Roads Collaboration Joint Committee is a Joint Committee established by Aberdeen City Council, Aberdeenshire Council, Angus Council, Argyll and Bute Council, Comhairle nan Eilean Siar, The Highland Council, The Moray Council and The Orkney Islands Council (the "Constituent Authorities") under sections 56 and 57 of the Local Government (Scotland) Act 1973.

The Joint Committee undertakes to appoint two named representatives from each Constituent Authority to its membership.

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities to work collaboratively for the joint discharge of road and road-related functions, including ports and harbours (the "Roads Collaboration").

In particular it shall have the following powers:

1. To identify suitable projects and initiatives for Roads Collaboration and to make recommendations to Constituent Authorities.
2. To make recommendations to Constituent Authorities in respect of resource contribution, funding arrangements and budget setting for projects and initiatives for Roads Collaboration.
3. To manage resources and approve operational expenditure within agreed Joint Committee budgets for Roads Collaboration.
4. To monitor the effectiveness of the Roads Collaboration and to identify potential improvements and efficiencies.
5. To approve an annual performance report and financial statement for the reporting year on Roads Collaboration.
6. To approve and amend Standing Orders for the Joint Committee and any of its Sub-Committees.
7. To appoint the Chair and Vice Chair of the Joint Committee and any of its Sub-Committees.
8. To make arrangements for the provision of business support services for the Joint Committee and any of its Sub-Committees.

**Executive Lead for the Council: Chief Officer – Operations**

