

Staff Governance Committee

ABERDEEN, 30 January 2023. Minute of Meeting of the STAFF GOVERNANCE COMMITTEE. Present:- Councillor Copland, Convener; Councillor Al-Samarai, Vice-Convener; Councillor David Cameron, the Lord Provost (for articles 5 to 8); and Councillors Boulton, Davidson, Fairfull, Graham, Macdonald, MacGregor, McLellan (as substitute for Councillor David Cameron, the Lord Provost, for articles 1 to 4), McLeod, Radley (as substitute for Councillor Steve Delaney, the Depute Provost) and Thomson.

Trade Union Advisers:- Carole Thorpe and Ron Constable (EIS); Kevin Masson and David Willis (GMB); Mark Musk and Alison Robertson (UNISON); and Mishelle Gray (UNITE).

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

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

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

1. There were no declarations of interest nor transparency statements made.

MINUTE OF PREVIOUS MEETING OF 21 NOVEMBER 2022

2. The Committee had before it the minute of its previous meeting of 21 November 2022 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

to note the planner.

NOTICE OF MOTION BY COUNCILLOR TISSERA

4. The Committee had before it the following Notice of Motion in the name of Councillor Tissera:-

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That the Committee:

- (a) note the decision of the Council on 14 December 2022 regarding Statutory Services;
- (b) note that a response to Unison's questions was due to be circulated in January and requests that the response be placed before the Staff Governance Committee for further consideration;
- (c) agree that it is in the public interest, that answers to the 12 questions asked by UNISON were considered at this Committee which as part of its remit seeks to maintain good relationships and model a partnership approach between the Council and trade unions; provide a decision-making forum, for the resolution of staffing matters that cannot be resolved through normal processes including but not restricted to conditions of service.

1. Does the Council hold independent legal advice that supports the view that it is within the statutory competence of a local authority to seek to offload its statutory powers and duties? Will it publish such advice?
2. Does the Council hold independent legal advice that supports the view that it is within the statutory competence of a local authority to seek to offload its statutory powers and duties without having due regard to sustainability and the equal opportunity requirements? Will it publish such advice?
3. Will the Council publish a list of the agencies identified as possible transfer partners?
4. Will the Council publish the criteria used to make that initial assessment of possible transfer partners and publish any written assessment of the merits of each proposed transfer?
5. Has the Council consulted, formally or informally, with possible transfer agencies? If so, will the Council publish the findings of that consultation?
6. In assessing the suitability of proposed transfer partners, did the Council assess the capacity of the transfer partner to assume the role of duty bearer in relation to statutory obligations such as equality, human rights, Fairer Scotland Duty, environmental sustainability and climate change?
7. Has the Council consulted, formally or informally, with Scottish Government? If so, will the Council publish the notes, correspondence or findings of that engagement?
8. Has the Council consulted, formally or informally, with local government partners, SOLACE or CoSLA? If so, will the Council publish the notes, correspondence, or findings of that engagement?
9. Has the Council assessed the beneficial impact of local democratic control and accountability to the function under review and will the Council publish the findings of that assessment of local democracy for each individual activity?
10. Will the Council agree to engage with each of the statutory bodies tasked with promoting equality, human rights, socio-economic justice and environmental sustainability and act on any guidance they provide as to how to proceed?
11. Is there any document or information held by the Council that indicates in broad terms how such transfers are intended to generate a saving and the broad scale of the saving the council anticipates?

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12. Does the Council hold any information that tends to indicate the basis on which any financial benefit will accrue to the Council and not transfer to the partner agency for the benefit of the continuing statutory function?

Councillor Tissera was in attendance and spoke to her Notice of Motion.

At this juncture, Councillor Tissera requested that she be permitted to add the following to her Notice of Motion:-

- (d) agrees that if Council wants to pursue the removal of Statutory Functions from local authorities it does so direct with COSLA as opposed to our Scottish Government.

In terms of Standing Order 12.17, the Convener ruled that he did not consider this to be a minor amendment and therefore did not agree to the wording being added to Councillor Tissera's Notice of Motion.

Councillor Tissera, seconded by Councillor Graham, moved her original Notice of Motion.

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

That the Committee:-

- (a) note that officers had provided Trade Unions with answers to the questions raised and that these had also been circulated to all Elected Members for information;
- (b) note that the Council meeting in December 2022 only instructed the Chief Executive and Interim Chief Officer – Governance to discuss with the Scottish Government any opportunities to transfer functions through legislative change, and therefore agree that it was premature to discuss the matter further at this time, as there was nothing further to be reported at present;
- (c) agree therefore that no action be taken in relation to the Notice of Motion, but that officers continue to engage with Trade Unions, particularly in relation to any outcomes from discussions with the Scottish Government, ahead of any report back to Council on any specific opportunities proposed to be progressed; and
- (d) note the ongoing commitment of COSLA and the Scottish Government to the local governance review which was exploring fiscal, functional and community empowerment.

On a division, there voted:- for the motion (3) - Councillors Graham, Macdonald and Thomson; for the amendment (7) – the Convener; the Vice Convener; and Councillors Davidson, Fairfull, MacGregor, McLellan and Radley; declined to vote (3) – Councillors Boulton, Massey and McLeod.

The Committee resolved:-
to adopt the amendment.

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PUBLIC HOLIDAY - CORONATION OF KING CHARLES III - CUS/23/038

5. The Committee had before it a report by the Director of Customer Services which sought approval for an additional public holiday for staff on Monday 8 May 2023 to mark the celebration of the Coronation of His Majesty King Charles III.

A report requesting delegated authority for the Chief Officer - Education to make a formal request to the Scottish Government for an additional closure day for schools, subject to the Staff Governance Committee approving the recommendation contained in the report, had been considered and approved at the meeting of the Education and Children's Services Committee on 24 January 2023.

The report recommended:-

that the Committee approve the granting of an additional public holiday on 8 May 2023.

The Committee resolved:-

to approve the recommendation.

WORKFORCE DELIVERY PLAN - CUS/23/035

6. The Committee had before it a report by the Director of Customer Services which presented the overarching plan for delivery of the approved workforce strategy which formed part of the Target Operating Model 1.2. The report advised that the strategy, and the delivery against it, was a key enabler in shifting the demand for, and increasing the efficiency of, Council services.

The report recommended:-

that the Committee –

- (a) note the delivery plan relating to the approved workforce strategy as part of TOM 1.2, contained within Appendix B to the report, and that the Chief Officer – People and Organisational Development would present reports where required as the work progressed; and
- (b) note the engagement exercises that had fed into the development of the plan, outlined at Appendix A to the report, and the approach to workforce engagement to be taken as the Council moves through the next phase of transformation and the implementation of the delivery plan.

The Committee resolved:-

to approve the recommendations.

JOB FAMILIES AND CAPABILITY FRAMEWORK - CUS/23/036

7. The Committee had before it a report by the Director of Customer Services which sought approval for the proposed approach to job families in line with the approved

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workforce strategy within Target Operating Model 1.2 and the workforce delivery plan. The report also included the accompanying refreshed capability framework.

The report noted that employees would be supported to develop and nurture the capabilities needed to facilitate the organisational culture to strategically orient the Council to deliver the outcomes of TOM 1.2.

The report recommended:-

that the Committee –

- (a) approve the Council's new approach to job families;
- (b) note the Council's refreshed capability framework and the approach to continuous improvement based on staff and trade union feedback;
- (c) note the approach to development which aligned to the job family approach and the workforce delivery plan;
- (d) note the extensive engagement that had taken place throughout 2021 and 2022 to develop the job families and refreshed capability framework; and
- (e) note that a similar approach to the development of two additional job families – Teachers and Chief Officers – would be taken with engagement and input from relevant stakeholders and consideration of their specific needs and requirements.

The Committee resolved:-

to approve the recommendations.

USE OF LOCATING SYSTEMS AND DEVICES POLICY - CUS/23/041

8. The Committee had before it a report by the Director of Customer Services which sought approval for the revised 'Use of Locating Systems in Vehicles and Devices Policy'. The report advised that the policy had last been updated in 2015 and set out the consultation work that had been undertaken with staff representatives and Trade Unions.

The report recommended:-

that the Committee –

- (a) approve the Council's revised 'Use of Locating Systems in Vehicles and Devices Policy' shown at Appendix 1;
- (b) note the accompanying procedure and form to the policy at Appendix 2;
- (c) note the engagement and consultation already undertaken with Trade Unions; and
- (d) note that the policy had been agreed by the Council's Risk Board and had been reviewed by the data protection team as part of the risk process.

The Committee resolved:-

to approve the recommendations.

- **COUNCILLOR NEIL COPLAND, Convener**