

## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	4 <sup>th</sup> March 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	COSLA/Scottish Local Government Partnership
REPORT NUMBER	OCE/15/005
CHECKLIST COMPLETED	Yes

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### 1. PURPOSE OF REPORT

The report reminds members of the Council's decision to terminate its membership of COSLA with effect from 1<sup>st</sup> April 2015; provides information on the arrangements being made by officers in light of the Council no longer being a member of COSLA with particular regard to finance, HR and relationships with governments and national bodies; and informs the Council of the formation of the Scottish Local Government Partnership.

### 2. RECOMMENDATIONS

That the Council:-

- i. notes that the Council's membership of COSLA will terminate with effect from 1<sup>st</sup> April 2015;
- ii. notes the arrangements being made by officers in light of the Council no longer being a member of COSLA;
- iii. agrees that the Council joins the Scottish Local Government Partnership and plays an active role in its development; and
- iv. agrees that further reports be brought to Committee on these matters as necessary.

### 3. FINANCIAL IMPLICATIONS

COSLA's position is that any Council terminating membership will be liable for a one-off payment to COSLA. The size and scope of any such payment would be the subject of negotiation. There is a view that the terminology of COSLA's constitution in relation to these matters is ambiguous and it is likely that in the event of a one-off payment being required of the Council, the Head of Finance and the Head of Legal

and Democratic Services would challenge the amount sought and seek clarification on the basis of its calculation.

The 2015/2016 local government settlement figure for Aberdeen City Council has been agreed through the normal discussion involving the Scottish Government and COSLA, although members will of course be aware that a specific funding allocation for 2015/2016 from the Scottish Government in relation to teacher numbers is now being negotiated on a council by council basis following the breakdown of discussions with COSLA.

For 2016/2017 and for future years the Head of Finance will work with the CIPFA Directors of Finance and Scottish Government officials to negotiate additional settlement distribution mechanisms which will determine the Council's final settlement figure. The expectation will be that any in-year allocation of additional funds would be the subject of bilateral discussion between the Council and the Scottish Government. The intention is also to explore the option of independent verification of the application of distribution formulae in relation to the sums provided to the Council.

The Council's budget for 2015/2016 includes the sum of £126,000 within the Office of Chief Executive which has formerly covered the Council's annual membership fee for COSLA. The costs associated with the arrangements being made by officers in light of the Council's exit from COSLA and the costs of the Council's involvement in the work of the Scottish Local Government Partnership will be met from this sum.

#### 4. OTHER IMPLICATIONS

The position of the Head of Legal and Democratic Services in relation to the Council's termination of its membership of COSLA is noted above. She will also provide any advice necessary in relation both to the Council's arrangements once it has left COSLA and to the Council's membership of the Scottish Local Government Partnership.

The Director of Corporate Governance and the Head of HR and Organisational Development are working with colleagues to ensure that appropriate arrangements remain in place for the Council in relation to employee terms and conditions; this includes ensuring national collective bargaining arrangements will continue to be recognised and applied e.g. national pay awards. Although the Council will leave COSLA, discussions are ongoing for the Council to remain part of the national employers' organisation as a member of the Scottish Local Government Partnership.

## 5. BACKGROUND/MAIN ISSUES

At its Budget Meeting of 6<sup>th</sup> February 2014 the Council resolved to terminate its membership of COSLA with effect from 1<sup>st</sup> April 2015, reserving the right to withdraw at any point during 2014/2015 its notice to leave in view of the then impending review of the COSLA Constitution and Standing Orders. The notice has not been withdrawn.

As noted above, in terminating its membership of COSLA the key short- to medium-term issues to be addressed by the Council include assessing and negotiating on any one-off payment claimed by COSLA and putting in place arrangements for the Council in the key areas of finance distribution and workforce terms and conditions including pay. The appropriate Council officers are working with colleagues in relevant professional associations, other Councils, COSLA and the Scottish Government on these matters.

Over and above the practical arrangements to be made on behalf of the Council once it is no longer in COSLA membership, a key priority for the Chief Executive and the Corporate Management Team will be to ensure that the Council's position on all relevant matters is clearly and effectively presented to government and other national bodies.

The Office of Chief Executive will work with senior officers across the Council to identify professional associations and national bodies on which the Council is or should be represented and seek ways in which to maximise the impact for the Council of such representation. Similarly the Office of Chief Executive will develop and introduce for the Council a more systematic means by which proposed legislation and/or government policy developments are tracked and their implications for the City assessed.

The aim will be to ensure that there is a strategic, effective and robust ongoing engagement with government and all relevant national agencies which seeks at all times to build constructive working relationships in order to achieve jointly the best outcomes for the people of Aberdeen. The staffing resource within OCE will be reviewed to ensure that there is adequate cover for the work entailed in this but it is likely that a policy officer post will be required.

In addition to all the above, members may be aware that Glasgow City Council, Renfrewshire Council and South Lanarkshire Council all also served notice last year on COSLA of an intention to terminate membership with effect from 1<sup>st</sup> April 2015. Glasgow City Council instructed its Chief Executive to bring forward proposals on how councils might co-operate after leaving COSLA and a number of meetings have taken place in the last number of months between representatives of the four councils.

A new voluntary association of councils is proposed – *The Scottish Local Government Partnership* – with Aberdeen City Council, Glasgow City Council, Renfrewshire Council and South Lanarkshire Council being its initial four members. At the time of writing, the intention is that the Leaders of the four councils will together approach the UK Government, the Scottish Government, COSLA and the Trades Unions to introduce the Partnership and to seek engagement with it.

As noted above, relevant officers are putting in place the necessary arrangements required to safeguard the Council's interests, but membership of the Partnership also offers the opportunity for officers of the Council to work with colleagues in the other member councils on issues of shared interest. Individual meetings of Finance, HR and Communications officers from each of the four councils have already taken place. Where appropriate officers from the four councils will work together to achieve common agreed goals.

Further reports on the matters outline above will be brought to the appropriate Committee as and when required.

6. IMPACT

The subject matter of the report impacts on the Council's arrangements in relation both to the distribution of funding and to staff terms and conditions. In addition it has an impact on the Council's activities in relation to engaging with governments and influencing policy priorities.

7. MANAGEMENT OF RISK

The report sets out the arrangements being put in place in light of the termination of the Council's membership of COSLA. The effectiveness of these arrangements will be kept under review and further reports will be brought to Committee as and when required.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

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## **Scottish Local Government Partnership**

### **Terms of Reference**

1. The Scottish Local Government Partnership (SLGP) is a voluntary association of local Councils. The role of the Partnership is to:
  - Strengthen the resources and powers available to local Councils.
  - Promote, advance and secure the legitimate role of its member Councils as the democratically elected local bodies with the responsibility for the governance of local place including:
    - Driving the local economy, securing investment, business, creating jobs and training opportunities;
    - Ensuring the wellbeing of its citizens through all of its functions;
    - Providing and improving the delivery of essential services to local people through a range of local statutory and regulatory functions;
    - Representing the voice and interests of its local communities; and
    - Delivering a fairer and more equal local area and contributing to a fairer Scotland.
  - Influence and effect improvement in national government policy, practice and reform programmes to enable the Councils to deliver their functions and services most effectively and efficiently at a local level, directly, in Partnership, or on a shared basis, and deliver positive outcomes for their areas, residents and businesses.

### **Membership**

2. The Partnership is open to all local Councils in Scotland.
3. The Partnership acknowledges the changing nature of local governance in Scotland, for example, through the growth of city region Partnerships and the integration of significant public services. It will consider (in the future) how membership can be extended to adapt to the changing governance of place and public sector reform.

### **Ethos**

4. The Partnership is founded on the principles of subsidiarity and local decision making, recognising that local people and local Councils are best placed to inform and take decisions about issues that affect them and their areas.
5. It embodies the principle that local Councils have a democratic mandate to make decisions which balance the needs and aspirations of

people across their local authority areas. It supports members in their leadership role to deliver community empowerment.

6. The Partnership is committed to promoting and demonstrating the leadership role of local Councils in creating a more successful country and their local areas contributing to, and benefiting from, that success. It will reflect these principles in its practice and structures.
7. The Partnership is a proactive organisation, planning and agreeing the priorities it wishes to drive and influence on an annual basis.
8. It will act in the interests of its member Councils. It will engage in a meaningful and mature dialogue with its members and stakeholders.
9. It will work with its members to develop a shared view on an agreed set of strategic priorities of relevance to all its members with the clear objective of influencing policy and outcomes for local people.
10. Where this is not possible, given the diverse range of issues and local priorities, member Councils can indicate where their views diverge. The Partnership will then represent these views and why they differ in their representation and negotiation.
11. At all times the Partnership will be respectful of individual member positions, in line with the principle of subsidiarity and local decision making, that all act in the best interests of their area, businesses and residents.

## **Functions**

12. To provide:-
  - A voice and representation for its members at a national level on priority issues;
  - A proactive agenda for communication, lobbying and engagement with various levels of government including Scotland, the UK and the EU;
  - Advice and support to members on a range of policy issues;
  - Engagement with other stakeholders on issues of priority, clear purpose or interest to the Partnership;
  - Collective bargaining on pay and terms and conditions for its members' employees with the respective trades unions and employee associations; and
  - A knowledge hub or mechanism to exchange information, ideas and good practice between the members and officers supporting the

Partnership to deliver a more successful Scotland and transform the role of local Councils in the local governance of place, public service delivery and better local outcomes for people and businesses.

## **Governance**

13. Membership will be diverse and the Partnership will recognise this diversity from the outset in its priorities, governance and support structures.
14. The Partnership will have a sole decision making body being the Leaders from each member Council, "Cabinet".
15. The Cabinet will appoint one Leader as Convener of the Cabinet and will:
  - Agree annually the Partnership's strategy and priorities ("Annual Plan");
  - Take decisions on how to progress and implement the Partnership's priorities;
  - Agree the Partnership's position on emerging issues and related actions;
  - Delegate issues for action to Executive members (spokespersons) or standing or task groups; and
  - Report progress and performance to the Partnership's annual general meeting
16. Depute Leaders can act as substitutes and Executive members (spokespersons) on the range of priority issues will be drawn from member Councils, and appointed by the Cabinet.
17. Portfolios of work will be reviewed in line with the Partnership's annual priorities but as a guide the following themes/portfolios are proposed:

## **Economy**

- Jobs, Skills and Business.
- Learning and Development.
- Transport and infrastructure.
- Housing and regeneration.

## **Community Leadership and Community Services**

- Subsidiarity, local decision making and devolution of powers to Councils.
- Community planning governance, SOA delivery, tackling inequality and empowering communities.

- Regulatory and Enforcement – including planning, building services, licensing, parking and food inspection.
- Care and wellbeing – adult, child and family care services including public protection, welfare and public health.

### **Resources**

- Finance– the settlement, distribution, EU and other funds.
  - Workforce Planning – including employee and trade union engagement, pay negotiations, pensions, employee development.
  - Performance and Benchmarking.
18. All portfolios will have the ability to consider public service transformation, equality and sustainability.
19. The Partnership will in its governance arrangements:
- Recognise the diversity of its member Councils and support the principles of subsidiarity and local decision making by appointing appropriate members to deal with issues depending on their relevance and impact on city, town centred or rural Councils.
  - Aim to minimise bureaucracy and limit the number of standing groups or fixed term task groups on key functions such as Finance and Workforce Planning.
  - Establish a policy advisers’ group drawn from member Councils’ expert advisers to shadow and advise the Leader meetings. This policy advisers’ group can co-opt other expertise as advised or required by the Leaders.

### **Annual Meeting**

20. The Partnership will have a general meeting once a year. Its function is to:
- Consider and scrutinise a report on progress and performance with the Partnership’s Annual Plan;
  - Consider emerging issues that require the Partnership’s attention in the coming year;
  - Agree the priorities for the coming year; and
  - Consider the annual accounts and resources of the Partnership.
21. Leaders of the member Councils will attend the annual general meeting. They may invite those Executive members from member Councils who are delegated by their Leaders to support the Executive Member portfolios and the work of the Partnership.



## **Support Function**

22. The Partnership will be a lean organisation, with a 'virtual' support team from member Councils, drawing on the expertise and assets of its members where possible. The model will be based on:

- Lead officers, drawn from each member Council to support the Leaders of the Partnership;
- Administrative support and clerking support provided by the respective member Councils on a rotating or an agreed basis;
- A virtual team of policy advisers and experts, drawn from the member Councils, to advise the Partnership; and
- Accommodation, for Partnership meetings from member Council estates.