

# Council Annual Effectiveness Report



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# 1. INTRODUCTION

- 1.1 I am pleased to present the first annual effectiveness report for Council. As members will be aware, as part of their interim assessment of the Council's governance arrangements in 2016, CIPFA recommended that committees review the extent to which they have operated within their Terms of Reference through an annual report. This has been an aspiration for some time, representing good practice in governance terms and evidencing the Council's progress towards achieving CIPFA accreditation and I am glad to see the first report for Council presented.
- 1.2 This first annual report is a good mechanism for the Council to support the organisation's improvement journey by demonstrating the ways in which the Council, as the decision making body, supports the principle of the Target Operating Model and contributes to the Local Outcome Improvement Plan, whilst also providing the opportunity to reflect on the business of the Council over the past year and to look to the Council's focus for the year ahead.
- 1.3 Throughout the first year, the Council has made a number of significant decisions, many of which were taken at the two budget meetings, where the Council managed to set balanced budgets despite extremely challenging financial circumstances. It is pleasing to see the progress that has been made in relation to the Scheme of Governance, as well as the review of Community Council Governance which was unanimously approved by members. Lastly, as the Council's Armed Forces Champion, I was proud that the refreshed Community Covenant with Armed Forces was unanimously approved, as well as a number of other decisions being taken to support our armed forces, and those who have left the armed forces, and their families.

Councillor Barney Crockett  
Lord Provost

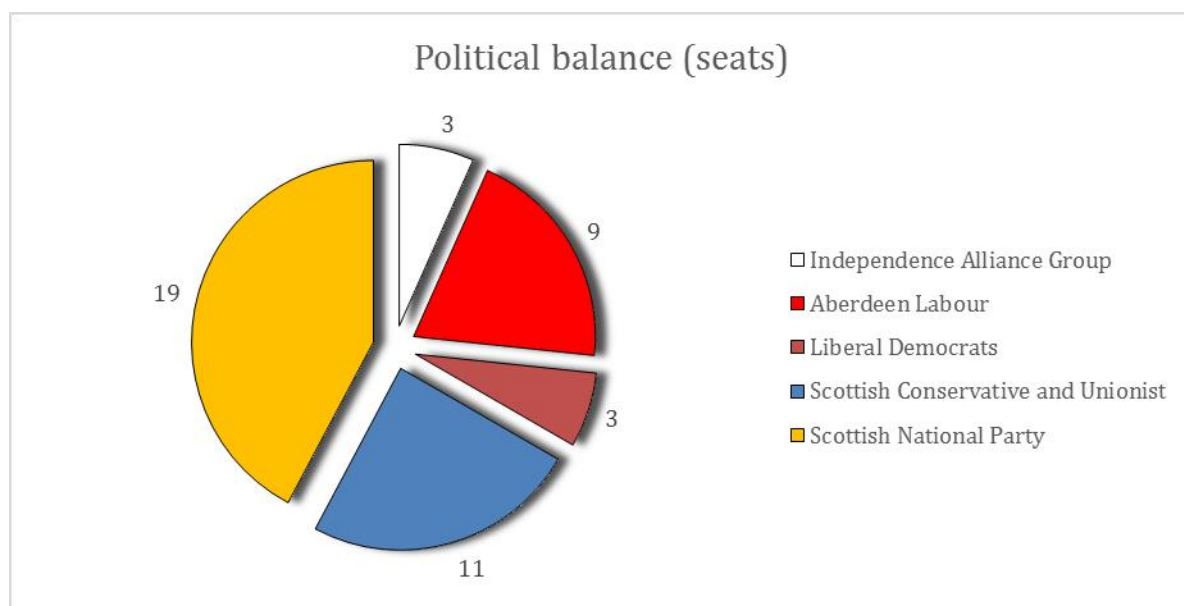


## 2. THE ROLE OF THE COUNCIL

- 2.1 The Council is the overall decision making body of the organisation. It is responsible for agreeing the Council's budget and setting Council Tax. Council delegates the discharge of its functions to various committees and joint committees, as well as officers under the terms of the Local Government (Scotland) Act 1973. However, any delegation to a committee or an officer does not prevent the Council from determining the matter or exercising the power so delegated.
- 2.2 The Terms of Reference for Council, as approved by Council on 5 March 2018, are appended to the report.

## 3. MEMBERSHIP OF THE COUNCIL DURING 2018/2019

- 3.1 The Council has 45 members and the composition is presented below.



## 4. MEMBERSHIP CHANGES

- 4.1 There were no changes to the membership of the Council during the 2018/19 reporting period, with the exception of Councillor Jennifer Stewart being appointed Depute Provost on 4 March 2019 in place of Councillor Donnelly who resigned from the role earlier in 2019.

## 5. MEMBER ATTENDANCE

| Member                                      | Total Anticipated Attendances | Total Attendances |
|---|-------------------------------|-------------------|
| Councillor Barney Crockett,<br>Lord Provost | 7                             | 7                 |
| Councillor Al-Samarai                       | 7                             | 7                 |
| Councillor Allan                            | 7                             | 7                 |
| Councillor Allard                           | 7                             | 7                 |
| Councillor Alphonse                         | 7                             | 7                 |
| Councillor Bell                             | 7                             | 7                 |
| Councillor Boulton                          | 7                             | 7                 |
| Councillor Cameron                          | 7                             | 7                 |
| Councillor Cooke                            | 7                             | 7                 |
| Councillor Copland                          | 7                             | 7                 |
| Councillor Cormie                           | 7                             | 7                 |
| Councillor Delaney                          | 7                             | 7                 |
| Councillor Donnelly                         | 7                             | 7                 |
| Councillor Jackie Dunbar                    | 7                             | 7                 |
| Councillor Lesley Dunbar                    | 7                             | 7                 |
| Councillor Duncan                           | 7                             | 7                 |
| Councillor Flynn                            | 7                             | 7                 |
| Councillor Graham                           | 7                             | 7                 |
| Councillor Grant                            | 7                             | 7                 |
| Councillor Greig                            | 7                             | 7                 |
| Councillor Henrickson                       | 7                             | 7                 |
| Councillor Houghton                         | 7                             | 7                 |
| Councillor Hunt                             | 7                             | 6                 |
| Councillor Hutchison                        | 7                             | 7                 |
| Councillor Imrie                            | 7                             | 7                 |
| Councillor John                             | 7                             | 7                 |
| Councillor Laing                            | 7                             | 7                 |
| Councillor Lumsden                          | 7                             | 7                 |
| Councillor Macdonald                        | 7                             | 7                 |
| Councillor MacGregor                        | 7                             | 7                 |
| Councillor Avril MacKenzie                  | 7                             | 7                 |
| Councillor Catriona Mackenzie               | 7                             | 7                 |

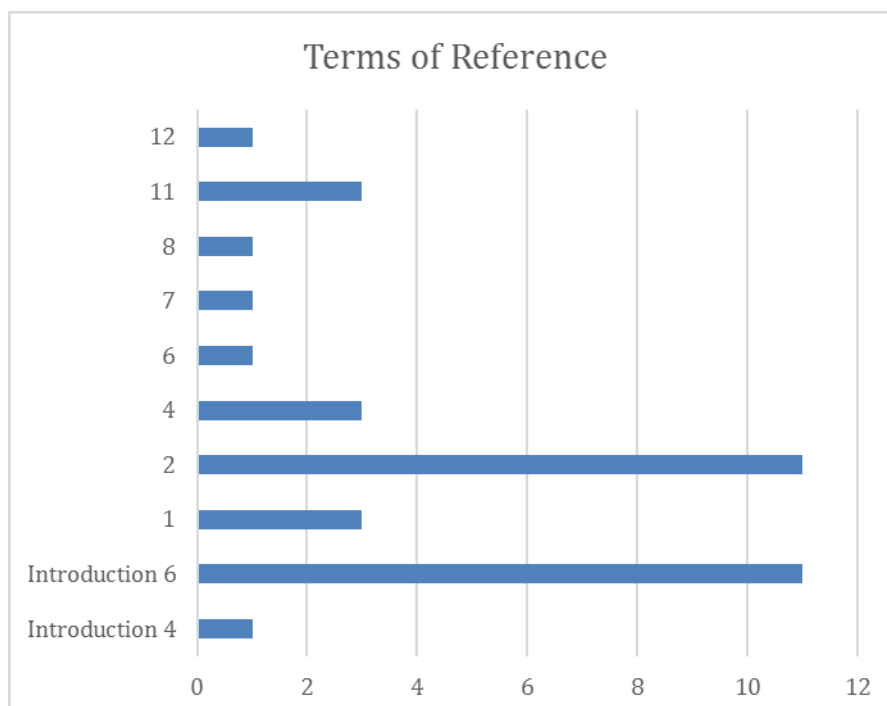
|  |   |   |
|--|---|---|
| Councillor Malik                               | 7 | 7 |
| Councillor Mason MSP                           | 7 | 7 |
| Councillor McLellan                            | 7 | 7 |
| Councillor McRae                               | 7 | 7 |
| Councillor Nicoll                              | 7 | 7 |
| Councillor Noble                               | 7 | 7 |
| Councillor Reynolds                            | 7 | 7 |
| Councillor Sellar                              | 7 | 7 |
| Councillor Jennifer Stewart,<br>Depute Provost | 7 | 7 |
| Councillor Sandy Stuart                        | 7 | 7 |
| Councillor Townson                             | 7 | 7 |
| Councillor Wheeler                             | 7 | 7 |
| Councillor Yuill                               | 7 | 7 |

## 6. MEETING CONTENT

6.1 During the 2018/2019 reporting period (6 March 2018 to 29 April 2019) the Council had 7 meetings and considered a total of 33 reports.

### 6.2 Terms of Reference

Of the 33 reports received, the following table details how the reports aligned to the Terms of Reference for Council.



6.3 During the course of 2018/2019, the Council considered reports under eight of the twelve sections of the Terms of Reference, with the joint highest number of reports relating to the setting of a balanced budget, including the setting of fees and charges.

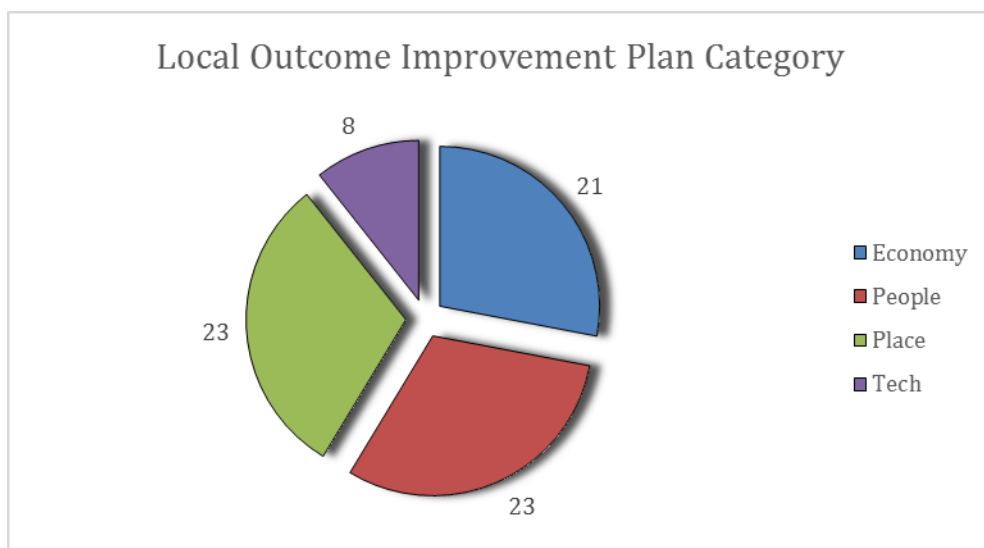
6.4 Of the four sections of the Terms of Reference where there were no reports, the Council has little or no control in relation to three of them (3, 5 and 9), i.e. they either rely on consent issued by Scottish Ministers, the submission of a planning application which requires a pre determination hearing, or reports being received by the Standards Commission for Scotland. In relation to the last remaining section (10), the Council did not require to establish any Appointment Panels during 2018/2019 as Panels were already in place for various recruitment processes.

6.5 A number of reports fell under Introduction 6 and could have been considered by a committee instead, however in most cases the Council had previously instructed that the matter be reported back to Council, therefore those instructions were complied with.

6.6 Generally, there has been a reduction in the number of reports being considered by Full Council compared to previous years. This can be partly attributed to committees considering business which may have otherwise been considered at Full Council. Historically, Full Council has been viewed as a catch all destination for decision making, and the place for reports to be submitted if they missed the committee they should have been reported to. The empowerment of committees through the Scheme of Governance together with better forward planning of reports has contributed to a more focused agenda at the meetings of Full Council.

6.7 **Local Outcome Improvement Plan**

The following table details of the 33 reports how many had a link to the themes of the Local Outcome Improvement Plan.



## 6.8 Reports and Council Decisions

The following table details the outcome of the Council's consideration of the 33 reports presented to it throughout the year.

|  | Total | % Total Reports |
|--|-------|-----------------|
| Confidential   | 0     | 0.0%            |
| Exempt   | 1     | 3.0%            |
| Number of reports where the Council has amended officer recommendations  | 10    | 30.3%           |
| Number and percentage of reports approved unanimously  | 22    | 66.7%           |
| Number of reports requested by members during the consideration of another report to provide additional assurance and not in forward planner                   | 7     |                 |
| Service update requested   | 0     |                 |
| Number of decisions delayed for further information  | 0     | 0.0%            |
| Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life  | 0     |                 |
| Number of late reports received by the Council (i.e. reports not available for inspection by members of the public at least three clear days before a meeting) | 0     | 0.0%            |



## 6.9 Notices of Motion, Suspension of Standing Orders, Interface with the Public

|  | Total                                     |
|--|---|
| Number of notices of motion  | 9   |
| Number of times Standing Orders were suspended   | 0   |
| Number of deputations  | 0   |
| Number of petitions considered   | 0   |
| Number of Meetings held by the Lord Provost with other Conveners, relevant parties, to discuss joint working and key issues being raised at other Committee meetings | Regular meetings held with the Co-Leaders |

## 7. TRAINING REQUIREMENTS AND ATTENDANCE

- 7.1 Training sessions specific to the various committees have taken place and details of these are contained within their annual reports.
- 7.2 More generally, a training session on the refreshed Local Outcome Improvement Plan 2016-2026 was held on 13 March 2019 and 14 Councillors attended. Further sessions are scheduled for 7 May, 3 June and 5 September 2019. The session informed Councillors about the changes in the refreshed Local Outcome Improvement Plan 2016-2026, the context behind the document and how we are planning to deliver it.
- 7.3 The following specific Scheme of Governance training, which is related to the operation of all committees, was provided:-
- Scheme of Governance Effective Decision Making on 23, 27 and 28 March 2018
  - Financial and Procurement Regulations on 23 and 29 March 2018
  - Member Officer Relations Protocol - various sessions throughout 2018 for Councillors and officers
- 7.4 Training on the Councillors' Code of Conduct was provided in January and February 2018.

## **8. CODE OF CONDUCT - DECLARATIONS OF INTEREST**

- 8.1** 17 declarations of interest were made by Councillors during the reporting period. This information is measured to evidence awareness of the requirements to adhere to the Councillors' Code of Conduct and the responsibility to ensure fair decision making.

## **9. CIVIC ENGAGEMENT**

- 9.1** Civic leadership and engagement is at the heart of the Target Operating Model approved by the Council in August 2017. The values and principles of civic leadership and engagement are being driven through the Council's transformation programme.
- 9.2** At the Council meeting on 4 March 2019, members noted the progress that had been made in the development of an urban governance model - since March 2018 officers have been continuing to consult with external stakeholders on the concept of the city's economic development and the role for an urban governance model.
- 9.3** There have been a number of good examples of civic engagement in the course of business submitted to Council in 2018/2019, for example the Review of Community Council Governance, and the involvement of children and young people in the campaign to ban plastic drinking straws in Scotland, culminating in pupils from Airyhall and Hanover Street Primary Schools attending the Council meeting in September 2018 in relation to the Final Straw report which was unanimously approved by members.
- 9.4** The Strategic Commissioning Committee considered an overview of current arrangements for engaging and consulting with customers and citizens. It approved a Participatory Budgeting Policy which will help facilitate civic engagement through the budget process. The Strategic Commissioning Committee instructed officers to report back with proposals to introduce a planned and co-ordinated approach to future engagement and consultation to support the Council's future commissioning activity. The Committee will consider a further report in August 2019.
- 9.5** Further civic engagement activities are set out in each committee's individual annual effectiveness report.

## 10. OFFICER SUPPORT TO THE COUNCIL

| Officer   | Total Anticipated Attendances | Total Attendances | Substitute Attendances |
|---|-------------------------------|-------------------|------------------------|
| Chief Executive   | 7                             | 7                 | 0                      |
| Director of Resources                                     | 7                             | 6                 | 0                      |
| Chief Operating Officer                                   | 7                             | 7                 | 0                      |
| Director of Commissioning                                 | 7                             | 3                 | 4                      |
| Director of Customer Services                             | 7                             | 7                 | 0                      |
| Chief Officer - Health and Social Care Partnership        | 7                             | 5                 | 2*                     |
| Chief Officer - Governance                                | 7                             | 7                 | 0                      |
| Chief Officer - Finance                                   | 4                             | 4                 | 0                      |
| Chief Officer - Integrated Children's and Family Services | 4                             | 4                 | 0                      |

\* due to the transition between Chief Officers

## 11. EXECUTIVE LEAD'S COMMENTS

- 11.1** In March 2018, the Council approved its first Scheme of Governance. This was a significant step for the Council and in keeping with the journey to attaining the CIPFA Mark of Excellence. The Scheme of Governance was updated in 2019 and officers were instructed to report back to Full Council in 2020 following another annual review. The practice of annually reviewing the Scheme of Governance, together with data from the annual effectiveness reports, will help members and officers to identify improvements to the Council's decision making structures and help ensure that those arrangements remain effective.
- 11.2** On 5 March 2019, the Council approved its annual budget and noted the associated Council Delivery Plan. The delivery of the budget will be monitored through the City Growth and Resources Committee whilst service performance will be monitored against key categories by the relevant committees.
- 11.3** It is noted that just over 30% of reports with Council officer recommendations were amended compared to the average for committees of 13.75%. However, six of the ten reports, where recommendations were amended, were reports submitted to the Budget meetings and this is generally normal practice, with such reports rarely being unanimously approved.
- 11.4** No late reports were submitted to Full Council and no decisions on reports required to be delayed which evidences that business was appropriately managed and scheduled.
- 11.5** Finally, it is pleasing to note that Full Council has operated in a transparent manner, with only one report marked as exempt as a result of it containing information relating to the financial or business affairs of a third party. It is acknowledged that on occasion reports need to be considered in private in

terms of Schedule 7A of the Local Government (Scotland) Act 1973, however it is reassuring that the number of instances where decisions have been taken in private has been minimised.

## 12.NEXT YEAR'S FOCUS

- 12.1 During the course of 2019/20, the Council will continue its oversight of the governance review of the Council's trusts. The review is designed to secure best value and ensure that the trusts are used according to their purpose. A report on that matter will be brought to Full Council in September 2019 with a further update and relevant proposals. In September, Full Council will also be asked to consider final proposals following public consultation on the city's polling districts and polling places following a statutory review. In December, it is intended to present the proposed Aberdeen Local Development Plan for consideration and approval.
- 12.2 In March 2020, the Council will be asked to consider proposals following the annual review of the Scheme of Governance. These proposals will take account of views expressed at meetings of the Governance Reference Group which will be scheduled later in the year. Specific to Council, the Terms of Reference will be reviewed in line with the business submitted to Council and officers will reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Council.
- 12.3 During the course of 2019/20, officers will progress the transformation programme to allow the Council to set a budget in a manner that strategically allocates resources against the Local Outcome Improvement Plan and associated strategies as envisaged by the Target Operating Model. The outcome focused approach will be set out in the budget report and associated delivery plan due to come before Full Council in early 2020.

## 13.COMBINED COMMITTEE DATA

| Number of reports in total   | 495           |                 |
|--|---------------|-----------------|
|  | Overall Total | % Total Reports |
| Number of confidential reports   | 1             | 0.20%           |
| Number of exempt reports   | 65            | 13.13%          |
| Number of reports where the Committee has amended officer recommendations  | 66            | 13.33%          |
| Number and percentage of reports approved unanimously  | 433           | 87.47%          |
| Number of reports requested by members during the consideration of another report to provide additional assurance and not in forward planner         | 31            |                 |
| Number of service updates requested by members during the consideration of another report to provide additional assurance and not in forward planner | 12            |                 |
| Number of decisions delayed for further information  | 3             | 0.61%           |
| Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life                              | 4             |                 |
| Number of late reports received by the Committee   | 14            | 2.83%           |
| Number of referrals to Council, or other Committees in terms of Standing Order 33.1  | 0             |                 |
| Number of Notices of Motion  | 16            |                 |
| Number of times Standing Orders were suspended   | 1             |                 |
|  | 39.2          |                 |
| The specific Standing Orders suspended   |               |                 |
| Number of deputations or other indicators of interface with the public, i.e. engagement and social media.  | 8             |                 |
| Number of petitions considered   | 1             |                 |

**Appendix 1 - Previous Version of Council Terms of Reference Approved by Council on 5 March 2018**

## **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 any functions which the Council could itself discharge.
- 3.** 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 Scheme of Delegation 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.
- 4.** 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.
- 5.** A committee can in turn appoint sub committees to exercise any function delegated to it.
- 6.** In accordance with Standing Order 45.7, Council can determine any matter which would otherwise fall to be determined by a committee or sub committee and under Standing order 45.8, a committee can determine any matter which would otherwise fall to be determined by one of its sub committees.
- 7.** A committee can at any time refer or make a recommendation on any matter delegated to it to Council, and a sub committee can refer or make a recommendation on any matter delegated to it to Council or to its parent committee.
- 8.** Any decision taken by a committee or sub committee is deemed to be a decision of Council itself.
- 9.** These committee and sub Committee remits may be amended only after consideration of a report to Council or the appropriate parent committee by the Chief Officer – Governance.
- 10.** 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.
- 11.** Any non material amendments made by the Chief Officer – Governance will be notified to members once completed.
- 12.** The Terms of Reference will be reviewed annually by the Chief Officer – Governance.
- 13.** All committee remits will be subject to the overarching remit of the Strategic Transformation Committee.
- 14.** In exercising their functions, the Council, its committees and sub committees shall meet their equalities obligations and take full account of their responsibilities to those customers and citizens with protected characteristics. In particular, in accordance with Unicef’s Child Friendly Cities and Communities Programme, they will ensure that children are allowed a voice in decisions which affect both them and their city.

## **ABERDEEN CITY COUNCIL**

The Council itself 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. The borrowing of money in terms of section 56(6)(d) of the Local Government (Scotland) Act 1973.
3. 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.
4. The approval of the Council's Treasury Management Policy and Strategy.
5. 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. The appointment of committees and the number and allocation of seats, the appointment and removal from office of the Lord Provost, Depute Provost, Leader or Co Leaders and/or Depute Leader, a convener for each committee and a vice convener as appropriate and the approval of senior councillor allowances.
7. The approval of the Local Development Plan.
8. Consideration of each committee's annual report of its effectiveness.
9. The consideration of reports by the Standards Commission for Scotland and the overseeing of members' standards of conduct.
10. The establishing of Appointment Panels in accordance with Standing Orders.
11. The approval of the Council's Scheme of Governance.
12. The approval of the Scheme of Establishment for Community Councils.

**Executive Lead: Chief Executive**

