

## **Aberdeen City Council (tracked changes included)**

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.
3. The approval of the capital programme.
4. The borrowing of money as provided for in s56(6)(d) of the Local Government (Scotland) Act 1973.
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.
6. The approval of the Council's Treasury Management Policy and Strategy.
7. The appointment of committees, including external members, and the number and allocation of committee places, 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.
8. The election of members to the Licensing Board.
9. The review of polling districts and polling places.
10. Subject to the Powers Delegated to Officers, the administration of trusts in respect of which the Council is sole trustee or the only trustees are elected members of the Council.
11. The approval of the Local Development Plan.
12. The approval of an Administration's political priorities.
13. The consideration of the Council's Delivery Plan.
14. The consideration of its annual report of its effectiveness and each committee's annual report of its effectiveness.
15. 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.
16. The establishment of the Appointment Panel in accordance with the Standing Orders for Council, Committees and Sub Committees.
17. The approval of the Council's Scheme of Governance.
18. The approval of the Council/Committee Diary.

19. The approval of the Scheme of Establishment for Community Councils.
20. The establishment of Working Groups.
21. To consider any matter which the Council has previously considered and agreed to receive a further report.
22. To consider Monitoring Officer reports under Section 5 of the Local Government and Housing Act 1989.
23. Making schemes for the reorganisation of educational endowments under section 112(2) or 112(3) of the Education (Scotland) Act 1980.
24. To approve ~~all~~ internal and external commissioning activity by the Council, where the estimated contract value is in excess of £1m (~~in accordance with the commissioning cycle~~), with the exception of procurement relating to the Capital Programme which may be approved by the Finance and Resources Committee and in this regard:-

#### Analysis

- 24.1 to receive a bi-annual Population Needs Assessment to understand the needs which public bodies must address;
- 24.2 to 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
- 24.3 to 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.

#### Planning

- 24.4 to endorse the refresh of the Local Outcome Improvement Plan (LOIP) including recommending any changes which may be required; and
- 24.5 to approve annual procurement workplans, 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.

#### Doing

- ~~24.6~~ to approve all procurement activity by the Council where the estimated contract value is in excess of £1m (~~with the exception of procurement relating to the Capital Programme which may be approved by the Finance and Resources Committee~~); including
- ~~24.7~~ Procurement Business Cases submitted in accordance with Procurement Regulations; and
- ~~Grants and associated conditions;~~
- ~~Contract management arrangements and Service Level Agreements; and~~

~~24.8~~24.6 The establishment of Arm's Length External Organisations (ALEOs) where it is determined that services should not be provided in-house.

~~24.9~~24.7 when approving procurement activity, the Council will:

~~24.9.1~~24.7.1 \_\_\_\_\_ 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;

~~24.9.2~~24.7.2 \_\_\_\_\_ ensure that commissioned services are focused on delivering the Council's agreed commissioning intentions and contribution to the LOIP; and

~~24.7.3~~ identify potential efficiencies and improvements in quality, including across partner organisations and promote the strategic allocation of resources.

~~24.8~~ to establish Arm's Length External Organisations (ALEOs) where it is determined that services should not be provided in-house;

~~24.10~~24.9 to decommission services, including ALEOs, that do not meet the Council's commissioning intentions and outcomes;

~~24.11~~24.10 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; and

~~24.12~~24.11 to approve the Strategy Framework to facilitate the delivery of agreed outcomes.

## Reviewing

~~24.13~~24.12 to approve amendments to the Council's Performance Management Framework (PMF);

~~24.14~~24.13 to receive annual reports on the LOIP and Locality Partnership Plans;

~~24.15~~24.14 to consider and monitor performance associated with the Council's agreed commissioning intentions and ultimate contribution to the LOIP outcomes;

~~24.16~~24.15 to receive annual reports from each of the council's ALEOs to enable scrutiny of performance;

~~24.17~~24.16 to receive an annual procurement performance report to enable scrutiny of performance; and

~~24.18~~24.17 to receive reports on any changes 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.

However procurement relating to the Capital Programme may be approved by the Finance and Resources Committee.

For the avoidance of any doubt, this reservation 24 does not affect the Terms of Reference of the Pensions Committee, Aberdeen City Region Deal Joint Committee or Aberdeen City Integration Joint Board, and it does not prevent the exercise of delegated powers where authority is

delegated to officers under the Powers Delegated to Officers, Procurement Regulations or otherwise.

**Executive Leads:** Chief Executive and Chief Officer - Governance