

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Council
<b>DATE</b>	13 December 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Committee Places and Appointment of External Member to the Education and Children's Services Committee
<b>REPORT NUMBER</b>	COM/23/379
<b>DIRECTOR</b>	Gale Beattie, Director of Commissioning
<b>CHIEF OFFICER</b>	Vikki Cuthbert, Interim Chief Officer - Governance (Assurance)
<b>REPORT AUTHOR</b>	Martyn Orchard
<b>TERMS OF REFERENCE</b>	7

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### 1. PURPOSE OF REPORT

- 1.1 To consider (1) the allocation of committee places following the resignation of Councillor van Sweeden from the SNP group; and (2) a request from some of the Independent members to reallocate their committee places amongst themselves. The report also seeks approval for the appointment of a new secondary teacher representative on the Education and Children's Services Committee.

### 2. RECOMMENDATIONS

That the Council:-

- 2.1 agree that three Partnership committee places transfer to Councillor van Sweeden and determine those committees;
- 2.2 consider the request from Councillor Boulton regarding swapping of committee places, as contained in paragraph 3.6 of the report; and
- 2.3 agree the appointment of Jacqueline Munro as the new secondary teacher representative on the Education and Children's Services Committee with immediate effect.

### 3. CURRENT SITUATION

#### Committee Places

- 3.1 Following the Council meeting of 11 October 2023, Councillor van Sweeden announced her resignation from the SNP and advised that she would be an independent Councillor. Consequently, the committee places Councillor van

Sweeden previously had as a Councillor within the Partnership reverted to the Partnership.

3.2 The current allocation of committee places, as agreed by Council on 23 August 2023, is below.

Committee	Partnership	Labour	Conservative	Cllr Boulton	Cllr Crockett	Cllr Mrs Stewart	Total
Anti-Poverty and Inequality	7	3	2	0	1	0	13
Audit, Risk and Scrutiny	7	3	2	0	0	1	13
Communities, Housing and Public Protection	7	3	2	0	0	1	13
Education and Children's Services	8	2	2	1	0	0	13
Finance and Resources	8	3	2	0	0	0	13
Licensing Committee	7	3	2	1	0	0	13
Net Zero, Environment and Transport	7	3	2	0	1	0	13
Pensions	11	0	2	0	0	0	13
Planning Development Management	7	4	1	1	0	0	13
Staff Governance	7	3	2	0	1	0	13
Urgent Business	4	2	1	0	0	0	7
Integration Joint Board	3 (plus 2 subs)	1 (plus 1 sub)	0 (plus 1 sub)	0	0	0	4 (plus 4 subs)
<b>Total:</b>	83 (plus 2 subs)	30 (plus 1 sub)	20 (plus 1 sub)	3	3	2	141 (plus 4 subs)

3.3 The Council has traditionally followed the principles of Section 15 of the Local Government and Housing Act 1989 when allocating committee places. The principles of section 15 of the 1989 Act are:-

- (a) not all the seats of the body are to be allocated to a particular group;
- (b) the majority of seats on the body are to be allocated to the group having a majority of seats on the Council; and
- (c) the number of seats on ordinary committees which are allocated to each group bears the same proportion to the total number of seats on those

committees as the number of seats held by the group on the Council does to the whole membership of the Council.

- 3.4 This Section is not in force in Scotland. However, the Council has given effect to this through Standing Order 47.9 which states that 'the Council will set the membership for each Committee and in doing so should have regard to the political composition of the Council'. It is important to note that the decisions of the Labour group and Councillor Mrs Stewart to not take their allocated places on the Pensions Committee has resulted in the Partnership having extra committee places and the Labour group and Councillor Mrs Stewart having fewer committee places. The Council decision, of 26 April 2023, with regard to this matter was:-

*"to agree that should members of the Labour group, or Independent members wish to subsequently agree to take up their vacated positions and serve on the Pensions Committee, that their nomination be brought to the appropriate meeting of Council or Urgent Business Committee to have their positions reinstated."*

- 3.5 The impact of Councillor van Sweeden resigning from the SNP and becoming an independent Councillor means that 3 Partnership committee places should transfer to Councillor van Sweeden. The Council is therefore requested to determine which committees those places should be on.
- 3.6 Furthermore, Councillor Boulton has advised that Councillors Crockett and Mrs Stewart and herself wish to swap some of the committee places that were agreed by Council on 23 August 2023, on a permanent basis. These proposed changes are - Councillor Mrs Stewart replacing Councillor Boulton on the Education and Children's Services Committee; and Councillor Boulton replacing Councillor Crockett on the Staff Governance Committee. Councillors can substitute for each other in the interim, however in order for the places to transfer on a substantive basis, approval by Council is required.

### **Education and Children's Services Committee - Secondary Teacher Representative**

- 3.7 The Education and Children's Services (E&CS) Committee has seven persons with voting rights who are not members of the Council. This includes two teachers employed in educational establishments managed by the Council, comprising one representative from primary (including nursery) and one representative from secondary.
- 3.8 Officers have been advised by the EIS (Educational Institute of Scotland) that Mike Paul, the current secondary teacher representative on the Education and Children's Services Committee has stepped down from the role, and is to be replaced by Jacqueline Munro from Harlaw Academy. Mr Paul will now be the substitute secondary teacher representative. A separate process, overseen by the Teachers' Consultative Forum, is in place for the nomination of teacher representatives.

3.9 Council is therefore asked to ratify the appointment of Ms Munro to the E&CS Committee with immediate effect.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from the recommendations of the report.

#### 5. LEGAL IMPLICATIONS

5.1 As noted above, section 15 of the Local Government and Housing Act 1989 is not in force in Scotland. However, the Council has chosen to give effect to it through Standing Orders.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no environmental implications arising from the recommendations of the report.

#### 7. RISK

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant risks identified	N/A	N/A	N/A
<b>Compliance</b>	Council must comply with legislation and the Scheme of Governance	The recommendations comply with statutory obligations and the Scheme of Governance	L	Yes
<b>Operational</b>	No significant risks identified	N/A	N/A	N/A

<b>Financial</b>	No significant risks identified	N/A	N/A	N/A
<b>Reputational</b>	No significant risks identified	N/A	N/A	N/A
<b>Environment / Climate</b>	No significant risks identified	N/A	N/A	N/A

## 8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	It is confirmed by the Interim Chief Officer - Governance (Assurance) that no Integrated Impact Assessment is required.
<b>Data Protection Impact Assessment</b>	Not required

## 10. BACKGROUND PAPERS

None

## 11. APPENDICES

None

## 12. REPORT AUTHOR CONTACT DETAILS

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