

There will be a meeting of the **COSLA Convention** on **Friday 25 February 2022 at 1200hrs** via Microsoft Teams.

Sally Loudon  
Chief Executive

## **AGENDA**

### **Public Session**

1. Introduction from COSLA President
2. Draft Minute of Previous Meeting of Convention on 26 November 2021 (paper)
3. Revised COSLA Standing Orders and Scheme of Delegation (paper)
4. Update on Incorporation of the European Charter of Local Self Government (paper)
5. Scottish Local Government International Framework (paper)
6. Draft COSLA Budget 22/23 (paper)
7. COSLA 5 year report: *this is our story 2017-2022* (paper)
8. COSLA Strategic Context and priorities post-election (paper)

DRAFT MINUTE OF MEETING OF COSLA CONVENTION

Friday 26 November 2021, 2.00pm  
Via Microsoft Teams

**Present**

COSLA President	Councillor Alison Evison
COSLA Vice President	Councillor Graham Houston
Aberdeen City Council	Councillor Martin Greig (Substitute)
Aberdeen City Council	Councillor M. Taqueer Malik
Aberdeenshire Council	Councillor Andy Kille
Aberdeenshire Council	Councillor Gwyneth Petrie
Aberdeenshire Council	Councillor Norman Smith
Aberdeenshire Council	Councillor Ross Cassie
Aberdeenshire Council	Jim Savege
Angus Council	Councillor Ben Lawrie
Angus Council	Councillor Craig Fotheringham
Argyll & Bute Council	Councillor Robin Currie
Argyll & Bute Council	Pippa Milne
City of Edinburgh Council	Councillor Adam McVey
City of Edinburgh Council	Councillor Cammy Day
Clackmannanshire Council	Councillor Ellen Forson
Clackmannanshire Council	Councillor Kenneth Earle (Substitute)
Comhairle nan Eilean Siar	Councillor Roddie Mackay
Comhairle nan Eilean Siar	Councillor Norman A MacDonald
Comhairle nan Eilean Siar	Malcolm Burr
Dumfries & Galloway Council	Councillor Elaine Murray
Dumfries & Galloway Council	Councillor Gail Macgregor
Dumfries & Galloway Council	Councillor Ian B Carruthers
Dumfries & Galloway Council	Councillor Jane Maitland
Dumfries & Galloway Council	Lorna Meahan (Substitute)
Dundee City Council	Councillor John Alexander
Dundee City Council	Councillor Bill Campbell (Substitute)
Dundee City Council	Councillor Craig Duncan
Dundee City Council	Councillor Ken Lynn
Dundee City Council	Councillor Kevin Keenan
Dundee City Council	Robert Emmott (Substitute)
East Ayrshire Council	Councillor Douglas Reid
East Ayrshire Council	Councillor Tom Cook
East Ayrshire Council	Linda McAulay-Griffiths (Substitute)
East Dunbartonshire Council	Councillor Andrew Polson
East Dunbartonshire Council	Councillor Gillian Renwick (Substitute)
East Dunbartonshire Council	Gerry Cornes
East Lothian Council	Councillor Norman Hampshire
East Lothian Council	Lesley Brown (Substitute)
East Renfrewshire Council	Councillor Annette Ireland (Substitute)
East Renfrewshire Council	Lorraine McMillan
Falkirk Council	Councillor Cecil Meiklejohn

Falkirk Council	Councillor John Patrick
Falkirk Council	Councillor Robert Bissett
Falkirk Council	Kenneth Lawrie
Fife Council	Councillor David Ross
Fife Council	Councillor David Dempsey
Fife Council	Councillor Karen Marjoram
Fife Council	Councillor Altany Craik (Substitute)
Fife Council	Steve Grimmond
Glasgow City Council	Councillor Susan Aitken
Glasgow City Council	Councillor Christina Cannon
Highland Council	Councillor Margaret Davidson
Highland Council	Councillor Bill Lobban
Highland Council	Donna Manson
Inverclyde Council	Councillor Stephen McCabe
Inverclyde Council	Councillor Jim Clocherty
Inverclyde Council	Louise Long
Midlothian Council	Councillor Russell Imrie
Midlothian Council	Councillor Kelly Parry
Midlothian Council	Councillor Pauline Winchester
Midlothian Council	Dr Grace Vickers
Moray Council	Councillor Graham Leadbitter
Moray Council	Councillor Shona Morrison
North Ayrshire Council	Councillor Joe Cullinane
North Ayrshire Council	Councillor John Bell
North Ayrshire Council	Councillor Marie Burns
North Ayrshire Council	Craig Hatton
North Lanarkshire Council	Councillor Heather Brannan-McVey
North Lanarkshire Council	Councillor Tracy Carragher
North Lanarkshire Council	Des Murray
Orkney Islands Council	Councillor James Stockan
Orkney Islands Council	Councillor Steven Heddle
Orkney Islands Council	John Mundell
Perth and Kinross Council	Councillor Murray Lyle
Perth and Kinross Council	Councillor Peter Barrett
Renfrewshire Council	Councillor Jim Paterson
Scottish Borders Council	Councillor Mark Rowley
Scottish Borders Council	Councillor Simon Mountford
Scottish Borders Council	Councillor Stuart Bell
Scottish Borders Council	David Robertson (Substitute)
Shetland Islands Council	Councillor Steven Coutts
South Ayrshire Council	Councillor Peter Henderson
South Ayrshire Council	Eileen Howat
South Lanarkshire Council	Councillor John Ross
South Lanarkshire Council	Councillor Maureen Chalmers
South Lanarkshire Council	Councillor Joe Fagan
South Lanarkshire Council	Councillor Gerry Convery
South Lanarkshire Council	Councillor Alex Allison
South Lanarkshire Council	Cleland Sneddon
Stirling Council	Councillor Scott Farmer
Stirling Council	Carol Beattie
West Dunbartonshire Council	Councillor Jonathan McColl
West Dunbartonshire Council	Stephen West (Substitute)
West Lothian Council	Councillor Lawrence Fitzpatrick
West Lothian Council	Councillor Frank Anderson
West Lothian Council	Councillor Damian Doran-Timson
West Lothian Council	Councillor Kirsteen Sullivan
West Lothian Council	Graham Hope

## **Apologies**

Aberdeen City Council  
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Aberdeenshire Council  
Angus Council  
Angus Council  
Angus Council  
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City of Edinburgh Council  
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East Ayrshire Council  
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Highland Council  
Highland Council  
Highland Council  
Highland Council  
Inverclyde Council  
Midlothian Council  
Moray Council

Councillor Jenny Laing  
Councillor Alex Nicoll  
Councillor Ian Yuill\*  
Councillor John Reynolds  
Angela Scott  
Councillor Peter Argyle  
Councillor David Fairweather  
Councillor Lynne Devine  
Margo Williamson  
Councillor Alastair Redman  
Councillor Sandy Taylor  
Councillor Cameron Rose  
Councillor Melanie Main  
Councillor Iain White  
Councillor Lesley Macinnes  
Andrew Kerr  
Councillor Martha Benny  
Councillor Dave Clark\*  
Nikki Bridle  
Councillor Rob Davidson  
Gavin Stevenson\*  
Councillor Willie Sawers\*  
Gregory Colgan\*  
Councillor Jim McMahon  
Councillor John McGhee  
Eddie Fraser\*  
Councillor Alan Moir  
Councillor Billy Hendry  
Councillor Gordan Low  
Councillor Susan Murray  
Councillor Stuart Currie  
Councillor Jane Henderson  
Monica Patterson\*  
Councillor Paul O'Kane  
Councillor Stewart Miller  
Councillor Tony Buchanan\*  
Councillor David Alexander  
Councillor David Alexander  
Councillor Judy Hamilton\*  
Councillor Timothy Brett  
Councillor Allan Casey  
Councillor Eva Murray  
Councillor Jon Molyneux  
Councillor Malcolm Cuning  
Councillor Rhiannon Spear  
Councillor Thomas Kerr\*  
Annemarie O'Donnell  
Councillor Iain Cockburn  
Councillor Alastair Christie  
Councillor Maxine Smith  
Councillor Struan Mackie  
Councillor Elizabeth Robertson  
Councillor Derek Milligan  
Councillor Tim Eagle

Moray Council  
 North Ayrshire Council  
 North Lanarkshire Council  
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 North Lanarkshire Council  
 North Lanarkshire Council  
 Orkney Islands Council  
 Perth and Kinross Council  
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 South Lanarkshire Council  
 Stirling Council  
 Stirling Council  
 West Dunbartonshire Council  
 West Dunbartonshire Council  
 West Dunbartonshire Council  
 West Lothian Council

Roderick Burns  
 Councillor Tom Marshall  
 Councillor Jim Logue\*  
 Councillor Jordan Linden\*  
 Councillor Paul Kelly  
 Councillor Sandy Watson  
 Councillor Tom Johnston  
 Councillor Leslie Manson  
 Councillor Dave Doogan  
 Councillor John Duff  
 Councillor Xander McDade  
 Thomas Glen  
 Councillor Eddie Devine  
 Councillor Iain Nicolson  
 Councillor Neil Graham  
 Councillor John Shaw  
 Alan Russell  
 Councillor David Parker  
 Netta Meadows\*  
 Councillor Alastair Cooper  
 Councillor Malcolm Bell  
 Maggie Sandison  
 Councillor Brian Connolly  
 Councillor Brian McGinley  
 Councillor Derek McCabe  
 Councillor Margaret Cooper  
 Councillor Danny Gibson  
 Councillor Neil Benny  
 Councillor Caroline McAllister  
 Councillor John Mooney  
 Joyce White\*  
 Councillor Peter Johnston

*\* denotes substitute provided*

## **Public Session**

### **1. Introduction from COSLA President**

Councillor Alison Evison welcomed all Members to the Convention and provided advice on how to participate in the meeting using Microsoft Teams. Apologies and substitutes were noted separately for the minute.

Prior to commencing formal business, Councillor Evison provided an update on a number of ongoing media campaigns, including the launch of the Annual Budget Lobbying Campaign and the ongoing Live Well Locally themed social media posts. Members were encouraged to engage with and share these posts and campaigns through their own social media channels.

### **2. Draft Minute of Previous Meeting of Convention on 26 March 2021 (paper)**

Members were content to agree the draft minute of the previous meeting as an accurate record.

### **3. COSLA's Audited Financial Statements for Year Ending 31 March 2021 (paper)**

Councillor Kevin Keenan introduced this paper on behalf of the COSLA Audit Group. Convention Members were provided with COSLA's Financial Statements for year ending

March 2021 and the associated Letter of Representation. The statements have been scrutinised by the Audit Committee at their Meeting in November, together with a report from the independent auditors confirming that they represent a true and fair picture of COSLA's financial position. The Group also noted that a surplus has been added to reserves, enabling the General Reserve to be brought into line with the target agreed at the March 2021 Convention meeting when a four-year budget was approved.

Convention Members:

- i. Approved and adopted the Financial Statements for the Year Ending 31 March 2021;
- ii. Approved the associated Letter of Representation; and
- iii. Confirmed that the Chief Executive should sign both documents on behalf of Convention.

#### **4. COSLA Constitution Update (paper)**

This paper presented Convention Members with a final draft revised COSLA Constitution following agreement at the March Convention Meeting that this redraft should take place to take account of a number of areas, including the need to include more explicit wording around existing pension liabilities and to accommodate virtual working practices. Members were invited to consider the revised draft and provide any further comments, and to approve the revised Constitution with immediate effect.

A draft set of Standing Orders was also provided and it was noted that councils will be consulted further on these, for final consideration by Convention in February 2022.

Members provided their feedback on the draft Constitution and Standing Orders, particularly in relation to the process for amending the Scheme of Delegation and the appointment of spokespersons.

Convention Members:

- i. agreed the recommended changes to the COSLA Constitution and noted that the new Constitution will take immediate effect; and
- ii. noted the draft Standing Orders, provided initial comments and noted that, with a draft Scheme of Delegation, these will be the subject of more detailed consultation prior to submission to Convention in February for approval.

#### **5. COP 26 (paper)**

This report provided a summary of COSLA and Local Government's extensive work ahead of and during the UN Climate Summit held in Glasgow at the beginning of November. COSLA worked with Glasgow City Council, the Scottish Government, the UK Cabinet Office and Scotland Office in preparing for COP26, in order to build a local government partnership with a strong presence, and a verbal update was provided on events facilitated by the Presidential Team and the COSLA Environment and Economy Spokesperson. Convention Members were invited to note the report and provide strategic direction for COSLA's ongoing climate work.

Members expressed their thanks to COSLA officers and Cllr Heddle for their hard work in ensuring that Local Government representations were included in the draft agreement. It was noted that finance is particularly important in ensuring that this can be implemented as councils will need adequate funding to meet climate targets.

Otherwise, Members:

- i. Noted COSLA's COP26 engagement;

- ii. Noted progress in formal recognition for local governments in the international framework for climate change; and
- iii. Provided a strategic direction for COSLA work to secure COP26's legacy.

## **6. Councillor Safety (paper)**

This paper provided an update to Convention on work that had been undertaken on councillor safety, including joint work with Police Scotland following the murder of Sir David Amess MP in his Essex constituency the previous month. There had understandably been a great deal of concern amongst elected members about personal safety and thanks were recorded to Police Scotland for their ongoing engagement with COSLA on this topic, including the online briefings offered to all Scottish elected members and circulation of personal safety and security advice by email. Members were invited to share their thoughts on councillor safety and on the report, and note that further updates would be provided to Elected Members in the future.

Members shared examples of personal safety work being done in their own authorities, including revision of lone working policies and providing portable safety devices to councillors working in rural communities. Ongoing work taking place with other Local Government Associations across the United Kingdom was also noted and Members discussed the increase in online abuse and intimidation that some councillors were experiencing.

Convention:

- i. Noted the support provided by Police Scotland to date;
- ii. Noted that concerns raised by councillors in relation to personal safety and security would inform ongoing COSLA dialogue with Police Scotland; and
- iii. Noted that further reports would be provided through COSLA's governance structures and councillors would be kept updated on key developments through the COSLA Elected Members' Briefing.

## **7. Incorporation of the European Charter of Local Self Government (paper)**

This paper provided Members with an outline of the UK Supreme Court judgment on the European Charter of Local Self Government (Incorporation) (Scotland) Bill and the changes required to the Bill to ensure competence within the UK devolved governance framework. Members were also provided with an update on ongoing discussions with relevant MSPs and Cabinet Secretary, Shona Robison MSP, to ensure that the Bill returned to the Parliament and an appropriately revised Bill was passed as soon as possible.

Members noted the discussions between the Presidential Team and officers to ensure that this issue remained a high priority for COSLA; otherwise, Members noted the situation and current positions set out in the paper, and agreed that a further report be provided at the next meeting.

## **Close**

Cllr Evison thanked all Convention Members for their attendance and participation, and the meeting was closed.

**COSLA Scheme of Delegation and Standing Orders****Summary and Recommendations**

The COSLA Constitution agreed by COSLA Convention on 26 November 2021, requires supporting documentation in the form of Standing Orders (a draft of which was also presented to Convention in November and has been amended as attached) and a Scheme of Delegation, a draft of which is also attached.

COSLA Convention is invited to agree the Standing Orders and the Scheme of Delegation documents, noting that the new COSLA Convention will have the opportunity to review these documents in June to reflect any changes post-election.

**References**

Previous reports:

- Revised COSLA Constitution Final Draft [with draft Standing Orders] – 26 November 2021 – COSLA Leaders
- Revised COSLA Constitution Draft – 29 October 2021 – COSLA Leaders
- Revised COSLA Constitution Draft – 26 March 2021 – COSLA Convention
- Revised COSLA Constitution Draft – 29 January 2021 – COSLA Leaders
- COSLA Constitution Update – 30 October 2020 – COSLA Convention
- Convention Review – 30 June 2017

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**February 2022**



## **COSLA Scheme of Delegation and Standing Orders**

### **Purpose**

1. To present COSLA Convention with a draft COSLA Scheme of Delegation (Appendix 1) together with a draft of the COSLA Standing Orders (Appendix 2).

### **Background**

2. The revised and updated COSLA Constitution was adopted by COSLA Convention in November 2021. Since that time, work has been progressing on these complementary documents to provide guidance on procedure and practice.
3. The draft Standing Orders, a version of which was presented to Convention last November, have since been amended to accommodate a number of changes which were suggested by Convention and member councils in the period since. This, together with a new COSLA Scheme of Delegation, are now presented to Convention for consideration.

### **Current Position**

4. Significant work has been done on both supporting documents and professional input has been received from colleagues in councils and though the Society of Local Authority Lawyers and Administrators in Scotland (SOLAR), who have contributed suggested amendments.
5. The Standing Orders are the 'rules' by which COSLA's governance structures are managed. The aim is to provide consistency and develop on the less detailed existing version, taking account of good custom and practice that has developed over the years, and particularly in recent times with online meetings.
6. The Scheme of Delegation draws together as its basis a range of documents on how powers and authority is delegated within and across COSLA, not all of which have been widely available before now. Further, existing good custom and practice has been written down and incorporated into the overall document. Again, the aim has been to improve consistency, comprehensiveness and, importantly, transparency.
7. Both documents will be 'living', particularly over the next few months as, say, practical inconsistencies or lack of cross-referencing are noticed. Also the upcoming elections and change of COSLA Administration may require some changes, e.g. the remits for Boards may require updating. Longer term, the intention will be to log potential improvements, additions and amendments, and report annually to Convention on these for approval. Obviously, in urgent cases, these would be brought forward to an earlier meeting. As with the Constitution, the final documents will be checked with our external legal advisers.

### **Next Steps**

8. Subject to agreement by Convention, these documents – together with the Constitution – represent a wholesale and comprehensive update of the constitutional foundations upon which COSLA is based. All aspects, including governance structures, remits, and practice for meetings, etc have been examined and, where necessary, clarified and updated to provide a robust set of parameters to support COSLA's function into the future.
9. Convention is invited to agree the Standing Orders and the Scheme of Delegation documents. However, it should also be noted that the new COSLA Convention will have the opportunity to review these documents in June to reflect any changes post-election.



# **THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES (COSLA)**

## **SCHEME OF DELEGATION**

**2022**

## SCHEME OF DELEGATION

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## **SECTION 1. GENERAL**

### **Purpose**

- 1.1 The Scheme regulates the delegation of the Association's functions to the Leaders' Meeting, Boards, the Audit Group, the Leadership Sounding Board, President, Vice-President, Spokespersons and Officers of the Association or other bodies.
- 1.2 This Scheme of Delegation needs to be read and used alongside the Association's Constitution and Standing Orders relating to Meetings which together make up the wider framework of governance within the Association. The Association's governance is based upon the following principles.
  - Openness,
  - Accountability,
  - Responsiveness, and
  - Democracy.

### **Amendment**

- 1.3 This Scheme may be amended at any time by a decision of Convention by a simple majority.

### **Interpretation**

- 1.4 In this Scheme the following expressions will have the following meaning assigned to them:
  - "Association" means The Convention of Scottish Local Authorities.
  - "Chief Executive of the Association" means the Chief Executive appointed by the Association.
  - "Chief Executive of a Member Council" shall, in the case of a Member Council which does not have an officer so designated, mean the Member Council's Head of Paid Service.
  - "Constitution" shall mean the Constitution of the Association.
  - "Convention" means the meetings of the Association, as distinct to meetings of any other governance group.
  - "Leaders' Meeting" shall be the meeting referred to in clause 9 of the Association's Constitution.
  - "Member Councils" shall mean those local authorities constituted in terms of Section 2 of the Local Government etc (Scotland Act) 1994 who subscribe to membership of the Association.
  - "Office Bearer" shall mean the President or Vice-President of the Association
  - "Opposition" means the second largest Political Group providing they are not in coalition with the largest Political Group.
  - "Political Group" shall mean a group comprising 2 or more Members of the Association who are members of the same political party or who share a political affiliation (including independents).
  - "Political Group Leader" shall mean the leader from time to time appointed by a Political Group.
  - "Presidential Team" shall mean the President and Vice-President of the Association.
  - "Declaration of Acceptance" means a declaration in terms of The Local Authorities (Councillors) (Declaration of Acceptance of Office) (Scotland) Order 1990 or any equivalent legislation.
- 1.5 Conflict with Standing Orders - in the event of any dispute or differences as to the interpretation of this Scheme of Delegation and the Constitution or the Standing Orders for Meetings, the Constitution or the Standing Orders for Meetings will prevail over the Scheme of Delegation.
- 1.6 The Association will appoint and maintain the following bodies, namely:
  - Leaders' Meeting
  - Leadership Sounding Board
  - Policy Boards
  - Audit Group

These bodies will have the constitution, quorum, terms of reference and delegated powers hereinafter specified under the appropriate section of the Scheme.

- 1.7 As set out herein, the Association may from time to time appoint Special Interest Groups or such other bodies with such constitution, quorum, terms of reference and delegated powers as the Association may decide.

## **SECTION 2. PROVISIONS APPLICABLE TO ALL**

### **Delegated Functions**

- 2.1 Except as otherwise specified herein, subject to the provisions of the Association's Constitution and Standing Orders for Meetings, where any function of the Association is delegated to a body or person, that body or person will have the power to exercise the function in like manner as the Association could have exercised it had there been no delegation; provided however that it will be competent for such body or person in relation to any delegated matter, instead of taking a decision thereon to make a recommendation to the Leaders' Meeting, in which event, the matter will be decided by the Leaders' Meeting after consideration of that recommendation.
- 2.2 There will be excluded from delegation to any body or person the following:
- (a) On an annual basis, the approval of the Association's Revenue and Capital budgets for the following year or years;
  - (b) On an annual basis, approval of the Association's Corporate or Strategic Plan and the annual review of its performance, including the detailed implementation of strategy and action taken by Leaders' Meeting and Boards in pursuit of the Association's key priorities;
  - (c) Approval of the Annual Accounts of the Association;
  - (d) Amendment of the Constitution;
  - (e) Any change to the Scheme of Delegation regulating the constitution, membership, functions and/or powers of Leaders, Boards, Special Interest Groups, Committees or other bodies possessing delegated powers;
  - (f) Any change to the Standing Orders Relating to Meetings and Proceedings of the Association;
  - (g) Any change to the Scheme of Delegation to officers, detailing those functions delegated by the Association to its Officers;
  - (h) Other than to the Staffing Committee or a Committee specifically appointed for the purpose, the appointment or dismissal of the Chief Executive;
  - (i) The appointment of representatives of the Association on outside bodies;
  - (j) The nomination and removal of the President, Vice-President and Spokespersons; and
  - (k) The approval of any annual Treasury and Investment Strategy relating to the borrowing of money by the Association.

### **General**

- 2.3 The proceedings of any body will not be invalidated through any vacancy in membership or any defect in appointment.
- 2.4 The bodies and persons detailed in this scheme will have the terms of reference specified in this scheme in relation to each such body or person and will conduct their business within their terms of reference only and will act in accordance with the policies of the Association.
- 2.5 The bodies detailed in this scheme shall conduct their business always in accordance with the Standing Orders relating to meetings of the Association as far as they are applicable.
- 2.6 The ordinary meetings of bodies will take place according to a timetable determined by Leaders' Meeting from time to time. (The Chief Executive of the Association, in consultation with the President and the Chair of a body will have power where the agenda calling the

meeting has not been issued to rearrange the date, time and place of a meeting of that body in cases of urgency.)

- 2.7 In the event that an issue arises which falls within the remit of more than one body, the Chief Executive of the Association will determine which body shall deal with the issue.
- 2.8 If an Elected Member representative of a Member Council is unable to attend any meeting of Convention, the Leaders' Meeting, or any Board, then a substitute from that Member Council may be nominated as specified in Standing Orders. The substitute will be entitled to attend and vote at a meeting. Otherwise, there will be no temporary substitution of Members unless specific provision is made for the temporary substitution of Members of any body when the body is created, or subsequently through this Scheme of Delegation.

### **SECTION 3. LEADERS MEETING**

#### **Constitution**

3.1 The Leaders' Meeting will comprise:

- (a) The President and Vice-President of the Association;
- (b) The Leader of the Administration (or Convenor where no Leader exists) of each Member Council. Where a Member Council has Joint or Co-Leaders, while all Co-Leaders are eligible to attend meetings, only one Co-Leader at a time may attend as a voting representative at a specific meeting, it being for the Member Council to decide which Co-Leader attends as the voting representative.
- (c) Spokespersons who are not Leaders/Conveners of a Member Council; and
- (d) Any Political Group Leader who is not a Leader/Convenor of a Member Council or a Spokesperson.

3.2 Only the Leader of the Administration (or Convenor where no Leader exists) of each Member Council (or their substitute) shall have the right to vote, except where a casting vote is required.

3.3 The Chief Executive of each Member Council or an officer deputising for the Chief Executive shall be entitled to attend and may be invited to take part in the proceedings of the meeting but shall not have the right to vote.

#### **Chair**

3.4 The President, whom failing the Vice-President, will be the Chair of the Leaders' Meeting. Unless the Chair is the Leader of the Administration (or Convenor where no Leader exists) of a Member Council, they shall not be eligible to vote except by way of a casting vote.

#### **Quorum**

3.5 One quarter of Members present and entitled to a vote (not a casting vote) shall represent a quorum, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting platform.

#### **Delegated Powers**

3.6 The Leaders' Meeting will have full delegated powers to implement its functions.

#### **Functions Referred**

3.7 The following functions of the Association will stand referred to the Leaders' Meeting:

#### **General**

3.8 All strategy and policy functions not specifically reserved to Convention or delegated to any other body or officer, including the following: -

- (a) Development of policies and strategy in relation to corporate issues affecting Local Government including but not exclusively community planning, social inclusion, equal opportunities, subsidiarity, community wealth building, sustainability, and Best Value;
- (b) Development of and making recommendations to Convention on the Association's Corporate or Strategic Plan;
- (c) Delivering on the strategy and key priorities identified by Convention and articulated in the Association's Corporate or Strategic Plan;
- (d) Performance management and review of the implementation of the Association's Corporate or Strategic Plan including directing Spokespersons or Special Interest Group Chairs to make presentations as requested and for reporting to the Convention on progress at least annually;
- (e) Progressing discussion and negotiations with Scottish and, if appropriate, UK government on the overall amounts, and arrangements for distribution, of expenditure and grants;
- (f) Considering proposals for levels of financial assistance, charges for services and other payments to other bodies and fees or charges to be made by Councils;
- (g) Development of and making recommendations to Convention on the Association's annual revenue budget;
- (h) Liaison with other local authority associations on matters of common interest;
- (i) Discussion and negotiation with the European Union and participation in its institutions and other international institutions;
- (j) Development of policies to secure a highly skilled and motivated Local Government workforce, including the negotiation of their pay and conditions of service;
- (k) Provision of accommodation required by the Convention for meetings of Convention; and all associated bodies;
- (l) Determining the calendar of meetings of Convention, and Leaders Meetings, and Boards and the time and places of such meetings;
- (m) Securing the provision of advice to the Association and its various bodies by the appointment of advisers and other arrangements where this is considered appropriate;
- (n) Proposing the establishment of Special Interest Groups in terms of Clause 12 of the Constitution;
- (o) Considering issues with significant implications for Local Government that have been referred to it by the Association's Boards or other bodies;
- (p) Initiating or carrying out reviews of the Association's Risk Management and Business Continuity Strategies;
- (q) Development, approval and review of the Association's Communications Strategy;
- (r) Consideration of new legislation or consultation papers, except where the subject matter is within the remit of another Committee or delegated to Officers;
- (s) Promoting the highest standards of conduct by Elected Members including appropriate training;
- (t) Assisting Elected Members in observing the relevant Codes of Conduct;
- (u) Reviewing the personal development and training of Members; and
- (v) The preparation and implementation of a strategy for Performance Review.

## **SECTION 4. LEADERSHIP SOUNDING BOARD**

### **Constitution**

- 4.1 The membership of the Leadership Sounding Board will comprise the President, Vice-President, Political Group Leaders and Spokespersons.

**Chair**

4.2 The Chair will be the President.

**Quorum**

4.3 One half of the members present will constitute a quorum. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.

**Delegated Powers**

4.4 The Leadership Sounding Board has delegated powers to create Special Interest Groups. Otherwise, the Board does not have delegated powers, and except for matters reserved to Convention all recommendations of the Board will be considered by the Leaders' Meeting.

**Meetings**

4.5 The Leadership Sounding Board will meet monthly in advance of Leaders' meetings or as and when business requires.

**Functions Referred**

4.6 This is an advisory group that provides policy direction on current priority issues for Local Government, and a platform to strengthen the working relationship and build cross-party consensus. Its functions are: -

- (a) To create Special Interest Groups in terms of clause 12 of the Constitution and determine their membership, remit, and lifespan, and make recommendations to the Leaders' Meeting regarding any resource or other issues that arise from that.
- (b) To review the operation and effectiveness of Special Interest Groups and make recommendations to the Leaders' Meeting, Boards or Member Councils as appropriate in connection with issues arising from that review activity.
- (c) Monitoring and reviewing the Association's policies and procedures
- (d) To act as the Association's Staffing Committee and to be responsible for the following staffing matters in relation to the Association's employees: -
  - To consider arrangements for the selection of candidates for, and authorise the appointment of an individual to posts, of Chief Executive of the Association and the Senior Management Team of the Association.
  - The dismissal of the Chief Executive of the Association.
  - To consider and approve any application from a senior officer for early release, voluntary early retirement or voluntary redundancy which does not otherwise comply with Association policy on early release.
  - To determine appeals by employees against dismissal, whether resulting from disciplinary action or incapability, in accordance with the Association's Personnel Policies and Procedures.
- (e) The Staffing Committee may also allow specialist or technical assessors to assist the Committee.

**SECTION 5. AUDIT GROUP****Constitution**

5.1 Appointed by Convention on basis of party balance.

**Chair**

5.2 The Chair of the Committee will be a Member from those appointed to it.

**Quorum**

5.3 One quarter of the Members present will constitute a quorum. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.



### **Delegated Powers**

5.4 The Audit Group has delegated powers to recommend the audited accounts of the Association to Convention. Otherwise, it does not have delegated powers, and except for matters reserved to Convention all recommendations of the Audit Group will be considered by the Leaders' Meeting.

### **Meetings**

5.5 The Audit Group will meet as and when required to conduct the business delegated to it, but indicatively at least twice a year.

### **Functions Referred**

5.6 The following functions will stand referred to the Audit Group:

- (a) Assurance that the Association has proper arrangements to deliver Best Value and value for money, including consideration of quality reviews.
- (b) Assurance that the Association has appropriate corporate governance arrangements in place.
- (c) Assurance on the integrity of the financial reporting process.
- (d) In relation to Internal Audit functions, to oversee its independence, objectivity, performance and professionalism, to support the effectiveness of the internal audit process and to promote the effective use of internal audit within the assurance framework.
- (e) To consider reports from External Audit and their implications for governance, risk management or control.
- (f) Support effective relationships between external audit and internal audit.
- (g) Review the financial statements, external auditor's opinion, and reports, and monitor management actions in response to issues raised by external audit.
- (h) Ensuring that officers maintain effective controls within financial procedures.
- (i) To monitor the effectiveness of the control environment, including arrangements for managing the Association's exposure to Corporate Fraud, Counter Fraud and Corruption, including review of individual case reports.
- (j) Consider the effectiveness of Risk Management arrangements and the control environment.
- (k) Recommend approval of the audited accounts of the Association
- (l) Monitoring the functions of external bodies funded by the Association (Following the Public Pound).
- (m) To be responsible for setting its own work programme which will include the right to undertake reviews.

## **SECTION 6. CHILDREN & YOUNG PEOPLE POLICY BOARD**

### **Constitution**

6.1 The Board will comprise a representative from each Member Council.

### **Chair**

6.2 The Chair will be the Spokesperson for Children and Young People appointed by Convention. Unless the Chair is appointed as the representative of a Member Council, they shall not be eligible to vote except by way of a casting vote.

### **Quorum**

6.3 One quarter of Members present and entitled to vote (not a casting vote), shall represent a quorum, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.

## **Delegated Powers**

6.4 The Board has delegated powers to implement its functions except where any decision would either (i) represent a departure from Association policy or procedure; (ii) would be contrary to a standing instruction of Convention or other body detailed in this Scheme of Delegation, (iii) would itself represent a significant development from policy or procedure; or (iv) might lead to a budget being exceeded. In relation to matters where the Board does not have delegated powers, except for matters reserved to Convention all recommendations of the Board will be considered by the Leaders' Meeting.

## **Meetings**

6.5 The Board will meet up to six times per annum.

### **Board Remit and Terms of Reference**

#### **1) Remit**

The Board's remit relates to children and young people, including

- Education
- Early Learning and Childcare
- Additional Support Needs
- Inclusive Education
- Education Reform
- Learning Estate
- Educational Attainment
- Free School Meal entitlement
- The Promise, Secure Care
- Continuation of Care
- Children's Hearing System
- Sibling Separation, Kinship Care
- Youth Justice
- Child Protection
- Family Support
- Financial Redress
- Joint Investigative Interviewing
- Equally Safe
- Mental Health
- Child Poverty
- Workforce – Education and Social Work

#### **2) Key Responsibilities**

The Board has responsibility for discharging the following functions:

- To develop and shape policy in relation to its remit, in ways which uphold the Association's principles of: a) Strengthening Local Democracy; b) Working Together Locally; c) Delivering Outcomes; d) Focusing on Communities; and e) Defending Local Choices.
- In relation to its remit, to be a channel of communication between individual Member Councils and the Association, to support Member Councils through the identification, discussion, and resolution of mutual issues (including legislative or other proposals), the building of consensus to develop joint policy and strategy, and the agreement of joint lobbying positions, and future steps.

- To take forward work that delivers the strategic priorities set by the Association including campaigns, research, improvement support, public statements, and other steps as appropriate.
- To work with the Association's Resources Spokesperson to scrutinise and address the financial, human, and other resource implications for Local Government associated with its terms of reference, making recommendations to the Leaders' Meeting as appropriate.
- To involve Members, Member Councils, and other appropriate stakeholders in the delivery of its work through a varied mix of events, presentations of advice and evidence, networks, debate, and other means of engagement.
- To draw on the expertise of key advisors from the sector, including SOLACE and other local government professional associations. Professional advisers attending meetings will not have voting rights.
- To contribute to reforms, efficiencies, and improvements in the delivery of local services, and identify and share good practice and ideas to stimulate innovation and improvement.
- To provide a mandate to the Spokesperson in their interactions with Ministers and legislatures and hold them accountable in progressing the Association's policy positions.
- To develop and maintain a programme of work to prioritise and deliver their remit, linking with other boards where appropriate. This work plan should include, where appropriate, how the Board will contribute to the Association's overall priorities as agreed by Convention. The Board will report to Leaders' Meetings on relevant matters arising from their work plan, including any issues with significant political and budgetary implications.
- To recommend to the Leadership Sounding Board the establishment of Special Interest Groups, with such terms of reference as Leadership Sounding Board may determine.
- To consider workforce and funding issues relevant to its remit.

## **SECTION 7. COMMUNITY WELLBEING POLICY BOARD**

### **Constitution**

7.1 The Board will comprise a representative from each Member Council.

### **Chair**

7.2 The Chair will be the Spokesperson for Community Wellbeing appointed by Convention. Unless the Chair is appointed as the representative of a Member Council, they shall not be eligible to vote except by way of a casting vote.

### **Quorum**

7.3 One quarter of Members present and entitled to vote (not a casting vote), shall represent a quorum, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.

### **Delegated Powers**

7.4 The Board has delegated powers to implement its functions except where any decision would either (i) represent a departure from Association policy or procedure; (ii) would be contrary to a standing instruction of Convention or other body detailed in this Scheme of Delegation, (iii) would itself represent a significant development from policy or procedure; or (iv) might lead to a budget being exceeded. In relation to matters where the Board does not have delegated powers, except for matters reserved to Convention all recommendations of the Board will be considered by the Leaders' Meeting.

### **Meetings**

7.5 The Board will meet up to six times per annum.

### **Board Remit and Terms of Reference**

## 1) Remit

The Board's remit relates to community wellbeing, including

- Community Empowerment and Engagement
- Community Safety and Resilience
- Consumer Protection
- Culture including libraries
- Employability
- Housing & Homelessness
- Human Rights, Equalities and Violence against Women and Girls
- Justice (community and criminal)
- Migration & Population Policies, Refugee & Asylum Seeker support & settlement Issues
- Poverty, Social Security and Welfare Reform
- Sports
- Veterans / Armed forces

## 2) Key Responsibilities

The Board has responsibility for discharging the following functions:

- To develop and shape policy in relation to its remit, in ways which uphold the Association's principles of: a) Strengthening Local Democracy; b) Working Together Locally; c) Delivering Outcomes; d) Focusing on Communities; and e) Defending Local Choices.
- In relation to its remit, to be a channel of communication between individual Member Councils and the Association, to support Member Councils through the identification, discussion and resolution of mutual issues (including legislative or other proposals), the building of consensus to develop joint policy and strategy, and the agreement of joint lobbying positions, and future steps.
- To take forward work that delivers the strategic priorities set by the Association including campaigns, research, improvement support, public statements, and other steps as appropriate.
- To work with the Association's Resources Spokesperson to scrutinise and address the financial, human, and other resource implications for Local Government associated with its terms of reference, making recommendations to the Leaders' Meeting as appropriate.
- To involve Members, Member Councils, and other appropriate stakeholders in the delivery of its work through a varied mix of events, presentations of advice and evidence, networks, debate, and other means of engagement.
- To draw on the expertise of key advisors from the sector, including SOLACE and other local government professional associations. Professional advisers attending meetings will not have voting rights.
- To contribute to reforms, efficiencies, and improvements in the delivery of local services, and identify and share good practice and ideas to stimulate innovation and improvement.
- To provide a mandate to the Spokesperson in their interactions with Ministers and legislatures and hold them accountable in progressing the Association's policy positions.
- To develop and maintain a programme of work to prioritise and deliver their remit, linking with other boards where appropriate. This work plan should include, where appropriate, how the Board will contribute to the Association's overall priorities as agreed by Convention. The Board will report to Leaders' Meetings on relevant matters arising from their work plan, including any issues with significant political and budgetary implications.

- To recommend to the Leadership Sounding Board the establishment of Special Interest Groups, with such terms of reference as Leadership Sounding Board may determine.
- To consider workforce and funding issues relevant to its remit.

## **SECTION 8. ENVIRONMENT & ECONOMY POLICY BOARD**

### **Constitution**

8.1 The Board will comprise a representative from each Member Council.

### **Chair**

8.2 The Chair will be the Spokesperson for Environment and Economy appointed by Convention. Unless the Chair is appointed as the representative of a Member Council, they shall not be eligible to vote except by way of a casting vote.

### **Quorum**

8.3 One quarter of Members present and entitled to vote (not a casting vote), shall represent a quorum, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.

### **Delegated Powers**

8.4 The Board has delegated powers to implement its functions except where any decision would either (i) represent a departure from Association policy or procedure; (ii) would be contrary to a standing instruction of Convention or other body detailed in this Scheme of Delegation, (iii) would itself represent a significant development from policy or procedure; or (iv) might lead to a budget being exceeded. In relation to matters where the Board does not have delegated powers, except for matters reserved to Convention all recommendations of the Board will be considered by the Leaders' Meeting.

### **Meetings**

8.5 The Board will meet up to six times per annum.

#### **Board Remit and Terms of Reference**

##### **1) Remit**

The Board's remit relates to the environment and the economy, including

- Digital Connectivity
- Climate Change
- Heat and Energy
- Economy
- Europe, International & Post Brexit
- UN Biodiversity Declaration/Nature Based Solutions
- Planning, Place and Regeneration
- Transport and Flooding
- Waste and the Circular Economy

##### **2) Key Responsibilities**

The Board has responsibility for discharging the following functions:

- To develop and shape policy in relation to its remit, in ways which uphold the Association's principles of: a) Strengthening Local Democracy; b) Working Together Locally; c) Delivering Outcomes; d) Focusing on Communities; and e) Defending Local Choices.
- In relation to its remit, to be a channel of communication between individual Member Councils and the Association, to support Member Councils through the identification, discussion and resolution of mutual issues (including legislative or other proposals), the

building of consensus to develop joint policy and strategy, and the agreement of joint lobbying positions, and future steps.

- To take forward work that delivers the strategic priorities set by the Association including campaigns, research, improvement support, public statements and other steps as appropriate.
- To work with the Association's Resources Spokesperson to scrutinise and address the financial, human, and other resource implications for Local Government associated with its terms of reference, making recommendations to the Leaders' Meeting as appropriate.
- To involve Members, Member Councils and other appropriate stakeholders in the delivery of its work through a varied mix of events, presentations of advice and evidence, networks, debate, and other means of engagement.
- To draw on the expertise of key advisors from the sector, including SOLACE and other local government professional associations. Professional advisers attending meetings will not have voting rights.
- To contribute to reforms, efficiencies, and improvements in the delivery of local services, and identify and share good practice and ideas to stimulate innovation and improvement.
- To provide a mandate to the Spokesperson in their interactions with Ministers and legislatures, and hold them accountable in progressing the Association's policy positions.
- To develop and maintain a programme of work to prioritise and deliver their remit, linking with other boards where appropriate. This work plan should include, where appropriate, how the Board will contribute to the Association's overall priorities as agreed by Convention. The Board will report to Leaders' Meetings on relevant matters arising from their work plan, including any issues with significant political and budgetary implications.
- To recommend to the Leadership Sounding Board the establishment of Special Interest Groups, with such terms of reference as Leadership Sounding Board may determine.
- To consider workforce and funding issues relevant to its remit.

## **SECTION 9. HEALTH & SOCIAL CARE POLICY BOARD**

### **Constitution**

9.1 The Board will comprise a representative from each Member Council.

### **Chair**

9.2 The Chair will be the Spokesperson for Health & Social Care appointed by Convention.. Unless the Chair is appointed as the representative of a Member Council, they shall not be eligible to vote except by way of a casting vote.

### **Quorum**

9.3 One quarter of Members present and entitled to vote (not a casting vote), shall represent a quorum, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting.

### **Delegated Powers**

9.4 The Board has delegated powers to implement its functions except where any decision would either (i) represent a departure from Association policy or procedure; (ii) would be contrary to a standing instruction of Convention or other body detailed in this Scheme of Delegation, (iii) would itself represent a significant development from policy or procedure; or (iv) might lead to a budget being exceeded. In relation to matters where the Board does not have delegated

powers, except for matters reserved to Convention all recommendations of the Board will be considered by the Leaders' Meeting.

## **Meetings**

9.5 The Board will meet up to six times per annum.

### **Board Remit and Terms of Reference**

#### **1) Remit**

The Board's remit relates to health and social care, including

- Charging Policies for Social Care
- Health and Social Care Reform
- Mental health
- Older People's Care and Support/ NCHC and Care Home Provision
- Public Health and Health Inequalities
- Social Care Workforce
- Care and Well Being Programme
- Supporting Carers
- Digital and Data

#### **2) Key Responsibilities**

The Board has responsibility for discharging the following functions:

- To develop and shape policy in relation to its remit, in ways which uphold the Association's principles of: a) Strengthening Local Democracy; b) Working Together Locally; c) Delivering Outcomes; d) Focusing on Communities; and e) Defending Local Choices.
- In relation to its remit, to be a channel of communication between individual Member Councils and the Association, to support Member Councils through the identification, discussion, and resolution of mutual issues (including legislative or other proposals), the building of consensus to develop joint policy and strategy, and the agreement of joint lobbying positions, and future steps.
- To take forward work that delivers the strategic priorities set by the Association including campaigns, research, improvement support, public statements, and other steps as appropriate.
- To work with the Association's Resources Spokesperson to scrutinise and address the financial, human, and other resource implications for Local Government associated with its terms of reference, making recommendations to the Leaders' Meeting as appropriate.
- To involve Members, Member Councils, and other appropriate stakeholders in the delivery of its work through a varied mix of events, presentations of advice and evidence, networks, debate, and other means of engagement.
- To draw on the expertise of key advisors from the sector, including SOLACE and other local government professional associations. Professional advisers attending meetings will not have voting rights.
- To contribute to reforms, efficiencies, and improvements in the delivery of local services, and identify and share good practice and ideas to stimulate innovation and improvement.
- To provide a mandate to the Spokesperson in their interactions with Ministers and legislatures and hold them accountable in progressing the Association's policy positions.
- To develop and maintain a programme of work to prioritise and deliver their remit, linking with other boards where appropriate. This work plan should include, where appropriate, how the Board will contribute to the Association's overall priorities as agreed by Convention. The Board will report to Leaders' Meetings on relevant matters

arising from their work plan, including any issues with significant political and budgetary implications.

- To recommend to the Leadership Sounding Board the establishment of Special Interest Groups, with such terms of reference as Leadership Sounding Board may determine.
- To consider workforce and funding issues relevant to its remit.

## **SECTION 10. PRESIDENT & VICE-PRESIDENT**

10.1 The Presidential Team shall comprise the President and Vice-President of the Association.

### **PRESIDENT**

10.2 The remit of President will be as follows:

To: -

- Provide political leadership for the organisation;
- Provide day to day political direction as required to respond to situations;
- Actively promote the role of local government and the interests of local government as a whole;
- Represent the organisation at meetings, conferences and events where the formal authority of the President's office is required;
- Chair Leaders' Meetings and Convention;
- Chair the Leadership Sounding Board;
- Represent the organisation in the media as and when appropriate including briefings, interviews etc;
- Work with the Group Leaders to establish clear political direction to be reflected in the work of the organisation;
- Develop, nurture and manage the general relationship with the Scottish Government; and
- Manage the relationship with all Member Councils.

### **VICE-PRESIDENT**

10.3 The role of the Vice President will be as follows:

To: -

- Work with the President in providing political leadership for the organisation;
- Work with the President in actively managing the relationship with all Member Councils, stakeholders and partner bodies;
- Represent the organisation at meetings, conferences and events where the formal authority of the President's office is required;
- Develop, nurture and manage the relationship with the Scottish Parliament;
- Attend Leaders' Meetings and Convention and represent the organisation in a senior capacity;
- Attend and participate in the Leadership Sounding Board; and
- Deputise for the President as appropriate.

## **SECTION 11. SPOKESPERSONS**

11.1 There are five Spokespersons with remits relating respectively to: -

- Children and Young People;
- Community Wellbeing;



- Environment and the Economy;
- Health and Social Care; and
- Resources

11.2 The role of a Spokesperson can be held jointly.

11.3 The role of the Spokespersons will be as follows:

- To chair Policy Board meetings or Special Interest Groups as appropriate;
- To work with the President and Vice-President to ensure political cohesion across the organisation;
- To actively manage the relationship with Member Councils and stakeholder bodies;
- To enable members of different Political Groups to contribute to the work of the Association and to enable the development of policies which represent, as far as possible, consensus between the Political Groups;
- To act as the Association's primary political point of contact with Scottish Government and other Ministers pertinent to their respective remit;
- To lead cross-party delegations to Ministers as appropriate;
- To maintain regular contact with appropriate officers within the Association both to provide guidance and to keep in touch with issues affecting the area of the Spokesperson's responsibility;
- To develop relationships with partner organisations and stakeholders.
- To respond to and engage with the media as appropriate;
- To represent the views of the Association to Scottish, UK and European Governments and Parliaments, and to the wider community, stakeholder and partner organisations;
- To report on progress of work of the relevant Policy Board to Leaders' Meetings or Convention, as appropriate
- To attend and participate in the Leadership Sounding Board

## **SECTION 12. DELEGATION TO OFFICERS**

12.1 The delegation of functions to officers of the Association contributes to good governance by enabling the Association to be:

- Speedy and responsive in taking decisions;
- Efficient by freeing the formal decision-making structures of the Association to focus on key strategic decisions which have to be taken under Member scrutiny; and
- Accountable by holding appropriate employees fully accountable for the operational decisions they take to ensure the smooth running of the Association.

### **Core Principles**

12.2 All powers which are not specifically reserved to Convention, or any other body as detailed in this Scheme of Delegation are delegated to Officers. The matters reserved to Convention or other bodies detailed in this Scheme of Delegation are mainly the strategic policy or regulatory issues, while the day-to-day operational matters of running the Association's services are delegated to Officers.

### **Delegations to Officers**

12.3 The undernoted powers are delegated to officers of the Association: -

- (a) The Chief Executive of the Association or appropriate officer to whom they have sub-delegated powers will have delegated responsibility for all matters in respect of the operation, development, and implementation of policy for the service area assigned to

them unless specifically reserved to Convention or other bodies detailed in this Scheme of Delegation or contrary to the principles listed in 2.2 and 2.3 below.

- (b) The Chief Executive of the Association and/or the appropriate senior officer will be responsible for the appointment of all posts below the level of Senior Management Team of the Association.
- (c) Such delegations are at all times to be exercised in accordance with the relevant law, and the Association's Constitution and Standing Orders relating to Meetings and other relevant policies and procedures.
- (d) Where clarification is required, the Chief Executive of the Association will determine which matters are operational or otherwise.

#### **Powers reserved to Convention or other bodies detailed in this Scheme of Delegation**

- 12.4 Delegated powers should not be exercised by Officers where any decision would represent a departure from Association policy or procedure or would be contrary to a standing instruction of Convention or other body detailed in this Scheme of Delegation or would itself represent a significant development from policy or procedure. The only exception to this is in the case of urgency where the Officer may, after consultation with the Chief Executive of the Association and the President exercise delegated powers. Should such powers be exercised in urgent circumstances, a report will be submitted to the next appropriate body for noting.

#### **General Restrictions on Exercise of Delegated Powers by Officers**

- 12.5 If any decision proposed under delegated powers might lead to a budget being exceeded, the Officer must consult with both the Chief Executive of the Association and the Association's senior Finance Officer, before exercising the delegated power.
- 12.6 Officers must ensure that the Presidential Team, the relevant Policy Board Chair or Spokesperson is, where appropriate, consulted on matters of a controversial nature. Where appropriate, such matters should be referred to the relevant body detailed in this Scheme of Delegation for decision.
- 12.7 In particular, and without prejudice to the foregoing, officers will exercise particular care in determining whether a matter is to be regarded as controversial in the following circumstances. The Chief Executive of the Association will be the final arbiter of whether a matter is controversial: -
- Where determination of the issue may involve a decision contrary to local or national policy, or the determination may lead to a breach of a relevant Code of Guidance.
  - Where it is proposed that any issue be determined contrary to significant objections
  - The officer proposes to determine the matter, or act in a manner, contrary to the recommendation of other officers whom he/she is obliged to, or has chosen to, consult with.
  - There are perceived public safety or significant public policy issues dependent on the determination (save in the case of urgency as aforesaid).
  - Standing Orders, National or International regulation requires determination otherwise.
  - There are questions of legality or financial advisability/probity involved.

#### **Sub-Delegation**

- 12.8 Officers with delegated powers, duties or responsibilities are entitled to delegate further any of these powers etc. to other appropriate officers within their service. Any officer using delegated powers will be fully accountable to the Association for actions. Even though a matter has been specifically delegated to an officer, they have a right to consult with the Chief Executive of the Association on any matter, and they have a duty to consult where instructed or directed by the Chief Executive;

## **Delegations to Chief Executive of the Association**

12.9 In addition to the general powers detailed in sections 2 and 3, the Chief Executive of the Association has the following delegated powers: -

1. The Chief Executive of the Association leads the Senior Management Team and has overall responsibility for the following: -
  - Strategic management of Association services;
  - Leadership of Association Employees;
  - Strategy and Policy Development and implementation;
  - Leading Improvement and Organisational Change;
2. To act as the principal policy adviser to the Association on matters of general policy and to assist Members to formulate clear objectives and affordable programmes having regard to changing political priorities, statutory and financial requirements and community needs and expectations;
3. To ensure that a corporate approach to the management and execution of the Association's affairs is maintained and that advice to the Association is given on a co-ordinated basis;
4. To lead the Senior Management Team;
5. To monitor the performance of all senior officers;
6. To take such action as may be required to ensure that the correct significance is given by the Association's employees to the achievement of the overall policy objectives of the Association;
7. To give clear direction and ensure the visibility of the office of Chief Executive as the central focus for leading and co-ordinating the Association's employees;
8. To advise on staffing requirements and to amend the organisational structures of Services including the number and designation of posts subject to the following conditions:
  - (a) Leadership Sounding Board has been consulted if changes are significant;
  - (b) The costs of the amendments are within the existing revenue budget; and
  - (c) In consultation with the senior Human Resources officer of the Association, approves the grading, conditions of service and designation of posts;
9. To devise, alter and issue, as required, job descriptions in respect of officers;
10. Subject to any Association policies and procedures, to determine the organisation, appointment, and proper management of the Association's employees;
11. In accordance with the any approved policies for early release, to approve any application for voluntary early retirement, redundancy or early release, and in consultation with the senior Human Resources and Finance officers of the Association, to exercise all discretions available to the Association in terms of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008, the Local Government Benefits, Membership and Contributions)(Scotland) Regulations 2009, the Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 and the Local Government (Discretionary Payments and Injury Benefits)(Scotland) Regulations 1998;
12. To ensure that effective and equitable employment policies are developed and implemented throughout the Association in the interests of the Association and its employees;
13. To authorise the implementation to the Association's employees of national and local agreements relating to pay and conditions of service of local authority employees in consultation with the senior Human Resources and Finance officers of the Association;

14. consider and deal with any urgent issues, whether arising during a recess period or otherwise, subject to reporting back to appropriate body at the first available opportunity. This power is to be exercised in consultation with the Presidential Team;
15. During a pandemic or other public health emergency when the Association is unable to meet, and in consultation with all Political Group Leaders, and if required to enable effective decision making or otherwise during the emergency, to amend the Standing Orders for Meetings, the Scheme of Delegation to Officers, or any Financial Regulations as is required to meet the circumstance arising;
16. To appoint in the absence of the Chief Executive of the Association an Acting Depute Chief Executive of the Association to cover periods of absence. When the Chief Executive of the Association is absent the Acting Chief Executive will have all the delegated authority of the Chief Executive;
17. To refer matters to the Police, in terms of any defalcation procedure;
18. All powers ancillary to or reasonably necessary for the proper performance of the Chief Executive's general responsibilities;
19. To terminate any contract which the Association is entitled to terminate under appropriate conditions of contract where the Chief Executive of the Association is satisfied that it is in the interests of the Association to do so;
20. All powers necessary for the general management of Association services including, but not limited to, the power to: -
- (a) Appoint employees in accordance with Association policy;
  - (b) Authorise special leave for employees in accordance with the provisions of any Scheme of Special Leave;
  - (c) Grant leave of absence with salary to enable employees to undertake approved part-time courses;
  - (d) Authorise and pay for employees' attendance at conferences/seminars and training courses for all employees;
  - (e) Authorise departmental expenditure up to permitted limits on such items as have been allowed for in the appropriate capital and revenue budgets;
21. To delegate further any of their powers etc. to other appropriate officers within the Association;
22. To authorise and pay for the attendance of individual Members at specific conferences, seminars, etc.;
23. To reimburse the professional membership fees of individual employees;
24. To appoint or make recommendations as to the employment of consultants or specialists in accordance with any decision taken by the Association;
25. To manage and monitor the performance of the services which are under their responsibility;
26. To assist in the preparation of the Association's Revenue and Capital Budgets;
27. To enter into contracts for the supply of goods and materials, the execution of works and the provision of services where there is adequate provision in the estimates and in accordance with relevant procurement rules;
28. To sell surplus stores, plant, furniture and equipment, including any IT equipment, for the best price obtainable and write off any such stores, plant, furniture and equipment which have become unfit for use and are un-saleable, subject to any relevant Association policies;
29. To deal with, and in appropriate circumstances, to approve applications from employees for reimbursement of reasonable legal expenses, in part or in whole, incurred in defending any actions raised against them personally, providing they are acting: -

- (a) Within the course of their employment;
  - (b) In accordance with Association procedures;
  - (c) In good faith;
30. To respond to consultation papers unless the response recommends a departure or significant development of Association policy or procedure or is contrary to a standing instruction of the Association;
31. In accordance with the Association's approved Disciplinary and Incapability and Maximising Attendance Procedures, to take disciplinary action including dismissal, as appropriate in respect of employees;
32. Action virement within the overall revenue budgets in accordance with the any approved policies of the association, subject to confirmation by the Association's senior Finance Officer.
33. To apply for and accept grants or external funding to support the agreed strategies, policies or plans of the Association, subject to budget being available for any required match- funding; and
34. During a pandemic or other public health emergency when the Leadership Sounding Board acting as Staffing Committee is unable to meet, to deal with all appeals which would otherwise be heard by it. This is subject to such appeals being determined by a senior officer who had no prior involvement in the case. Power is given to determine such appeals by written submissions, providing all the rules of natural justice relating to fair hearings are complied with.

Version 1.3 17-2-22



**THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES  
(COSLA)**

**STANDING ORDERS**

**2022**

## **COSLA STANDING ORDERS**

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## **PART I – Preliminary**

1. The following Standing Orders for meetings shall as far as applicable be the rules and regulations for the proceedings of Convention, Leaders' Meeting, Boards, the Audit Group, Special Interest Groups, Committees or other bodies and therefore reference to the term 'Convention' in the said Standing Orders will include reference to those bodies unless stated otherwise. The term 'President' shall also be deemed to include the Chair of any such body, unless stated otherwise.

## **PART II – Standing Orders**

### **1. First Meeting of Convention after Elections**

- 1.1 The first meeting of Convention after an ordinary election of Councillors shall be held within nine weeks of the date of the election. The Chief Executive of the Association will decide the date, time and venue of this first meeting. The venue may include a meeting held on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 1.2 The outgoing President, whom failing the outgoing Vice-President, shall chair the first meeting of Convention after an ordinary election of Councillors, providing he or she remains an elected Member of a Member Council and has signed the Declaration of Acceptance in terms of section 33A of the Local Government (Scotland) Act 1973. Failing this, the Chief Executive of the Association shall assume the Chair until the President is elected. The meeting shall deal with the election of the President and Vice-President, as more particularly detailed in the Constitution of the Association, and such other business as is specified in the notice calling the first meeting.
- 1.3 Where there is more than one candidate for election to the office of President or to the office of Vice-President, the votes on the appointments shall be taken by secret ballot and by simple majority. If any secret ballot results in the candidates obtaining an equal number of votes, the candidate selected in a cut of cards as having the highest value card (ace high) shall be duly appointed.
- 1.4 Voting in the election for the office of President shall take place and be concluded before voting takes place in the election for the office of Vice-President. Following the conclusion of the election for the office of President and announcement of the result of that election, only those candidates for Vice-President who are not members of the same Political Group or coalition of Political Groups, and who are not of the same gender, as the newly elected President will remain eligible for election to the office of Vice-President.

### **2. Ordinary Meetings of Convention**

- 2.1 Unless otherwise agreed to by Convention, ordinary meetings of Convention shall be held two times per annum commencing at 11am. If there is a large volume of business, or adverse weather conditions are expected, the President has power to change the start time. Where it is deemed necessary, the Chief Executive of the Association, in consultation with the President, may also call for a meeting of Convention to take place on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 2.2 No sound, film, video tape, digital or photographic recording of the proceedings of any meeting shall be made without the prior approval of Convention, other than recording of the proceedings, either for webcasting or as a back-up for a live-webcast or as an alternative where live-webcasting is not possible. All phones should be switched off or on silent. Research through the internet is permitted providing it is done in a manner which respects the authority of the President and does not interfere with the business of the meeting. Such restrictions shall not preclude participation in a meeting which takes place over a remote meeting platform.



### **3. Special Meetings of Convention**

- 3.1 Special meetings of Convention may be convened under the following circumstances: -
- (i) A Special Meeting may be called at any time by decision of Convention;
  - (ii) Urgent Items;
  - (iii) By Requisition.
- 3.2 The President may convene a Special Meeting if it appears to them that there are items of urgent business to be considered. Such meetings will be held at a time, date and venue as determined by the Chief Executive of the Association. An appropriate venue may include a meeting held on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 3.3 If the office of President is vacant, or if the President is unable to act for any reason, the Vice-President of the Association may at any time call such a meeting. If the offices of President and Vice-President are both vacant or if neither the President nor the Vice-President are able to act for any reason, the Chief Executive of the Association may convene such a meeting, following consultation with Political Group Leaders.
- 3.4 A Special Meeting may be called by the President providing they have received a written requisition which specifies the purpose of the business proposed to be transacted at the meeting and is signed by Chief Executives of Member Councils representing at least 25% of the representatives appointed by Member Councils to the Association. The date, time and venue of the meeting will be as determined by the Chief Executive of the Association, who shall make all reasonable endeavours to hold the meeting within 21 days of receipt of the requisition.

### **4. Notice of Meetings**

- 4.1 Notification of meetings shall be given by posting a notice on the Association's website. Notice of meetings shall also be given by the Chief Executive of the Association to all Member Councils, by post, hand delivery or electronic means. Such notice must be given at least five clear working days before the meeting and shall comprise:
- (i) The date, time and venue of the meeting; and
  - (ii) The list of items of business to be transacted. Except in the case of business which is legally required to be transacted at a meeting of Convention or any other business brought before the meeting as a matter of urgency in accordance with these Standing Orders, no business shall be transacted at a meeting of the Convention other than that specified in the notice of meeting.
- 4.2 The validity of any meeting of Convention shall not be affected by the failure of any Member to receive notice of a meeting.

### **5. President and Vice-President**

#### Duties and Powers of President/Vice-President

- 5.1 At a meeting of Convention, the President or in their absence the Vice-President, whom failing such other Member as the meeting may decide, shall preside, whether in person or through remote access.
- 5.2 Respect will at all times be paid to the authority of the President or the Vice-President, or such other Member presiding, when chairing any meeting of Convention.
- 5.3 It shall be the duty of the President to:
- Preserve order and ensure fairness in debate, and determine the order in which members may speak;
  - To promote consensus and cross-Political Group activity;
  - Decide all matters of order, competency and relevancy;
  - Ensure that Standing Orders are observed;

- Determine any questions of procedure for which no express provision has been made in these Standing Orders;
- Maintain order;
- Adjourn a meeting in the event of disorder arising to a time which the President may then or afterwards fix (the quitting of the Chair by the President shall be the signal that the meeting is adjourned). In the event the President quits the Chair without disorder having arisen, the meeting shall not be adjourned and the Vice-President or in their absence another Member chosen by those Members present shall assume the Chair; and
- Decide whether to have a recess during a meeting.

5.4 The decision of the President on all matters within their powers shall be final and shall not be open to question or discussion.

## **6. Suspension of Members**

6.1 In the event of any Member disregarding the authority of the President or obstructing the meeting or conducting themselves offensively and the President calling the attention to the same, Convention may, on the motion of any Member, duly seconded and supported by the vote of a majority of the Members present and voting, suspend such Member for the remainder of the sitting. No debate will be allowed on such a motion. The Member concerned shall forthwith leave the meeting place or remote meeting platform. The President may be entitled to call for such assistance as they deem necessary to enforce a decision to suspend any such Member taken in terms of these Standing Orders.

## **7. Appointment and Removal of Members**

- 7.1 Wherever possible, the Chief Executive of the Association will give 10 clear working days' notice of a vacancy to be filled for any Board, Special Interest Group, Audit Group, Spokesperson or other bodies.
- 7.2 Where a member is appointed or nominated by a Political Group, then where such member is on Family Leave or resigns, any replacement may be nominated by the Political Group notifying the Chief Executive.

## **8. Quorum**

- 8.1 No business will be transacted at a meeting of Convention unless one quarter of Members are present, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting platform.
- 8.2 If at a time ten minutes after the appointed commencement for the meeting a quorum is not present the meeting will stand adjourned. If at any time after a meeting has commenced a quorum of Members is not present the President or in their absence, the Vice-President of Convention shall adjourn the meeting and any business not considered will be postponed to and considered at the next meeting.
- 8.3 The quorum of Boards, Leaders' Meeting, Special Interest Groups, the Audit Group, Committees and other bodies will be dealt with in the Scheme of Delegation. However, where no specific reference is made to a quorum, it will be one quarter of the membership of the body, subject to a minimum requirement of three Members representing different Member Councils.
- 8.4 If the President and the Vice-President are absent from a Convention meeting and those present fail to elect another Member to chair that meeting, the meeting will not be convened.

## **9. Order of Business**

- 9.1 At all meetings of Convention other than the meeting held in accordance with Standing Order 1 above, the order of business shall be:

- (i) The Chair shall be taken in accordance with these Standing Orders;
- (ii) The sederunt shall be taken;
- (iii) Any apologies shall be tendered;
- (iv) Any Declaration of Interest shall be tendered;
- (v) Approval of the accuracy of Minutes of Convention Meetings. There shall be no discussion of the minutes, except upon their accuracy;
- (vi) Business (if any) remaining from the last meeting;
- (vii) Appointments to outside bodies;
- (viii) Any business as per the agenda;
- (ix) Motions; notice of which has been given under 13.1.

9.2 Items 9.1(ix) shall be business for Convention meetings only.

9.3 No item will be removed from the agenda unless with the agreement of the Members present.

9.4 The President at any meetings of the Convention may alter the order of business to facilitate the conduct of the meeting.

#### Urgent Items

9.5 At all ordinary and special meetings of Convention, no business other than that on the agenda shall be discussed except where by reason of special circumstances which shall be specified in the Minutes, the President is of the opinion that the item should be considered at the meeting as a matter of urgency. The test for urgency is whether the matter could reasonably wait to a subsequent meeting. Any request for urgent business must be intimated to the President no later than two hours prior to the meeting. The President will advise Convention of the terms of the request and advise whether the item is to be considered, and if so, at what stage during the meeting. Motions submitted in terms of Standing Order 13.1 cannot be treated as urgent items.

### **10. Declarations of Interest**

- 10.1 If any Member of Convention has a financial or non-financial interest in any contract or any other matter as defined by the Code of Conduct for Councillors and is present at any meeting at which the matter is to be considered, they must, as soon as practical, after the meeting starts, disclose that they have an interest and the nature of that interest. The Member must leave the meeting or remote meeting platform (as applicable) for the duration of that item unless the interest is so remote or insignificant that a member of the public, knowing all the relevant facts, would reasonably regard the interest as so insignificant that it would be unlikely to prejudice the Member's discussion or decision making, or to remain would otherwise be permitted under the Code of Conduct for Councillors.
- 10.2 Where a Member declares an interest and leaves the meeting or remote meeting platform (as applicable) the facts will be recorded in the minutes of the meeting.
- 10.3 All Members of Convention must observe the Code of Conduct for Councillors and any guidance issued by the Standards Commission for Scotland.

### **11. Public Access to Meetings**

- 11.1 Every meeting of Convention shall be open to the press and public to the extent that they are not excluded. In determining whether to exclude press and public, regard shall be given to:
  - The provisions of Sections 50A (2) and (4) of the Local Government (Scotland) Act 1973;
  - The extent to which papers contain material shared in confidence by Member Councils and others, including Scottish or UK Governments;
  - Whether a report contains commercially sensitive, contractual, personal or financial information, or information relating to negotiations with trades' unions;
  - Whether the report contains legal advice;

- Whether a report may highlight unresolved differences between Member Councils;
  - Whether a report relates to the development and establishment of a negotiating position; or
  - Whether an item of business is intended to develop a policy position and publication would inhibit free and frank debate and development of that policy, and if the item will be published at a later date.
- 11.2 The public and press may also be excluded from a meeting whenever it is likely that, if members of the public or press were present, there would be a real and substantial risk to public health.
- 11.3 If it is intended to exclude public and press in relation to an item of business, the Chief Executive of the Association will so mark the item on the agenda. Convention may then by resolution at any meeting exclude the public and press therefrom during consideration of the item of business.
- 11.4 These provisions shall be without prejudice to the President's powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting as detailed in Standing Order 5.3 hereof.

## **12. Questions**

- 12.1 Except when in debate any Member may ask a question at any meeting of Convention concerning any item of business arising upon the agenda. Such questions must be relevant to the item of business under consideration and must be directed to any senior officer or the Member speaking to a report seeking clarification of the terms of a report or to the mover or seconder of any motion or amendment seeking clarity of their motion or amendment.
- 12.2 Except on a Question of Order or with the agreement of the President it shall not be competent for any Member to ask a question once Convention is in debate.

### Questions of Order

- 12.3 A Question of Order shall relate only to an alleged breach of a Standing Order. Any Member indicating a desire to raise a Question of Order shall state at the outset the number or terms of the Standing Order considered to be infringed and the way in which the Member raising it considers that it has been broken. When a Question of Order is raised, the Member then addressing the meeting will stop until the determination of the Question of Order. No Member other than the Member who raised the Question of Order will speak to that question, except with the permission of the President.
- 12.4 The decision of the President on a Question of Order will be final. After a Question of Order is decided, the Member who was addressing the meeting at the time when it was raised will be entitled to proceed with the discussion, giving effect to the President's ruling.

## **13. Motions**

- 13.1 No Member shall be entitled to propose a motion other than one directly arising out of an item of business on the agenda of the meeting unless the Chief Executive of a Member Council or other officer authorised by a Member Council has delivered or e-mailed notice of the terms of the motion to the Chief Executive of the Association no later than 10 clear working days prior to the Convention meeting. The motion shall be accompanied by an explanation of the circumstances which give rise to the motion. It will be competent for any Member of Convention to move a motion of which the requisite notice has been given.
- 13.2 Except as otherwise provided in these Standing Orders, it shall also be competent for any Member who is entitled to vote (other than a casting vote) at a meeting to propose a motion or amendment relating to any item of business on the agenda of a meeting, providing such motion or amendment is relevant to the item under consideration. For Convention and

Leaders' Meeting, notice of any motion or amendment which seeks to change the recommendations of the report which accompanies the relevant item of business must be given to the Chief Executive of the Association no later than one hour before commencement of the meeting. Such notice shall state the name of the mover and seconder. On receipt of any such notice, and prior to commencement of the meeting, the Chief Executive of the Association will advise Members of Convention or Leaders meeting of the terms of the motion or amendment. Such motions or amendments may, with the agreement of the proposer and seconder, be further revised, amalgamated, consolidated or withdrawn prior to and during the meeting.

- 13.3 If notice is given of any motion or amendment that, in the opinion of the Chief Executive of the Association, is illegal or if agreed is likely to give rise to a contravention by Convention of any enactment or rule of law or of any code of practice made or approved by or under any enactment, or is incapable of implementation, the Chief Executive of the Association shall immediately submit such notice of motion or amendment to the President and it shall not be accepted and placed on the agenda without their sanction. In the event of non-acceptance, the Chief Executive of the Association shall so inform the Member who submitted the notice of motion or amendment.

#### **14. Meetings - Procedure Prior to Debate**

- 14.1 In relation to items of business on the agenda, the President will seek proposal of a motion. Any such motion must be immediately seconded. Thereafter the President will seek any amendments, which should also be seconded. The proposer and seconder of any motion or amendment may speak to their motion or amendment for up to 5 minutes each when proposing it, otherwise shall be allowed to speak to it during debate.
- 14.2 All motions and amendments must be directly relevant to the item of business under consideration. The President shall have the authority to rule out of order any motion or amendment which they may consider irrelevant, or any amendment which is substantially the same as the motion or another amendment.
- 14.3 A Member who has moved an amendment but failed to find a seconder may if they so request have their dissent to a decision recorded in the minutes. Such a request may also be made by any Member whether or not they have moved a motion or amendment.
- 14.4 A motion or amendment once moved and seconded shall not be altered nor withdrawn without the consent of the mover and seconder. Once in debate the consent of Convention or Leaders, as relevant, will be required to the alteration or withdrawal of any motion or amendment. If the motion is withdrawn, the President will indicate which amendment becomes the motion.
- 14.5 No Member shall move or second more than one motion or amendment upon a particular item although a Member who has moved or seconded a motion or amendment shall not be precluded from moving or seconding a fresh amendment if he or she fails to find a seconder for their motion or if the original motion or amendment is withdrawn.
- 14.6 As detailed in Standing Order 12.1, prior to debate any Member may ask a question at any meeting of Convention concerning any item of business arising upon the agenda. Such questions must be relevant to the item of business under consideration and must be directed to any senior officer or the Member speaking to a report seeking clarification of the terms of a report or to the mover or seconder of any motion or amendment seeking clarity of their motion or amendment. A Member may also ask the mover and seconder of the motion or amendment if they are prepared to amend or alter their motion or amendment to achieve consensus.

## **15. Meetings - Debate**

- 15.1 There shall be no debate unless there is a motion and amendment both of which are seconded.
- 15.2 When the President is satisfied that there are no more motions, amendments or questions to be raised they will state that Convention is in debate.
- 15.3 Once in debate, no other motion or amendment will be moved except in the following circumstances: -
- to suspend a Member in terms of Standing Order 6;
  - to adjourn the debate in terms of Standing Order 5.3 or 16.1; or
  - to close the debate in terms of Standing Order 16.2.
- 15.4 Once in debate, no question will be asked except in the following circumstances:
- a Question of Order in terms of Standing Order 12.3;
  - with the agreement of the President.
- 15.5 The mover of a motion or an amendment will not speak for more than 5 minutes, except with the consent of the President. Each succeeding speaker will not speak for more than 5 minutes. When the Member has spoken for the allotted time, they will be obliged to finish speaking, otherwise the President will direct the Member to cease speaking. For the avoidance of doubt, non-voting Members are entitled to speak in debate.
- 15.6 Every Member who speaks at any meeting of Convention will address the President and direct their speech to the subject matter of the item of business.
- 15.7 Subject to the right of the mover of a motion, and the mover of an amendment, to reply, no Member will speak more than once on the same item of business at any meeting of Convention, except: -
- on a Question of Order;
  - with the permission of the President;
  - and in either of these cases no new matter will be introduced.
- 15.8 Summing-up: - The mover of an amendment and thereafter the mover of the original motion will have a right of reply for a period of not more than 5 minutes. They will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate. Once these movers have replied, the discussion will be held closed and the President will call for the vote to be taken.
- 15.9 Officers present at the meeting, with the exception of the Association's Chief Executive, Legal Officer or Financial Officer, will not be allowed to address Convention once it is in debate, except: -
- where the Officer has been asked a direct question by the President;
  - where a question of legal or financial propriety requires to be addressed or clarified;
  - where the Officer is asked to address an issue for clarification by the President; or
  - where the President decides that the Officer's advice is required.

## **16. Procedural Motions**

- 16.1 Any Member of Convention may, at the conclusion of any speech, move that Convention adjourns and such motion will have precedence over all other motions. Such a motion must be seconded but need not be notified in advance of the meeting. It will be moved and seconded without discussion and will immediately be put to the meeting. When an adjourned meeting is resumed, subject to Standing Order 9 it will commence at the point at which it was broken off at the adjournment.
- 16.2 It will be competent for any Member who has not already spoken in a debate to move the closure of such debate. On such motion being seconded, the mover of the motion and of the



amendment(s) have a right to reply. Thereafter a vote will be taken on whether to close the debate. If a majority of the Members present vote to close the debate, the debate will be closed and a vote will be taken immediately on the item of business which was the subject of the debate.

## **17. Voting**

- 17.1 All business of Convention will be decided by a majority vote of those Members present and voting, except in those circumstances where these Standing Orders specify that a two-thirds majority is required in terms of Standing Order 20.
- 17.2 Neither the President nor the Vice-President is eligible to vote at Convention, except by way of a casting vote as detailed in 17.7. Spokespersons entitled to attend and participate in meetings shall not have the right to vote unless they have been appointed as a representative of a Member Council on Convention.
- 17.3 In relation to Convention meetings only, those attending Convention meetings in person will be issued with voting cards or an equivalent will be put in place. Only those in possession of a card or the equivalent will be entitled to vote. Where the meeting is being held via a remote meeting platform, and unless Convention agrees to use an electronic voting system which transparently displays how individual Members have voted, all voting shall be by roll call vote but not recorded formally in the minute as such unless requested by not less than one third of the Members present.
- 17.4 When a motion and two or more amendments to it are before a meeting and any one of the proposals, in the opinion of the President, implies negation, the vote shall be taken on the proposal involving negation as soon the debate is completed and before the vote, if any, on the remaining amendments is taken. The proposal involving negation shall be put to the meeting in the form of "proceed" or "not proceed". If "not proceed" is carried by majority of votes, the remaining proposals shall drop, but if "proceed" is carried a vote shall be taken between the remaining proposals as hereinafter provided.
- 17.5 Where a motion and one amendment only are before the meeting these will be voted on together, but if there are more amendments than one, the amendment first proposed will be put against the motion. The winner will then be put against the second amendment, and so on.
- 17.6 If a Member wishes their abstention to be recorded in the minutes, they must immediately declare so to the meeting when the vote has been taken.

### Casting Vote

- 17.7 In the case of an equality of votes, the President or Vice-President if presiding, or in the absence of the President/Vice-President, such other Member presiding, shall have a second or casting vote except where the matter which is the subject of the vote relates to the election of the President or Vice-President or appointment of a Spokesperson, in which case the candidate selected in a cut of cards as having the highest value card (ace high) shall be declared duly appointed.

### Roll Call Votes

- 17.8 Voting shall normally be by a show of hands but if not less than one third of the Members present so request, the name of each Member voting or declining to vote shall be recorded in the minute by the Chief Executive of the Association by calling the roll of the Members. A roll call shall only be taken if the request is made prior to the commencement of the vote. Where the meeting is being held via a remote meeting platform, and unless Convention agrees to use an electronic voting system which transparently displays how individual Members have voted, all voting shall be by roll call vote but not recorded formally in the minute as such unless requested by not less than one third of the Members present.

### Voting by Ballot

- 17.9 If Convention so decides, voting shall be by secret ballot, which shall be undertaken by the Chief Executive of the Association to ensure the secrecy of the vote. A decision to proceed by secret ballot shall require a majority of those Members present and voting before the ballot may be undertaken. Where the meeting is being held via a remote meeting platform, unless there is an agreed electronic voting system in use which allows for a secret ballot, voting shall instead be by roll call vote.

## **18. Voting on Appointment of Members**

- 18.1 In the case of an appointment where only one vacancy requires to be filled and there are two candidates, a vote shall be taken between the candidates and the one receiving the most votes shall be declared duly appointed.
- 18.2 In the case of an appointment where only one vacancy requires to be filled and there are more than two candidates, a vote shall be taken between the candidates. If one candidate gets more than half the votes they shall be declared duly appointed. If no candidate gets more than half the votes, the candidate receiving the lowest number of votes shall be excluded and another vote taken between the remaining candidates. If one candidate gets more than half the votes they shall be declared duly appointed, failing which the candidate with the lowest number of votes shall be excluded, another vote taken between the remaining candidates, and so on, until a candidate receives more than half the votes and is declared duly appointed.
- 18.3 In the case of appointments where more than one vacancy requires to be filled and the number of candidates nominated exceeds the number of vacancies, separate votes shall be taken to fill each individual vacancy. Each Member shall be entitled to vote for one candidate for each vacancy. If one candidate gets more than half the votes they shall be declared duly appointed. If no candidate gets more than half the votes, the procedure detailed in 18.2 shall apply.
- 18.4 In the case of an equality of votes, Standing Order 17.7 applies.

## **19. Disclosure of Information**

- 19.1 Information, whether contained in a document, comprising discussions at meetings (including unwritten information) or of some other nature, which pertains to a document or item which has been marked by the Chief Executive of the Association as confidential or exempt from disclosure or where a meeting has made a resolution to this effect, shall not be disclosed to any person by any Member or officer unless or until disclosure has been authorised by the Chief Executive of the Association. For the avoidance of doubt, such authorisation shall not be required for the disclosure of such information to officers or councillors of a Member Council which has received such information from the Association, providing any such councillor or officer receiving such information is in turn required to not further disclose such information. In particular, such information shall never be disclosed outwith a Member Council, except with the consent of the Chief Executive of the Association.
- 19.2 Without prejudice to the foregoing, no Member shall use or disclose to any person any confidential or exempt from disclosure information coming to their knowledge by virtue of their office as a Member where such disclosure would be to the advantage of the Member or of anyone known to them or would be to the disadvantage of the Association, Member Councils or their contractors.



## **20. Suspension of Standing Orders**

- 20.1 Any one or more of the Standing Orders in any case of urgency as determined by the President upon a motion made, may be suspended at any meeting provided that two thirds of the Members of Convention present and voting shall so decide.
- 20.1 Any Member competently moving the suspension of Standing Orders shall be entitled to speak for a period of not more than 5 minutes and shall confine their remarks to the reasons for the proposed suspension. The seconder of any such motion shall not speak other than to formally second the motion (no other Member shall be entitled to speak to the motion or to the amendment).
- 20.2 If an amendment is made against the motion to suspend Standing Orders, the mover of such amendment shall again be entitled to speak for not more than 5 minutes and shall similarly confine their remarks to the reasons against suspension. The seconder of an amendment shall not speak other than to formally second the amendment.

## **21. Variation and Revocation of Standing Orders**

- 21.1 It shall not be competent at any meeting of Convention to revoke or vary any of the Standing Orders except:
- (i) Upon a resolution to that effect at an Ordinary meeting of Convention following a notice given at a previous Ordinary Meeting of Convention; or
  - (ii) Upon the Chief Executive of the Association submitting to any meeting of Convention a report on any new Standing Order or alteration of any existing Standing Order which appears to be required in consequence of any decision regarding the conduct of business which has been taken by Convention or which is otherwise required for good governance.
- 21.2 Any motion to revoke or vary these Standing Orders will, when voted on, be approved by a majority of the Members present and voting.
- 21.3 In the case of a pandemic or other public health emergency where Convention is unable to meet, and in consultation with the President, Vice-President and Political Group Leaders, and if required to enable effective decision making or otherwise in relation to the emergency, the Chief Executive has power to amend these Standing Orders, subject to reporting back to Convention when meetings can recommence.

## **22 Rescinding/Revocation of Previous Decision/Resolution**

- 22.1 Except where required by statute, no decision of Convention may be reconsidered and no item of business reconsidered which is the same or substantially the same as one previously determined by Convention within six months of the date of the making of the previous decision or determination, except where: -
- (i) Two thirds of the Members for the time being present and voting agree to suspend Standing Orders in accordance with Standing Order 21 above; or
  - (ii) In the opinion of the Chief Executive of the Association, not doing so would result in a decision which is likely to give rise to a contravention by Convention of any enactment or rule of law or of any code of practice made by or approved by or under any enactment; or
  - (iii) The original Convention decision cannot be implemented due to reasons outwith the control of Convention; or
  - (iv) Where, as a matter of urgency, having regard to the potential loss of life, risk of substantial economic loss to Convention or any third party (including potential loss or material underutilisation of funds or resources not available at the time of the Decision of Convention), it is deemed by the Chief Executive of the Association that the matter ought to be reconsidered by Convention.

## **23 Discharge of Functions by Other Bodies and Officers - Scheme of Delegation**

- 23.1 Convention may arrange for the discharge of its functions by the Leaders' Meeting, Boards, Audit Group, Special Interest Groups, Leadership Sounding Board, Committees or Sub-Committees, the President, Vice-President, Spokespersons or Officers and will adopt a Scheme of Delegation to (a) detail the constitution of any such bodies (including composition, chair, and quorum); and (b) determine the terms of reference of the bodies or persons and the scope of their powers to exercise functions of Convention.
- 23.2 The Scheme of Delegation will establish a Leaders' Meeting, Boards, Leadership Sounding Board, Audit Group and such other Committees or Sub-Committees as Convention may from time to time determine.
- 23.3 In the event that any Member Council or Political Group does not appoint to any such body the number of Members they are entitled to appoint, Convention may appoint any other Member to fill such a vacancy or vacancies.
- 23.4 The Scheme of Delegation can only be amended in the same manner as Standing Orders, as detailed in Standing Order 22.

## **24 Proceedings of Other Bodies**

- 24.1 The business of other bodies detailed in 23.1 will be conducted in accordance with the provisions of Standing Orders. Such business will proceed primarily on the basis of reports.
- 24.2 The Ordinary Meetings of other bodies detailed in 23.1 will commence at such times as may be determined by the body and will meet according to a timetable determined by Leaders' Meeting from time to time. The Chief Executive of the Association, in consultation with the President and the Chair of a body detailed in 23.1, will have power where the circular calling the meeting has not been issued, to rearrange the date, time and place of a meeting of that body in cases of urgency.
- 24.3 A Chair of a body detailed in 23.1 may at any time give instructions for the calling of a Special Meeting of that body, but the notice will state the special purpose for which it is called. Such meeting will be held at the time, date and venue as determined by the Chief Executive of the Association. An appropriate venue may include a meeting on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 24.4 The exercise of delegated authority by a body detailed in 23.1 is subject to the following:
- (i) The exercise of powers is discretionary, and a body may determine not to exercise its delegated powers.
  - (ii) The consideration of all business of a body which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the body, whether Ordinary or Special.
  - (iii) Such bodies shall appoint their own Chair or Vice-Chair if Convention has failed to do so. In the absence of the Chair or Vice-Chair the body will be required to elect a member from those present to chair the meeting. The Chair of any Sub-Committee must be a member of the Parent Committee.
  - (iv) In the event that an issue arises which falls within the remit of more than one body, the Chairs of said bodies will determine which body shall deal with the issue.

## **25 Approval of Minutes**

- 25.1 Minutes of Meetings of bodies detailed in 23.1 with delegated powers shall be submitted to the next meeting of that body for approval of their accuracy. Officers may implement any decision made within the delegated powers of such bodies immediately after the meeting.

- 25.2 Minutes of Meetings of bodies detailed in 23.1, which do not have delegated powers, will be submitted to the relevant body as appropriate for approval of any recommendations contained therein and to the next meeting of the body making the recommendation for approval of their accuracy. Following approval of such minutes, Officers will be able to implement any decisions contained within the Minutes.
- 25.3 Where Minutes are submitted for approval of their accuracy, there shall be no discussion of the Minutes, except upon their accuracy.

## **26 Definitions**

- 26.1 In these Standing Orders words and phrases have the same meaning as detailed in the Interpretation section of the Constitution of the Association. In addition, the following words and phrases will have the following meanings respectively ascribed to them: -
- (i) "Association" will mean the Convention of Scottish Local Authorities;
  - (ii) "President" or "Chair" will mean the person appointed to Chair Convention or any other body detailed in 23.1;
  - (iii) "Vice-President" or "Vice-Chair" will mean the person appointed to Chair Convention or any other body detailed in 23.1, in the absence of the President or Chair;
  - (iv) "Clear working days" will unless otherwise specified, mean the whole 24-hour period of a day, Monday to Saturday inclusive, including public holidays;
  - (v) "Present and voting" or "present and vote" shall mean Members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.
- 26.2 A "Decision of Convention" will be deemed to have been made where any of the following circumstances occur: -
- (i) A motion or amendment in accordance with the provisions of these Standing Orders, has been passed by the necessary majority at Convention or at a body detailed in 23.1.
  - (ii) The exercise by the appropriate officer of any power delegated to them either by a Decision of Convention or in terms of the Scheme of Delegation.
  - (iii) The exercise by the Chief Executive of the Association of the discretion available to them.
  - (iv) Such Decision of Convention will be deemed to include any necessary actions required to give effect to such decision.
  - (v) Where a Decision of Convention is subsequently found to be incapable of implementation because of a defect or a new supervening factor, then subject to the confirmation of the Chief Executive of the Association, the Decision of Convention may be given effect to with the removal of such defective element, or its replacement with a suitable and in all respect compatible element, provided always that the likely outcome of the resultant Decision of Convention is materially the same or sufficiently similar to the original decision. In such circumstances the Chief Executive of the Association will be obliged to report such change to the next appropriate meeting of Convention, and any decision on such report will not require the suspension of Standing Orders.
- 26.3 The Interpretation Act 1978 applies to the interpretation of the Standing Orders as it applies to an Act. Any Act or other legislative provision referred to herein will include reference to any amendment, modification or re-enactment of such provision as may from time to time occur.
- 26.4 In the event of any dispute or difference as to the interpretation of these Standing Orders and the Constitution of the Convention of Scottish Local Authorities, the latter shall prevail. Otherwise, in the event of any dispute or difference as to the interpretation of these Standing Orders and any other document, the Standing Orders will prevail.

## **Appendix A**

### Quick Guide to Dealing with Items of Business

1. Spokesperson/Officer speaks to the terms of the report.
2. Questions by Members to Officers about their report.
3. President asks if the recommendations are agreed unanimously. If so, we move to the next item of business.
4. If not, then the President asks if the recommendations are to be moved. If so, then this becomes the motion and is moved and seconded. All Amendments of which due notice has been given are then moved and seconded.
5. Members can ask questions to the mover or seconder of a motion or amendment seeking clarity of the terms of the motion/amendment. This also gives Members the opportunity to ask if a mover of the motion or amendment is prepared to alter this to achieve agreement.
6. When the President is satisfied that there are no more amendments or questions (e.g. once the questions stop and the President receives a negative response to the question “are there any further amendments”) they will state “we are now in debate”.
7. Debate – At debate stage members are allowed up to 5 minutes each to make submissions. No new amendments or questions are allowed once the debate starts.
8. Summing up in reverse order. In other words, last amendment sums up first finishing up with the motion.
9. Voting – The first vote is for the motion against the first amendment. The winner goes against the second amendment and so on.

**European Charter of Local Self Government (Incorporation) (Scotland) Bill**

**Summary and Recommendations**

In October last year the United Kingdom Supreme Court made a judgement, regarding the Scottish Parliament's agreement of the European Charter of Local Self Government (Incorporation) (Scotland) Bill, which ruled that technical changes were required to ensure competence within the UK devolved governance framework, before it could be given royal assent. Initial responses to the judgement from the Scottish Government and COSLA indicated the need for positive progress to avoid the loss of the significant work done to produce the Bill. Since then, the implications for the Bill have been receiving consideration by Scottish Government and Parliament lawyers and Mark Ruskell MSP has been identified as the Parliamentary lead on this matter. COSLA has continued to press the importance of this Bill through the media and correspondence from COSLA's President and dialogue via officers.

This paper invites COSLA Convention:

- i. to note the situation and the current positions set out in the paper;
- ii. to agree that COSLA continues to press that the amendments required by the Supreme Court be made to both the European Charter and UNCRC Bills so that they can be formally enacted; and
- iii. to agree that a further report be provided at the next meeting.

**References**

- European Charter of Local Self Government (Incorporation) (Scotland) Bill – Convention March 2021 & November 2021;
- Scottish Local Government - Future International Engagement – Convention October 2020

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**February 2022**

## **European Charter of Local Self Government (Incorporation) (Scotland) Bill**

### **Purpose**

1. To provide COSLA Convention with the latest position regarding progress on the work required on revisions to the European Charter of Local Self Government (Incorporation) (Scotland) Bill (and the similar United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill), since the UK Supreme Court judgement in October, which required changes to be made to ensure its competence.

### **Current position**

2. Convention will be aware of the active support COSLA has provided to the development, introduction, and progression through the Parliamentary phases of this Bill by Andy Wightman MSP; as well as the positive submissions, and the efforts to encourage others to do the same, over those three years.
3. At the point just prior to royal assent of the Bill, and while not contesting the Bill's principles, the UK Government argued that some sections of this (and the similar United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill) do not *only* concern Scottish devolved powers but also the power of the UK Government and Parliament to legislate and act in Scotland in areas of reserved competence. As a result, the UK Government lodged a case with the UK Supreme Court.
4. On 6 October 2021 the UK Supreme Court announced their decision<sup>1</sup> that various sections<sup>2</sup> in both the ECLSG Bill and the UNCRC Bill (also referenced at the previous two Convention meetings) would be outside the legislative competence of the Scottish Parliament. As a result, royal assent could not be given to either Bill; and the Bills would return to the Scottish Parliament so that these issues could receive further consideration. Lord Reed gave the sole judgment, with which the other Justices agreed.
5. COSLA's President was quick to express publicly our disappointment at the decision and made a clear statement that COSLA would seek to work with the Scottish Parliament and the Scottish Government to ensure that all the work done around both Bills is not lost.
6. It has now been several months since the Scottish Parliament advised that work would not be moved forward on this until the Scottish Government confirmed its position. We understood then that the work required for a revised Bill would not commence automatically but the time it is taking has become increasingly frustrating.
7. In our last report to Convention in November we advised that contact had been made with Mark Ruskell MSP, the private member and new parliamentary sponsor of the Bill. At that time, he advised that he was waiting to hear back from the Scottish Parliament's Non-Government Bills' Unit regarding their legal opinion on next steps for the Bill and

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<sup>1</sup> <https://www.supremecourt.uk/press-summary/uksc-2021-0079.html>

<sup>2</sup> Sections 6, 19(2)(a)(ii), 20(10)(a)(ii) and 21(5)(b)(ii) of the European Charter of Local Self-Government (Incorporation) (Scotland) Bill and sections 4(1A) and 5(1) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill.

that, once a clear steer had been provided by them, in terms of the options going forward, he would engage directly with COSLA.

### **Proposed position**

8. COSLA's President continues to seek a meeting with Mark Ruskell. For various reasons, he has been unable to meet Cllr Evison until the week of this Convention. An oral update on that meeting will be provided. However, in advance of that he has indicated that, at this moment in time, he still does not have any further meaningful updates on the progress of the Bill. He emphasised that he supports the Bill but is awaiting updates from the Scottish Government as to possible next steps, including timeframes.
9. The President also spoke to the Minister for Social Security and Local Government, Ben Macpherson, and the Scottish Government has provided the following written update in advance of Convention.

*'The Scottish Government remains committed to supporting the European Charter of Local Self-Government (Incorporation) (Scotland) Bill so it can be incorporated into domestic legislation as soon as practicable.*

*However, the UK Supreme Court judgement is complex. It not only means the Bill cannot receive Royal Assent in its current form, but it also has constitutional implications.*

*The Scottish Government are urgently and carefully considering the most effective way forward for this legislation and the United Nations Convention of the Rights of the Child (UNCRC) Bill - which the Supreme Court also ruled had certain parts which fell outwith the competence of the Scottish Parliament. It is vital that we comprehensively work through the issues raised by the Supreme Court judgment to ensure that incorporation can happen as quickly as possible but crucially we must also have confidence that any amendments to the Bill do not attract further challenge.*

*The European Charter of Local Self-Government Bill was a non-government Bill led by the former MSP, Andy Wightman. Parliament's standing orders mean that Mark Ruskell, MSP is the designated new member in charge and he has responsibility to decide on the next steps and ways forward. The Scottish Government stand ready to work with Mr Ruskell in this endeavour and officials have already held initial discussions with him to offer support.*

*In relation to the UNCRC Bill, Scottish Government remains committed to incorporation to the fullest extent possible as soon as practicable, and the preference is to address the Supreme Court's judgment by returning the Bill to Parliament via the Parliamentary 'reconsideration stage'.*

*Discussions between Scottish Government and Mr Ruskell are ongoing to ensure that any overlap in addressing the Supreme Court's judgments is managed efficiently and appropriately.*

*A meeting with COSLA will be arranged at an appropriate time in future to discuss the next steps in more detail. In the meantime, regular updates can continue to be provided at the Monthly Relationship meeting between the Minister for Social Security and Local Government and the COSLA Presidential Team'.*

10. Since the last Convention meeting, we have sought to ascertain how the Bill (and the UNCRC Bill) might be amended in practice. While, as is clear from the responses thus far from Mr Ruskell and the Scottish Government, detail remains difficult to ascertain, the message is clear that the changes required are complex. In terms of once we know what requires to be changed, the process to amend the Bill, confirmed above by Scottish Government, seems most likely to be via what is termed "the Reconsideration Stage". This is effectively a fourth stage where an Act returns to the Parliament, for example, as

a drafting error has been identified that requires to be changed to ensure the Act's competency. Importantly, the overall intention or principles of the Bill/Act are not changed.

### **Next Steps**

11. COSLA will continue to press the Scottish Parliament and Scottish Government to ensure that the Charter Bill retains its integrity excepting for the sections that, in view of the Supreme Court, affected reserved competence. The matter will continue to be raised with the Cabinet Secretary for Social Justice, Housing and Local Government at the regular meetings held with the President. Regular contact will be maintained with Mark Ruskell, on the advice he receives from the Scottish Parliament's lawyers and next steps.
12. Further details on progress of the Bill will be provided at the next Convention meeting.

**February 2022**



**Scottish Local Government International Framework****Summary and Recommendations**

This paper provides a Framework for Scottish Local Government international engagement, resulting from an extensive scoping exercise carried out by COSLA with the input of councils as mandated previously by Convention.

The primary aim was to scope the wide range of opportunities and examine the added value and practicality of existing or additional engagements for local authorities, both on an individual and collective basis.

The proposed International Framework provides a vision on the potential, and limits, particularly as perceived by councils, of our international engagement moving forward in a post-EU membership context, while aligning ourselves with existing practice in comparable developed countries in Europe and worldwide. If agreed this could be then developed further in detail into a Scottish Local Government International Engagement Strategy 2030, co-produced by COSLA and the 32 councils.

Convention is invited to:

- i. Welcome the findings of the international scoping exercise carried out by COSLA and councils as mandated by Convention; and
- i. Agree, with any changes, the proposed International Framework.

**References**

Most recent relevant reports:

- Convention October 2020 - Scottish Local Government - Future International Engagement
- Convention March 2019 - UK Exit From the EU Update

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**February 2022**

## **Scottish Local Government International Engagement Framework**

### **Purpose**

1. This paper provides a framework for Scottish Local Government international engagement, resulting from the extensive international engagement scoping exercise carried out by COSLA with the input of councils as mandated by Convention.

### **Current COSLA Position**

2. Convention of 30 March 2019 agreed to launch a scoping exercise to map out existing and potentially available opportunities for international engagement for Scottish Local Government. The primary aim was to scope the wide range of opportunities and examine the added value and practicality of existing or additional engagements for local authorities, both on an individual and collective basis.
3. A detailed consultation document<sup>1</sup> highlighting available possibilities for international engagement was produced. Several rounds of input from councils have taken place since. Views from our UK and international partners have been also sought. This Framework is also informed from the discussions and joint activities with the UK and Scottish Governments during COP26, providing a real-life test of the potential and limits for international local government engagement.
4. The proposed International Framework provides a vision on the potential, and limits, particularly as perceived by councils, of our international engagement moving forward in a post-EU membership context and aligning ourselves with existing practice in comparable developed countries in Europe and worldwide.
5. Though the Convention considered that the initial scoping could be progressed into an International Strategy and operational plan, we believe it more appropriate to seek Convention agreement first on an International Framework setting out the broader terms and rationale, its potential and limits to engagement.
6. If this Framework is agreed, this would be then developed in detail into a Scottish Local Government International Engagement Strategy 2030, co-produced by COSLA and the 32 councils.

### **What is Changing?**

7. All local authorities have some international links, being known members of 26 international organisations or networks and 11 international campaigns. This is a conservative estimate, as it does not count the many town twinning arrangements with Europe and worldwide.
8. At least 60 Scottish councillors have had an international mandate during the present term. In COSLA's case, two of COSLA's spokespersons have the same role in the Council of European Municipality and Regions (CEMR), where COSLA also sends representatives to its Policy Committee. As a result of CEMR membership, COSLA is also part of the worldwide municipal body United Cities and Local Government (UCLG) where the President sits at the World Council. Through UCLG, COSLA members have attended the

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<sup>1</sup> COSLA. "A World of Opportunities. Scottish Local Government International Scoping Document", June 2019.

UN High Level Forum on Sustainable Development and more recently the President represented Europe in the UN summit on the UN Convention on the Rights of the Persons with Disabilities. Participation in CEMR/UCLG also makes participation possible in the Organisation on Economic Cooperation and Development (OECD) whose work influences domestic policies.

9. COSLA nominated and supported four members in the EU Committee of the Regions (CoR) for 25 years until February 2020. The recently established UK-CoR Contact Group – which is attended by the President or the Spokespersons - has provided a forum for political and regulatory dialogue with our EU counterparts and is a useful channel to address local impacts of the ongoing UK-EU negotiations. This is particularly relevant as the Scottish Continuity Act 2022 foresees that whenever Scottish Ministers keep pace with EU targets, Local Government must be consulted. The COSLA leadership met in December with the CoR draftsman currently scoping the future of this contact group and improving links between UK and EU municipalities.
10. The status of the two Scottish members nominated and supported by COSLA at the Congress of Local and Regional Authorities of the Council of Europe is unaffected by EU exit. A delegation reporting on the application of the European Charter for Local Self Government across the UK met the COSLA leadership in July and the report will now be tabled in the March Plenary session of the Congress for a debate with a UK Minister.
11. Similarly, COSLA has expanded its engagement with the wider UK Stakeholders Group Brussels (UKSG), a group set up by all UK organisations having a Brussels Office, in cooperation with the UK Mission to the EU and the devolved administrations' offices. It has proven an excellent source of expertise and engagement in the details of the new UK-EU relationship. COSLA leads the sustainability group.
12. COP26 was an excellent test and lessons have been learned: Glasgow City Council welcomed a large set of international delegations despite all the security and public health constraints. For its part, COSLA, with Glasgow, the UK and the Scottish Governments' support and the collaboration of many councils, was able to organise a number of events with our UK and international peers geared towards strengthening the role of Local Government in the summit's Glasgow Agreement.
13. Having said all this, the scoping exercise suggests that there is limited awareness of international engagement and opportunity within councils, and particularly of what other councils might be doing. To a certain extent COSLA's international engagement is better understood, but only by those having some international exposure themselves. While this relative unawareness reflects a given council or organisation's focus on their own respective priorities, this can lead to engagement opportunities being missed or Scottish slots in major events being left vacant.
14. International trade, including trade missions for inward investment was not a particular feature of the consultation exercise but there is a significant amount of reported activity, especially among the larger urban councils, in most part via Scottish Government agencies. International culture, arts, science, including festivals and international conferences, are also areas of increasing focus of city councils.
15. Despite EU exit uncertainty being a factor slowing down this exercise, it was felt by councils that EU exit is not in itself a factor that will deter building or maintaining existing partnerships and links. Overall, and despite UK withdrawal, international partners continue to welcome the knowledge that can be provided by UK councils in general.
16. While the larger councils have traditionally had international strategies of their own, others are taking the opportunity to develop one, and the evidence and support that COSLA

provides has been welcomed, to help councils navigate the available options. Councils generally remain cautious about the possibility of engaging further than at present.

17. A key issue is finance as councils are unlikely to be able to allocate resources to international engagement in a proportion anywhere similar to what is common in other developed countries or, some time ago, in England. Seeking a global grant from the Scottish or UK Government to support Local Government international engagement - just as it is the case in France and many other countries - was not specifically requested by a majority of respondents to the scoping exercise.
18. That said, the UK Government has been subsidising Local Government international engagement outside the EU, and most recently, despite not seeking to opt into the EU INTERREG programme (for which COSLA actively lobbied), it has started financing some pilots for town twinning with France. Working with COSLA and our counterparts, the UK and French Governments are sponsoring a UK-France Local Government forum to be held later in 2022, and financially covering the participation of Local Government leaders from across the UK, which should constitute a good pilot for future activities elsewhere.
19. The Scottish Government is also proposing to work with COSLA in developing town twinning links but so far only geared on trade matters, while its offices in various countries work closely with COSLA on twinning. That said, despite COSLA's decades old support for councils forging and renewing their own partnerships, there is a risk that this more recent interest from the Scottish and UK Governments, overshadows and creates unnecessary duplication with Local Government's own work on this issue.
20. Last but not least, there is merit in fostering our relationships with our peers. Very often these links are time consuming but cost neutral. For instance, the input from various COSLA international peers fed into the Local Governance Review, and our work on the European Charter for Local Self Government Bill. Our Swedish and Norwegian peers have identified the two Mayors speaking at COSLA Conference.

### **Proposed COSLA position**

21. On the basis of the above summary of the scoping exercise, what follows is the proposed Scottish Local Government International Framework.

#### Vision

22. "Scottish Local Government as an engaged international actor".

#### Desired outcome

23. "To narrow the gap between Scotland and Scottish councils' international ambition and practical ability to engage internationally."

#### Rationale for Engagement

24. The engagement criteria need to be grounded on added value, benefit and resources.
25. A value added assessment of a proposed international engagement should consider:
  - the proposed activity's contribution in furthering Scottish councils' role as good global citizens, and supporting Scottish and UK international presence, and
  - the specific benefit for the Council itself and for its communities that a proposed activity can provide.
26. While these two dimensions of added value are not necessarily contradictory, prioritising one over the other is a political judgement call for Local Government's political leadership. Without such political and corporate ownership, it is unlikely that any proposed international activity can move forward.

### Collaboration within the wider Scottish Local Government sector

27. There is appetite for better awareness of opportunities for cooperation and COSLA has a continuing role in providing that information.
28. While there is a preference in continuing to participate in existing structures over sharing and pooling of resources, there is scope for further cooperation between local authorities in the following terms:
- with defined common objectives,
  - focused on more strategic networks and themes, and
  - with a specific outcome or benefit from developing joint awareness.
29. Within these parameters (no new structures, build on existing arrangements, demonstrable added value), there is scope for Local Government governance and partnership arrangements that strengthen feedback and development collectively at international level, and a network of communication for international engagement.

### Awareness of Existing Opportunities

30. There still appear to be opportunities and campaigns open to Scottish Local Government participation, and COSLA will seek better to advertise those to councils.
31. There is a preference in maintaining links and partnerships with EU peers and networks and further engaging with international bodies, namely the United Nations on Sustainable Development Goals and OECD on local economic development.
32. There is scope for engaging internationally on best practice exchanges on innovative public policies and international culture, arts, and science including attracting investment for festivals and international conferences.
33. Some of that activity such as contributing to international studies and surveys, is cost neutral but can significantly contribute to Scotland's international reputation.
34. While it is up for individual councils to scope their future engagement, there is great potential in these opportunities, and various others not tied to the EU that have so far remained unexplored by Scottish Local Government.

### Barriers to Engagement

35. Most councils feel that there is no financial room left for councils to foster and build on international relations and benefits in this area can take a long time to materialise.
36. Finance, capacity and timescales are common barriers for councils' international engagement. Successful engagement will depend on:
- Sound business cases and evidenced outcomes;
  - Dedicated expertise, staff time and ownership from senior levels; and
  - Time, as international partnerships require nurturing over years.
37. Engaging in international activities must be wary of being depicted as frivolous, elitist or unnecessary. Hence ensuring full ownership at a corporate level is necessary.

### National Funding for Council International Engagement

38. Councils' available resources for international engagement are, and are likely to continue to be, small, particularly compared with most of our equivalent international peers.
39. The Scottish Government and the UK Foreign and Commonwealth Office do presently finance international engagement of local authorities and others. However, this is ad hoc

and often inconsistent, usually on particular projects helping Local Government in developing countries to improve standards or services, inward investment or twinning.

40. It seems logical that where Local Government has the legal power, expertise and international links, that either Government supports Local Government in expanding the UK and Scotland international footprint rather than duplicating what is already done.
41. The power for Local Government to engage internationally is enshrined by law through the Local Government (Overseas Assistance) Act 1993. The same Act was, until 2010, the basis for a statutory block grant to support the international engagement for councils in Northern Ireland, Wales and England. Thus, as both the Scottish and UK Governments develop their post EU international policies, it is appropriate that Local Government's role, including finance, is factored in whenever it can provide more added value and better outcomes.

### **Conclusion and next steps**

42. The present International Framework aims to provide a shared understanding, based on previous extensive discussions with councils, on why and particularly how Scottish Local Government can ideally work together internationally in a way that best serves public interest and achieves better outcomes.
43. However, the specific actions moving forward must be co-produced in detail by councils and COSLA. This will take the form of a Scottish Local Government International Strategy 2030 to be developed at the start of the 2022-2027 Local Government term. The proposed timescale of 2030 is due to a number of key international goals that the UK and Scottish Governments are required to report on then, such as the UN Sustainable Development Goals.

**February 2022**

## **DRAFT COSLA Budget 2022/23**

### **Summary and Recommendations**

The purpose of this report is to seek approval from Convention for the COSLA operating budget for the financial year ending 31 March 2023.

At Convention in March 2021, a four-year Budget was approved covering 1 April 2021 to 31 March 2025. This paper asks Convention to approve an updated second year of that Budget, as recommended by the Audit Group, following their meeting on 4<sup>th</sup> February.

### **References**

Other relevant reports:

- 21-03-26 Convention Paper, Item 08 COSLA Budget 2021/22 to 2024/25

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**February 2022**

## **DRAFT COSLA Budget 2022/23**

### **Proposal**

1. The purpose of this report is to seek approval from Convention for the COSLA operating budget for the financial year ending 31 March 2023.
2. At Convention in March 2021, a four-year Budget was approved covering 1 April 2021 to 31 March 2025. This paper asks Convention to approve an updated second year of that Budget. The updated position takes account of a number of factors, such as the Pay Award and the new Health & Social Care Levy which are explained further below.

### **Proposed Budget for Year Ending 31 March 2023 (Appendix A)**

3. The four-year budget reflected Senior Management's view that taking a longer-term approach would allow for the effect of the virtually overnight disappearance of Conference Centre income to be spread over a longer time period, making it easier to absorb. The approach was driven by the goal that COSLA's general reserves, depleted by the impact of COVID, should return to a similar, prudent level by the end of the four years.
4. Whilst the Conference Centre began to re-open in the Autumn of 2021, the reintroduction of Covid response measures has caused progress to be slowed dramatically. However, Senior Management have not proposed a consequent amendment to the Budget for year 2, preferring to focus on the net results for the Conference Centre instead.
5. Some assumptions for the period are no longer accurate - for example, the new rate for employer pension contributions notified in April 2021; the announcement of a new Health & Social Care Levy in September 2021; and the Pay Award agreed in December 2021, so relevant updates have been made to the Budget proposed for Year Ending 31 March 2023.
6. Results from the current year (to 31 March 2022) are forecast to be better than in Year 1 of the approved four-year Budget, mostly due to vacancy management, but also helped by higher-than-expected revenues from the myjobscotland recruitment website. A conservative estimate for those results has also been incorporated into the updated Budget.
7. Some recent changes have required Senior Management to re-assess the staffing establishment, for example bringing in cover for some maternity leave.
8. The overall effect of the amendments is a small improvement in the final outcome for the year ending 31 March 2023 of £290, as shown in the final row of **Appendix A**.
9. The main risk to the overall outcome is the performance of the Conference Centre. It is budgeted to contribute £184k in FY22-23. Senior Management receive regular updates on the performance of the Conference Centre, and likely future direction, so will be able to



take mitigating action if it looks unlikely to achieve the target.

### **Conclusion**

10. Convention is asked to approve the updated second year of the previously approved four year Budget, as presented in **Appendix A**.

**February 2022**

<b>APPENDIX A</b>	<b>2022-23 Budget Approved by Convention in March 2021</b>	<b>2022-23 Amended Budget for approval</b>	<b>Change</b>	<b>Comments</b>
<b>EXPENDITURE</b>				
<b>Staff Costs</b>				
Salaries	2,157,000	2,241,000	84,000	Minor revisions to establishment plus Salaries uplifted by 3% rather than 1%
National Insurance	242,900	285,000	42,100	As for Salaries, plus new Health & Social Care Levy
Pension Costs	667,700	723,000	55,300	As for Salaries, plus revised contribution rate
Travel Costs and Expenses	9,900	9,900	-	
Staff Training & Development	9,900	9,900	-	
Health & Safety	3,960	3,960	-	
Other Staff Costs	4,950	4,950	-	
<b>Sub-total</b>	<b>3,096,310</b>	<b>3,277,710</b>	<b>181,400</b>	
<b>Property Costs</b>				
Rents, Rates	588,100	588,100	-	
Service Charges	10,900	10,900	-	
Buildings Insurance	3,800	3,800	-	
Repairs & Maintenance	44,550	44,550	-	
Heating & Lighting	34,650	34,650	-	
Conference Centre upkeep	39,600	39,600	-	
<b>Sub-total</b>	<b>721,600</b>	<b>721,600</b>	<b>-</b>	
<b>Operational Expenses (overheads)</b>				
Stationery/Newspapers/Copiers	10,200	10,200	-	
Postage	500	500	-	
ICT (Licenses, Software, Hardware)	84,150	84,150	-	
Annual Subscriptions	4,700	4,700	-	
General Insurance	16,830	16,830	-	
Communications	20,990	20,990	-	
Audit Fee	7,000	7,000	-	

Other professional fees	9,900	20,000	10,100	Based on FY21-22 experience
<b>Sub-total</b>	<b>154,270</b>	<b>164,370</b>		
<b>Other Expenditure</b>				
Depreciation	60,000	60,000	-	
Office Bearers' allowances	109,500	109,500	-	
Office Bearers' expenses	14,850	14,850	-	
Research Studies	4,950	4,950	-	
Catering - internal	4,950	4,950	-	
Catering - external	70,000	70,000	-	
Catering Staff	23,500	23,500	-	
Conference Centre	12,500	12,500	-	
Bank Charges	1,980	1,980	-	
Gifts/Hospitality/misc.	1,490	1,490	-	
myjobscotland	455,400	455,400	-	
International	29,700	29,700	-	
<b>Sub-total</b>	<b>788,820</b>	<b>788,820</b>	-	
<b>TOTAL EXPENDITURE</b>	<b>4,761,000</b>	<b>4,952,500</b>	<b>191,500</b>	
<b>Income</b>				
Room Hire/Daily Delegate Rate	150,000	150,000	-	
Catering	125,000	125,000	-	
Annual Conference/Excellence Awards (net)	10,000	10,000	-	
Event Management	5,000	5,000	-	
Health Improvement Grant	50,000	50,000	-	
myjobscotland	330,000	330,000	-	
Deposit Interest	20,000	3,000	(17,000)	Based on FY21-22 experience
Management Fee	186,900	255,590	68,690	Increase target by 10%, plus Digital Office
<b>TOTAL INCOME</b>	<b>876,900</b>	<b>928,590</b>	<b>51,690</b>	
<b>Net Expenditure</b>	<b>3,884,100</b>	<b>4,023,910</b>	<b>139,810</b>	
Member Subscriptions	3,265,866	3,265,866	-	
Recruitment Portal (myjobscotland) Fees	516,400	491,500	(24,900)	Based on FY21-22 experience

<b>Operating Surplus/(Deficit)</b>	<b>(101,834)</b>	<b>(266,544)</b>	<b>(164,710)</b>	
<b>Absorbed by Property Reserve</b>	58,000	58,000	-	
<b>Improved FY21-22 results</b>		165,000	165,000	Actual results for FY21-22 are expected to outperform the approved Budget
<b>Transferred (from)/to General Reserve</b>	<b>(43,834)</b>	<b>(43,544)</b>	<b>290</b>	

**COSLA's 5 year report : *this is our story 2017 – 2022***

**Summary and Recommendations**

The last 5 years has seen COSLA work's work span a broad policy agenda, ensuring that the voice of Local Government is heard, respected and valued. A report has been prepared that provides Convention with an overview of COSLA's key work and achievements over the last 5 years (2017/18 – 2021/22). It showcases not only specific policy work, but also provides an overview of the response to COVID, and the development of a 'Blueprint for Local Government', as well as the work that has gone on behind the scenes to keep COSLA working.

This paper invites Convention to:

- i. Note the content of the COSLA 5-year report presented at **Appendix A**;
- ii. Agree that the content of this report be used as the basis for continued proactive promotion of the role of Local Government;
- iii. Agree that COSLA officers look to produce a report of this kind at the end of each Local Government term.

**References**

Previous reports to Convention:

- 17-06-30 Item 9 COSLA Plan 2017/18 – 2021/22

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**Feb 2022**

## **COSLA's 5 year report : *this is our story 2017 – 2022***

### **Purpose**

1. The report presented at **Appendix A** provides Convention with a summary of COSLA's key work and achievements over the last 5 years (2017/18 – 2021/22), aligned to [The COSLA Plan 2017 - 22](#) but reshaped and influenced by the pandemic. It provides a strong basis on which to continue promoting the role of Local Government across a range of media, and with key stakeholders, including new elected members in Scotland's 32 Councils.

### **Background**

2. In 2017, Convention approved The COSLA Plan 2017-22 with a clear vision to "*to make communities better and more equal places by empowering local decision making and enabling councils to do what works locally.*" This vision, alongside the plan's priorities, principles and values, has guided the work of COSLA's Policy Boards and the decisions taken by Leaders over the last 5 years. Undoubtedly, the response to COVID has shaped work during the last 2 years and the publication of a 'Blueprint for Local Government' was a key milestone.
3. As the current Local Government term comes to an end, COSLA has taken the opportunity to reflect on key work (including the response to COVID and the Blueprint), as well as highlights and achievements over the last 5 years. A report has been prepared – "*COSLA: this is our story 2017 – 2022*" – and is presented at **Appendix A**. This is the first time that COSLA has undertaken a report of this kind.
4. The report clearly shows the breadth of activity across a large range of policy areas and can only ever be a snapshot. However, within the report there are examples of where the approach taken by COSLA has had real and lasting benefits for communities. In addition, the impact of COVID on our work, on the response from councils, and on our communities cannot be overlooked, and its influence will be felt for years to come.

### **Proposed COSLA Position**

5. Convention is asked to note the content of the 5 year report and agree that it forms the basis of continue proactive promotion of the role of Local Government.

### **Next Steps**

6. If agreed by Convention, a media campaign will be prepare to promote the plan widely. Officers will also plan to produce a report of this nature at the end of each Local Government term.



COSLA

COSLA



...this is  
our story

2017-2022



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# What is COSLA?

Established in 1975, COSLA is the voice of Local Government in Scotland. We provide political leadership on national issues, and work with councils to improve local services and strengthen local democracy as a legitimate, respected sphere of government in Scotland.

Millions of people rely on the services that Local Government in Scotland delivers every day. Collectively, councils spend almost £19 billion a year on local services and employ over 240,000 people – nearly 10% of all employment in Scotland.

## COSLA is our members

Our job is to stand up for Local Government and represent it effectively. We are a councillor-led, cross party organisation, representing all 32 Local Authorities in Scotland. We work on behalf of our members to focus on their priorities, challenges and opportunities.

We fulfil our role by positively engaging with other spheres of government, key stakeholders and professional associations on policy, powers, funding and legislation. COSLA has a unique and strong position which puts us in the best position to influence and impact, championing councils' vital work, the essential services that they deliver and securing adequate resources and flexibility required to do what works for communities locally.

COSLA's work is vital to enable Local Government to address the outcomes in the [National Performance Framework](#) in partnership across Scotland for the benefit of individuals, communities and economies across Scotland.

As a champion for councils, we:

### engage

**ENGAGE** in key financial, legislative and policy developments to ensure they have the best possible impact

### lead

**LEAD** reforms that improve public services and save money effectively

### develop

**DEVELOP** partnerships with Scottish, UK and international governments, parliaments, and the third and private sectors

### negotiate

**NEGOTIATE** fair and affordable pay and workforce conditions on behalf of all councils

### campaign

**CAMPAIGN** on the issues that matter to our members, and promote the image and reputation of Local Government

### support

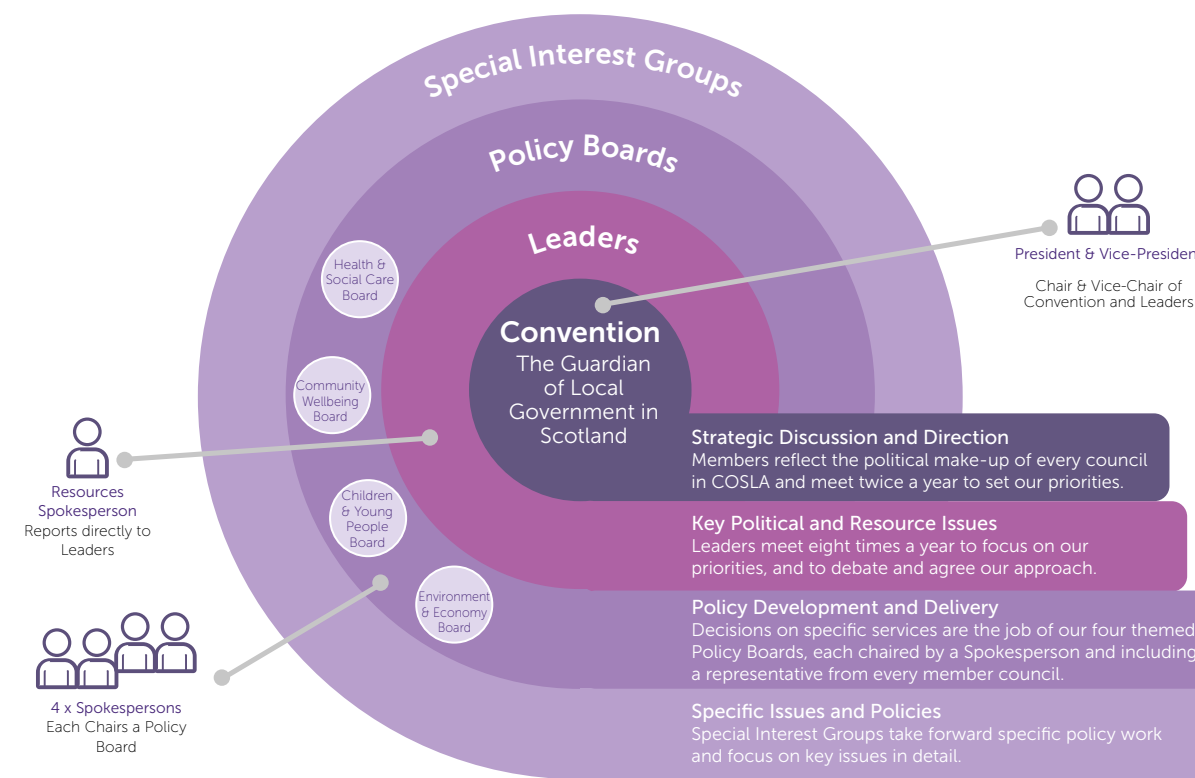
**SUPPORT** councils to work together, and deliver shared services that increase their capacity

### champion

**CHAMPION** the role of Local Government in the governance of Scotland, and lobby for stronger local democracy and community empowerment

## How we work

We are a politically led, cross-party organisation. That means that what we do, and how we do it, is decided democratically by elected Councillors from across our 32 member councils.



## Our Political Leadership Team

COSLA is led by its President, Vice President, and five Spokespersons who represent COSLA across key policy areas. These office bearers were elected by the COSLA Convention. Appointments are cross-party and for 5 years. Last election saw us for the first time move to a gender balanced political leadership



**President**  
**Cllr Alison Evison**  
(Aberdeenshire, Labour)



**Vice-President**  
**Cllr Graham Houston**  
(Stirling, SNP)



**Health & Social Care**  
**Cllr Stuart Currie**  
(East Lothian, SNP)



**Environment & Economy**  
**Cllr Stephen Heddle**  
(Orkney, Independent)



**Community Wellbeing**  
**Cllr Kelly Parry**  
(Midlothian, SNP)



**Children & Young People**  
**Cllr Stephen McCabe**  
(Inverclyde, Labour)



**Resources**  
**Cllr Gail Macgregor**  
(Dumfries & Galloway, Conservative)

# Introduction from COSLA President



Councillor Alison Evison  
COSLA President

Welcome to the COSLA Five-Year Report.

This is an exciting new first for COSLA - a document that captures our successes and achievements during the last five-year term of the Local Government election cycle 2017-2022.

Throughout this five-year term, Local Government has responded to the unexpected, adapted, embarked on new areas of work, developed partnerships, and always served our local communities.

Back in 2017, I was delighted to become COSLA's 15th President, only the third female President – and to be supported by a gender-balanced Political Team. From my personal perspective, as I reflect on the last five years, it is difficult to start anywhere else than the enormity of Local Government's initial and then continuing response to the COVID-19 pandemic - and COSLA's crucial role in supporting that.

From assisting those in isolation and helping to establish vaccination centres, to ensuring the safe operation of schools and running local test sites, Local Government has been, and continues to be, on the frontline of the country's response.

The magnitude of such an effort has undoubtedly added a complexity to COSLA's already diverse workload. And yet, we have continued to make remarkable progress over a number of policy areas.

Going forward from the Pandemic in October last year, COSLA jointly committed to a [COVID Recovery Strategy](#) with Scottish Government to deal with the immediate impacts of the pandemic. The strategy will support and build on the partnership approach taken during the pandemic and focus on public services, jobs, financial security and the wellbeing of children and young people.

Throughout this five-year term, Local Government has responded to the unexpected, adapted, embarked on new areas of work, developed partnerships, and always served our local communities.

Against this ever-evolving backdrop, our focus on other matters has not faltered. From funding and the economy, to education and housing, we have worked to deliver what we know matters to local communities.

This report will illustrate just how crucial our councils' work is – and how hard we work to ensure that COSLA and Local Government is respected and listened to in Scotland, the UK and in Europe.

We saw a real opportunity to promote increased diversity amongst Scotland's Councillors, and COSLA's Barriers to Elected Office Special Interest Group (SIG) was established in 2018.

The Group has since developed guidance for Local Authorities on lone working and family leave for councillors and identified supports for women working through the menopause.

However, there is still more to be done and work has started on supporting a more diverse range of people, particularly women of colour, to consider standing as candidates in 2022, boosted by COSLA's 'Why You?' social media campaign.

Over the last five years, we have made a real and concerted effort to strengthen relations across the Local Government family and with the wider Public Sector, including the Improvement Service, Public Health Scotland, the Digital Office and Accounts Commission.

I am particularly proud of COSLA's work across the following areas:

- Development of a Third Sector Partnership Agreement
- Ongoing promotion of Local Government place within the National Performance Framework
- The Local Governance Review
- Period Products Bill
- European Charter on Local Self Government
- United Cities and Local Governments' World Council
- UK-EU Committee of the Regions Contact Group
- Implications of EU Exit on Councils

Over the last few years on behalf of our membership I have taken part in various summits involving fellow Presidents of national associations as well as a range of international virtual events in the run up to COP26.

COSLA's involvement with COP26 was a particular highlight. "Team COSLA" had a great presence in the Blue and Green zones during the conference, facilitating and developing connections and sharing of good practice that will contribute to work towards Net Zero worldwide. And I was absolutely delighted that our combined lobbying work was recognised. We should not underestimate our achievement in getting local and regional work mentioned in the final agreement – we are up for the responsibility and role that this gives us.

Importantly, the role of Local Government was recognised at COP26.

Brexit has been at the forefront of our work over the last few years. As President I have:

- had regular meetings with successive Cabinet Secretaries for Constitution and External Affairs on issues such as the EU Continuity Bill, where COSLA obtained the right of Local Government to be consulted by Ministers;
- taken the Local Government position to UK Ministers via the EU Exit Ministerial Local Government Delivery Board, so that there has been greater awareness of the impact on our local councils and on regulatory and other services.

When I was appointed COSLA President in June 2017 – I said that it was one of the top political jobs in Scotland and I stand by this claim.

And having done the job for 5 years, I would re-affirm the significance of this highly varied role to which I have been honoured to have been elected.





During COVID, I led the development of a [Blueprint for Local Government](#).

COSLA launched the Blueprint in September 2020, following a substantive period of engagement across Local Government. We also engaged with a range of external partners during the development process including, but not restricted to, organisations such as the Scottish Council for Voluntary Organisations (SCVO), Young Scot, Community Justice Scotland, as well as representatives in academia. This ensured that the Blueprint was inclusive and collaborative.

The Blueprint sets out an ambitious vision for Scotland's future – one based on the empowerment of people and communities. It outlines the central role that Local Government can, and should, hold in leading recovery and renewal that empowers communities across Scotland, as well as setting out the support we need to deliver upon this vision.

The Blueprint is framed around six key themes:

- Strengthening Local Democracy
- Funding Services and Communities
- Wellbeing – including Health and Social Care
- Education and Children and Young People
- Economy and the Environment
- Supporting Vulnerable Communities

Case studies are included throughout the Blueprint document and we have continued to build this valuable evidence base from the many examples of best practice that we engage with from a COSLA perspective on a daily basis. This is a vitally important aspect of COSLA's role, the ability to bring together and demonstrate the positive examples of change from across the entirety of Local Government.

For example, to mark the 10th anniversary of the Christie Commission we collated a large number of [examples](#) from across Councils showcasing positive examples of the Christie recommendations in action at a local level.

More than a year after it was released, it is clear to me that the Blueprint remains as relevant as it was when it was first published. Moving forward we will have many opportunities to build upon the positive response and engagement that has accompanied the document to date, using the platform that COSLA provides to ensure that its vision is one which is clearly reflected in policy development and political discourse. The Blueprint for Local Government is a clear example of the leadership role that Local Government collectively holds, and the important role of COSLA in pulling this together and advocating on behalf of Councils, and that is why it continues to be a central component of our work.





# Cross-cutting Corporate Work

The past five years has seen a renewed effort to bring cohesion, coordination, and focus to the wide range of inward and outward facing corporate work carried out by COSLA. This has included work on the following areas.

- Brexit/EU Transition
- European Charter for Local Self-Government
- Local Governance Review
- Local Government Benchmarking Framework
- Public Sector Reform
- Open Government
- Electoral Reform
- Best Value Guidance Review
- National Performance Framework and Outcomes
- Councillors' Code of Conduct
- COSLA Priorities
- COSLA's Transformation Plan, now succeeded by a Development Plan
- COSLA Constitution
- COSLA Performance Monitoring

## EU Exit

With an impact analysis survey in 2017 followed up in 2018, together with a number of more focussed information gathering exercises, from the beginning COSLA sought to assess the impacts EU Exit was likely to have on councils. Significant resource was applied to liaising with our member councils, understanding their concerns and coordinating our messages and mitigations in response to this. Among the issues arising were Environmental Health Officers capacity for certification, funding for local Brexit coordinators, Brexit seminars, coordination with Scottish Government, liaison with the other UK Local Government Associations and UK Government. The work included two Brexit Conferences and continues post EU Exit with work which includes ongoing monitoring of the impacts on councils as they are now emerging but now coupled with other pressures; with the findings recently presented at a meeting with the UK Minister for Scotland.

## COVID-19

The COVID-19 pandemic has been a dominant aspect of COSLA's work over the past two years. COSLA has worked closely with key partners throughout the response to COVID-19, providing support for councils as they worked and served their local communities.

This work included, but has not been limited to the following:

- Ensuring that councils are able to influence and support the national programmes to mitigate the impact of COVID19 in their area, including test and trace, community testing, vaccinations and compliance
- Representing Local Government interests in national working groups looking at issues such as vaccination, testing, and compliance
- Providing national support to local teams who are redesigning the delivery of their services
- Ensuring that there is adequate financial provision for the many additional services being delivered by local government to our communities.

Our member councils were keen to secure a moving picture of the emerging pressure points on their services so that prompt action could be taken to mitigate any challenges. COSLA worked on developing the Local Government Data Dashboard in partnership with SOLACE and the Improvement Service. Drawing on data already required by the Scottish Government and other public agencies, the work quickly resulted in a weekly updated dashboard of key data which continues to provide an overview to council chief executives.

COSLA is also working the Scottish Government and partners to progress a joint programme for COVID-19 recovery. This covers key priority areas including public services recovery, redesign and renewal; good green jobs and fair work; financial security for low-income households and wellbeing of children and young people. This joint oversight of recovery priorities is a result of continuous engagement regarding the central role that Local Government holds in supporting the recovery process and addressing the inequalities that have been exacerbated by the pandemic.

## European Charter on Local Self-Government

Work on securing legislation to unpin Local Government in Scotland has been ongoing since before and throughout the past five years. COSLA has supported all the work carried out to achieve this ambition and has liaised with and supported the work done through the consultation stages and committee stages as the recent Members' Bill successfully passed through the Scottish Parliament. As is well known, the Bill did not receive royal assent due to the recent ruling by the UK Supreme Court. So work will continue with Scottish Government and the Scottish Parliament to ensure all the work done to date is not lost and that a revised Bill is passed and achieves our long-held ambition.



# Communications

The last five years has seen a determined and strategic approach to the transformation of COSLA's communications, responding to a request from our membership to make Local Government's voice heard, in a positive, proactive and varied way.

## Key Achievements



we have relaunched the **COSLA website**, to make it more interactive and aligned with the Improvement Service



Use of our **social media** channels has been broadened over the term of this COSLA, with a much more interactive style in line. This has been hugely successful, resulting in 15,000 additional Twitter followers since 2017. (17,300 today)



Since the start of the COVID pandemic in March 2020, we have increased the use of **short videos** to boost the visibility of the Presidential Team and our Spokespeople.



We have redesigned our **social media graphics** and improved accessibility of our content, introducing video subtitles.



Our expanded communications work has seen a move into the world of **podcasts** for the first time with a 'COSLA in Conversation' – on the European Charter of Local Self Government Bill.



The Communications Team continues to engage with a strong professional network of **media teams** across all Councils in Scotland, as well as maintaining positive relationships with the country's print and broadcast media.



We have produced detailed **briefings** on a range of subjects, from the proposed National Care Service to the Local Governance Review, and from Brexit to our work representing Local Government in Europe, useful for our Elected Members and Parliamentarians.

All of this is complementary to our media relations, which have been bolstered by campaign content and social media activity.

## Campaigns



**Why You?** - aimed at encouraging a wider range of people to consider standing in the forthcoming Local Government elections next May. This particular campaign also highlighted the work of our Barriers to Elected Office SIG (Special Interest Group).



**Budget Lobbying** - this remains our biggest and most important piece of campaign/ lobbying work which we undertake on an annual basis and which has been the genesis in terms of style for a number of our other more recent campaigns



**Fact Friday** showcases the vast range of service provided by Councils – with a deliberate focus on some of the less obvious services, using a "did you know..." approach



**COP26** - with weekly videos from our Spokespeople, and graphics highlighting the work of Councils in tackling climate change



**#WeAreLocalGovernment** - a Campaign showing the work of Scottish Local Government which had its genesis in the Social Renewal Advisory Board report and the COSLA Blueprint. Primarily a campaign of short videos – aimed at a younger audience, it saw COSLA's first ever use of Instagram.

## Response to the COVID-19 Pandemic

COVID-19 brought challenges – in response, COSLA's communications work was revised and restructured almost overnight. But it also offered us the opportunity to highlight the essential services Scotland's Councils provide every day.

- A Day in the Life of Scotland's Councils' video shone a light on the heroic response of Local Government and was met with great acclaim.
- 'Don't Stay on Mute' focused on the impact of the pandemic on mental health and was released in partnership with our Trades Union colleagues.
- The videos were bolstered by two similarly well-received social media campaigns - #CouncilsCare and then #CouncilsAct – which focused on the work Councils were doing to support their communities during the initial stages of the pandemic.

Back in March 2020, our monthly digital 'Inside COSLA' publication was replaced with a weekly **Elected Members Briefing**, offering current key messages and strategic updates for every Councillor in Scotland. This is now firmly established as an important tool for communicating with Elected Members

Our positive and proactive approach has been well received by the COSLA membership, as well as the media, providing a strong foundation for the future.







# Local Government Resources: Funding

To ensure Councils have the funding they need to deliver high quality services and improve outcome for communities, COSLA's Resources Spokesperson is supported by the Local Government Finance Team. Working as a 'business partner' across COSLA, the team gets involved where money for new policies is being discussed with Scottish Government. And our Spokesperson leads high level funding negotiations on behalf of COSLA.

## Key Achievements

### Fair Funding for Essential Services

2017 saw the introduction of COSLA's "Fair Funding for Essential Services" message to lobby Scottish Government for a fair settlement for Councils. Our campaigns have developed over the last 5 years and gained significant press coverage and traction across Scottish Parliament, leading to questions and motions about the Local Government Settlement in the Parliament's Chamber. The campaigns, supported by the work of our Resources Spokesperson with all opposition party finance leads, helped secure additional funding of over **£600m** for Councils over the last 5 years as Budget Bills have passed through Parliament.

### Budget Scrutiny

Our campaigns have strong foundations in pre-budget scrutiny submissions to all relevant Scottish Parliament Committees, including the Finance and Local Government committees. Over the last 3 years, our submissions and appearance at Committees have been done jointly with SOLACE and Directors of Finance, presenting a united 'Team Local Government' voice about the need for fair funding.

### Funding Distribution

Through the Settlement and Distribution Group (SDG), the team works with Scottish Government to ensure that funding is distributed in a fair, needs-based way to all Councils- this results in recommendations being made to COSLA Leaders on how each councils' share should be calculated.



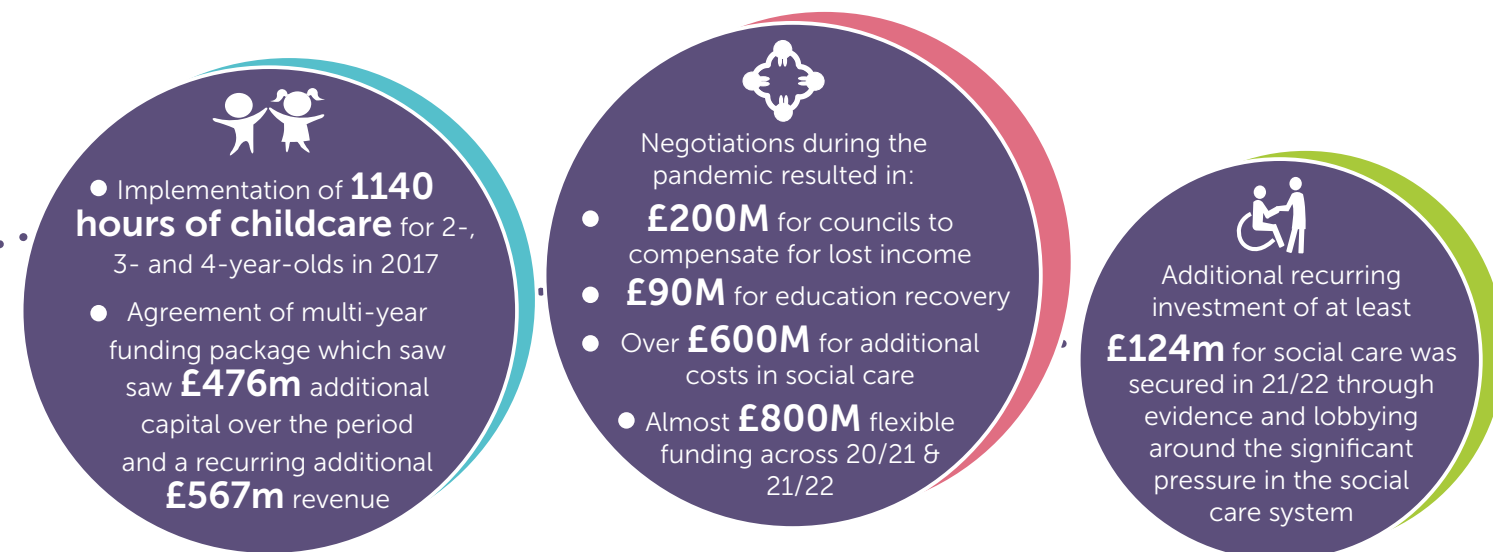
### Structure of the Local Government Settlement

It's not all about the money – it's about the structure of the Local Government Settlement and how councils are able to use and raise their funding. Our campaigns have highlighted key asks around:

- **Maximum flexibility**, with as little ring-fencing as possible.
- **No cap on council tax** – finally agreed by Scottish Government for 22/23.
- **Local taxation and revenue raising powers** - successes have included the introduction of Workplace Parking Levy legislation and a commitment from Scottish Government to look at a Transient Visitor Levy ('Tourism Tax').

### Funding Stability

Ultimately, Local Government wants stability and certainty around its funding and before the pandemic, the Cabinet Secretary for Finance wrote to Cllr Macgregor to say we would take a forward a 'Fiscal Framework' (i.e. rules and principles of our funding relationship) at pace, bring forward plans in time for next parliamentary session, and that joint work on devolution of Non-domestic Rates would be part of this work – with a refreshed mandate from Leaders secured in September 2021 (post pandemic), we are now ready to progress constructive discussions with Scottish Government.



## Featured Work

### Financial Redress for Victims of Historical Child Sexual Abuse

Local Government was keen to support the principles of new legislation but was conscious of the unknown costs. Through strong partnership working with Scottish Government we reached agreement on a total collective contribution from Local Government of £100m over the next 10 years and a commitment from Scottish Government for 6 monthly reporting.

## Looking Forward

COSLA has also been working to embed equality and human rights principles into budgeting. We are active members of the Equality Budgetary Advisory Group which produces the Equality and Fairer Scotland Budget Statement that accompanies each Scottish Budget. With Leaders agreement, actions from the National Taskforce on Human Rights Leadership will see significant legislation introduced in this parliamentary term to support budgeting based on rights realisation - with the pandemic exacerbating inequalities, this will be particularly important going forward.



# Local Government Resources: Workforce

COSLA plays an essential role in ensuring that Councils are supported to have a skilled and well-developed workforce that have sector-leading terms and conditions. COSLA's work supports Scottish Local Government to attract and retain individuals who can deliver the highest quality essential services to all members of our community. To facilitate this, the Employers Team works both as a "business partner" across COSLA (involved in discussions where the role of the workforce is impacted by government policies) and supports COSLA's Resources Spokesperson with national bargaining to ensure positive employee relations are maintained with our Trade Unions.

## Key Achievements

### Pay Deals

Over the last 5 years COSLA has supported the Resources Spokesperson to deliver a series of pay deals, reflective of the need to value our workforce, but under extremely challenging financial circumstances. Significantly, the 3 year deal in 2018 provided security and certainty for both councils and employees. Delivering a pay deal during the COVID pandemic has also been a significant achievement, against a backdrop of government interventions that undermined COSLA's "one workforce" position. Our focus remains on achieving parity across the workforce, and multi-year settlements that enable better strategic planning to support the longer-term preventative approach that Local Government is best placed to deliver.

### Fair Work Across Councils

COSLA's role in maintaining effective and positive employee relations has led to a continued drive to embed Fair Work across Councils -during the pandemic our work to ensure the health, safety and wellbeing of our employees was paramount. Producing guidance, circulars and campaigns such as "Don't Stay on Mute" (focused on mental health) have given a clear message to our workforce of their value, the importance of their daily roles, but of the need to promote health and wellbeing.



## COSLA's key work includes:



## Looking Forward

As we look ahead, ensuring that COSLA continues to support effective workforce planning across the Local Government family and the shift to new hybrid ways of working are a key focus. This will be particularly important as we work with Councils to consider the impact of the National Care Service on local services. Our work will continue to promote the value that the Local Government workforce adds to communities across Scotland, and the positive economic and social impact that good, fair employment can bring.





# Children and Young People

The work of the Children and Young People Board and policy team has been underpinned by an ambition to put children at the centre of our approach, by delivering positive outcomes based on the principles of GIRFEC and ensuring local accountability for all Children's Services including Education and Early Learning and Childcare.

## Key Achievements

### Child Poverty

The Child Poverty (Scotland) Act 2017 created a new duty which reinforced the leading role that councils play in tackling child poverty. Councils continue to support people into employment, tackle the cost of the school day through expanding access to free school meals and increasing the school uniform grant, as well as providing cash payments to low-income families as 'bridging payments' until the Scottish Child Payment is available to all families. COSLA continues to work with partners on the next phase of their Tackling Child Poverty Delivery Plan.

### Education Reform

COSLA has consistently highlighted the benefits of local accountability for education, allowing services to be shaped to Scotland's diverse communities. This was key during the debate on Education Governance, resulting in the joint agreement between COSLA and the Scottish Government on Education Reform and the establishment of Regional Improvement Collaboratives (RICs). COSLA has worked to support the school empowerment agenda, making sure all partners – learners, parent/carers, school leaders and school staff – have the opportunity, autonomy and support to work together to improve children and young people's outcomes.

### The Care Review and The Promise

COSLA was closely involved in the work of the Independent Care Review which learned from the experiences of those living and working in and around the 'care system'. Local Government has been committed to this work and to "Keeping the Promise" that Scotland's children will grow up 'loved, safe and respected'.

### Additional Support for Learning

COSLA has worked with partners to develop resources to improve the knowledge, skills and understanding of teachers through the development of resources for school staff to support children and young people with Dyslexia and Autism. COSLA welcomed the recommendations made in the Morgan Review of the implementation of the Additional Support for Learning legislation and work is ongoing to implement these.

### Children and Young People's Mental Health and Wellbeing

The COSLA Children and Young People's Board has continuously committed to supporting children and young people's mental health. Mental health remains a priority and COSLA continues to support mental health and wellbeing, co-chairing the Mental Health and Wellbeing Joint Delivery Board.



**88,122** children accessing more than 600 funded ELC hours and **79,262** children taking the full 1140 hours.

An **83%** increase in the ELC workforce between 2016-2021

Over **700** capital ELC projects complete



Almost **1000** children and young people benefitted from an improved approach to forensic interviewing in the first year of the Scottish Child Interview Model going live in six local authorities



Year on year increase in the number of school leavers achieving vocational qualifications at SCQF level 5 and above, almost doubling from 7.5% in 2013/14 to **14.8%** in 2017/18



## Featured Work

### Access to Free Period Products

Local Government led in the provision of access to free period products in primary and secondary schools from August 2018. In December 2018 this initiative was extended, with councils also committing to provide free products in public buildings. The primary aim was to provide access to products to address period poverty, but gender equality and emergency provision were also taken into consideration. COSLA worked closely with partners to influence the parliamentary process to help ensure the Act retained appropriate local flexibility, and that provision remains fully funded.

### Counselling Through Schools

COSLA worked closely with Scottish Government to develop a set of high-level principles to allow for locally flexible provision of counselling accessed through schools. COSLA highlighted the importance of individualised approaches, in line with GIRFEC, with counselling seen as one option as part of a range of holistic supports. In the first half of 2021 alone, over 10,000 children and young people have accessed counselling services and the overall picture on improving outcomes for young people is positive.

## Looking Forward

Children and young people must be at the heart of recovery –through investment in the systems, services, and people who support them, as well as through sustained focus on ensuring children and young people's voices are heard, valued, and respected at every step of policy development and delivery. Although it will be challenging, there is significant and important work underway that provides Local Government with a clear opportunity to lead the way in improving outcomes for children and young people through implementation of The Promise, a commitment to incorporate UNCRC and to children's rights more broadly at the local level, and significant resource to tackle the attainment gap and improve digital inclusion. The work of the Board will continue to ensure that the needs and ambitions of local communities, families, and children and young people are promoted.





# Community Wellbeing

The work of the Community Wellbeing Board and policy teams falls under 3 main broad policy areas: Communities; Migration, Population and Diversity; and Trading Standards Scotland. The next pages outline the key work and achievement from these 3 policy areas.

## Communities

The Communities' work is broad and supports the Board in tackling poverty and inequalities, protecting the vulnerable, strengthening communities and improving their safety and sustainability.

### Key Achievements

#### Housing

COSLA has made progress in equalising the subsidy levels to build new housing. The difference in the benchmarks applied across social housing providers was narrowed in 2021. The effects will be kept under review with COSLA's aim being for the support to eventually be the same. We continue to make the case for the rising costs in this area to be met so that the new build targets can be achieved and for homelessness to decrease. The pandemic saw considerable joint Scottish and Local Government work on homelessness. COSLA supported the push for a homelessness prevention duty so Local Authorities can work more actively with their partners. While our hopes for short term lets licensing powers were not fully met, legislation to regulate them has been passed.

#### Welfare and Social Security

Our close work with the UK and Scottish Government has supported councils' delivery of 'reserved' and 'devolved' welfare and social security. COSLA helped establish Social Security Scotland, and the design and implementation of the new devolved benefits. We've brought together Local Authorities and DWP on matters linked to Universal Credit. Using our local arrangements COSLA's members have mitigated some impacts of welfare reform. We've removed all local authority child funeral charges, ensuring consistency in an approach that promoted greater transparency and fairness while addressing funeral poverty. The pandemic saw Local and Scottish Government design and deliver support to those worst affected including: Self isolation Support Grants; Winter Pressures; Flexible Funding and Scottish Child Payments. Now, and for the next period, our partnership with the Scottish Government will deliver the disability benefits here. Our Welfare Advisory

group informs our broader poverty work including the ongoing Review of Scottish Welfare Fund.

#### Policing and Community Safety

COSLA's Police Scrutiny Conveners and staff have met regularly with Police Scotland and the Scottish Police Authority. We have resolved issues such as counter closures, traffic restriction orders, and improved councils' engagement in local police plans. Work is still underway on CCTV. Our spokesperson meets regularly with the Justice Cabinet Secretary including on Serious and Organised Crime and is working on scrutiny arrangements with the SPA.

#### Employability

With the Scottish Government, our partners and advisers our work has transformed employability services. "No One Left Behind" sharply focuses on the most disadvantaged in the labour market who need the greatest support. It will bring national coherence and local discretion, promoting person-centred, place-based approaches. Early 2022 will see a refreshed, strategic partnership with the Scottish Government and a formal partnership with DWP to promote common purposes and support local relationships. Local Employability Partnerships have been strengthened to provide better joined-up service planning and a mixed economy of delivery. National frameworks and charters have been agreed setting expectations and standards while promoting consistency. There's been a rapid enhancement and development of local and national commissioning frameworks. COSLA has supported an exponential increase in investment in local employability services, at about £80m for 2021/22, channelled through LAs. This is enabling a strong contribution to economic recovery and social renewal, supporting the national mission to tackle child poverty.

#### Participatory Budgeting

Strengthening local democracy is fundamental to community wellbeing and empowerment. In 2017 councils agreed to allocate at least 1% of their budgets using PB. COSLA has supported members' work through training, support of the PB Officers Network and the CONSUL digital platform. The pandemic delays saw COSLA leaders updating the agreement to reflect challenges faced by councils.

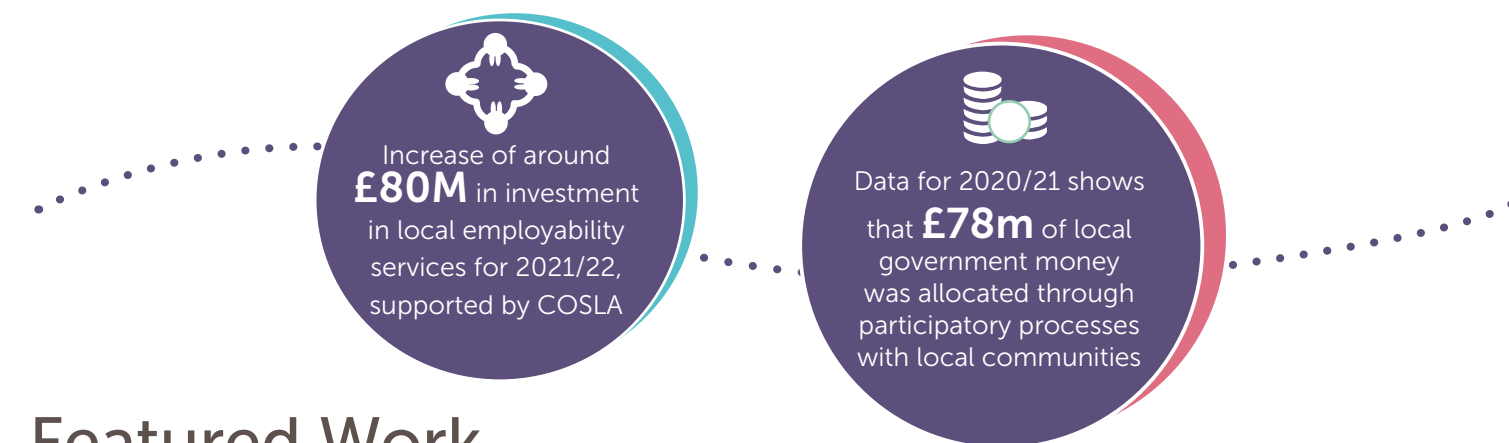
#### Appropriate Adults

This area of human rights activity for those in the justice system continues to be a matter of strategic and corporate importance to Local Authorities. COSLA is working with the Government and members of the National Oversight Group on the

'new' statutory arrangements. Local oversight and governance arrangements need to be fully developed.

#### Justice

During the pandemic COSLA worked with the Scottish Government and partners to safely land the early release of prisoners and the Recovery of the Justice System Programme. We continue to argue for the full funding of our work to maximise community justice options over expensive prison sentencing. October 2020 saw COSLA and the Scottish Government have joint political oversight of the Recover, Renew Transform Programme's Community Justice Group.



### Featured Work

#### Equally Safe / Violence Against Women and Girls

Since 2016 Scottish and Local Government have driven a joint whole system approach through the Equally Safe Strategy, its delivery plan and the funding associated with it. The cultural changes needed have been progressed through our collaborative leadership. Our three years of 16 days campaigning has increased awareness of councils' commitment to tackling VAWG. With the multi-agency VAW partnerships and national specialist organisations we have highlighted the local delivery of Equally Safe and promoted the White Ribbon campaign to encourage personal and collective action among men. We identified the importance of responding to the gendered impacts of the pandemic which saw an intensification of gender-based violence and provided additional support and guidance. The need to tackle deep rooted and negative gender expectations, attitudes and behaviours was highlighted in COSLA's Blueprint which underpins our priorities for recovery & renewal.

### Looking Forward

The near future holds much uncertainty for and challenges to the 'wellbeing work' of councils. As costs and other pressures on individuals, families and communities build up their voices and those of the people who represent them need to be heard, respected and responded to. Many of the services, being largely discretionary, are under particular threat from reducing council budgets. Additionally, the creation of the National Care Service is likely to have a considerable impact on portfolios managed by the Board including community justice, homelessness, appropriate adults and violence against women and girls. The Board will continue to make the case for investment in these key services and for joint approaches across governments where competencies are shared.



# Migration, Population and Diversity

The Migration, Population and Diversity team has responsibility for a range of policy issues relating to migration, population, demographic change, equality and human rights. The team also provides operational support to councils in their work with migrants, including refugees and people seeking asylum.

## Key Achievements

### Ending Migrant Destitution

In 2021, COSLA and Scottish Government published Ending Destitution Together, a national strategy to prevent destitution for migrants with no recourse to public funds. During the pandemic we also supported local authorities to use their public health powers to provide emergency accommodation to some of the most vulnerable people who were at risk of rough sleeping. We are now seeking to ensure that COVID recovery planning includes people who are unable to access key benefits and services because of their immigration status.

### EU Citizens

COSLA has focused on ensuring EU citizens living in Scotland continue to feel welcome and can access their legal status to remain here after EU exit. We have delivered regional events for EU citizens, and our partnership with the International Organization for Migration (IOM) has supported many of our most vulnerable EU citizens to make applications to the EU Settlement Scheme. This partnership has now expanded to support other migrants, including people with no recourse to public funds.

### Population

COSLA was closely involved in the development of Scotland's population strategy 'A Scotland for the future: opportunities and challenges of Scotland's

changing population', published in March 2021 further to endorsement by Council Leaders. COSLA is now working with Scottish Government to support the delivery of the strategy and to ensure that the voice of all 32 councils is reflected in the approach that is taken.

### Gypsy/Travellers

COSLA is supporting the delivery of a joint National Action Plan with Scottish Government on 'Improving the lives of Gypsy/Travellers'. This has included a £2million short term capital fund to improve living conditions on local authority Gypsy/Traveller sites, and the selection of demonstration projects as part of a five year £20m Accommodation Fund to create more and better accommodation across Scotland. COSLA also supported a Negotiated Stopping pilot for managing roadside encampments, while all 32 Council Leaders agreed principles set out in a joint COVID-19 framework with Scottish Government to support a public health-based approach to providing services.

### Migrants from Hong Kong

COSLA receives funding from UK Government to facilitate the integration and welcome of British National (Overseas) visa holders moving from Hong Kong to Scotland. Our recently launched Hong Kong Welcome Hub provides a bespoke, innovative, and bilingual online resource for arriving Hongkongers and for council officers and third sector organisations supporting their integration.



IOM: International Organisation for Migration

## Featured Work

### Refugee Resettlement

COSLA continues to play a central role in assisting all 32 councils to deliver on their commitment to support people fleeing their countries due to war and persecution. Scottish councils played a central role in resettling refugees through both the Syrian Resettlement Programme and Vulnerable Children's Relocation Scheme, and continues to do so through the UK Resettlement Scheme and the new Afghan resettlement schemes. COSLA facilitates joint working with the Home Office and provides opportunities for peer support and interaction with key partners including the UK Government, Scottish Government and the third sector. COSLA also supports councils' commitment to participate in the National Transfer Scheme Rota for unaccompanied asylum seeking children.

### Barriers to Elected Office (BEO)

A key priority for COSLA has been to increase councillor diversity by tackling barriers to elected office for underrepresented groups. Our work in this area has been directed by a cross-party Barriers to Elected Office Special Interest Group, established in 2018. Through this group, COSLA has developed guidance on lone working, family leave and the menopause to help local authorities support their elected members and has worked with the other UK local government associations to develop resources to address the online abuse and harassment of councillors. Recent work has also focused on councillor remuneration and we are working with the Scottish Government to explore options to review councillor pay.

## Looking Forward

COSLA will continue to assist councils in their vital work to support some of our most vulnerable communities, including those being resettled in Scotland through the UK's humanitarian protection schemes and migrants facing destitution. We will develop new guidance for local authorities on the rights of EEA nationals living in Scotland and will create a suite of resources to improve local authorities' understanding of the immigration rules and what they mean for the provision of public services. We will work closely with councils, and with our partners in IOM to offer integration support and advice and will create resources to expand the reach and value of our Hong Kong Welcome Hub. Building on work before the pandemic, a virtual Local Leaders network for politicians, public service providers and Gypsy/Travellers will also be established to tackle racism and discrimination and remove barriers to public service for Gypsy/Traveller communities.



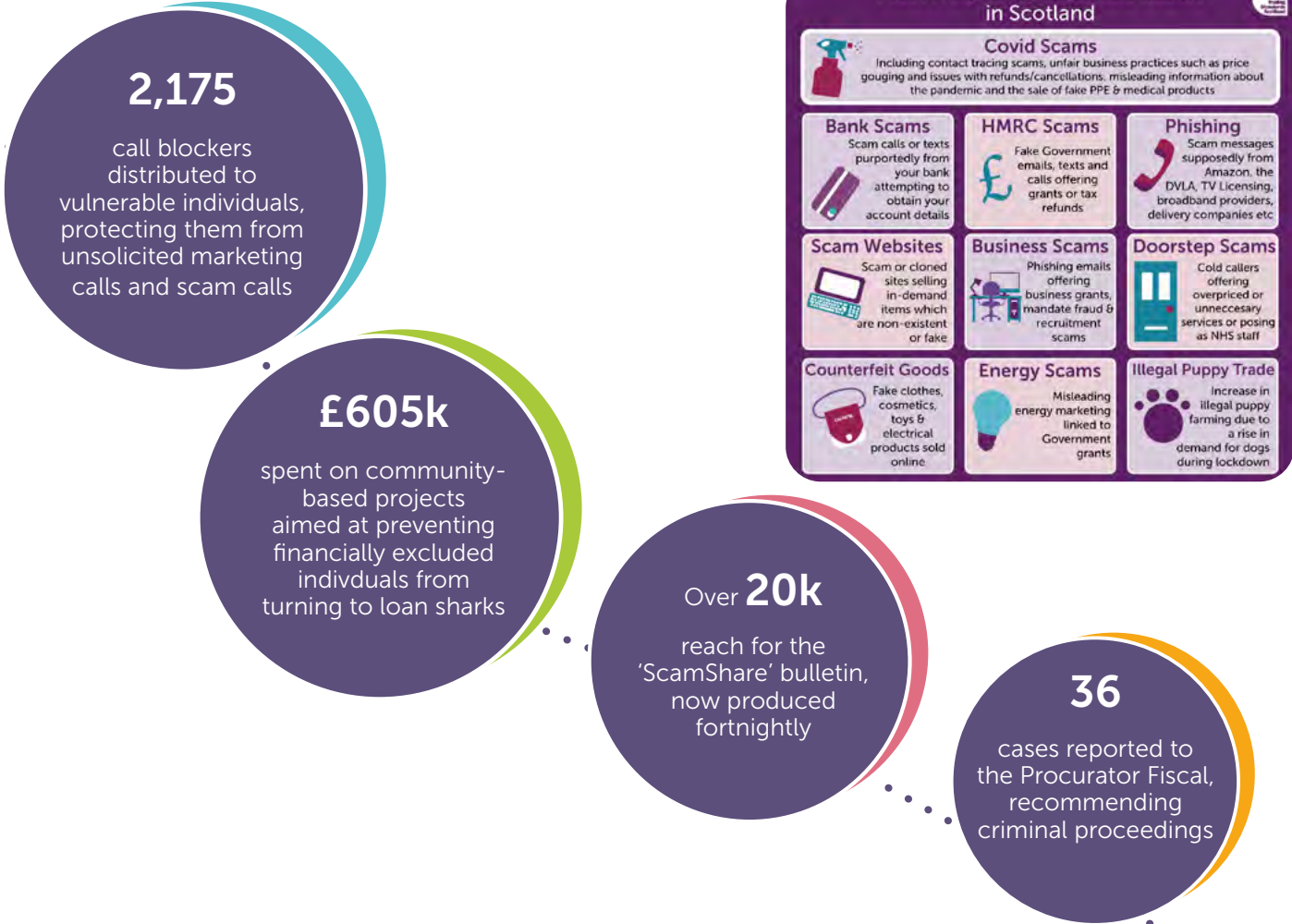
# Trading Standards Scotland

Although ultimately reporting through the Community Wellbeing Board, a Trading Standards Scotland Governance Board provides political oversight to the work of the national trading standards team funded by UK Government which has a remit to tackle cross local authority boundary consumer detriment in Scotland.

It has ensured that the national enforcement team, working in partnership with local authority trading standards, focusses resources on issues that present the greatest risk to consumers and legitimate business in Scotland. When local authority protective services were called upon to enforce Covid restrictions, Trading Standards Scotland added capacity to assist in tackling rogue traders and scams.

## Key Achievements

2017-2021



## Featured Work

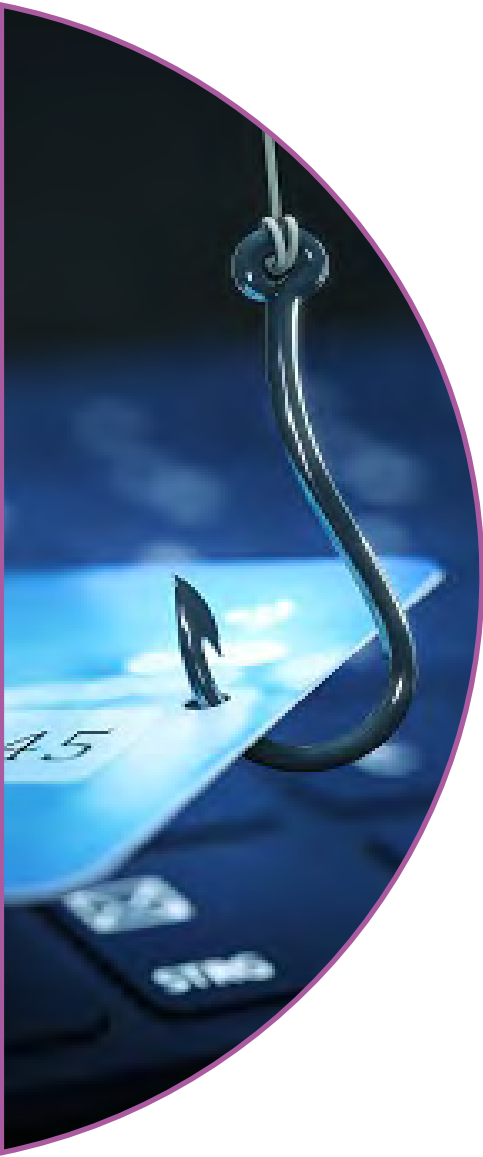
### Call Blocker Dissemination

Following successful initiatives in East Renfrewshire, Angus and South Ayrshire councils, the TSS Governance Board approved funds from the national enforcement budget to make call blockers available nationally to vulnerable people experiencing high levels of nuisance calls. This attracted additional funding from Scottish Government and in the last 5 years, 2,175 call blockers have been disseminated with the assistance of local authorities and the third sector across Scotland.

It is estimated this has prevented £9,229,798 in financial detriment as well as reducing stress and anxiety levels and enabling vulnerable individuals to live independently for longer.

### Illegal Money Lending No Tolerance Zones

The Governance Board has approved the awarding of a Charter Mark to organisations committed to promoting the work of the Illegal Money Lending Unit, which is part of TSS, and taking a zero-tolerance stance on illegal money lending in their communities. The first recipients of the award were the housing, care and property management company, the Wheatley Group and Step Change debt charity.



## Looking Forward

The UK Government issued a consultation on the consumer protection landscape in 2021 which included the opportunity to comment on current national trading standards arrangements. The consultation sought views on how the national trading standards teams could work more closely with local services. The TSS Governance Board responded on behalf of COSLA, highlighting the necessity for better resourcing of trading standards services locally and strengthening the relationship between the national team and local teams. The UK Government is expected to publish their response early in 2022 - it is unlikely that there will be material changes to the delivery of the trading standards services.





# Environment and Economy

The Environment and Economy team leads COSLA's work on a Just Transition to a Net Zero Economy and supports the work of COSLA's Environment and Economy Board and Spokesperson. The delivery of a Just Transition to a Net Zero Economy no later than 2045 is the strategic goal which has been set by the Board. This in turn influences all the work, including the Board's key policy priorities, which are - digital connectivity; climate change; heat and energy; the economy; Europe, international & post-EU exit; planning, place and regeneration; transport and flooding, and waste and the circular economy.

## Key Achievements

### Planning Bill

The Planning Bill was an early test of COSLA's ability to influence the Scottish Parliament. Engagement with Scottish Government, MSPs, and partners saw work to improve the Bill, always with a clear Local Government position. We succeeded in removing what we called the 'planning penalty clause' and improved the Scottish Government's performance proposals. An active area of work stemming from the Act is the resourcing of the new duties and the planning system more generally.

### Climate Change Bill

The Climate Change Bill focused on strengthening emission reduction targets. COSLA's agreed approach was to follow the science and the advice provided by the Climate Change Commission, so we supported a new, stricter 2030 target and the 2045 net zero target. The setting of the 2045 net zero target allowed the Board to consider how it prioritised its future work to support Local Government in delivering this transition.

### Crown Estate Bill

COSLA worked to secure the maximum amount of devolution possible to local authorities. Whilst the final Act did not reach our ideal 'devo-max' position, we defended the right of local authorities to manage the Crown Estate which is now much more locally responsive.

### Transport Bill

COSLA's response to the Transport Bill focused initially on bus services, pavement and double parking and a new section on establishing a workplace parking levy. We lobbied for councils to have wider powers to run bus services and Scottish Government has looked again at their proposals. COSLA worked with the Scottish Government and with opposition MSPs in summer 2019 to develop a position on municipal bus services which received support in Parliament.



Agreement of the route map for the **20%** reduction to car kilometre commitment



Supporting the **Place Based Investment Programme** and continued delivery of the Regeneration Capital Grants Fund



Working with Scottish Government and the Scottish Futures Trust on the **Green Growth Accelerator**

## Featured Work

### EU Exit

The Environment and Economy Board was central to examining the detail of the implications for Local Government and our communities of EU Exit, and informing the negotiations with UK and Scottish Ministers. The approaching deadline brought a new urgency to the work, which included the new regulatory framework as set out in the Withdrawal Act and work to influence the replacement of European funding, which carries on to this day.

### COVID-19 Pandemic

The COVID-19 pandemic changed the priorities of COSLA and work of the Board overnight. COSLA worked quickly and positively with Local and Scottish Government to keep planning, waste and transport services running. Particularly, work on waste policy during the initial months of the pandemic assisted local authorities at a difficult time and forged a good partnership between Local and Scottish Government. And communities felt the benefits of continued services delivery.



## Looking Forward

The pandemic illustrated in stark terms the connection between human health, the economy and the natural environment. The Board has agreed that the Just Transition to a Net Zero Economy should be the strategic goal which influences all its work. This was also our major theme for COP 26 when we successfully organised events in both the green and blue zones with a range of our national and international partners.





# Health and Social Care

COSLA's Health and Social Care team supports Local Government and Integrated Joint Boards in their work to enable communities to live healthy, independent lives, and to promote positive outcomes and early prevention. The work of the Health and Social Care Board covers a range of key priorities which include supporting health and social care integration, social care support for adults and older people, mental health, public health and digital health and care.

## Key Achievements

### Health and Social Care Integration

Health and Social Care integration has represented a key focus of COSLA over the past 5 years, having resulted in demonstrable improvements to the health and social care system. The value of this approach was evident throughout the response to Covid-19, where integration was essential to secure an effective and co-ordinated response to the pandemic.

### Digital Health and Care

COSLA's contribution was an important factor in supporting and providing people with the option of accessing health and social care services digitally, particularly in response to the pandemic. Two Digital Health and Care Strategies, of which COSLA are joint owners, have been published within the past 5 years. This is testament to the pace of change and the successful embedding of partnership working across the system.

### Learning Disability, Autism and Dementia

COSLA supported updates to the Keys to Life Learning Disability Strategy, the Scottish Strategy for Autism and the National Dementia Strategy. Most recently COSLA agreed Covid recovery responses covering these three areas, which include greater involvement and representation of people with lived experience.

### Suicide Prevention

The implementation of a number of the actions within the National Suicide Prevention Action Plan have been led by COSLA, in partnership with a range of stakeholders, including those with experience. These include producing local action plan guidance for local areas and supporting its use; development of suicidal crisis recommendations; ensuring the needs of children and young people are included in the work of all actions and development of a youth advisory group and work to establish multi-agency reviews of all deaths by suicide to ensure learning from these can be translated into local action.

### National Care Home Contract

COSLA has played a key role in agreeing the National Care Home Contract (NCHC) each year and is represented in the Local Government negotiating team. The NCHC helps to provide a more transparent and consistent national contract and national fee for the commissioning and procurement of residential care for older people as well as providing Councils and care homes with a degree of stability and certainty to inform local commissioning and procurement strategies.



The Health and Social Care Board has expanded to include members from **Social Work Scotland, the Scottish Ambulance Service, Public Health Scotland and a carers representative**. This has led to a more integrated and inclusive approach to policy making.



The Board's response to COVID-19 has included:

- action to address pressures facing the system, including **workforce capacity challenges, supporting Fair Work in social care** and the **rollout of technology**
- development of a COSLA response to the proposals for a **National Care Service** outlined by the Scottish Government

## Featured Work



### Public Health

Local Government is central to leading and delivering improvement across the social determinants of health, including housing, education, environment, employment, social support and access to health and care services. That is why COSLA worked to ensure that the voice of Local Government was embedded in the development, establishment and operation of Public Health Scotland.

Through our unique joint sponsorship arrangement, securing representation on the Public Health Scotland Board and ongoing engagement across COSLAs policy portfolios, we have ensured that the new organisation is increasingly focused on delivering Local Governments priorities and aligns its national resource and expertise to support local systems.

As we continue to progress public health reform, we are working to support Public Health Scotland deploy its data and intelligence, evidence and health improvement capabilities as effectively as possible. This approach recognises that a strong and effective relationship between Public Health and Local Government will be vital to improve and protect community wellbeing.

## Looking Forward

The coming years will be vital to the future of the health and social care system in Scotland as it seeks to rebuild and reform from the pandemic. The work of COSLA will be central to ensuring that the approach to this recovery empowers people, is focused on equitable outcomes, supports closer integration and shifts towards prevention.

Future work will undoubtedly focus on the Scottish Government's proposals for the creation of a National Care Service. COSLA has been at the centre of the response to this significant issue, voicing the importance of retaining the role Local Government holds in delivering care closest to the people who need it.

# Business Gateway

The Business Gateway Board was established in 2018 and provides a dedicated and strong political oversight. Although local management and delivery is critical, so too is the role of the Board in providing a united Local voice. It collaborates to demonstrate Local Government's vital contribution to Scotland's economy.

## Key Achievements

### Start-up Support

Scotland is well known for its entrepreneurial spirit and a lightbulb idea is often the catalyst for starting a business. As entrepreneurs continue to spot gaps in the market, others are coming up with ways to improve an existing product or service. However, very few start-ups get everything right first time and Business Gateway is expertly placed to help aspiring business owners overcome these hurdles and to develop ideas into a targeted approach for a specific sector.

**Business Gateway was an invaluable partner and helped me understand all the different aspects involved, ensuring I was able to quickly start trading. It's fair to say that Gecko Glazing might not even be here were it not for their support and advice.**

**Gareth Claase, Owner, Gecko Glazing**

### Planning to Start Tool

Business Gateway developed and launched a new tool - Planning to Start - specifically designed to help individuals taking the first step on their start-up journey. Individuals only need to take 10 minutes to answer some questions about their initial business idea. From there it is possible to access an instant start-up toolkit and connect with a local Business Gateway office, where a team can help create a tailored action plan. No matter what place people start from, or their background, the Planning To Start tool has been an invaluable resource for many, providing instant support to help anyone build a robust business plan and get the strongest start possible.

### Online Resources

Key to our success is adapting to what our customers want – and need. And that is the ability to get business support when and where they need it. That's why we've continually evolved the resources we have online – making sure the content we have is relevant, up-to-date and engaging. From podcasts to online tutorials, we have content online across a variety of channels. We've made it possible for everyone to be able to access our support and services in the way they want.

### Local Support

What sets Business Gateway apart is our local expertise and support. Wherever they are in Scotland, businesses can contact their local office and connect with one of our 170 advisers. These advisers have a wealth of expertise and knowledge about their local area and what specific support is available in that area. We know there's no 'one size fits all' with businesses – each will have individual needs. That's why our local experts are so important to what we do – they work with businesses to find the best solution.

**My Business Gateway adviser has been there every step of the way to inject their expertise and provide tailored support at various stages of business development. Whether it came to writing a business plan or taking me through processing accounts, I knew I could count on Business Gateway for expert guidance. That's what is great about their services**

**Fiona Ritchie, Owner, Ochil Skincare**



## Featured Work

### Covid Response

Over 6,000 start-ups were set up at a time when the UK economy recorded its worst economic performance for more than 300 years. 2020/22 was an incomparable year with Business Gateway teams providing vital support to more than 43,000 start-ups and growth businesses battling a wide range of challenges. But we didn't do it alone. Our partners within the business support network, alongside local authorities were responsible for administering a large programme of public grants to businesses across Scotland. COSLA and SLAED worked closely with the Scottish Government to design and deploy these grants to businesses at pace, and against the challenging working conditions.

As businesses struggled to survive the ongoing lockdown restrictions, Business Gateway rallied and adapted quickly. Updating and increasing digital resources to ensure ongoing support did not waiver - 3,139 webinars were delivered to 33,000 people over 12 months.

### DigitalBoost

Now in its fifth year, DigitalBoost has helped thousands of Scottish businesses upskill and invest in their own training and online platforms, ensuring they are in a strong position to embrace the opportunities presented by the digital world. This programme has gone from strength to strength, following an extension by Scottish Government in 2017. Demand has continued to grow, particularly since the start of the pandemic in 2020, as businesses have faced significant challenges, with many being forced to adapt their operations and services in a move to digital platforms, building new ways of working and identifying ways to continue trading. In response to this, DigitalBoost has helped business owners retrain through popular webinars on topics such as social media, digital marketing strategies and how to sell online. However, despite this growth, the core of the programme remains the same as it was in 2016: to help business owners get online, ensure they are able take advantage of new opportunities and develop new skills. And as the world looks to move forward from COVID-19 and the pandemic, these skills will continue to be a pillar for successful businesses across all sectors.

DigitalBoost teamed up with the Scottish Government to help deliver the DigitalBoost Development Grant. This grant helped over 4,000 SMEs access £25m in funding to help them do more with digital.

## Looking Forward

To ensure we continue to provide exactly what our customers want – and need - we are currently carrying out a service design review which will give us a roadmap to move forward with. This roadmap is based on research from advisers and customers and will shape the future direction of our service.



It's now been ten years since the Christie Report offered a roadmap for reform of our public services. Few reports like it have made such a lasting impression – in fact, its recommendations continue to resonate, shaping the way the sector thinks and talks about improvement.

Even when the report was published, myjobscotland was held up as an example of what shared services can deliver, and we've come a long way since then.

## Key Achievements

### New Features / Services for Councils

- We began offering Health Check Surveys to all Council members. Success of this has since led us to offer this service annually;
- New function in Talentlink for allowing online referencing (Version 1);
- New function in Talentlink to offer Online Contract creation;
- Annual cost of service fixed for Councils, initially to 2020;
- Integration with SHL improved (online testing);
- New Job Wizard implemented making creation of jobs easier in Talentlink;
- Co-produced the new Recruiter Dashboard function for all Talentlink Users (worldwide);
- Rules engine (automated processes) function launched;
- Rolled out at pace Video Interviewing function to support recruitment through COVID-19;
- Commercial income keeping council membership costs for the service frozen for the third year running, but confirmed to 2024 with surpluses covering our suppliers' inflationary increments.

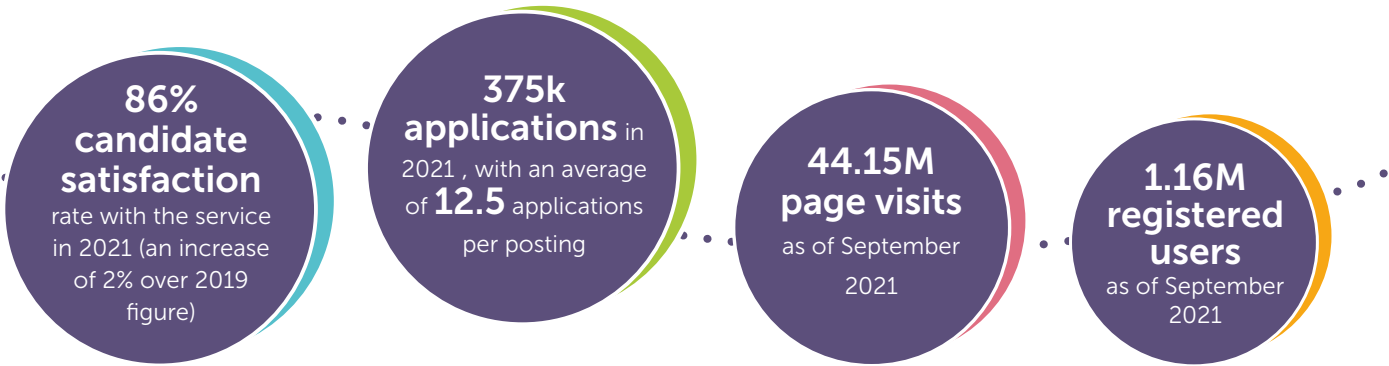
### Candidate Improvements

- Launched New website (5th iteration since 2008); site became fully responsive meaning it would appear in an optimised format for all devices;
- Responsive design further extended to application forms, making it much easier to apply directly on a smartphone or tablet;
- Website Accessibility Audit carried out by Digital Accessibility Centre;
- Website updated to support addition of hybrid working opportunities, new Health & Social Care Partnership pages, and extension of the Social Care section due to the extension of the Adult Social Care campaign.

### Operational and Technical Achievements

- Improved real-time reporting;
- Applicant Tracking System (Talentlink) moved to the cloud (Amazon Web Services);
- myjobscotland.gov.uk moved to the cloud (Amazon Web Services);
- Opened site to private Early Years providers through Scottish Government support towards the 1,400 hours implementation;

- myjobscotland Governance Board formed in 2019;
- Opened site to Third Sector and Private Social Care providers through Scottish Government support for SSSC and CC registered organisations;
- Issued Terms of Use document to all Councils;
- Completed full accessibility website requirements (including the third party hosted application form to be delivered in Early 2022);
- Adult Social Care advertising extended to the end of March 2022;
- Launch of myjobscotland quarterly newsletter to maintain service visibility across the local government family.



## Featured Work

### People, Partnership, Prevention and Performance

Put in terms of Christie's four P's – People, Partnership, Prevention and Performance – myjobscotland today offers an excellent example of what happens when public bodies work together.

The Partnership and Performance aspects are clear – ours is an integrated service where all the councils, other bodies and third sector partners all gain from the collective, removing the need for the duplicated efforts of individual recruitment processes and platforms.

We are, of course, a People-centric organisation, empowering candidates (not least through our recently launched Career Hub), and we rely heavily on feedback from users and partners to shape the continued development of our website, as well as extending the functions we offer to our Councils in the applicant tracking system.

And, as for Prevention of negative outcomes, we think that effective recruitment means better staff retention, performance, and development, all of which will play a part – even if it's not our primary impact.

## Looking Forward

It's far from job done; a big part of our success is the constant cycle of feedback and improvement, powered by the kind of reinvestment that just doesn't happen in the private sector, as the fees we collect go back into the service, making it a self-funded, ever-improving tool for local government, and with a cost for the technology less than £15 per job the value for money of the service is unarguable.



# Keeping COSLA Working

Looking after COSLA's people, finances, infrastructure, technology, and assets matters. It matters because, in the simplest terms, we must achieve the maximum impact for our members with the resources we have.

The last 5 years has seen a steady focus on improving work behind the scenes to achieve greater business resilience and accountability. In March 2020, the need for resilience became greater than ever, when COSLA employees took home their laptops and began working remotely: our people, with the help of technology, stepped up in unprecedented circumstances to support councils to respond to the pandemic in their own local communities.

COSLA works collaboratively with partner organisations, such as the Improvement Service and Public Health Scotland, and we have made the most of those partnerships too in the area of staff development, ensuring we share expertise and maximise value for money. In addition, we have used secondments to help embed cross-organisational working.

## Key Achievements

### Conference Centre

Each year, COSLA holds an Annual Conference and Excellence Awards, keynote events in the Scottish Local Government calendar, attracting all 32 Scottish Councils public, private and voluntary sector partners. These events are an opportunity to showcase and recognise the truly excellent work which takes place to deliver essential public services. COSLA's Conference Centre in Edinburgh can host meetings of 10 to 200 delegates. From 2017 until March 2020 the Centre was an income generator for COSLA, hosting more than 2000 events annually. As well as income generation the centre is the venue for our in-person Governance meetings such as Leaders, Convention and Boards and is also used by our Member Councils, public and private sector partners.

The Conference Centre was closed from March 2020 as a result of COVID, when COSLA's internal governance meetings, including the Annual Conference and Excellence Awards Ceremony, moved to a virtual platform, allowing all business and political structures to remain uninterrupted

and, at times, meet more frequently. As we move forward and restrictions are lifted, all necessary processes and covid compliant certificates have been put in place to welcome our clients back. COSLA has invested in the facility to ensure that hybrid solutions are in place to accommodate meetings where there is a mix of in-person and remote delegates.



### Financial Management

- At the beginning of April 2017, COSLA employed 74 people, and had reserves of £614,000. Fast forward 5 years and those numbers have increased to **97** and **£1,324,000**. This reflects both the increasing breadth and depth of the areas of interest for our members, largely by developing our relationship with the Scottish Government across policy areas of mutual interest and benefit, and the prudent financial management required when looking after our funders' resources.
- We also like to practice what we preach. Having had success at persuading members that a two-year budget (covering 2019/20 and 2020/21) provided some stability for planning, this was followed up with a **four-year budget** being agreed in March 2021, allowing us to face the future with more confidence.

### Political Governance

- A revised COSLA Constitution approved by Convention in November 2021 and the development of associated standing orders
- Quick adaptations of processes to run large political governance meetings **remotely with 100+ participants** in response to the Covid-19 pandemic.
- During COVID, support for a doubling of the frequency of Leaders meetings** to keep timely political governance at the heart of COSLA's work during the fast-paced developments around Covid-19.



### People Management

- Improved engagement with staff, including a Trade Union recognition agreement (2019), staff surveys and regular communications.
- From March 2020, facilitation of remote working for all staff.
- A new Staff Development Programme including coaching, people management leadership.
- Enhanced support for Employee Wellbeing.
- Development of the role of Policy Assistant across all teams, offering opportunities for graduates to gain experience across all policy areas.

### Data Protection

- In 2018, COSLA put General Data Protection Regulation (GDPR) training at the heart of its induction process for new employees and developed a training programme for existing staff members. Since then, all COSLA staff have received refresher GDPR training, with this continuing to be rolled out in 2022.
- Since 2018, COSLA has continued to hone and develop policies and processes to work towards GDPR compliance.

### ICT

- In 2020, a review of COSLA's ICT infrastructure identified and mitigated substantial risks to the organisation including cyber security, data management, and points of failure due to legacy systems.
- Additional cost savings were also identified as a result of this business improvement and efficiency process, and this has been reinvested in core ICT infrastructure.
- We look forward to benefitting from the expertise and knowledge of the Digital Office early in 2022 when they transfer into the COSLA family (from the Improvement Service).





# COSLA

**COSLA**

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**COSLA's strategic context and priorities post-election**

**Summary and Recommendations**

This report provides Convention with a summary of the current strategic context for Local Government and asks that Convention members provide their views on strategic priorities for COSLA moving into the next Local Government term.

This paper invites Convention to:

- i. Provide comments on the strategic context and key priorities for COSLA post-election; and
- ii. Agree that a refreshed COSLA Plan, building on the successes within the 5-year report, the Blueprint for Local Government, and COSLA's joint recovery work with Scottish Government, be brought to Convention for agreement in October 2022.

**References**

Previous reports to Convention:

- 21-03-26 Items 3 - Local Government Blueprint
- 17-06-30 Item 9 COSLA Plan 2017/18 – 2021/22

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**Feb 2022**

## **COSLA's strategic context and priorities post-election**

### **Purpose**

1. This report provides Convention with a summary of the current strategic context and asks that Convention members provide their views on priorities for COSLA moving into the next Local Government term. This will then allow officers to work with new COSLA Office bearers and Local Government stakeholders, with the aim of bringing a draft COSLA Plan back to Convention in October 2022 for approval.

### **COSLA's current priorities**

2. In 2017, Convention approved The COSLA Plan 2017-22 with a clear vision to "*to make communities better and more equal places by empowering local decision making and enabling councils to do what works locally.*" At that time, 8 priorities were agreed and 2 were subsequently added. The plan also contains principles and values that underpin all our work, irrespective of those priorities and policies:

<b>COSLA priorities</b>	
<ul style="list-style-type: none"> <li>• LOCAL GOVERNMENT FUNDING</li> <li>• UK EXIT FROM THE EUROPEAN UNION</li> <li>• DEMOCRACY AND REFORM</li> <li>• EDUCATION and CHILDREN'S SERVICES</li> <li>• HEALTH and SOCIAL CARE</li> </ul>	<ul style="list-style-type: none"> <li>• LOCAL ECONOMIES and INCLUSIVE GROWTH</li> <li>• A UNITED VOICE FOR LOCAL GOVERNMENT</li> <li>• EFFECTIVE SHARED SERVICES</li> <li>• EQUALITY, REPRESENTATION &amp; DIVERSITY</li> <li>• STRONG, SAFE AND SUSTAINABLE COMMUNITIES</li> </ul>
<b>Principles</b>	<b>Values</b>
Strengthening Local Democracy Working Together Locally Delivering Outcomes Focusing Communities Defending Local Choices	Ambitious Accountable Positive Focused Proactive

3. COVID meant that there was a need reshape and reposition Local Government. With COSLA Office bearers and key stakeholders, COSLA set about creating a strong positive vision for Local Government and defined a "blueprint" for the future. In August 2020, COSLA Leaders endorsed a '[Blueprint for Local Government](#)' and communication

strategy, with Convention asked to agree a set of actions in March 2021. Since then, the Blueprint has continued to be promoted at every opportunity – with new Ministers and MSPs, as part of Budget lobbying, and in generally promoting the importance of the work of Councils across Scotland. The Blueprint has also been the catalyst for a series of successful campaigns to promote proactively Local Government, including “*Scotland’s Councils: essential every day*” and “*This is Local Government*”.

4. As the current Local Government term comes to an end, COSLA has taken the opportunity to reflect on key work, highlights and achievements over the last 5 years. A report has been prepared – “*COSLA: this is our story 2017 – 2022*” – and is presented to Convention on this agenda.

### **Looking Forward – COSLA’s strategic context and priorities for post-election**

5. In September 2021, Scottish Government published its [Programme for Government](#) (PfG) setting out its intentions for the Parliamentary term, including its legislative programme. (This followed on from the “First 100 Days” commitments, which saw a number of operational actions that required Local Government delivery including commitments around removal of fees for music tuition and curricular charges, and funding for playparks).
6. Significantly for Local Government commitments within the PfG included establishment of a National Care Service, expansion of free school meals, Early Learning and Childcare, and wraparound care for school age children, delivery of The Promise, just transition and fair work, green transport/active travel, economic transformation (including community wealth building), affordable housing, 20 minute neighbourhoods and place-based investment.
7. In October 2021, COSLA signed up to a [COVID Recovery Strategy](#) with Scottish Government, which contained a commitment to build on the partnership working with Local Government which underpinned the Covid response to shape the recovery activity. The strategy’s vision is

By working together, we will:

- Address the systemic inequalities made worse by Covid
- Make progress towards a wellbeing economy
- Accelerate inclusive person-centred public services

Joint governance arrangements have now been put in place and COSLA is securing funding for 2 posts to co-ordinate and develop work across Local Government.

8. Scottish Government is currently finalising work on a soon to be published **10 year economic transformation strategy** with the following aim – “*working to unleash entrepreneurial potential and grow Scotland’s competitive business base, this strategy will prioritise investment in the industries of the future and deliver new, good and green jobs*”. Local Government will be key partners in shaping and delivering this strategy.
9. Significantly, UK Government has started working directly with councils across the UK to delivery on its “**Levelling up**” agenda, as well as developing the detail of the new Shared Prosperity Fund. These signal a new more direct relationship between UK and Scottish Local Government, providing opportunities and threats for the future.
10. Local Government in Scotland supports an ambitious approach to tackling **climate change and the national net zero emissions** target set for 2045. Local authorities are

working extensively on all aspects of decarbonisation and climate resilience, with many councils committed to go beyond national targets and deliver carbon neutrality by 2030. COSLA therefore strongly supports the UN Paris Climate Agreement and its aims, welcoming COP26 agreement in line with keeping global temperatures as close as possible to the 1.5 degrees centigrade target. This will be central to COSLA's work on behalf of Local Government going forward.

11. During 2021, Leaders agreed a refreshed scope for a **Local Government Fiscal Framework**, aimed at provided more stability, certainty and transparency in relation to Local Government funding, as well as local discretion around taxation, fees, charges, discounts and exemptions. Work is progressing with Scottish Government at an officer level but politically and at a more strategic level, relations have been tested for a few reasons – frequent policy announcements that impact Local Government with no prior discussions; disregard for Local Government voice in discussions; lack to respect for local democratic mandate and the key role of Councillors; subsequent poor one-year settlements that see real term cuts to core budgets. Meetings with the First Minister and Cabinet Secretaries have discussed these issues and it is hope that through the jointly agreed **Local Government Engagement Plan** we can work to resolve issues for the benefit our communities.
12. The incorporation of the **European Charter for Local Self-Government** into Scots law has been delayed by the well-publicised challenge in the Supreme Court. However, despite being a very slow process, this remains a strategic priority for COSLA and the expectation remains that the Bill will be reintroduced to the Scottish Parliament and that it continues to have cross-party support. Once passed, this will give legal effect in domestic law to the Charter's range of powers and protections for Local Government.
13. Whilst it is a complex strategic context, there is strong alignment between many of the key strategies and plans – wellbeing, the economy, children and young people, net zero etc. However, the “how” will undoubtedly present challenges over the next Local Government term so it is essential that COSLA has a clear set of priorities to guide its work and deliver the maximum benefit for all Councils and communities across Scotland.

### **Proposed COSLA Position**

14. The 'Blueprint for Local Government' gives COSLA a strong basis on which to shape our work for the next 5 year, across its 6 themes:
  1. Strengthening Local Democracy
  2. Funding Services and Communities
  3. Wellbeing – including Health and Social Care
  4. Education and Children and Young People
  5. Economy and the Environment
  6. Supporting Vulnerable Communities
15. By developing and refreshing the narrative and actions that sit beneath each of these themes to fully take account of the current and emerging strategic context (described in paragraphs 5-13), as well as building on achievements from the last 5 years, COSLA can ensure it is well placed to deliver for its member councils. It will also be important that the plan reflects the ongoing joint work with Scottish Government on recovery. This 'refresh' would essentially become the COSLA Plan for 2022 – 2027.

16. COSLA's current principles and values remain relevant and should be incorporated into the next iteration of the COSLA Plan.

### **Next Steps**

17. If this approach is agreed by Convention, officers will engage with COSLA's new Office Bearers and Local Government stakeholders to fully develop the new COSLA plan, bringing it to Convention for approval in October 2022.