

MINUTE OF MEETING OF LEADERS (DRAFT)

Friday 29 October 2021, 11.00am  
Via Microsoft Teams

**Present**

COSLA President	Councillor Alison Evison
COSLA Vice President	Councillor Graham Houston
Aberdeen City Council	Councillor Jenny Laing
Aberdeen City Council	Fraser Bell (Substitute)
Aberdeenshire Council	Councillor Andy Kille
Aberdeenshire Council	Ritchie Johnson (Substitute)
Angus Council	Councillor David Fairweather
Angus Council	Margo Williamson
Argyll and Bute Council	Councillor Robin Currie
Argyll and Bute Council	Pippa Milne
City of Edinburgh Council	Councillor Adam McVey
City of Edinburgh Council	Councillor Melanie Main
City of Edinburgh Council	Andrew Kerr
Clackmannanshire Council	Councillor Ellen Forson
Clackmannanshire Council	Fiona Colligan (Substitute)
Comhairle nan Eilean Siar	Councillor Roddie Mackay
Comhairle nan Eilean Siar	Malcolm Burr
Dumfries and Galloway Council	Councillor Gail Macgregor
Dumfries and Galloway Council	Councillor Rob Davidson
Dumfries and Galloway Council	Rob Davidson
Dundee City Council	Councillor John Alexander
Dundee City Council	Gregory Colgan
East Ayrshire Council	Councillor Douglas Reid
East Ayrshire Council	Eddie Fraser
East Dunbartonshire Council	Councillor Andrew Polson
East Dunbartonshire Council	Gerry Cornes
East Lothian Council	Councillor Norman Hampshire
East Lothian Council	Councillor Stuart Currie
East Lothian Council	Monica Patterson
East Renfrewshire Council	Councillor Tony Buchanan
East Renfrewshire Council	Lorraine McMillan
Falkirk Council	Councillor Cecil Meiklejohn
Falkirk Council	Kenneth Lawrie
Fife Council	Councillor David Alexander
Fife Council	Councillor David Ross
Fife Council	Steve Grimmond
Glasgow City Council	Martin Booth
Glasgow City Council	Susan Aitken

Highland Council	Councillor Allan Henderson (Substitute)
Highland Council	Councillor Alastair Christie
Highland Council	Donna Manson
Inverclyde Council	Councillor Stephen McCabe
Inverclyde Council	Louise Long
Midlothian Council	Councillor Russell Imrie (Substitute)
Midlothian Council	Dr Grace Vickers
Moray Council	Councillor Theresa Coull (Substitute)
Moray Council	Denise Whitworth (Substitute)
North Ayrshire Council	Councillor Joe Cullinane
North Ayrshire Council	Craig Hatton
North Lanarkshire Council	Councillor Paul Kelly (Substitute)
North Lanarkshire Council	Des Murray
Orkney Islands Council	Councillor James Stockan
Orkney Islands Council	John Mundell
Perth and Kinross Council	Councillor Roz McCall (Substitute)
Perth and Kinross Council	Barbara Renton
Renfrewshire Council	Councillor Iain Nicolson
Renfrewshire Council	Laura McIntyre
Scottish Borders Council	Councillor Shona Haslam
Scottish Borders Council	Netta Meadows
Shetland Islands Council	Councillor Steven Coutts
South Ayrshire Council	Eileen Howat
South Ayrshire Council	Councillor Peter Henderson
South Lanarkshire Council	Cleland Sneddon
South Lanarkshire Council	Councillor John Ross
Stirling Council	Councillor Scott Farmer
Stirling Council	Carol Beattie
West Dunbartonshire Council	Councillor Jonathan McColl
West Dunbartonshire Council	Joyce White
West Lothian Council	Councillor Lawrence Fitzpatrick
West Lothian Council	Graham Hope

## **Apologies**

Aberdeen City Council	Angela Scott*
Aberdeenshire Council	Jim Savege*
Clackmannanshire Council	Nikki Bridle*
Dumfries and Galloway Council	Gavin Stevenson*
East Dunbartonshire Council	Councillor Vaughan Moody
Glasgow City Council	Annemarie O'Donnell*
Highland Council	Councillor Margaret Davidson*
Midlothian Council	Derek Milligan*
Midlothian Council	Councillor Kelly Parry
Moray Council	Councillor Graham Leadbitter*
Moray Council	Roderick Burns*
North Lanarkshire Council	Councillor Jim Logue*
Orkney Islands Council	Councillor Steven Heddle
Perth and Kinross Council	Councillor Murray Lyle*
Renfrewshire Council	Sandra Black*
Shetland Islands Council	Maggie Sandison

*\* denotes substitute provided*

## **Public Session**

### **1. Introduction**

The President welcomed those present and provided guidance on how the meeting would be conducted remotely using Microsoft Teams. Apologies and substitutes had been noted separately for the Minute.

Prior to the commencement of formal business, Cllr Evison read out a tribute to Cllr Willie Innes who sadly passed away on 24 October, and Leaders took part in a minute's silence in remembrance.

Leaders agreed to take the item on Pay Negotiations next on the agenda, to enable officers to action the recommendations prior to union meetings early in the afternoon.

## **Private Session**

### **2. Pay Negotiations Update (paper LD/21/186)**

This paper provided Leaders with an update following the Special Leaders Meeting called on Wednesday 27 October. Cllr Macgregor and officers set out the four options available to Leaders in relation to a revised pay offer, and comments were invited.

Two amendments were proposed:

**Amendment 1** – Proposed by Councillor Stephen McCabe, seconded by Councillor Lawrence Fitzpatrick:

*Leaders are disappointed that, having refused COSLA's requests for adequate funding to meet local government pay claims for the past 6 months and making statements undervaluing the efforts of the local government workforce during the course of the pandemic, it has taken the threat of industrial action to make the Scottish Government*

*offer further funding to Local Government that will allow COSLA to make a revised pay offer to its workforce.*

*As COSLA has clearly stated, on its own, the level of core funding to local government this year is inadequate to allow an enhanced pay offer beyond that already made to our trade unions without the danger of future cuts to services and job losses.*

*The current offer of a one-off payment of £30m from Scottish Government to Local Authorities for COVID pressures, will give COSLA the opportunity to make an enhanced pay offer to our trade unions but is, in itself, still below what COSLA believes is required to make a fair pay offer to its workforce without the danger of cuts to services and job losses.*

*Nor will this one-off £30m allow COSLA to make a revised pay offer that will commit councils to recurring pay costs in future years, without a commitment from Scottish Government that this amount will be baselined in future local government financial settlements.*

*Leaders therefore agree:*

- i) To make a revised pay offer based on option 3, backdating the current PSPP offer to 1<sup>st</sup> January 2021;*
- ii) That a revised offer should be made to all bargaining groups based on this option; and*
- iii) That COSLA should continue to make the case to Scottish Government for future Local Government settlements that allow us to make fair and equitable pay offers to our workforce.*

**Amendment 2** – Proposed by Councillor Douglas Reid, seconded by Councillor Cecil Meiklejohn:

*Leaders agree to make a revised pay offer based on Option 3.*

Vote

Amendment 1 – 17

Amendment 2 – 15

Accordingly, Leaders agreed:

- i) To make a revised pay offer based on option 3, backdating the current PSPP offer to 1<sup>st</sup> January 2021;*
- ii) That a revised offer should be made to all bargaining groups based on this option; and*
- iii) That COSLA should continue to make the case to Scottish Government for future Local Government settlements that allow us to make fair and equitable pay offers to our workforce.*

Public Session

### **3. Draft Minute of Leaders' Meeting held 24 September 2021 (paper LD/21/182)**

The minute of the previous meeting was agreed as an accurate record.

### **4. Revised COSLA Constitution (paper LD/21/183)**

Leaders were presented with the draft revised Constitution, which has been updated following agreement at Convention in October 2020. An explanatory note was also provided which summarised the changes. Agreement was sought that it be presented for approval at the next COSLA Convention in November.

Leaders:

- i. considered the updates, clarifications, and improvements comprising the draft revised COSLA Constitution; and
- ii. agreed to recommend the revised COSLA Constitution to COSLA Convention for agreement in November.

#### **5. COP26 Update (paper LD/21/184)**

This paper provided an update on plans for COP 26, including the events being planned within the COP programme to highlight the work of Local Government in Scotland. All activities organised and supported by COSLA were noted in the Appendix, and further information was also provided on the COSLA campaign ahead of and after COP and discussions to advance policy outcomes surrounding work towards Net Zero.

Leaders:

- i. Welcomed the extensive programme of activities to be organised by COSLA during COP26 in Glasgow around the Cities and Regions Day;
- ii. Encouraged council participation in the various activities open to their involvement; and
- iii. Noted the provisional calendar of events attached as an appendix.

#### Private Session

#### **6. COSLA Response to the National Care Service Consultation (paper LD/21/185)**

This paper sought Leaders' views and input to the draft COSLA response to the Scottish Government consultation on the National Care Service. The COSLA President sought an extension for COSLA and Member Councils to the original deadline of 2 November, which was granted by the Cabinet Secretary for Health and Social Care to 12 November. COSLA Officers were supported in preparing the response with input from COSLA Policy Boards, professional organisations including SOLACE and Social Work Scotland and other partners within Local Government. Leaders were invited to comment on the overall response as well as on specific areas where a Local Government view has not been united.

Leaders:

- i. Provided their views on the areas set out in paragraphs 22-31 to inform further work;
- ii. Provided views on the draft COSLA positions set out in the appendix to this document; and
- iii. Endorsed the response outlined, subject to inclusion of the views expressed in the meeting.

#### **7. Adult Social Care Pay Uplift (paper LD/21/187)**

This paper updated Leaders on the Scottish Government announcement of additional funding for a pay uplift for adult social care staff providing direct care. This includes the

scope of the policy being limited to only commissioned services and the proposed implementation. Officers also provided clarification on the percentage weightings in Annex A to the report.

Leaders:

- i. Agreed that Local Government passes on the funding to providers to enable them to increase pay for staff delivering direct care in adult social care to a minimum of £10.02;
- ii. Agreed that best endeavours be made to provide this uplift for December or as soon as possible thereafter;
- iii. Agreed that the recommendation above be subject to Scottish Government agreeing to meet the additional administration cost to Local Government to implement; and
- iv. Agreed that communications should be developed to manage expectations with providers about the speed at which this funding can be made available.

### **8. Local Government Finance Update (paper LD/21/188)**

Leaders were provided with updates on various issues relating to Local Government Finance, including the Scottish Budget, Parliamentary Engagement, Budget Lobbying and COVID-related Health and Social Care Funding. A verbal update was also provided on lobbying around the Scottish Government Budget, which will be published on 9 December.

Leaders:

- i. Noted the position in relation to the Scottish Budget, Parliamentary Engagement, Budget Lobbying, and COVID-related Health and Social Care funding;
- ii. Agreed that the revised proposal outlined regarding the Historical Child Abuse Financial Redress Scheme form the basis of Local Government's financial contribution;
- iii. Noted the ongoing monitoring of the resourcing for the COVID Vaccine Certification Scheme;
- iv. Agreed that Local Government deliver the ventilation grants to businesses, subject to refinement of the detailed process and that admin funding be made available; and
- v. Provided comment on the additional health and social care funding provided for care and home and interim care.

### **9. UK/Scottish Government Fiscal Framework Review (paper LD/21/189)**

This paper provided Leaders with more detailed technical information in relation to Scottish Government's view of what should form part of the scope of the forthcoming UK/Scottish Government Fiscal Framework Review. Leaders were asked to support the Scottish Government Proposals but consider any conditions they may wish to see attached to that support, which could increase stability and certainty in relation to funding for Local Government.

One amendment was proposed to this paper:

**Amendment** – proposed by Councillor Norman Hampshire and seconded by Councillor Stephen McCabe:

*To amend recommendations ii) and iv) as follows:-*

*ii) Agree that COSLA should support, in principle, the proposed widened scope subject to conditions to be agreed at a future Leaders meeting, based on advice from the Fiscal Framework Working Group.*

*iv) Agree that, should Scottish Government see increased borrowing limits (revenue and Capital) and reserves powers, there should be no detriment to Scottish Local Government's (revenue and capital funding)*

This amendment was agreed unanimously.

Accordingly, Leaders:

- i. noted the key considerations and issues raised within this paper, presented at paras 6 to 14;
- ii. agreed that COSLA should support, in principle, the proposed widened scope subject to conditions to be agreed at a future Leaders meeting, based on advice from the Fiscal Framework Working Group;
- iii. agreed that, should Scottish Government see increased borrowing limits (revenue and capital) and reserves powers, COSLA would wish to:
  - (a) engage in early discussions around the implications for Local Government funding,
  - (b) see transparency in relation to the implications across public service budgets;
- iv. agreed that, should Scottish Government see increased borrowing limits (revenue and Capital) and reserves powers, there should be no detriment to Scottish Local Government's (revenue and capital funding)

#### **10. Proposed Transfer of Digital Office into COSLA (paper LD/21/190)**

This paper provided background information around the proposed transfer of the Digital Office from the Improvement Service into COSLA, which has been discussed by COSLA, SOLACE and the Improvement Service since early summer 2021. Leaders were asked to note the arrangements set out in the report and agree to the transfer, which would take place before March 2022 on a date agreed by all parties.

Leaders:

- i. agreed the proposed transfer of the Digital Office from the Improvement Service into COSLA;
- ii. considered and agreed the governance arrangements;
- iii. considered and agreed the financial arrangements;
- iv. considered and noted the arrangements for affected employees;
- v. considered and noted operational management considerations; and
- vi. authorised officers to start the legal TUPE transfer process of Digital Office staff into COSLA from the Improvement Service.

#### **11. Scottish Disability Assistance and Child Disability Payment (paper LD/21/191)**

This report provided an update on Social Security Scotland's implementation of Scottish Disability Assistance, and Local Government's role in supporting the national rollout of the Child Disability Payment. A verbal update was also provided on funding announced from the UK Government which can be used for the recently-announced Household Support Fund. It was noted that Ministers have given an in-principle agreement to allocate £25 million to local authorities for flexible funding to tackle financial insecurity

over this coming Winter (2021-22), and this will be presented at the next Settlement and Distribution Group meeting.

Leaders:

- i. Noted the update in relation to Child Disability Payment;
- ii. Reaffirmed that COSLA continue to work positively with the Scottish Government and others to help to minimise the burden on claimants in order to promote Child Disability Payment entitlement and access;
- iii. Noted that the Settlement and Distribution Group's report on today's agenda includes a recommendation in respect of the Scottish Government's new burdens funding for the CDP national rollout; and
- iv. Agreed the proposed COSLA position and that COSLA officers continue to support work in this area for both Child Disability Payments and the implementation of the Adult Disability Payment.

### **12. Scottish Attainment Challenge Funding (paper LD/21/192)**

This report provided Leaders with an update on ongoing discussions with Scottish Government on the next phase of the Scottish Attainment Challenge funding, following a report which was brought to the September Leaders Meeting. The paper detailed the refreshed Challenge, changes to its mission, the structure of the funding and a series of principle to guide further work between national and Local Government on governance and accountability.

Leaders:

- i. Noted the refreshed approach to the Scottish Attainment Challenge
- ii. Agreed the position set out in paragraph 15.

Councillor John Alexander of Dundee City Council noted that he did not agree the recommendations to the report.

### **13. Progress Report – Implementation of Morgan Review of Additional Support for Learning (paper LD/21/193)**

This paper shared the first annual update on activity to implement to the recommendations of Angela Morgan's Review of Additional Support for Learning Implementation. COSLA officers have worked with Scottish Government on the development of an Action Plan and are working with the Additional Support for Learning Implementation Group to progress the recommendations; a Progress Report was included as an Appendix to the paper.

Leaders:

- i. Reviewed the update on progress; and
- ii. Endorsed the update for publication.

### **14. ELC: Fair Work and Living Wage Implementation Group (paper LD/21/194)**

This paper provided further information on the Scottish Government's approach to COSLA to discuss formation of a joint ELC Living Wage and Fair Work Implementation Group to track progress of the National Standard for Early Learning and Childcare.

Leaders' agreement was sought that COSLA join the group to support the implementation of the commitments made through the National Standard for ELC, while



also noting COSLA's ongoing work to a strategic, cross-portfolio approach to Fair Work for Local Government.

One amendment was proposed to the paper, which was agreed unanimously:

**Amendment** – Proposed by Councillor Stephen McCabe and seconded by Councillor Norman Hampshire:

*To add to the recommendations:*

*Request a representative of ADES be added to the ELC Implementation Working Group.*

Accordingly, Leaders:

- i. Noted the terms of reference for the proposed ELC Living Wage and Fair Work Implementation Group, as set out in an appendix to the paper;
- ii. Agreed that COSLA join the ELC Living Wage and Fair Work Implementation Group;
- iii. Noted COSLA's ongoing work to develop a strategic, cross-portfolio approach to Fair Work and that a further position is to be brought to Leaders in the coming months; and
- iv. Requested that a representative of ADES be added to the ELC Implementation Working Group.

#### **15. SQA Levy (paper LD/21/195)**

In August, Leaders mandated officers to continue discussions with the SQA on the annual levy paid by Local Authorities, ensuring there was a transparency in their costs as a result of the alternative certification model. This paper provided an update to Leaders on those discussions, and set out further information on the costs of the alternative certification model.

Leaders:

- i. Noted the information from the SQA and Scottish Government on the costs of delivering national qualifications in 2021 set out in paragraphs 4 to 8.
- ii. Agreed the position set out in paragraph 9, and in particular agreed that the COSLA Resources and Children and Young People Spokespersons write to the Cabinet Secretary for Education and Skills to set out this position.

#### **16. Contingency Hotel Accommodation for People Seeking Asylum (paper LD/21/196)**

This paper provided an update to Leaders on developments in relation to the provision of accommodation for destitute people who require support while their asylum claims are processed, and highlighted serious concerns that have been raised by COSLA and individual local authorities in relation to the use of contingency hotels for this purpose. Cllr Cecil Meiklejohn also shared Falkirk Council's experience of contact with the Home Office and the use of hotels as temporary accommodation.

Leaders:

- i. Agreed that COSLA should maintain its position in opposition to the use of hotels as asylum contingency accommodation; and

- ii. Agreed that COSLA should continue to press for meaningful partnership working and sufficient funding to support councils' role in the UK's asylum dispersal programme.

### **17. Capital funding for Gypsy/Traveller Accommodation (paper LD/21/197)**

This report provided an update on progress on the development and allocation of the £20 million capital fund for investment in affordable accommodation supply for Gypsy/Travellers. Leaders previously agreed that this would be used for joint investment with local authorities in demonstrator sites and should inform the future funding model for local government delivery of culturally appropriate accommodation. The Oversight Board, which includes COSLA, Directors of Finance and ALACHO met earlier in the week to consider proposals and a final recommendation from that Board to Ministers is expected within the next two weeks.

Leaders:

- i. Agreed the position set out in paragraph 11, that COSLA will not take a formal view on which projects should be awarded funding but continue to contribute advice to the Oversight Board in line with our strategic priorities; and
- ii. Agreed that Councillor Parry inform the Cabinet Secretary for Social Justice, Housing and Local Government of this position and highlight the need for the demonstration projects to help establish a sustainable approach to meeting longer term funding needs for Gypsy/Traveller accommodation.

### **18. National Workforce Strategy – Health and Social Care (paper LD/21/198)**

This report informed Leaders of the development of a national Workforce Strategy for Health and Social Care, by the third week in December. COSLA recently joined the project to develop the Strategy, which was originally conceived as a Scottish Government process and publication. Drafting of the strategy is ongoing, and a version will be available for consideration at the next Leadership Sounding Board in mid-November. Leaders discussed the Workforce Strategy and highlighted the need for clarity on what the document Strategy was trying to achieve would be useful. Clarity on the split between national and local responsibility and the challenging timescales for publication.

Leaders:

- i. noted the development of a high level National Health and Social Care Workforce Strategy which COSLA has been invited to co-produce;
- ii. communicated high level messages or themes from a local government perspective which would support the content and tone of the Workforce Strategy;
- iii. agreed that the Leaders' meeting in November will consider the draft final version of the Strategy, with further input via LSB discussions where appropriate; and
- iv. agreed that any final edits following November's Leaders Meeting should be delegated to Councillor Currie, Health and Social Care Spokesperson.

### **19. Local Government Settlement and Distribution (paper LD/21/199)**

Leaders were presented with the recommendations of the Settlement and Distribution Group in relation to general distribution of funding for the next Local Government Finance Settlement.

Leaders also considered and agreed recommendations from the Settlement and Distribution Group in relation to:

- Appropriate Adults – 2022-23
- National Transfer Scheme for Unaccompanied Asylum-Seeking Children
- Self-Isolation Support Grant – Additional Admin Funding – 2021-22
- Scottish Disability Assistance – Funding for Gathering Supporting Information
- Scottish Attainment Challenge (SAC) – 2022-23 onwards
- Discretionary Housing Payments – Funding for 2022-23
- Baselined Funding for Additional Teachers and Support Staff
- Mental Health Officers - Recovery and Renewal Funding
- Care at Home – Winter Planning
- Interim Care - Winter Planning

**Date of Next Meeting – Friday, 26 November 2021**

Leaders noted the date of the next meeting as above.

In closing the meeting, Cllr Evison thanked Leaders for their attendance and contributions, and the meeting ended at 13.25h.

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