

## ABERDEENSHIRE COUNCIL

### PROCEDURES COMMITTEE

#### SKYPE MEETING, 17 SEPTEMBER, 2021

**Present:** Councillors W Howatson (Chair), R Cassie, P Johnston (as substitute for Councillor M Ford), A Kille, G Owen, G Petrie (Items 1 to 8) and N Smith.

**Apologies:** Councillors M Ford and A Stirling.

**Officers:** Head of Legal and People, Legal Services Manager, Strategic Finance Manager and Principal Committee Services Officer.

#### 1. DECLARATION OF MEMBERS' INTERESTS

No interests were declared by any member of the Committee, in terms of the Councillors' Code of Conduct.

#### 2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to –
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and take those into consideration when reaching a decision.

#### 3. MINUTE OF MEETING OF THE PROCEDURES COMMITTEE OF 21 APRIL, 2021

The Minute of Meeting of the Committee of 21 April, 2021 was circulated, and **approved** as a correct record.

#### 4. STATEMENT OF OUTSTANDING BUSINESS

There was circulated a report which provided an update on progress made against outstanding actions agreed at previous meetings of the Procedures Committee.

The Head of Legal and People explained that reports on two of the three items on the outstanding business list (Review of Scheme of Governance and Scrutiny at Aberdeenshire) were included on the agenda for consideration and the remaining

item (Review of Committee Remits) could now be removed from the list following the decision at the previous meeting to defer the matter until the next Council term to allow the new Council to determine whether a review was required.

The Committee agreed to **note** the update report and the removal of the item on the Review of Committee Remits.

## 5. FORWARD PLAN – UPDATE

There was circulated a report dated 8 September, 2021 by the Director of Business Services providing an update on the items listed on the Procedures Committee forward plan which included (1) Annual Review of the Scheme of Governance, (2) Scrutiny at Aberdeenshire review, (3) Review of the Policy Development and Review Framework, (4) Expenditure Approval Process Project update, and (5) Review of Planning Delegations. Progress reports on items (2) and (4) were included on the agenda for consideration at the meeting and approval of a revised timescale for completion of work relating to the remaining items (1), (3) and (5) was sought.

The Head of Legal and People introduced the report and responded to Members' questions by identifying the Team which would be leading on the Review of the Policy Development and Review Framework and acknowledging that other items of business could come forward for consideration at future meetings in addition to those listed on the Forward Plan.

Thereafter, the Committee **agreed**:

- (1) to note the updates to the items on the Forward Plan agreed by Committee on 21<sup>st</sup> April 2021; and
- (2) to approve the revised Forward Plan as detailed in Appendix 1 of the report.

## 6. ANNUAL REVIEW OF SCHEME OF GOVERNANCE

There had been circulated a report dated 24 August, 2021 by the Director of Business Services advising the Committee of matters currently under consideration as part of the Annual Review of the Scheme of Governance and seeking comment on those matters and identification of any additional matters for inclusion prior to reporting back to Procedures Committee and Council in November with the details of the proposed revisions. The report provided details on the updates proposed to be incorporated in respect of the following matters –

- (a) delegation to Area Committees to approve the award of grants to Community Councils;
- (b) delegations in respect of the Council's Surplus Property Policy;
- (c) delegation to Area Managers to approve expenditure from the Area Committee budget;
- (d) State Aid provision within the Financial Regulations;
- (e) recommendations by the Expenditure Approval Process Project (EAPP) Board;
- (f) Treasury Management Strategy approval process;
- (g) delegations in respect of the Corporate Charging Policy;
- (h) approval of statutory payments;

- (i) removal of the Appointments Sub-Committee for appointments to the Health and Social Care Partnership;
- (j) delegations in respect of Roads Orders;
- (k) delegations in respect of monies bequeathed to the Council for a specific purpose;
- (l) Officer delegations following completion of the Chief Officer review; and
- (m) enforcement of the new Taxi and Private Hire advertising policy.

The Head of Legal and People introduced the report and responded to Members' questions on the proposed reporting timescale and opportunity for Members' input, the background to the approval of the Treasury Management Strategy and the reason for the proposed review of the approval process for Capital Projects under the EAPP recommendations.

The Committee **agreed** to note:

- (1) the matters under consideration as part of the Annual Review of the Scheme of Governance as outlined in the report;
- (2) that the Committee would receive a report back to its meeting on 5 November 2021 with details of the proposed revisions for recommendation to Full Council.

## **7. EXPENDITURE APPROVAL PROCESS PROJECT – UPDATE**

With reference to the Minute of Meeting of the Committee of 21 April 2021 (Item 5) there had been circulated a report dated 24 August, 2021 by the Director of Business Services providing an update on progress and next steps for the Expenditure Approval Process Project (EAPP). The report explained (1) the background to the EAPP project which had originally been established to manage the procurement approval process, (2) that the project had been expanded to look at the entire lifecycle of Council spend across all Services with the aim of delivering the Budget Wheel concept, a comprehensive cycle of reporting and decision making on service budget expenditure, linked to the Council Plan, Council Priorities, Service Plans and the Local Outcome Improvement Plans (LOIP), supported by a robust procurement policy underpinning the delegations to officers in the Scheme of Governance, (3) key areas of project progress achieved to date which included changes to Grants including implementation of a Grants Register, Pupil Equity Funding, Health and Social Care contracts and procurement terminology; improvements in format and information provided in procurement plans and procurement approval forms, a review of report templates and improved guidance for officers; and initial scoping of an electronic solution to support the governance of procurement and grants, (4) that the project had been paused in March 2020 due to the impact of the COVID-19 pandemic and availability of resources to support the project, and (5) that the EAPP Board had reconvened on 27 April, 2021 and 26 August, 2021 to discuss the future of the project and had taken the decision to close the project, with separate actions being taken forward to address identified corporate needs which would include the development and implementation of an electronic solution for the procurement approval process; changes to the Scheme of Governance in respect of contract increases due to unforeseeable variations in price, Capital project expenditure, procurement arising from government grants with limited discretion, and grants and loans; and the creation of a procurement hub on Arcadia.

The Head of Legal and People introduced the report and the Committee **agreed** to:

- (1) note the actions outlined in the report which would now be progressed separate to the EAPP; and
- (2) acknowledge that the EAPP would be formally closed down, but that the development of the Budget Wheel and review of expenditure approvals will be kept under review.

## **8. REVIEW OF SCRUTINY ARRANGEMENTS**

With reference to the Minute of Meeting of the Committee of 21 April, 2021 (Item 5) there had been circulated a report dated 24 August, 2021 by the Director of Business Services advising Committee of the outcome of the review of the Council's scrutiny arrangements. The report (1) outlined the review work undertaken, (2) detailed proposed improvements to be implemented as a result which included (i) a rebranding of scrutiny including renaming as Improving Aberdeenshire; (ii) a review of the programming of scrutiny activity to ensure it was founded within the principles in the Performance Management Framework of Plan, Do Learn, Act; (iii) changes to report templates to ensure Members were clear on when they were undertaking their scrutiny role; and (iv) updating training materials for Members to ensure they were well equipped with the knowledge and tools required to perform their scrutiny role effectively, and (3) sought approval to mark the corresponding actions in the Best Value Action Plan as complete.

The Head of Legal and People introduced the report and the Legal Services Manager provided further details of the review work undertaken and further explanation in respect of the timescale for the delivery of the proposed improvements.

The Committee **agreed**:

- (1) to acknowledge the outcome of the review of the Council's scrutiny arrangements as set out in the report;
- (2) the improvement actions outlined in Appendix 1 of the report, subject to the proposed rebranding to Improving Aberdeenshire being amended to Scrutiny and Improvement at Aberdeenshire and instructed the Head of Legal and People to report back to Procedures Committee with an update on implementation; and
- (3) that the action BV4 and sub-actions BV4.1, 4.2 and 4.3 in the Best Value Action Plan 2020 could now be marked as complete as the review had now concluded and actions been agreed.

## **9. COMMITTEE REPORT TEMPLATE – UPDATE**

There had been circulated a report dated 24 August, 2021 by the Director of Business Services on recent updates included in the committee report template and seeking comments on suggestions for further changes to Section 1 of the template (Reason for Report/Summary) with the aim of giving the reader an immediate

understanding of the purpose of the report and the decision being asked of the Committee. The report provided examples of alternative reporting practices used by the Convention of Scottish Local Authorities and other local government bodies and presented three options for consideration, as detailed in report style format in Appendix 1, which included (1) updating the current report writing guidance to encourage report authors to expand on the Reason for Report/Summary at Section 1 and provide a more comprehensive summary of the report, (2) combining the Reason for Report/Summary paragraph with the Recommendations paragraph in to one Summary/Recommendations Section, or (3) combining the Reason for Report/Summary, Recommendations and Purpose of Report paragraphs in to one Executive Summary Section.

Discussion took place on each of the three options presented during which Members expressed a preference for a combination of options (2) and (3) to achieve a good clear and concise explanation of the reason for the report, ensure the full detail of all recommendations are listed together and not referred to elsewhere within the report and facilitate a reduction in the volume of paperwork circulated.

Thereafter, the Committee **agreed**:

- (1) to note the updates to the Committee Report Template; and
- (2) to note that the comments expressed by Members would be taken on board by Officers with a view to further improvements being incorporated in the committee report template and guidance provided to report authors.