

REPORT TO ABERDEENSHIRE COUNCIL – 30 JUNE 2022

APPOINTMENTS TO OUTSIDE BODIES - UPDATE

1 Executive Summary/Recommendations

1.1 This report provides an update on responses received from Grampian Regional Equalities Council and the Outdoor Access Trust for Scotland on their requirement for nomination to those bodies, seeks Council consideration of a request from COSLA to nominate a member to the Scottish Joint Council for Local Government Employees (SJC) and advises Council of the honorary ex officio appointment of the Provost as President/Vice President of the Grampian Houston Association.

1.1.1 The nomination of Members to Outside Bodies is a matter reserved to Full Council and is managed through the Confident Governance process. All outside bodies are required to provide their constitutional documents, accounts and complete an application form and these are examined by officers in Legal and People and Finance prior to requests for nomination being presented to Council for consideration.

1.1.2 There are two categories of nominations. One as a decision maker and the other as an observer. The roles and responsibilities in respect of each category are outlined in paragraph 3.4 below.

1.1.3 Nominations, if approved, are effective for the full Council term unless a resignation is received, reappointment is provided for otherwise by statute or a motion to remove a Member is carried by a majority of Members present and voting at the Council or Committee or Sub-Committee meeting as appropriate.

1.2 The Council is recommended to:

1.2.1 agree to nominate a member in principle to the Outdoor Access Trust for Scotland in a decision making capacity and to delegate authority to the Infrastructure Services Committee to nominate a member;

1.2.2 note the current working arrangements with Grampian Regional Equality Council as outlined at paragraph 3.3 of the report

1.2.3 agree to nominate one substantive member and one substitute member to the Scottish Joint Council for Local Government Employees (SJC); and

1.2.4 note that the Constitution of the Grampian Houston Association includes provision for the Provost in an honorary ex officio position

of President or Vice President shared with the Civic Head of Aberdeen City Council and alternating on an annual basis.

2 Decision Making Route

- 2.1 At its meeting on 19 May, 2022, the Council agreed, as part of the process of determining the nomination of members to Outside Bodies, to instruct officers to make contact with two outside bodies (the Grampian Regional Equality Council and the Outdoor Access Trust for Scotland) to ascertain whether those groups still required a nomination on the basis that the Council had previously taken a decision following the Local Government Election in 2017 to nominate members to those groups but had subsequently been unable to do so as members had been unwilling to accept nominations to those bodies.

3 Discussion

- 3.1 Contact has now been made with both groups and this report provides an update to Council.
- 3.2 The Outdoor Access Trust for Scotland has confirmed it wishes to seek the nomination of 1 member in a decision making capacity and Council is requested to approve the nomination and delegate authority to the Infrastructure Services Committee to make the nomination.
- 3.3 Grampian Regional Equality Council – In the absence of previous appointments to this body, successful alternative working arrangements are now in place which provides for regular contact including meetings with the Head of Customer and Digital Services and the Chair of the Communities Committee. Council is therefore recommended to note the current working arrangements and that a report will be presented to a future meeting if circumstances change.
- 3.4 So that both Members and Outside Bodies are clear as to the role and responsibilities of a Member once nominated to an Outside Body, standard nomination terms are provided for nominations which are in a decision-making role. It is the responsibility of each Member to check compliance with the nomination terms throughout their term of involvement with the Body.
- 3.5 Members receive training on their responsibilities to outside bodies including their duties as charitable trustees and as directors. In short, when a councillor takes on a role as a **decision-maker** for an outside body, the councillor becomes a member of that organisation (which is separate from his/her role as a councillor), can make decisions on behalf of the organisation and carries liability for those decisions. Where the role taken on is one of **observer**, the councillor does not become a member of the outside body and simply observes proceedings or provides advice on what the Council's position is on a particular issue.
- 3.6 Scottish Joint Council for Local Government Employees - The Council has now been requested to nominate one member to the Scottish Joint Council for Local

Government Employees (SJC). The SJC meets once a year in November and has decision making authority. The nominated member does not need to be drawn from the COSLA Convention nominations. Where the nominated member is unable to attend a meeting, the constitution allows for another councillor to substitute and Council is also invited to nominate a substitute member at this time.

- 3.7 Grampian Houston Association - The Council is also asked to note that in terms of the Constitution of the Grampian Houston Association, the Provost has an honorary ex officio position as President or Vice President, which is shared with the Civic Head of Aberdeen City Council alternating each year. The Provost will therefore take up the position of Vice President with effect from 22 June, 2022.

4 Council Priorities, Implications and Risk

- 4.1 The report helps deliver all six Strategic Priorities by ensuring the underlying key principle of “right people, right place, right time”.

Pillar	Priority
Our People	Education Health & Wellbeing
Our Environment	Infrastructure Resilient Communities
Our Economy	Economy & Enterprise Estate Modernisation

- 4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial			X
Staffing			X
Equalities and Fairer Duty Scotland			X
Children and Young People’s Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			X

- 4.3 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken because the decision to nominate members to Outside Bodies is a procedural matter which would not have a differential impact on any of the protected characteristics.
- 4.4 The following Risks have been identified as relevant to this matter on a Corporate Level

[Aberdeenshire Corporate Risks](#)

ACORP006 – Reputation Management

5 Scheme of Governance

- 5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 The Council is able to consider and take a decision on this item in terms of [Part 2A of the Scheme of Governance – Section A.9.2](#), as Full Council has reserved the power to approve Council membership of any external body.

Ritchie Johnson
Director of Business Services

Report prepared by Ann Riddell, Principal Committee Services Officer.
26 May, 2022