

**To: Council**

**On: 4 March 2021**

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**Report by: Director of Finance and Resources**

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**Heading: Governance Arrangements**

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## **1. Summary**

- 1.1 The purpose of this report is to seek approval for arrangements for the next cycle of Board meetings up to and including the next full Council meeting on 13 May 2021 and to provide an update on the acquisition of the Public-i system that enables livestreamed hybrid meetings to take place, once restrictions to combat the Covid-19 pandemic have been eased.
  - 1.2 The proposal is to continue the arrangements that have been in place for Board and Council meetings since August 2020.
  - 1.3 The arrangements set out in the report aim to allow the next cycle of Board meetings to take place as efficiently as possible in the current circumstances as well as enabling the Council to continue to respond to any urgent issues arising from the continuing Covid-19 pandemic.
  - 1.4 The report also proposes a delegation in relation to decisions regarding the lending or borrowing of museum collection items and seeks approval or noting of various other governance related matters.
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## **2. Recommendations**

- 2.1 Council is asked to:
  - a) approve the arrangements for the next cycle of Council and Board meetings set out in section 4 of this report;

- b) note the delay in the installation of the Public-I system;
- c) note that the arrangements for subsequent Board cycles will be the subject of a report to Council on 13 May 2021;
- d) continue the temporary changes to the membership and remit of the Emergencies Board approved by Council on 25 June 2020;
- e) approve a delegation to the Head of Policy and Commissioning in consultation with the Leader of the Council to authorise lending of any item from the Council's museum collection and the borrowing of items from another party for exhibition by the Council and to agree the terms under which the lending or borrowing of items takes place;
- f) authorise the Leadership Board to decide requests for the return of items from the museum collection to the place or community of origin of those items.
- g) agree to appoint:
  - i) Cllrs Devine and Sheridan to replace Cllrs McCulloch and Montgomery on the Communities, Housing and Planning Policy Board
  - ii) Cllr Sharkey to replace Cllr Montgomery on the Cross-Party Sounding Board
  - iii) Cllrs Harte and Hood to replace Cllrs Bibby and Davidson on the Education and Children's Services Policy Board; and
  - iv) Cllr Sharkey to replace Cllr Davidson on the Infrastructure, Land and Environment Policy Board
- h) note the outcome of Cllr Mack's appeal against the decisions of the Standards Commission and that as a result, Cllr Mack can resume his role as an elected member of Renfrewshire Council. Further note that a further hearing by the Standards Commission is due to take place on 9 March 2021.
- i) agree that the meeting of the Audit, Risk and Scrutiny Board scheduled for 28 September 2021 be rescheduled to 25 October 2021.

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### **3. Background**

- 3.1 Since the start of the Covid-19 pandemic in March 2020, the Council has had in place emergency governance arrangements to enable oversight of its functions and services in circumstances where it has not been possible for meetings of the Council's Boards to take place safely in Renfrewshire House.

- 3.2 These arrangements initially involved weekly meetings of the Emergencies Board, held remotely, extended emergency delegations to the chief executive and the cancellation of all Council and Board meetings up to the Council meeting on 25 June 2020.
- 3.3 Several full cycles of Board meetings have now taken place with remote access for members using Microsoft Teams. However, due to a continued resurgence in the Coronavirus since the last Council meeting, it has still not been possible to consider a safe return to holding meetings in the Council Chamber in Renfrewshire House.
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#### **4. Arrangements for the March to May 2021 Cycle of Meetings**

- 4.1 The dates for meetings of the Council and Boards from October 2020 to June 2021 were approved by Council on 26 September 2019. Those dates, including those for meetings during the March to May 2021 Board cycle, have remained in place as scheduled and are listed in the appendix to this report.
- 4.2 It is proposed that, subject to paragraph 4.6 below, the planned meetings in the March to May 2021 Board cycle continue to take place remotely using video or audio links with the same arrangements as previously approved for the last cycle of meetings.
- 4.3 The position in relation to the impact of Covid-19 on the possibility of holding physical meetings in Renfrewshire House remains the same as in previous reports. Until the position is clarified, it is not possible at this time to arrange meetings in the Council Chamber or any of the committee rooms in Renfrewshire House or any other indoor venue in a way that is in accordance with government guidance.
- 4.4 As indicated in the report to Council on 17 December 2020, the Council had purchased a system from Public-I that would allow hybrid meetings to take place with some members present in the Council Chamber and others accessing the meeting remotely.
- 4.5 The system was due to be installed during week beginning 11 January 2021. However, due to the additional Covid-19 related restrictions imposed on travel, the engineer from Public-I was unable to attend Renfrewshire House to complete the installation work. A provisional date has been fixed for between 8 to 10th March 2021 for the installation to now take place although this too will be subject to whatever Covid-19 related restrictions are in place at that date. It is hoped that testing of the system with elected member involvement can then take place in late March 2021. However, it is not anticipated that the system will be available for use for a hybrid Board or Council meeting in the March to May 2021 cycle, even if guidance permitted such a meeting to take place.

- 4.6 In any event, it is proposed to continue the discretion given at previous Council meetings to each Convener in consultation with the chief executive and the representatives of the other political groups on the Board to agree to use the new system for a Board meeting once the system has been successfully tested.
- 4.7 Although the Policy Boards have been meeting regularly, the governance of the Council still needs to be sufficiently flexible to respond to the rapidly changing situation during the pandemic. Accordingly, it is proposed that the revised remit and extended membership for the Emergencies Board will continue although no meetings of the Board will be programmed at this time. Should any matters relating to Covid-19 require urgent decisions to be taken that can't wait until the next meeting of the relevant Board or Council the Emergencies Board can be reconvened quickly.
- 4.8 The arrangements for future Council and Board meetings will continue to be reviewed and will be the subject of a further report to Council on 13 May 2021.
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## **5. Delegation Regarding the Museum Collection**

- 5.1 The Collections Agreement between Renfrewshire Council and Renfrewshire Leisure Limited dated 2 July 2015, outlines the obligation of and agreements between Renfrewshire Council and Renfrewshire Leisure Limited in managing the civic collection and transactions associated with the collection. Such transactions include acquisitions, lending and borrowing, research and disposal. At present there is no delegated authority that oversees requests to borrow or lend items relating to the Council's museum collection. Whilst RLL will prepare and manage such requests, they must be authorised by the Council as owners of the collection. Therefore, it is proposed that delegated authority is given to the Head of Policy and Commissioning in consultation with the Leader of the Council to oversee RLL's obligations in relation to these collection transactions.

- 5.2 However, the delegation will not apply in the case of:

- Any matter out with the Collections Agreement which is of material interest to Renfrewshire Council and /or its reputation
- Loan requests of items from the Recognised Collection (the Paisley Shawl Collection)
- Sampling and analysis requests
- Disposal and rationalisation
- Spoliation / Repatriation

In such cases, the approval of the Leadership Board will still be required.

- 5.3 To reflect growing interest in the sources of items within the collection, particularly those originally sourced outside the United Kingdom it is proposed that the Council establishes a procedure to consider requests that may be received to return items held in the collection to their place or community of origin. The proposal is that any such request is considered initially by an officer group chaired by the Head of Policy and Commissioning and comprising senior officers from Renfrewshire Leisure and the Council as the Head of Policy and Commissioning and the chief executive of Renfrewshire Leisure consider appropriate. That group would then submit a report with recommendations to the Leadership Board. The Leadership Board would then take a decision on the request unless the Board was of the view that the request involved matters of such significance it should be referred to the full Council for a decision.
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## **6. Changes to Board Representation for the Labour Group**

- 6.1 The Leader of the Labour Group has intimated the following proposed changes to that Group's representation on Boards:

Cllrs Devine and Sheridan to replace Cllrs McCulloch and Montgomery on the Communities, Housing and Planning Policy Board.

Cllr Sharkey to replace Cllr Montgomery on the Cross-Party Sounding Board.

Cllrs Harte and Hood to replace Cllrs Bibby and Davidson on the Education and Children's Services Policy Board.

Cllr Sharkey to replace Cllr Davidson on the Infrastructure, Land and Environment Policy Board.

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## **7. Appeal against the Decisions of the Standards Commission of Scotland**

- 7.1 A report to the last meeting of the Council on 17 December 2020 advised members of the outcome of a hearing held by the Standards Commission for Scotland into complaints against Cllr Paul Mack. The outcome of the hearing was that Cllr Mack was disqualified from being a councillor for a period of 17 months beginning on 1 October 2021. The report also asked members to note that Councillor Mack had submitted an appeal against the findings of the Commission and the sanction imposed on him but at the time of the last Council meeting, the appeal had still to be heard.
- 7.2 The appeal has now been determined in Cllr Mack's favour and the decision of the Sheriff Principal is that the original decision of the Standards Commission to proceed with the hearing in Cllr Mack's absence has been quashed and the matter is remitted back to the Standards Commission to hold a new hearing. The date for the new hearing has been fixed for Monday 9 March 2021.

- 7.3 As a result of the Sheriff Principal's decision, Cllr Mack has been reinstated as a councillor and can attend Council and Board meetings.
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## **8. Meetings of the Audit, Risk and Scrutiny Board**

- 8.1 Owing to the ongoing Coronavirus pandemic, there is again flexibility in terms of the timescales for approval of the audited annual accounts. It is likely that the unaudited accounts will still be submitted in June 2021 with the audited accounts being submitted in October 2021. It is therefore proposed, following consultation with the Convener of the Board, that the meeting of the Audit, Risk and Scrutiny Board scheduled for 28 September 2021 be rescheduled to 25 October 2021.
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## **Implications of the Report**

1. **Financial** – None
2. **HR & Organisational Development** - None.
3. **Community/Council Planning** – None
4. **Legal** – As detailed in the report.
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – The proposals in the report recognise that it is not currently possible for formal council and board meetings to take place safely in Renfrewshire House.
9. **Risk** - None
10. **Privacy Impact** – None
11. **Cosla Policy Position** - None
12. **Climate Risk** - None

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### **List of Background Papers –**

- 1) Minute of the meeting of the Emergencies Board on 20 March 2020.
  - 2) Report to the Emergencies Board on 29 May 2020 headed “Arrangements for the Council meeting on 25 June 2020.
  - 3) Minute of the Council meeting on 25 June 2020.
  - 4) Minute of the Council meeting on 17 December 2021
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**Author:** Ken Graham, Head of Corporate Governance.

March 2021						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 – 9.30am: Council	5	6
7	8	9	10	11	12	13
14 - 1/4	15	16 – 1pm: Communities, Housing & Planning 3pm: Police, Fire & Rescue Scrutiny	17 – 10am: Regulatory Functions	18 – 1pm: Education & Children's Services	19	20
21 - 2/4	22 – 10am: Audit, Risk & Scrutiny	23 – 2pm: JNC	24 – 1pm: Infrastructure, Land & Environment	25 – 9.30am: Appeals	26	27
28 - 3/4	29 – 2pm: Petitions	30 – 2pm: Local Review Body	31 – 2pm: Finance, Resources & Customer Services			
April 2021						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 – 10am: Regulatory	2 Public Holiday	3
4	5 Public Holiday	6 recess	7 recess	8 recess	9 recess	10
11	12 recess	13 recess	14 recess	15 recess	16 recess	17
18	19	20	21	22	23	24
25 - 5/4	26	27 – 2pm: JNC	28 – 1pm: Leadership	29	30	
May 2021						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2 - 6/4	3 Public Holiday	4	5	6 – 9.30am: Council	7	8



