
To: Council

On: 23 March 2015

Report by: Chief Executive

Heading: Scottish Local Government Partnership

1. Summary

- 1.1 The purpose of this report is to seek approval to the Council becoming a member of the Scottish Local Government Partnership, which is the organisation being set up by the local authorities whose membership of Cosla will terminate with effect from 1 April 2015 and to advise members of the arrangements being made for the Partnership to engage with Scottish and UK Governments, Trade Unions and other bodies.
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2. Recommendations

- 2.1 The Council is asked to:-
- a) Note that the Council's membership of Cosla will terminate with effect from 1 April 2015;
 - b) Note the arrangements being made by officers in light of the Council no longer being made a member of Cosla;
 - c) Agree that the Council joins the Scottish Local Government Partnership to advance the interests of the Council and Local Government in Scotland and plays an active role in its development;

- d) Approve the Terms of Reference for the Partnership as set out in the Schedule to this report;
- e) Appoint the Leader of the Council to be the Council's representative at meetings of the Partnership and that the Depute Leader of the Council be appointed as his substitute; and
- f) Agree that further reports be brought back to the Leadership Board as necessary.

3. **Background**

3.1 At its Budget Meeting on 13 February 2014 the Council agreed to advise Cosla that it would be terminating its membership of that organisation on 31 March 2015.

3.2 This report now proposes a new partnership, the Scottish Local Government Partnership, to deliver:

- Representation for its members at a national level with stakeholders on priority issues;
- A proactive agenda for communication, lobbying and engagement with all levels of government on policy and financial matters;
- Advice and support to members on a range of policy issues;
- Engagement with other stakeholders on priority issues; and
- Collective bargaining on behalf of its members' employees in respect of pay and terms and conditions.

3.3 The other founding members of the Partnership are Glasgow City, Aberdeen City and South Lanarkshire Councils. The Partnership will be open to all local authorities in Scotland.

3.4 The expertise and potential influence of the Partnership is considerable. Its members are pivotal in driving economic growth, job creation and tackling poverty and inequality not just in their Council areas but across Scotland as a whole. Almost 25% of the total Scottish population lives in the combined areas of the four local authorities. Partnership members contribute significantly to the national and local economy generating 47% of Scotland's GVA and one in three of its jobs, including employing 20% of all Scottish Council employees.

- 3.5 The Terms of Reference for the Partnership are appended to this report. It is proposed that the Leader of the Council will be the Council's representative on the Partnership (with the Depute Leader as his substitute). The Council's respective lead roles in the Partnership will be confirmed at its inaugural meeting, along with its operating model and standing orders.
- 3.6 In preparation for the establishment of the Partnership, Leaders of the respective Councils have engaged with the First Minister, Cosla, Trade Unions and the Secretary of State for Scotland to outline the role of the Partnership and to agree recognition and representation in consultations and national discussions, priority areas being:
- Policy development
 - Finance and the settlement; and
 - Collective bargaining and terms and conditions including pay.
- 3.7 The relevant officers will identify professional associations and national bodies on which the Partnership or individual councils should be represented. The aim will be that there is a strategic, effective and robust ongoing engagement with government and all national agencies.
- 3.8 It is intended that the Partnership will be a lean organisation and will not acquire property or employ its own staff. It will operate with a virtual support team drawn from member Councils as and when required. The model will be based on:
- Lead officers drawn from each member Council to support the Leaders of the Partnership;
 - Administrative support and clerking provided by member councils on a rotating or otherwise agreed basis;
 - A virtual team of policy advisers and experts drawn from member Councils to advise the Partnership; and
 - Accommodation for Partnership meetings from member Council estates.
- 3.9 The current Cosla levy of £103,499 (2014-2015) will be available to support the work of the Partnership. The Council will ensure that

this funding delivers best value for the Council and the Partnership and will be reviewed annually.

- 3.10 In line with good governance, the agendas, minutes and associated reports will be made publicly available.

Implications of the Report

1. **Financial** – membership of the Partnership will create no additional costs to the Council. The financial provision which would have been used to pay the Cosla level will be available to support the work of the Partnership
2. **HR & Organisational Development** – The intention is that the Partnership will become part of the established negotiating body between councils and trade unions on pay and terms and conditions.
3. **Community Planning** – None
4. **Legal** – The attached Terms of Reference document sets out the nature of the Council's involvement in the Partnership. Formal notice was served on Cosla terminating the Council's membership of that organisation. Cosla's position is that any council terminating membership will be liable for a one –off payment to Cosla. The wording of the Cosla constitution is ambiguous and open to interpretation. In the circumstances, the Council would challenge any formal claim for payment from Cosla
5. **Property/Asset-** 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. 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**-None
- 9. **Procurement** –None
- 10. **Risk**- None
- 11. **Privacy Impact** -None

List of Background Papers- None

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Scottish Local Government Partnership Terms of Reference

1. The Scottish Local Government Partnership (SLGP) is a voluntary association of local Councils. The role of the Partnership is to:
 - Strengthen the resources and powers available to local Councils.
 - Promote, advance and secure the legitimate role of its member Councils as the democratically elected local bodies with the responsibility for the governance of local place including:
 - Driving the local economy, securing investment, business, creating jobs and training opportunities;
 - Ensuring the wellbeing of its citizens through all of its functions;
 - Providing and improving the delivery of essential services to local people through a range of local statutory and regulatory functions;
 - Representing the voice and interests of its local communities; and
 - Delivering a fairer and more equal local area and contributing to a fairer Scotland.
 - Influence and effect improvement in national government policy, practice and reform programmes to enable the Councils to deliver their functions and services most effectively and efficiently at a local level, directly, in Partnership, or on a shared basis, and deliver positive outcomes for their areas, residents and businesses.

Membership

2. The Partnership is open to all local Councils in Scotland.
3. The Partnership acknowledges the changing nature of local governance in Scotland, for example, through the growth of city region Partnerships and the integration of significant public services. It will consider (in the future) how membership can be extended to adapt to the changing governance of place and public sector reform.

Ethos

4. The Partnership is founded on the principles of subsidiarity and local decision making, recognising that local people and local Councils are best

placed to inform and take decisions about issues that affect them and their areas.

5. It embodies the principle that local Councils have a democratic mandate to make decisions which balance the needs and aspirations of people across their local authority areas. It supports members in their leadership role to deliver community empowerment.
6. The Partnership is committed to promoting and demonstrating the leadership role of local Councils in creating a more successful country and their local areas contributing to, and benefiting from, that success. It will reflect these principles in its practice and structures.
7. The Partnership is a pro active organisation, planning and agreeing the priorities it wishes to drive and influence on an annual basis.
8. It will act in the interests of its member Councils. It will engage in a meaningful and mature dialogue with its members and stakeholders.
9. It will work with its members to develop a shared view on an agreed set of strategic priorities of relevance to all its members with the clear objective of influencing policy and outcomes for local people.
10. Where this is not possible, given the diverse range of issues and local priorities, member Councils can indicate where their views diverge. The Partnership will then represent these views and why they differ in their representation and negotiation.
11. At all times the Partnership will be respectful of individual member positions, in line with the principle of subsidiarity and local decision making, that all act in the best interests of their area, businesses and residents.

Functions

12. To provide:-
 - A voice and representation for its members at a national level on priority issues;
 - A proactive agenda for communication, lobbying and engagement with various levels of government including Scotland, the UK and the EU;
 - Advice and support to members on a range of policy issues;

- Engagement with other stakeholders on issues of priority, clear purpose or interest to the Partnership;
- Collective bargaining on pay and terms and conditions for its members' employees with the respective trades unions and employee associations; and
- A knowledge hub or mechanism to exchange information, ideas and good practice between the members and officers supporting the Partnership to deliver a more successful Scotland and transform the role of local Councils in the local governance of place, public service delivery and better local outcomes for people and businesses.

Governance

13. Membership will be diverse and the Partnership will recognise this diversity from the outset in its priorities, governance and support structures.
14. The Partnership will have a sole decision making body being the Leaders from each member Council, "Cabinet".
15. The Cabinet will appoint one Leader as Convener of the Cabinet and will:
 - Agree annually the Partnership's strategy and priorities ("Annual Plan");
 - Take decisions on how to progress and implement the Partnership's priorities;
 - Agree the Partnership's position on emerging issues and related actions;
 - Delegate issues for action to Executive members (spokespersons) or standing or task groups; and
 - Report progress and performance to the Partnership's annual general meeting
16. Depute Leaders can act as substitutes and Executive members (spokespersons) on the range of priority issues will be drawn from member Councils, and appointed by the Cabinet.
17. Portfolios of work will be reviewed in line with the Partnership's annual priorities but as a guide the following themes/portfolios are proposed:

Economy

- Jobs, Skills and Business.
- Learning and Development.

- Transport and infrastructure.
- Housing and regeneration.

Community Leadership and Community Services

- Subsidiarity, local decision making and devolution of powers to Councils.
- Community planning governance, SOA delivery, tackling inequality and empowering communities.
- Regulatory and Enforcement – including planning, building services, licensing, parking and food inspection.
- Care and wellbeing – adult, child and family care services including public protection, welfare and public health.

Resources

- Finance– the settlement, distribution, EU and other funds.
 - Workforce Planning – including employee and trade union engagement, pay negotiations, pensions, employee development.
 - Performance and Benchmarking.
18. All portfolios will have the ability to consider public service transformation, equality and sustainability.
 19. The Partnership will in its governance arrangements:
 - Recognise the diversity of its member Councils and support the principles of subsidiarity and local decision making by appointing appropriate members to deal with issues depending on their relevance and impact on city, town centred or rural Councils.
 - Aim to minimise bureaucracy and limit the number of standing groups or fixed term task groups on key functions such as Finance and Workforce Planning.
 - Establish a policy advisers' group drawn from member Councils' expert advisers to shadow and advise the Leader meetings. This policy advisers' group can co opt other expertise as advised or required by the Leaders.

Annual Meeting

20. The Partnership will have a general meeting once a year. Its function is to:
 - Consider and scrutinise a report on progress and performance with the Partnership's Annual Plan;

- Consider emerging issues that require the Partnership's attention in the coming year;
 - Agree the priorities for the coming year; and
 - Consider the annual accounts and resources of the Partnership.
21. Leaders of the member Councils will attend the annual general meeting. They may invite those Executive members from member Councils who are delegated by their Leaders to support the Executive Member portfolios and the work of the Partnership.

Support Function

22. The Partnership will be a lean organisation, with a 'virtual' support team from member Councils, drawing on the expertise and assets of its members where possible. The model will be based on:
- Lead officers, drawn from each member Council to support the Leaders of the Partnership;
 - Administrative support and clerking support provided by the respective member Councils on a rotating or an agreed basis;
 - A virtual team of policy advisers and experts, drawn from the member Councils, to advise the Partnership; and
 - Accommodation, for Partnership meetings from member Council estates.