

Notice of Meeting and Agenda Council

Date	Time	Venue
Thursday, 19 May 2022	09:30	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor Jennifer Adam: Councillor Fiona Airlie-Nicolson: Councillor Alison Ann-Dowling:
Councillor Stephen Burns: Councillor Jacqueline Cameron: Provost Lorraine Cameron:
Councillor Michelle Campbell: Councillor Graeme Clark: Councillor Carolann Davidson:
Councillor Eddie Devine: Councillor Andy Doig: Councillor Audrey Doig: Councillor Chris
Gilmour: Councillor Edward Grady: Councillor Gillian Graham: Councillor Neill Graham:
Councillor John Gray: Councillor Anne Hannigan: Councillor John Hood: Councillor Lisa-Marie
Hughes: Councillor Robert Innes: Councillor Alec Leishman: Councillor Bruce MacFarlane:
Councillor James MacLaren: Councillor Kenny MacLaren: Councillor Mags MacLaren:
Councillor Colin McCulloch: Councillor Janis McDonald: Councillor Cathy McEwan: Councillor
David McGonigle: Councillor Jamie McGuire: Councillor Marie McGurk: Councillor Iain
McMillan: Councillor John McNaughtan: Councillor Kevin Montgomery: Councillor Sam Mullin:
Councillor Will Mylet: Councillor Iain Nicolson: Councillor Jim Paterson: Councillor Emma
Rodden: Councillor John Shaw: Councillor Ben Smith: Councillor Andy Steel:

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting is available for inspection prior to the meeting
online at

<http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email

democratic-services@renfrewshire.gov.uk

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Webcasting of Council Meeting

This meeting will be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the chairperson will confirm if all or part of the meeting is being filmed. Generally the public seating areas will not be filmed. The cameras focus on the main participants. If you have any queries regarding this please contact Committee Services on democratic-services@renfrewshire.gov.uk.

To find the webcast please navigate to <http://renfrewshire.public-i.tv/core/portal/home>

Hybrid Meeting

Please note that this meeting is scheduled to be held in the Council Chambers. However, it is a hybrid meeting and arrangements have been made for members to join the meeting remotely should they wish. Procedures in relation to the operation of the hybrid meeting are attached.

Items of business

Statutory Meeting of Renfrewshire Council

The Chief Executive as Returning Officer will preside until the election of the Convener

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1 Election of Provost

Nominations for Provost of Renfrewshire Council

2 Election of Depute Provost

Nominations for Depute Provost of Renfrewshire Council

3 Term of Office of Provost and Depute Provost

7 - 8

Report by Director of Finance & Resources

4 Election of Leader and Depute Leader of the Council

Nominations for Leader and Depute Leader of Renfrewshire Council

Adjournment

There will be a short adjournment to allow the webcasting system to be updated

5 Report on Election Results

9 - 12

Report by Chief Executive

6 Minutes of Meetings of Council, Boards and Panels (attached separately)

Council, 28 April 2022, pages 407-420

Placing Requests & Exclusions Appeals Panel, pages 421-423

7 Decision Making Structure and Membership

13 - 20

Report by Director of Finance & Resources

8	Religious Representatives on Committees Appointed by Education Authorities	21 - 24
	Report by Director of Finance & Resources	
9	Placing Requests and Exclusions Appeals Panel	25 - 28
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10	Licensing Board: Election of Members	29 - 30
	Report by Director of Finance & Resources	
11	CoSLA Appointment of Representatives to the Convention	31 - 32
	Report by Director of Finance & Resources	
12	Nomination and Appointment of Elected Members and Officers to Joint Committees, Boards and Other Bodies	33 - 54
	Report by Director of Finance & Resources	
13	Remuneration, Expenses and Pensions for Elected Members	55 - 62
	Report by Director of Finance & Resources	
14	Kirkin' of the Council	63 - 64
	Report by Director of Finance & Resources	
15	Exercise of Delegated Authority	
	Hear from Chief Executive if required	

RENFREWSHIRE COUNCIL- PROTOCOL FOR HYBRID MEETINGS

A. Introduction

1. On 24 June 2021 the Council approved a report setting out the arrangements for the introduction of Council and Board meetings which allowed some elected members to be present at a meeting in the Council Chamber and others to access the same meeting remotely. These are referred to as “hybrid meetings” for the purposes of this document.
2. The same report approved by Council authorised the Head of Corporate Governance to put in place protocols for the proper conduct of hybrid meetings in consultation with the Group and Party Leaders.
3. This document is the protocol for the conduct of hybrid meetings for the purposes of the Council authorisation. The protocol is supplemental to the Council’s procedural standing Orders, which will continue to apply to Council and Board meetings except to the extent that they are inconsistent with the terms of this protocol.

B. Background

1. There have been no Board meetings held in the Council Chamber at Renfrewshire House since March 2020. Instead, meetings have taken place remotely, most recently using the Microsoft Teams platform.
2. The gradual easing of Government restrictions relating to the control of the Covid-19 pandemic has now made it possible for elected members to return to Renfrewshire House to attend Board meetings although that return is subject to whatever Government guidance is in place at the date of each Board or Council meeting.
3. The arrangements set out in this Protocol are based on applying a physical distance requirement of at least 2 metres. This requirement restricts the number of people who are able to be present in the Council chamber for each meeting.
4. The maximum number of people who may be present in the Council Chamber is determined by the number of available seats taking into account the physical distancing requirements.

5. The maximum number is currently 26. This comprises the following:
 - 18 seats with microphones
 - 3 seats for clerks (no microphones)
 - 5 seats in the public gallery (no microphones).
6. The number of elected members on the Leadership Board and on three of the four policy boards is 15.
7. The Audit, Risk and Scrutiny Board has 9 members and the Regulatory Functions Board has 10 members. There are various other Boards and sub-committees, none of which have a membership in excess of 15.
8. Therefore, all elected members on those Boards should be able to attend meetings in Renfrewshire House.
9. The only exceptions to this overall position are the Full Council meetings where 43 members would require to be present and the Education and Children's Services Policy Board where there are 20 members including 3 representatives of religious groups.
10. For Full Council meetings and meetings of the Education and Children's Services Policy Board at least some of the members will have to attend remotely.
11. It is also the case that most officers attending Board and Council meetings which are being held in the Council Chamber will continue to do so remotely. The Chair may wish to discuss with the chief executive or relevant director if they wish to have certain senior officer (s) present in the Council Chamber.

C. Prior to the Meeting

1. The Notice calling the meeting will specify that the meeting will be webcast live and that elected members will in some circumstances be able to attend the meeting in person in the Council Chamber while others will be able to access the meeting remotely.
2. The Chair must be present in the Chamber. If the Chair is unable to attend the meeting, the Vice-Chair must be present in the Chamber.
3. Members should provide at least 24 hours' notice to the Head of Corporate Governance that they intend attending the meeting remotely, unless this is unavoidable for circumstances outwith their control.

4. All members with the exception of the Chair will be invited as “attendees”.
5. All members (other than the Chair) attending a meeting in the Chambers should bring their own laptop with them to allow them to access emails. This will enable them to see any amendments circulated at the meeting. Members should ensure their laptop is fully charged before attending the meeting.
6. To prevent disruptive feedback noise, member will require to have their microphones and speakers on their laptops turned off.
7. The Chair will have a laptop provided and this will be set up in advance of the meeting.
8. The Chair’s laptop will provide the Chair with access to the on-line meeting attendees list, a view of the on-line screen and the private chat function.
9. In addition to Committee Services staff operating the Public-I system, each meeting will be supported by two committee services clerks. The duties of Clerk 1 are to advise the convener, conduct any votes and be alert to any member who wishes to speak. The duties of Clerk 2 are principally to support the convener in relation to those members and officers accessing the meeting remotely. They will alert the convener to any member accessing the meeting remotely who wishes to speak. Clerk 2 will also be responsible for circulating any amendments to be considered at the meeting.
10. Members are encouraged to send any amendments they propose to make to the Committee Services officer assisting with the circulation of amendments whose email address will be communicated to the members attending the meeting. Ideally, the amendments should be passed to Committee Services in advance of the meeting.
11. Members attending the meeting in the Chamber will be allocated one of the available seats in the Chamber and the member must sit at the seat allocated to them.
12. The Convener has the power to determine whether any meeting of a Board or Full Council should be conducted remotely using the Teams platform.

13. The Chair may wish to consider whether any particular senior officers should be present in the Council Chamber for a meeting. They should discuss a requirement for an officer to attend with the chief executive or the relevant director.
14. The committee rooms are available for Groups to use immediately prior to a Board meeting or during any adjournment.

D. At the Start of the Meeting

1. The Chair will announce that the meeting will be broadcast live.
2. The Chair will also establish how many members are present in the Chamber and how many members are accessing the meeting remotely.
3. The Chair will also establish and state which officers (other than the officers operating the system) are present in the Chamber.

E. During the Meeting

1. Members must comply with any advice in place regarding Covid-19 to protect the health and safety of those attending or supporting the meeting.
2. Members present in the Chamber must activate their microphones when speaking. Failing to do so will mean that their contribution will not be picked up on the webcast and those attending the meeting remotely will not be able to hear what is being said.
3. All motions and amendments intimated during the meeting should be by email although the Chair may instruct that a motion or amendment is set out in the on-line meeting chat. The Chair may also request that the proposer of any motion or amendment reads their motion or amendment out for the purpose of informing those watching the meeting remotely.
4. Hard copy motions or amendments should not be circulated in the Chamber unless all members attending the meeting are present in the Chamber.

F. Contingency

- 1. Where it was intended to use the Public-I system for a meeting but for any reason it is not possible to use that system, the meeting will be adjourned until such time as the Chair may decide to enable a Teams meeting to be set up. Once reconvened, the meeting shall then proceed as a remote meeting on the Teams platform and the procedures for holding a meeting using Teams shall apply.**



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Term of Office of Provost and Depute Provost of the Council

1. Summary

- 1.1 In terms of the Local Government etc (Scotland) Act 1994 the Council is required to appoint a convener and may appoint a depute convener. The Council has previously agreed that the convener and depute convener be known as Provost and Depute Provost.
- 1.2 The Council is permitted to make provision within its standing orders fixing the duration of the term of office of the convener and depute convener, and also setting out a procedure for the early removal from office of the convener and depute convener. The relevant paragraphs in the Council's standing orders are as follows:

Standing Order 11(d)

"The convener of the Council shall hold office as convener until the next ordinary election, or until ceasing to be a Councillor, whichever is the earlier" and

Standing Order 11(e)

"Notwithstanding the foregoing provisions, the Council may specify a shorter period for the term of office of convener, at the time of his/her being elected to that office"

- 1.3 The Council may therefore determine at this meeting, following the election of the convener, the period of office which the convener will serve.
- 1.4 Standing orders do not contain provisions regulating the term of office of the depute convener and therefore the Council may also at this meeting determine the period of office which the depute convener will serve.

2. Recommendations

- 21 That the Council decide whether the duration of the term of office of the Provost should be to the next ordinary election of the Council or for a shorter period.
- 22 That the Council decide whether the duration of the term of office of the Depute Provost should be to the next ordinary election of the Council or for a shorter period.
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Implications of this report

- 1. Financial Implications – none**
 - 2. HR and Organisational Development Implications – none**
 - 3. Community Plan/Council Plan Implications – none**
 - 4. Legal Implications – as detailed in the report.**
 - 5. Property/Assets Implications – none**
 - 6. Information Technology Implications – none**
 - 7. Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
 - 9. Procurement Implications – none**
 - 10. Risk Implications – none**
 - 11. Privacy Impact – none**
 - 12. CoSLA Policy Position – n/a**
 - 13. Climate Risk – n/a**
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List of Background Papers – none



To: Council

On: 19 May 2022

Report by: Chief Executive

Heading: Report on Election Results

1. Summary

- 1.1 Following the local government election held on 5 May 2022, the councillors detailed in the appendix to this report were elected on 6 May 2022, until the next ordinary council elections.
 - 1.2 43 councillors representing 12 wards were elected.
 - 1.3 A note of the final costs in respect of the cancelled Ward 6 by-election is also provided.
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2. Recommendation

- 2.1 That the election of councillors to the next ordinary election be noted; and
 - 2.2 That the final costs of the cancelled Ward 6 by-election as set out in paragraph 3.2 of the report be noted
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3 Ward 6 By-election Costs

- 3.1 At its meeting of 16 December 2021 the Council sought confirmation of the final cost of the cancellation of the by-election in Ward 6 which was due to be held on 14 December 2021. The final invoice from Royal Mail has now been received. Accordingly, Members are advised that the final total cost is £22,342.55 exclusive of VAT.

Implications of this report

- 1. Financial Implications – none**
- 2. HR and Organisational Development Implications – none**
- 3. Community Plan/Council Plan Implications – none**
- 4. Legal Implications – none**
- 5. Property/Assets Implications – none**
- 6. Information Technology Implications – none**
- 7. Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
- 9. Procurement Implications – none**
- 10. Risk Implications – none**
- 11. Privacy Impact – none**
- 12. CoSLA Implications – n/a**
- 13. Climate Risk – none**

List of Background Papers –

- (a) none
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Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112

Ward 1 - Renfrew North and Braehead (4 Members)			
	Renfrew North and Braehead	John Gray	Scottish Conservative and Unionist
	Renfrew North and Braehead	Lisa-Marie Hughes	Scottish National Party
	Renfrew North and Braehead	Jamie McGuire	Scottish Labour Party
	Renfrew North and Braehead	John Shaw	Scottish National Party
Ward 2 - Renfrew South and Gallowhill (3 Members)			
	Renfrew South and Gallowhill	Edward Grady	Scottish Labour Party
	Renfrew South and Gallowhill	Cathy McEwan	Scottish National Party
	Renfrew South and Gallowhill	Jim Paterson	Scottish National Party
Ward 3 - Paisley Northeast and Ralston (3 Members)			
	Paisley Northeast and Ralston	Jennifer Marion Adam-McGregor	Scottish National Party
	Paisley Northeast and Ralston	Graeme Clark	Scottish Labour Party
	Paisley Northeast and Ralston	Neill Graham	Scottish Conservative and Unionist
Ward 4 - Paisley Northwest (4 Members)			
	Paisley Northwest	Kenny MacLaren	Scottish National Party
	Paisley Northwest	Mags MacLaren	Scottish National Party
	Paisley Northwest	Janis McDonald	Scottish Labour Party
	Paisley Northwest	Ben Smith	Scottish Labour Party
Ward 5 - Paisley East and Central (3 Members)			
	Paisley East and Central	Carolann Davidson	Scottish Labour Party
	Paisley East and Central	John McNaughtan	Scottish National Party
	Paisley East and Central	Will Mylet	Scottish National Party
Ward 6 - Paisley Southeast (3 Members)			
	Paisley Southeast	Eddie Devine	Scottish Labour Party
	Paisley Southeast	Bruce MacFarlane	Scottish National Party
	Paisley Southeast	Marie McGurk	Scottish National Party
Ward 7 Paisley Southwest (4 Members)			
	Paisley Southwest	Stephen Burns	Scottish National Party
	Paisley Southwest	Lorraine Cameron	Scottish National Party
	Paisley Southwest	Anne Hannigan	Scottish Liberal Democrats
	Paisley Southwest	Kevin Montgomery	Scottish Labour Party
Ward 8 - Johnstone South and Elderslie (4 Members)			
	Johnstone South and Elderslie	Jacqueline Cameron	Scottish National Party
	Johnstone South and Elderslie	John Hood	Scottish Labour Party
	Johnstone South and Elderslie	Iain McMillan	Scottish Labour Party
	Johnstone South and Elderslie	Andy Steel	Scottish National Party
Ward 9 - Johnstone North, Kilbarchan, Howwood and Lochwinnoch (4 Members)			
	Johnstone North, Kilbarchan, Howwood and Lochwinnoch	Andy Doig	Independent
	Johnstone North, Kilbarchan, Howwood and Lochwinnoch	Chris Gilmour	Scottish Labour Party
	Johnstone North, Kilbarchan, Howwood and Lochwinnoch	Gillian Graham	Scottish Labour Party
	Johnstone North, Kilbarchan, Howwood and Lochwinnoch	Emma Rodden	Scottish National Party
Ward 10 - Houston, Crosslee and Linwood (4 Members)			
	Houston, Crosslee and Linwood	Alison Ann-Dowling	Labour and Co-operative Party
	Houston, Crosslee and Linwood	Audrey Doig	Scottish National Party
	Houston, Crosslee and Linwood	Robert Innes	Scottish National Party
	Houston, Crosslee and Linwood	David McGonigle	Scottish Conservative and Unionist
Ward 11 - Bishopton, Bridge of Weir and Langbank (3 Members)			
	Bishopton, Bridge of Weir and Langbank	Fiona Airlie-Nicolson	Scottish National Party
	Bishopton, Bridge of Weir and Langbank	James MacLaren	Scottish Conservative and Unionist
	Bishopton, Bridge of Weir and Langbank	Colin Alan McCulloch	Scottish Labour Party
Ward 12 - Erskine and Inchinnan (4 Members)			
	Erskine and Inchinnan	Michelle Campbell	Scottish National Party
	Erskine and Inchinnan	Alec Leishman	Scottish Conservative and Unionist
	Erskine and Inchinnan	Sam Mullin	Scottish Labour Party
	Erskine and Inchinnan	Iain Nicolson	Scottish National Party



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Decision Making Structure and Membership

1. Summary

- 1.1 A Local Authority is entitled to arrange for the discharge of any of its functions, subject to a few statutory exceptions, by a committee or sub-committee of the authority.
- 1.2 The Council's current decision-making structure, as detailed in the appendix to this report, has been in place since 2017, with the later addition in 2020 of the Climate Change Sub-committee. A timetable of meetings based on this structure to December 2022 was agreed by the Council at its meeting held on 16 December 2021.
- 1.3 When considering its decision-making structure, the Council will require to have regard to special rules concerning the establishment and membership of certain boards and panels. Details of the special rules are also detailed in the appendix to this report. Separate reports are included on the agenda in relation to religious representatives on committees appointed by education authority and the membership of the Placing Requests and Exclusions Appeals Panel.
- 1.4 Once the decision-making structure and membership is determined, the Council will require to appoint members and determine who the conveners and depute conveners are to be.
- 1.5 In appointing members, the Council should apply the principle of party representation in a fair and consistent manner. Whilst in Scotland, the rules set out in the Local Government and Housing Act, 1989 requiring party political balance on committees and sub committees have not been brought into effect, it is important that councils apply the principle of party representation in a consistent manner, which can stand the test of scrutiny.

- 1.6 It is recognised that the Council may wish to give further consideration to its decision-making structure and it may be desirable that a review is carried out prior to the end of 2022.

2. Recommendations

- 2.1 That the Council determines a decision-making structure for the purpose of the discharge of its functions.
- 2.2 That the Council determines the membership of each element of the structure which they decide should be established in accordance with the principle of applying party representation in a fair and consistent manner.
- 2.3 That the Council has regard to the special rules concerning the establishment and membership of boards, committees etc detailed in the appendix to this report.
- 2.4 That the Council determines the appointment of conveners and depute conveners.
- 2.5 That in the event that amendments are made to the existing board structure, corresponding amendments are made to the terms of reference and timetable,
- 2.6 That it be agreed that all names for appointments to Boards etc. not intimated at the meeting be submitted to the Head of Corporate Governance by 4.45pm on Tuesday 24 May 2022.
- 2.7 That, if required, the decision-making structure, as approved, be reviewed prior to the end of 2022.

Implications of this report

- 1. Financial Implications – none**
- 2. HR and Organisational Development Implications – none**
- 3. Community Plan/Council Plan Implications – none**
- 4. Legal Implications – as detailed in the report.**
- 5. Property/Assets Implications – none**
- 6. Information Technology Implications – none**

7. Equality and Human Rights Implications

- (a) 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 for example 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 and Safety Implications – none

9. Procurement Implications – none

10. Risk Implications – none

11. Privacy Impact – none

12. CoSLA Implications – none

13. Climate risk – none

List of Background Papers –

- (a) none
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Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112

Membership and Special Rules

Policy Boards and associated sub-committees	Current composition	Special rules
Education & Children's Services Policy Board	20 (9 Administration/8 main opposition groups/parties/3 church)	<p><i>In terms of the Local Government (Scotland) Act 1973, where an education authority appoints a committee whose purposes include: (a) advising the authority on any matter relating to the discharge of their functions as education authority; or (b) discharging any of those functions of the authority on their behalf, the membership of the committee shall be appointed as follows:-</i></p> <p><i>At least half of the members of the Committee must be members of the Council.</i></p> <p><i>Membership shall include the following:</i></p> <p><i>One representative of the Roman Catholic Church nominated in such manner as may be determined by the Scottish Hierarchy of the Church;</i></p> <p><i>One representative of the Church of Scotland, nominated in such a manner as may be determined by the General Assembly of the Church; and</i></p> <p><i>One person in the selection of whom the authority shall have regard (taking account of the representation of the Church of Scotland and the Roman Catholic Churches mentioned above) to the comparative strength within their area of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship therein.</i></p> <p><i>Authorities may also, if they wish, appoint teacher representatives to the Education Committee. Teachers are not disqualified by reason of their employment from serving on an education committee.</i></p> <p><i>The church representatives have full voting rights.</i></p>
Communities, Housing & Planning Policy Board	15 members (8 Administration/ 7 opposition groups/parties)	n/a
Police and Fire & Rescue Scrutiny Sub-committee of the Communities, Housing & Planning Policy Board	5 members drawn from the membership of the Communities, Housing & Planning Policy Board to include 3 members of the Administration (including the Convener or Depute Convener of the Policy Board) and 2 members from the opposition groups or parties	

Policy Boards and associated sub-committees	Current composition	Special rules
Local Review Body	5 members drawn from the membership of Communities, Housing & Planning Policy Board to include the Convener and/or Depute Convener	<i>Drawn from the membership of the Communities, Housing & Planning Policy Board on the basis of 5 members to deal with each Review. The Convener will be the Convener of the Communities, Housing & Planning Policy Board and the Depute Convener nominated from the opposition members on the Policy Board. Each Local Review Body comprises the Convener and/or Depute Convener plus 4 other members of the Communities, Housing & Planning Policy Board.</i>
Infrastructure, Land & Environment Policy Board	15 (8 Administration /7 opposition groups/parties)	n/a
Community Asset Transfer Review Sub-Committee of the Infrastructure, Land & Environment Policy Board	5 members drawn from the membership of Infrastructure, Land & Environment Policy Board to include 3 members of the Administration (including the Convener or Depute Convener of the Policy Board) and 2 members from the opposition groups or parties	<i>Drawn from the membership of the Infrastructure, Land & Environment Policy Board and chaired by either the convener or vice-convener of the Infrastructure, Land & Environment Policy Board Policy Board and will meet as and when required to deal with a request for review. The sub-committee may in some circumstances hold a hearing to determine the review.</i> <i>Where the Council refuses an asset transfer request or accepts the request but specifies in the decision notice material terms and conditions which differ to a significant degree from those specified in the request or fails to issue a decision notice, the community transfer body can ask the Council to carry out a review. The legislation requires that any review must be dealt with by the Council, one of its committees or a sub-committee.</i>
Finance, Resources & Customer Services Policy Board	15 (8 Administration/7 opposition groups/parties)	n/a
Audit, Risk & Scrutiny Board	9 (3 Administration/6 opposition groups/parties)	<i>The Convener and Depute Convener of this Board shall be members from an opposition party or group but shall not be members of the same party/group.</i> <i>In terms of the Council's procedural standing orders members have to be drawn from the political parties represented on the Council on a proportionate basis, having regard to party balance on the Council. Members of the Leadership Board and members who are conveners of another Board may not be members of the Audit, Risk & Scrutiny Board.</i>
Leadership Board	15 (8 Administration/7 opposition groups/parties)	<i>In terms of the Council's procedural standing orders members of the Leadership Board may not be members of the Audit, Risk & Scrutiny Board.</i>
Climate Change Sub-committee	9 (5 Administration/4 members from the opposition groups or parties)	n/a
Regulatory Functions Board	10 (6 Administration/4 opposition groups/parties)	n/a
Petitions Board	9 members (5 Administration/4 opposition groups/parties)	n/a

Appeals Board	Drawn from a pool of all 43 members to form the undernoted panels	
Bursaries and Endowments Appeals Panel	4 (3 Administration/1 opposition group/parties)	n/a
Non-Domestic Rates Appeal Panel	5 (3 Administration/ 2 opposition groups/parties)	<p><i>The terms of reference of the panel are (a) to determine appeals against the application of the Council's policy relating to the discretionary relief of rates and (b) to determine appeals received under section 238 of the Local Government (Scotland) Act 1947. Such an appeal will determine whether a person is being improperly charged on the basis the person named is not liable for the levying of rates or a mistake has been made in the amount of rates demanded.</i></p> <p><i>There are no statutory provisions relative to the constitution of this panel and its composition is at the discretion of the Council.</i></p>
Personnel Appeals & Applied Conditions of Service Appeals Panel	8 (5 Administration/3 opposition groups/parties)	<i>When this panel is considering appeals in relation to disciplinary and grievance matters concerning teachers, quality improvement officers, educational psychologists and music instructors the membership will comprise only members of the Education & Children's Services Policy Board (or equivalent) in accordance with JNC/14 AND JNC/15 as agreed at the meeting of the Lifelong Learning & Work Policy Board held on 18 May 2006.</i>
Placing Requests & Exclusions Appeals Panel	<p>An appeal committee shall comprise 3, 5 or 7 members</p> <p>In practice the custom in Renfrewshire is for a 3-person panel</p> <p>Normally 2 elected members, to comprise 1 member of the Administration and 1 member from the opposition group/parties.</p>	<p><i>In terms of section 28D(1) of the Education (Scotland) Act 1980 there is a requirement on the Council to establish such number of appeals committees as are necessary to hear appeals relating to placing requests and exclusions. An appeal committee shall comprise 3, 5 or 7 members and sufficient persons may be appointed to allow two or more committees to meet at the same time. Due to issues in members participating in the process the practise in Renfrewshire has been that the Panel comprises 3 members including one lay member.</i></p> <p><i>A member of the Education & Children's Services Policy Board cannot chair the Appeals Panel.</i></p> <p><i>A person who is (a) a teacher at a relevant school; (b) a pupil at such a school; (c) a parent of a pupil at such a school; or (d) a member of a school council having functions in relation to such a school shall not be a member of an appeal committee for consideration of a reference involving a question whether a child is to be placed in the specified school or excluded from the relevant school.</i></p>

Ad-Hoc Boards/Forums/Panels	Current composition	Special rules
Adoption and Fostering Panels	6 members being 3 from the administration and 3 from the opposition	<i>The panels require to have a gender balance</i>
Appointment Board for Director Posts	9 members to comprise 5 members of the Administration and 4 members from the opposition groups/parties. Leader is Convener and Depute Leader, Depute Convener	<i>n/a</i>
Appointment Board for Head of Service Posts	7 members to comprise 4 members of the Administration and 3 members from the opposition groups/parties. Leader is Convener and Depute Leader, Depute Convener	<i>n/a</i>
Appointment Board for Chief Executive Post	9 members to comprise the Leader and Depute Leader, 3 further members of the Administration and 4 members from the opposition groups/parties. Leader is Convener and Depute Leader, Depute Convener	<i>n/a</i>
Cross Party Sounding Board	6 members. Leader and Depute Leader of the Council and 4 opposition groups/parties (one representative from each of the other political groups and parties on the Council)	<i>n/a</i>
Emergencies Board	5 members to comprise 3 members of the Administration and 2 members of the main opposition party	<i>n/a</i>
Investment Review Board	5 (3 Administration/2 opposition groups/parties)	
Joint Consultative Board (non-teaching)	5 (3 Administration/2 opposition) groups/parties	<i>In terms of its constitution, members of the JCB non-teaching are to be drawn from the membership of the Finance, Resources & Customer Services Policy Board.</i>
Renfrewshire Joint Negotiating Committee for Teaching Staff	2 both from Administration	<i>Members of the JNC for -teaching staff are to be drawn from the membership of the Education & Children's Services Policy Board</i>



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Religious Representatives on Committees Approved by Education Authorities

1. Summary

- 1.1. Section 124 of the Local Government (Scotland) Act 1973, as amended by Section 31 of the Local Government etc (Scotland) Act 1994, provides that where an education authority appoints a committee whose purposes include advising the authority on any matter relating to the discharge of their functions as education authority on their behalf, three of the members to be appointed (who shall not be members of the education authority) shall be church representatives. In accordance with the Act, one of the three places require to be filled by a nomination from the Church of Scotland and one by the Roman Catholic Church. The Church of Scotland has advised that its nominee is Mary Jane Bird, who was its previous representative. Confirmation of the Roman Catholic Church representative is still awaited and it is proposed that the appointment of their nominee be delegated to the Education & Children's Services Policy Board (or its successor).
- 1.2. In the selection of the third person, the Act specifies that the authority shall have regard (taking account of the representation of the Roman Catholic Church and the Church of Scotland) to the comparative strength within the area of all the churches and denominational bodies having duly constituted charges or other appointed places of worship therein.
- 1.3. In order to obtain nominations for the third representative, the Education & Children's Services Policy Board, at its meeting held on 20 January 2022, agreed to place an advertisement in the press and on the Council's website seeking nominations. The closing date was 21 April 2022.
- 1.4. Correspondence has been received from Renfrewshire Interfaith Group nominating Ravinder Singh, who has served as the third representative since 2017.
- 1.5. The Ethical Standards in Public Life etc (Scotland) Act 2000 introduced a new ethical framework which required the Scottish Ministers to issue a Code of Conduct for Councillors. Whilst the former National Code for Local Government

Conduct applied to non-elected members, the Councillors Code does not. However, guidance issued by the Standards Commission is also directed at co-opted members of committees and sub-committees who are not elected councillors. However, it should be noted that the Standards Commission has no legal powers to enforce the provisions of the Code against anyone other than elected councillors. In the case of religious representatives the Standards Commission has advised that authorities can seek confirmation from the appointing authorities that they will require their appointees to comply with the Code.

- 15 The Council at its statutory meeting held on 18 May, 2017 agreed that allowances and expenses be paid to the representatives on the Education Policy Board representing religious bodies.
-

2. Recommendations

- 2.1 That the Council appoints Mary Jane Bird, the Church of Scotland nominee to the Education & Children's Services Policy Board.
- 2.2 That the Council delegates the appointment of the Roman Catholic Church nominee to the Education & Children's Services Policy Board (or its successor);
- 2.3 That the Council considers the nomination by Renfrewshire Interfaith Group of Ravinder Singh as the third representative; and
- 2.4 That the Council notes that, in accordance with advice issued by the Standards Commission, that the Church of Scotland and the Roman Catholic Church be asked to confirm that they will require their nominees to comply with the Councillors' Code in so far as it is relevant to them in their role as church representatives. The person appointed as the third representative will be asked to confirm likewise.
-

Implications of this report

1. **Financial Implications** – none
2. **HR and Organisational Development Implications** – none
3. **Community Plan/Council Plan Implications** – none
4. **Legal Implications** – as detailed in the report
5. **Property/Assets Implications** – none
6. **Information Technology Implications** – none

7. Equality and Human Rights Implications

- (a) 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 for example 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 and Safety Implications – none

9. Procurement Implications – none

10. Risk Implications – none

11. Privacy Impact – none

12. CoSLA Policy Position – n/a

13. Climate Risk – n/a

List of Background Papers –

(a)

Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Placing Requests and Exclusions Appeals Panel

1. Summary

- 1.1 In terms of section 28D(1) of the Education (Scotland) Act 1980 there is a requirement on the Council to establish such number of appeals committees as are necessary to hear appeals relating to placing requests and exclusions. An appeal committee shall comprise 3, 5 or 7 members and sufficient persons may be appointed to allow two or more committees to meet at the same time. A member of the Education Committee cannot chair the Appeals Panel. The practice has been that the Panel comprises 3 members including one lay member.
 - 1.2 A person who is (a) a teacher at a relevant school; (b) a pupil at such a school; (c) a parent of a pupil at such a school; or (d) a member of a school council having functions in relation to such a school shall not be a member of an appeal committee for consideration of a reference involving a question whether a child is to be placed in the specified school or excluded from the relevant school.
 - 1.3 The lay members who take part in the Panel are drawn from a pool of volunteers. Those former members of the Panel who have agreed to continue to participate are detailed in the appendix to this report, together with a number of new members. It is proposed that, subject to the necessary checking arrangements, the Council appoint these members until the next Statutory meeting of the Council to be held following the local government elections in May 2027.
-

2. Recommendation

- 2.1 That, subject to the necessary checking arrangements, the Council appoint those persons as detailed in the appendix to the report to the Placing Requests and Exclusions Appeals Panel until the next Statutory meeting of the Council to be held following the local government elections in May 2027.
-

Implications of this report

- 1. Financial Implications – none**
- 2. HR and Organisational Development Implications – none**
- 3. Community Plan/Council Plan Implications – none**
- 4. Legal Implications – as detailed in the report.**
- 5. Property/Assets Implications – none**
- 6. Information Technology Implications – none**
- 7. Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
- 9. Procurement Implications – none**
- 10. Risk Implications – none**
- 11. Privacy Impact – none**
- 12. CoSLA Policy Position – n/a**
- 13. Climate Risk – n/a**

List of Background Papers –

- (a) none
-

Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112

Name	School Council
Elaine Knox	Formerly Renfrew High
Michael Connick	St Andrews Academy
Heather Henderson	Kirklandneuk Primary School
Tracy Lundie	Kirklandneuk Primary School
Sarah Smith	Barsail Primary
Fiona Piper*	Barsail Primary School
Margaret Rose McLeod*	Wallace Primary School
Paul Doherty*	St Peter's Primary School
Jennifer Glen*	Todholm Primary School
Caroline Johnstone*	West Primary School
Amanda Crawford*	West Primary School

*denotes new members



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Licensing Board Election of Members

1. Summary

- 1.1 In terms of the Licensing (Scotland) Act 2005 ("the 2005 Act") every Council shall elect members for the Licensing Board for its area at the first meeting of the Council held after the election of the Council, i.e. at its statutory meeting.
 - 1.2 In terms of the Act, the Licensing Board shall consist of not fewer than 5 and not more than 10 members as may be determined by the Council. All members of the new Board will require to undertake a course of training accredited by the Scottish Ministers within three months of their appointment to the Licensing Board, whether or not they have been Licensing Board members before. Assessment of training shall be undertaken under exam conditions. The date for the training is 26 May 2022.
 - 1.3 The Licensing Board currently has ten elected members, being five administration members, three Labour Group members and two Conservative group members.
-

2. Recommendation

- 2.1 That a Licensing Board be elected consisting of not less than 5 and not more than 10 members of Renfrewshire Council
-

Implications of this report

- 1. Financial Implications – none**
- 2. HR and Organisational Development Implications – none**

3. **Community Plan/Council Plan Implications – none**
4. **Legal Implications – as detailed in the report.**
5. **Property/Assets Implications – none**
6. **Information Technology Implications – none**
7. **Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
9. **Procurement Implications – none**
10. **Risk Implications – none**
11. **Privacy Impact – none**
12. **CoSLA Policy Position - none**
13. **Climate Risk – none**

List of Background Papers –

- (a) none
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Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: CoSLA: Appointment of Representatives to the Convention

1. Summary

- 1.1 Correspondence has been received from CoSLA inviting the Council to appoint its five representatives to the CoSLA Convention. CoSLA has indicated that its Constitution demands that these appointments must reflect the balance of party-political representation within the councils. The deadline for nominations is 20 May 2022.
 - 1.2 The first meeting of the Convention is to be held on 17 June 2022 at which meeting the President and Vice-president for the new administrative term will be appointed, on the basis of nominations by Convention delegates, the deadline for which is 27 May 2022.
-

2. Recommendations

- 2.1 That the Council appoints its five representatives to CoSLA
-

Implications of this report

- 1. **Financial Implications** – none
- 2. **HR and Organisational Development Implications** – none

3. **Community Plan/Council Plan Implications – none**
4. **Legal Implications – as detailed in the report.**
5. **Property/Assets Implications – none**
6. **Information Technology Implications – none**
7. **Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
9. **Procurement Implications – none**
10. **Risk Implications – none**
11. **Privacy Impact – none**
12. **CoSLA Implications – none**
13. **Climate risk - none**

List of Background Papers –

- (a) none

Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112



To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Nomination and Appointment of Elected Members and Officers to Joint Committees, Boards other Bodies and Positions

1. Summary

- 1.1 The Council is entitled to representation on various Joint Committees, Boards and other bodies, including the Local Partnerships, and accordingly is invited to nominate or appoint representatives as appropriate.
 - 1.2 The appendix to this report details those bodies to which the Council is entitled to representation and the nature of that representation. It will be noted that in some instances for example, in relation to Joint Committees and Boards, representation is restricted to elected members, whereas in others representation may be by elected members and/or officers. In addition, some allow substitute members where others don't.
 - 1.3 Additional information in relation to the Council's Local Partnership arrangements is detailed in section 3 of this report.
 - 1.4 Where an officer has been appointed previously, they remain in this position and there is no appointment required unless detailed in the appendix.
-

2. Recommendations

- 2.1 That the Council considers the nomination or appointment of elected members and officers as appropriate to the Joint Committees, Boards and other bodies detailed in the appendix to this report;
 - 2.2 That appointments are not taken up until the Director of Finance & Resources has confirmed that appropriate insurance policies are in place; and
 - 2.3 That the guidance and available training be noted.
-

3 Local Partnerships

- 3.1 The Council has established seven Local Partnerships. Local Partnerships provide the community with the opportunity to have their say on local issues and make a difference to their local area. The Partnerships have agreed terms of reference and standing orders to guide their operation. Membership is split evenly between all local elected members for the area and community representatives. Community representative places are held by the elected chairs of relevant Community Councils, with remaining places filled by representatives of community organisations in the area following agreement by Local Partnership members.
- 3.2 In line with the established Terms of Reference, a chair requires to be appointed by the Council to each of the Local Partnerships. The Chair must be an elected member representing an area covered within the Local Partnership boundary.
- 3.3 Each Local Partnership is supported by a Lead Officer, who will generally be a senior officer within the Council. Lead Officer appointments are made by the Chief Executive.
- 3.4 The next meetings of the Local Partnerships are scheduled to take place in June 2022. A core element of the agenda will be the allocation of Local Partnership grant funding. A briefing for all Chairs and elected members will be provided prior to the meetings taking place.

4 Indemnification of Elected Members and Officers

- 4.1 The Council's existing third party/public liability policy of insurance will indemnify both elected members and officers against any legal liability to third parties whilst they are undertaking the statutory functions of the Council as members of Joint Committees or Boards.
- 4.2 Generally speaking as an elected member's or officer's primary duty when acting for an outside body (albeit that he/she was nominated or appointed to that body by the Council) is to act in the best interests of that body, the responsibility for ensuring that appropriate insurances are in place lies with the outside body. The Council's insurance policy does not cover the actions of elected members and officers in such circumstances and it is therefore essential that the organisation has appropriate insurance in place to indemnify members and officers against any legal liability.
- 4.3 It is suggested that appointments are not taken up until the Director of Finance & Resources has confirmed that appropriate insurance policies are in place.
- 4.4 Guidance notes are available in the members' library on the committee management information system (CMIS) in relation to the duties of a company director and a charity trustee
<https://renfrewshire.cmis.uk.com/renfrewshire/MembersArea/MembersLibrary.aspx>
- 4.5 In addition, the Councillors' training and development programme 2022 includes briefings on the roles and responsibilities of directors and on Arms Length External Organisations (ALEOs) for those members who are appointed.

5 Code of Conduct Issues

- 5.1 In terms of appointments to outside organisations, the Councillors Code of Conduct provides:

Paragraph 3.30:

If I am appointed or nominated by the Council as a member of another body or organisation, I will abide by the rules of conduct and will act in the best interests of that body or organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of that body or organisation.

Paragraph 3.31:

I accept that if I am a director or trustee (or equivalent) of a company or a charity, as a nominee of my Council, I will be responsible for identifying, and taking advice on, any conflicts of interest that may arise between the company or charity and my council.

- 5.2 The Standards Commission for Scotland has published an Advice Note containing an overview of matters for consideration when participating in ALEOs. A copy of the Advice Note is appended to this report. While there is no legal definition of an ALEO, it is any body which is formally separate from a council but is subject to its control and influence. The advice focuses on councillors' responsibilities under the ethical standards framework and seeks to assist councillors in recognising and dealing with potential conflicts of interest to minimise risks to governance and accountability arrangements. The advice considers councillors' and the Council's roles and responsibilities, risks to governance and accountability, registration of interests, identifying potential conflicts of interest and making declarations of interest, confidentiality, training and sources of further information. The Advice Note should therefore be read in conjunction with the Councillors' Code of Conduct.

Implications of this report

1. **Financial Implications** – none
2. **HR and Organisational Development Implications** – none
3. **Community Plan/Council Plan Implications** – none
4. **Legal Implications** – none
5. **Property/Assets Implications** – none
6. **Information Technology Implications** – none

7. Equality and Human Rights Implications

- (a) 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 for example 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 and Safety Implications – none

9. Procurement Implications – none

10. Risk Implications – none

11. Privacy Impact – none

12. CoSLA Implications – none

13. Climate Risk – none

List of Background Papers – none

Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112

Organisation	Description	Appointments Required	Notes
Association for Public Service Excellence	The Association consults, develops, promotes, advises and shares on best practice and provision of efficient and accountable of public services	1 member and 1 substitute member	
Association for Public Service Excellence (Scottish Region)	The Association consults, develops, promotes, advises and shares on best practice and provision of efficient and accountable of public services	1 member and 1 substitute member	
Clyde Valley Learning and Development Joint Committee	The Joint Committee has been established for the purpose of regulating the delivery of the Project by maintaining a strategic overview and monitoring the learning and development functions of the Members	1 member and 1 substitute member	
Community Planning Oversight Group	To provide oversight to the strategic work of the Community Planning Partnership Executive Group in directing the Council's contribution to the work of Renfrewshire Community Planning Partnership; agrees outcomes and targets; and considers any future changes to partnership working and governance structures	7 members being Leader and Conveners / IJB Chair or Vice Chair and 1 opposition member	
Cultural Recovery and Renewal Fund Panel	To offer swift support to Renfrewshire's important yet vulnerable culture sector at this time	1 member from OneRen Board / 1 member / and 1 officer appointment made by Engage Renfrewshire	
Future Paisley Partnership Board	To oversee, develop and collaborate on the shared vision, step changes and plan for Paisley's future	5 members	

Organisation	Description	Appointments Required	Notes
Glasgow & the Clyde Valley Strategic Development Planning Authority (Clydeplan)	<p>Clydeplan is the operating name for the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee and comprises the eight local authorities of East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire and West Dunbartonshire Councils who work together on strategic development planning matters</p> <p>The principal role of Clydeplan is to prepare and maintain an up to date Strategic Development Plan (SDP) for the Glasgow city region. This process involves engagement through joint working and consultation with a number of key stakeholder organisations and the wider community</p>	2 members	
Glasgow Airport Flight Path Fund	The Flight Path Fund was set up with the sole intention of providing financial support to charities and community groups committed to improving the facilities and services available to local people in the Renfrewshire, Glasgow, East and West Dunbartonshire local authority areas	2 members	
Houston Old School Trust	Provision of a Community/Arts Centre	2 members	
Linstone Housing Association	To enhance the quality of homes and services and to provide new homes for tenants	1 member	
Local Partnership - Erskine, Inchinnan, Bishopton & Langbank	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Local Partnership – Gleniffer	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Local Partnership – Johnstone & Linwood	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	

Organisation	Description	Appointments Required	Notes
Local Partnership – Paisley East	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Local Partnership – Paisley North, West & Central	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Local Partnership - Renfrew	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Local Partnership – The Villages	To ensure that the Local Partnerships reflect the views and requirements of local communities and encourage people to be more involved	Appoint chair	
Lowland Reserve Forces & Cadet Association	Representing defence	1 member	
Member Officer Group: Public Protection		3 members from the Administration, 2 members from the main Opposition and 1 member from the other parties	
NHS Greater Glasgow & Clyde Board	To ensure efficient, effective and accountable governance of the local NHS system and to provide strategic leadership and direction for the system as a whole, focusing on agreed outcomes	1 member (generally the Leader of the Council)	This is a nomination and not an appointment
OneRen (formerly Renfrewshire Leisure Limited Board of Directors)	OneRen is the local charitable trust in Renfrewshire providing culture, leisure and sporting opportunities to help people enjoy active and healthy lives	3 members and 2 observers (officers)	

Organisation	Description	Appointments Required	Notes
PACE Theatre Company	PACE aims to be a world class youth theatre organisation, allowing as many young people as possible to benefit educationally, socially and culturally, from the performing arts	1 member	
Paisley Museum Reimagined Limited	An independent company established by the Council to drive the Capital Appeal for Paisley Museum, namely securing charitable trust status and the appointment of two independent Trustees to the Board	1 member	
Provost's Community Awards – Judging Panel	Recognising the unsung heroes within our communities	4 members	
Renfrewshire Access Panel	Promotes a better accessible Renfrewshire	1 member	
Renfrewshire Area Support Team	Area Support Teams (ASTs) replaced the Children's Panel Advisory Committees and are responsible for supporting the national Children's Panel at a local level	1 member	
Renfrewshire Citizens Advice Bureau	Renfrewshire Citizens Advice Bureau (CAB) is a local, independent charity which provides free, impartial and confidential advice and information to give local people the tools needed to sort out their issues or problems. They are at the heart of the community and offer support on almost any issue. The services provided by the CAB are free, independent, confidential, impartial and available to everyone	2 members	
Renfrewshire Economic Leadership Panel	Renfrewshire's Economic Strategy 2020-2030 sets out the ambitions and actions to achieve sustained, inclusive growth of the Renfrewshire economy over the next 10 years. Development has been led by the Renfrewshire Economic Leadership Panel, bringing together leaders from across the private and public sector, enterprise agencies and education and skills experts	1 member (Leader)	

Organisation	Description	Appointments Required	Notes
Renfrewshire Educational Trust	A small private charity that helps children from financially-disadvantaged families living in Renfrewshire, East Renfrewshire and Inverclyde local authority areas to access education	2 members	
Renfrewshire Fairtrade Steering Group	To promote fairtrade in Renfrewshire	1 member and 1 substitute member	
Renfrewshire Health & Social Care Integration Joint Board	The Council and NHS Greater Glasgow and Clyde Health Board have agreed the integration model for Renfrewshire shall be the delegation of functions to a body corporate known as an Integration Joint Board which will assume responsibility for the planning and delivery of integrated services	4 members and 4 substitute members	
Renfrewshire Local Outdoor Access Forum	The forum exists in accordance with the Land Reform (Scotland) Act 2003. It is an advisory body supporting Renfrewshire Council and any other person or body on any matters pertaining to the exercise of access rights, the delineation of rights of way and towards the resolution of disputes	1 member	
Renfrewshire Valuation Joint Board	Established by the Valuation Joint Boards (Scotland) Order 1995 to carry out the valuation functions of Renfrewshire, East Renfrewshire and Inverclyde Councils. Also has the responsibility of carrying out Electoral Registration on behalf of the three constituent authorities	8 members and 8 substitute members	

Organisation	Description	Appointments Required	Notes
Scotland Excel Joint Committee	Established as the Centre of Procurement Expertise for the local government sector in 2008. A leading non-profit organisation serving Scotland's 32 local authorities and over 100 associate members from across the public and third sector	1 member and 1 substitute member	
Scotland Excel Executive Sub-committee	Established as the Centre of Procurement Expertise for the local government sector in 2008. A leading non-profit organisation serving Scotland's 32 local authorities and over 100 associate members from across the public and third sector	1 member and 1 substitute member	
Scottish Councils Committee on Radioactive Substances	Established (a) to provide a mechanism to identify a common Scottish local authority viewpoint on matters relating to radioactive substances, in particular radioactive waste management; (b) to act as an interface with the Scottish Government, Scottish Parliament and regulatory bodies as they consult on radioactive waste management and clean-up policy and practice; and (c) to influence national policy on radioactive waste management in the interests of the communities affected	1 member and 1 officer	
Strathclyde Concessionary Travel Scheme Joint Committee		1 member and 1 substitute member	
Strathclyde Partnership for Transport (Strathclyde Passenger Transport Authority)	The largest of Scotland's seven regional transport partnerships running the Glasgow Subway, a host of specialist bus services and are responsible for delivering better public transport for all	1 member and 1 substitute member	
West of Scotland European Forum	To identify EU/Brexit issues of relevance to forum members and to monitor and make representations on replacements for EU funding in the region especially in relation to economic and social regeneration	1 member and 1 substitute member	

Organisations who have not as yet submitted details of insurance cover

Organisation	Description	Appointments Required	Notes
Clyde & Loch Lomond Local Plan District Joint Committee	The Joint Committee has been established for the purpose of regulating the delivery of the Project by maintaining a strategic overview and monitoring the learning and development functions of the Members	1 member and 1 substitute member	
Glasgow City Region Education Committee	Established to ensure democratic accountability through the regional partnership. This Committee will set the priorities for the year ahead, approve improvement/action plans and will receive reports on the progress of the plans and their impact	1 member and 1 substitute member	
Miss Elizabeth Kibble's Trust	To ensure that the young people in Kibble's care are given the support they need to lead sustained, healthy and fulfilled lives.	1 member	
Nuclear Free Local Authorities (Scotland)	To tackle in practical ways, and within their powers, the problems posed by civil and military nuclear hazards	1 member and 1 substitute member	
West of Scotland Archaeology Services Joint Committee	To protect and further the respective planning-related archaeological interests; to further co-operation in the protection and monitoring of the archaeological resource; and to strive for uniform compliance with the requirements of all relevant legislation and Central Government guidance	1 member and 1 substitute member	
Williamsburgh Housing Association Limited	To provide and develop high quality affordable homes and to maintain our commitment to continuous improvement in our service delivery and in the regeneration of our communities	1 member	



INTEGRITY IN PUBLIC LIFE

ADVICE FOR COUNCILLORS ON ARM'S LENGTH EXTERNAL ORGANISATIONS

1. Introduction

- 1.1 This Advice Note, issued by the Standards Commission, aims to provide councillors with an overview of matters they should consider when they are involved with or have been invited to participate in an arm's length external organisation (ALEO).
- 1.2 The advice focuses on councillor responsibilities under the ethical standards framework and seeks to assist councillors in recognising and dealing with potential conflicts of interest to minimise risks to governance and accountability arrangements.
- 1.3 Councillors have a personal responsibility to follow the rules in the Councillors' Code of Conduct (the Code). This Advice Note is intended to help them interpret the provisions in the Code that may relate to their involvement with an ALEO. It should therefore be read in conjunction with the Code.

2. Background

- 2.1 The Standards Commission's functions are provided for by the [Ethical Standards in Public Life etc. \(Scotland\) Act 2000](#). This Act created an ethical standards framework whereby councillors and members of devolved public bodies are required to comply with their respective Codes of Conduct, approved by the Scottish Ministers, together with Guidance issued by the Standards Commission.
- 2.2 The role of the Standards Commission is to:
- encourage high ethical standards in public life; by promoting adherence to the Codes of Conduct, and by issuing guidance on how the provisions within the Codes should be interpreted; and
 - adjudicate on alleged breaches of the Codes of Conduct, and where a breach is found, to apply a sanction.
- 2.3 While there is no legal definition of an ALEO, it is generally seen as a body with its own legal identity, that has been set up by a Council to deliver some of its functions. They are often used by councils as an efficient and cost-effective way of delivering public services including services relating to leisure, arts, culture, employment, economic development and urban regeneration, waste management, property development and social care. ALEOs are often referred to as 'trusts', although their legal structure is more normally that of a company or limited liability

partnership. Separately, some can also register as charities, provided they have a wholly charitable purpose.

- 2.4 While governance for ALEOs can be complex, it also needs to be strong and effective and should be managed through the Council's ALEO governance and scrutiny framework. Representation on ALEOs by councillors can help ensure they are being properly run and that all funds are being used appropriately and in accordance with best value principles. Councillors can also inform the ALEO about the Council's policies and priorities. However, councillors sitting on ALEOs have legal obligations and responsibilities to those ALEOs as well as to the Council. When members of an ALEO Board, councillors have a duty to act in the best interests of that organisation and not the body which appointed them. There is, therefore, the potential for conflicts of interest and risks to arise.
- 2.5 Audit Scotland's reports 'How Councils Work' on [ALEOs](#) and '[The Role of Boards](#)' both advise that board members should be aware of the skills and abilities required of any board position, and assure themselves that they can meet those requirements. Councillors should, therefore, ensure that they have the skills and abilities to meet the requirements of a member of an ALEO before accepting any nomination or appointment to an ALEO. Councillors may wish to refer to the Scottish Government's '[On Board - A guide for Board Members of Public Bodies in Scotland](#)', which outlines some helpful principles for roles on boards and the types of skills required.
- 2.6 The [Scottish Parliament's Local Government and Regeneration Committee published a report in March 2016](#) on an inquiry they had undertaken into ALEOs. The Committee recommended that councillors who are nominated or appointed as board members of ALEOs that are delivering public services should be provided with mandatory training on declarations of interests, conflicts of interests and risk awareness. This Advice Note is intended as an additional resource available to support the training provided to councillors by their Council.

3. Understanding the Council's Role and Responsibilities

- 3.1 The '[Following the Public Pound](#)' Code (FPP Code), published jointly by the Accounts Commission and COSLA, places a statutory obligation on councils to comply with it, regardless of how they deliver services. The FPP Code sets out the principles of best practice when councils establish significant funding relationships with companies, trusts and other bodies other than on a straightforward contractual basis. This includes when councils are entering into or implementing any arrangement or agreement with a body corporate.
- 3.2 Councillors should be aware that a requirement of the FPP Code is for councils to ensure councillors and officers are properly advised of their responsibilities to the Council and to the ALEO. This includes the responsibility to identify and declare interests.
- 3.3 The Accounts Commission's 2011 Report '[How Councils work series: ALEOs: are you getting it right?](#)' provides a range of practical advice for councils and councillors to ensure that they fulfil their responsibilities. Specifically, the report advises that in order to fulfil their FPP Code responsibilities, councils should provide councillors (and officers) with ongoing advice and training. Councillors may wish to ensure that they have read, and are familiar, with this advice and that they seek and attend such training.

4. Understanding an Individual Councillor's Role & Responsibilities

- 4.1 It is important for councils to ensure governance and accountability in respect of both finance and performance. If a councillor is nominated, appointed or otherwise agrees to sit on an ALEO,

they need to be aware of their obligations to the ALEO and reconcile these with their obligations to the Council.

- 4.2 Councillors should seek an induction on being an ALEO member to assist them in understanding the roles and responsibilities they are to undertake. They should consider providing feedback on any training or induction they receive to help ensure it remains effective and relevant.
- 4.3 The Code makes it clear that councillors still need to observe the rules in the Code even while carrying out their duties as a member of an ALEO. They will also be bound by any code of conduct for the ALEO and are also responsible to the ALEO and for acting in its best interests. This obligation is outlined in Paragraph 3.30 of the Code, which states:

If I am appointed or nominated by the Council as a member of another body or organisation, I will abide by the rules of conduct and will act in the best interests of that body or organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of the body or organisation.

In most cases a councillor's duty under the Code to act in the public interest will align with their duty to act in the best interests of the ALEO. Where there is a conflict, however, they must follow the rules that govern such conflicts.

- 4.4 Councillors should make sure they are clear about the status of their appointment. For example, whether it is intended that they are to be an observer only, or whether they are on the Board in a decision-making capacity. If a councillor becomes a director of an ALEO that is a company, they will assume personal responsibilities under the Companies Acts. If they become a trustee of an ALEO that is a charity then they will have duties under the Charities and Trustee Investment (Scotland) Act 2005, as outlined in the Office of the Scottish Charity Regulator's Guidance. This Guidance can be found at www.oscr.org.uk/charities/guidance/guidance-and-good-practice-for-charity-trustees.
- 4.5 In order to be able to understand the differing roles and responsibilities, councillors should ensure, before accepting an appointment or nomination to a partner organisation, that they are clear as to the status of that organisation. Councillors may wish to consider the following questions:
- do both the Council and the organisation consider the organisation to be an ALEO?
 - if it is an ALEO, how is it constituted? Is it:
 - a company, including a company limited by guarantee?
 - a Limited Liability Partnership?
 - A Scottish Charitable Incorporated Organisation (SCIO)?
 - regardless of how it is constituted, is the ALEO also a registered charity?
 - does the ALEO have decision-making powers or is it simply an advisory body?
 - has the ALEO been established wholly or mainly to provide services to the Council?
 - does the ALEO provide services to anyone else?
- 4.6 Councillors should check whether the ALEO has a contractual arrangement with the Council for the supply of goods and services. They should ensure that they understand the basis and content of such contracts and the implications of any failure to fulfil them.
- 4.7 Councillors should ensure that they are fully aware of the ALEO's purpose and structure and why it was established. Councillors should also ensure they understand the functions the ALEO performs and the activities it undertakes, including any external trading activities which involve it contracting with third parties.

- 4.8 It is also important to have knowledge of the funding arrangements for the ALEO including the level of funding provided by the Council, the body's solvency and whether the Council is a guarantor. Councillors should be satisfied that they are aware of the ALEO's financial monitoring and reporting arrangements.
- 4.9 The table below summarises the information a councillor should consider before accepting an appointment or nomination to sit on an ALEO.

Their responsibilities as a Board member of an ALEO.
Any code of conduct for the ALEO.
The legal status of the ALEO.
The purpose and function of the ALEO and the activities it undertakes.
The ALEO's funding arrangements.
Whether the ALEO has a contractual relationship with the Council.
Whether the ALEO been established either wholly or mainly to provide services to the Council.
Whether the ALEO trades externally (i.e. whether it provides services to other third parties).
The status of their appointment to the ALEO.
Whether the appointment would mean they would have to frequently declare interests at meetings of a particular committee, by reason of any personal conflicts, being their actions, connections, legal obligations; or the quasi-judicial or regulatory nature of the committee.
Whether the Council approved the appointment.

5. Risks to Governance and Accountability

- 5.1 ALEOs can play a significant role in a Council's service delivery and the Council is often a major if not the sole source of funding for an ALEO. Therefore, strong governance and, in particular, regular and proportionate monitoring, is essential. This is to ensure effective service delivery and to mitigate against any risks, which includes minimising potential conflicts of interest. Councils, when determining governance arrangements at the outset, should ensure they are considering both the advantages and risks of having its representatives on boards, and considering arrangements for funding and scrutiny that, for example, minimise potential conflicts. Both the [FPP Code](#) and the [Accounts Commission's 'How Councils Work'](#) Report on ALEOs emphasise the need for councils to carefully consider representation, including ensuring the right mix of skills and experience required to govern the organisation, and to ensure that councillors and officers are advised of their responsibilities.
- 5.2 Governance in itself can pose a risk if a councillor has a role on both an ALEO Board and also on the Council committee that governs or scrutinises it. Such a councillor would have an inherent conflict between the interest in how the ALEO is governed and the interest in holding it to account and potentially taking decisions over funding. As such, councils should not entirely rely on those who sit on ALEO boards to scrutinise and monitor them.
- 5.3 It is important, therefore, that councillors are aware of and understand the scrutiny, reporting and monitoring arrangements that the Council has in place in respect of its ALEOs.

6. Registration of Interests

- 6.1 It is a councillor's personal responsibility to ensure their **register of interests** is accurate and up to date. Councillors must ensure any changes are made within one month of their circumstances changing.

- 6.2 In terms of their membership of an ALEO, councillors should, in particular, consider whether they need to register an interest under Categories 3 (Contracts) and 8 (Non-Financial Interests).
- 6.3 It should be noted that if a councillor's position on an ALEO had been remunerated, they would have been required to register it as such under Paragraph 4.4 of the Code. However, the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2011, prohibit a local authority from allowing a body controlled by it to make any payments to councillors by way of remuneration, other than the reimbursement of authorised and receipted expenses.
- 6.4 **Category 3:** If a councillor is a partner or a director of a firm or undertaking, including being a director of an ALEO, which has a contract with their Council to provide goods and services, they are required to register a description of the contract, including its duration.
- 6.5 **Category 8:** Councillors must register and describe any relevant non-financial interests, which includes membership of, or holding office in, public bodies, companies and voluntary organisations. Paragraph 4.22 of the Code states that non-financial interests in this context are:

Those which members of the public with knowledge of the relevant facts might reasonably think could influence [their] actions, speeches, votes or decision-making in [the] Council (this includes its Committees and memberships of other organisations to which [they] have been appointed or nominated by [their] Council).

- 6.6 Councillors must, therefore, register any appointment to an ALEO under category 8. It should be noted that while councillors may be required to declare their interest in an ALEO, in terms of Section 5 of the Code, any such declaration would not remedy a failure to register in terms of Section 4.
- 6.7 Anything a councillor has included in their register of interests would normally constitute a connection, in terms of Section 5 of the Code. However, membership of an ALEO is not considered a connection for the purpose of the Code. This means that a councillor will only need to declare their interest in an ALEO to which they have been appointed or nominated by their Council if:
- the matter being considered by the Council is quasi-judicial or regulatory in nature and the ALEO is the applicant or objector or otherwise has a material interest; or
 - the councillor has a personal conflict by reason of their actions, other connections to the ALEO (such as if a close friend or family member works for the ALEO) or their legal obligations.
- 6.8 Councillors are allowed to take part in any Council discussions and decision-making on finance and funding matters relating to an ALEO, even if they are appointed or nominated to that ALEO by their Council.
- 6.9 In terms of the second bullet point at 6.7 above, any councillor who has a connection to a matter involving an ALEO (over and above being appointed or nominated to it by their Council), will need to declare an interest and withdraw from the Council meeting where the matter is being discussed if the objective test below is met:

where a member of the public, with knowledge of the relevant facts would reasonably regard [the] connection to a particular matter as being so significant that it would be considered as being likely to influence [the councillor's] discussion or decision-making.

- 6.10 An example of where a councillor may have a personal conflict by reason of their actions could be where they have stated during a meeting of an ALEO that the ALEO requires further financial

support and have then voted in favour of applying to the Council for more funding. If the councillor's political group subsequently makes it clear that its members are to vote, at a forthcoming Council meeting, to reject the funding request, then it is likely that the councillor's actions would result in a personal conflict that would prevent them from taking part in the discussion and decision-making at the Council meeting. This is because a member of the public, with knowledge of the relevant facts, may reasonably regard the councillor to be personally conflicted.

- 6.11 If a councillor is unclear about how much information to include in their Register of Interests or in any declaration of interest, they should refer to the Code and to the Standards Commission's Guidance and / or seek advice from their Council's Monitoring Officer.
- 6.12 Councillors should note that what they may be required to register on an ALEO's register of interests and what they may be required to declare at ALEO meetings may be different to that which is required by the Code. Councillors should seek advice if they are unclear about what is required.

7. Identifying Potential Conflicts of Interest and Making Declarations of Interest

- 7.1 The table below summaries the main points councillors should consider when identifying conflicts of interest and determining whether to declare an interest.

It is a councillor's personal responsibility to identify conflicts of interest. They cannot rely on Council officers to remind them to do so.
The Code recognises that councillors who are appointed or nominated to ALEOs should be able to bring their knowledge and experience of that ALEO to the Council's discussions and decision-making.
Councillors will not normally have to declare an interest at Council as a result of their membership of, or appointment to, an ALEO. However, if they have a personal conflict by reason of their actions, connections or their legal obligations, or the matter being considered is quasi-judicial or regulatory in nature (and involves the ALEO), then they will have to declare an interest and withdraw from the meeting.
The ALEO may have its own standards, rules and code of conduct. Councillors appointed or nominated to ALEOs should be mindful of their responsibilities under these as well as the Code.
Councillors are allowed to take part in any Council discussions and decision-making on funding matters relating to any ALEO, even if they are appointed or nominated to that ALEO by their Council. However, where possible, they should avoid being on any the Council committee that is responsible for governing or scrutinising the ALEO in question.

- 7.2 Councillors should ensure that they can identify potential conflicts of interest. These will include not just the potential for competing interests between the ALEO, the Council and also any other organisation they are part of but also any personal interests they may have. Paragraph 3.31 makes it clear that it is a councillor's responsibility to identify conflicts of interest and it is for them to seek advice on their responsibilities to both the Council and ALEO, as required. Paragraph 3.31 states:

I accept that if I am a director or trustee (or equivalent) of a company or a charity, as a nominee of my Council, I will be responsible for identifying, and taking advice on, any conflicts of interest that may arise between the company or charity and my Council.

- 7.3 Councillors should be aware that even if the ALEO does not have an interest in a matter being discussed, they may have a personal interest separate from their membership of the ALEO.

- 7.4 Councillors should not rely on, or expect, Council employees to remind them to register interests or make any necessary declarations in respect of an ALEO (even if employees are aware of the councillor's membership of it). It is a councillor's own personal responsibility to register interests and make declarations as required by the Code. If a councillor is in any doubt, they should ask for help.
- 7.5 Councillors should consider whether agendas for meetings raise any issue of declaration of interest and, if so, should make any necessary declaration of interest as soon as practicable at a meeting where that interest arises. If a councillor identifies the need for a declaration of interest only when a particular matter is being discussed then they must declare the interest as soon as they realise it is necessary to do so (see paragraph 5.6 of the Code).
- 7.6 Councillors should begin their statement with the words "I declare an interest" and identify the item or items of business to which it relates. They do not need to give a detailed description of the interest, but the statement must contain sufficient information to enable those present to understand the nature of the interest. Councillors should indicate, when making the declaration, that they intend to leave the room (or online meeting) when the item is discussed. Councillors should then remove themselves from the meeting until the discussion and any decision-making on the item in question has concluded. Further guidance on this is contained in the Standards Commission's [Advice Note](#) for Councillors on How to Declare Interests.
- 7.7 If accepting an appointment on an ALEO would mean that a councillor would have to declare interests frequently at meetings of a particular committee, or in respect of any role they are undertaking as a councillor, they should consider carefully whether it is appropriate to accept the appointment. This might be, for example, because their partner works for the ALEO in a role which would mean they would regularly have a personal connection to decisions the committee has to take; or if the ALEO often has applications before a regulatory committee of which they are a member.
- 7.8 The table below summarises the questions councillors should consider when identifying potential conflicts of interest and making declarations of interest.

What are the potential conflicts between the specific ALEO they are appointed to and the Council?
Are they clear about their responsibilities to both the ALEO and the Council?
Do they have any personal interests in the matters being discussed?
Is the matter being discussed at Council quasi-judicial or regulatory in nature and, if so, does the ALEO have an interest in it?
Have they registered their membership of an ALEO as required by the Code?
Have they checked the meeting agenda and papers to determine whether they will need to make any declarations of interest?
Are they regularly making declarations of conflicts of interest?

8. Confidentiality

- 8.1 Councillors may have access to information that should not be disclosed to both the Council and ALEO. As such, they should be aware of the following confidentiality requirements outlined in paragraphs 3.21 to 3.23 of the Code:

3.21 I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a

person or body authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain such express consent, I will assume it is not given.

3.22 I accept that confidential information can include discussions, documents, information which is not yet public or never intended to be public, and information deemed confidential by statute.

3.23 I will only use confidential information to undertake my duties as a councillor. I will not use it in any way for personal or party-political advantage or to discredit my Council (even if my personal view is that the information should be publicly available).

8.2 This means that if a councillor is provided with confidential information, such as information disclosed in a closed or private section of a Council meeting or legal advice obtained by the Council (either from officers or external legal advisers), they should not disclose or release it to the ALEO or to any other outside body or individual, even if it concerns the ALEO. If such a case were to arise, the councillor should raise the matter with the Council's Monitoring Officer or their deputies.

8.3 If a councillor is in any doubt about whether information is confidential, they should seek advice from their Council's Monitoring Officer or their deputies.

8.4 If a councillor is a director of an ALEO, they should ensure they are aware of their personal responsibilities under the Companies Acts. The law provides that a director of a company must avoid a situation in which they have, or can have, a direct or indirect interest that conflicts, or possibly may conflict, with the interests of the company and, in particular, the exploitation of any property, information or opportunity. In addition to this, a non-contractual duty of confidentiality may be imposed by common law whenever a director receives information they know or ought to know is to be regarded as confidential. A director's duty of confidentiality can be expressed in a contract of employment or implied by law.

8.5 Similarly, charities legislation provides that a trustee of a charity must, in circumstances capable of giving rise to a conflict of interest between the charity and any person (which could include a Council) responsible for the appointment of the charity trustee, put the interests of the charity first; and disclose the conflicting interest to the charity and refrain from participating in any deliberation or decision relating to the matter in question. Such circumstances could include being privy to confidential information in their role as a councillor.

9. Training and Assistance

9.1 Councillors should obtain training on their role from the Council and / or the ALEO when appointed or nominated to an ALEO and should also attend any ongoing or refresher training in respect of their role as a councillor. Where the ALEO is a charity, specific training should be provided on the specific roles and duties of charity trustees. Depending on the resources available, the training may be provided by the Council or the ALEO. However, it is a councillor's personal responsibility to seek out appropriate training and to ensure they are confident about any responsibilities and obligations in their different roles.

If a councillor has any concerns about how an appointment to an ALEO will impact on their role as a councillor or require advice on interpreting the provisions in the Code, they should seek assistance from the Council's Monitoring Officer. Councillors can also refer to the Standards Commission's Guidance on the Code, which can be found on its website at www.standardscommissionscotland.org.uk/guidance/guidance-notes or contact the Standards Commission via email – enquiries@standardscommission.org.uk.

10. Sources of Information

10.1 Further sources of information that may be of assistance are listed in the table below.

Publication	Issued By
Guidance and Good Practice for Charity Trustees	Office of the Scottish Charity Regulator
On Board – A Guide for Board Members of Public Bodies in Scotland	Scottish Government
Reports to the Accounts Commission: ALEOs Following the Public Pound – follow up report (See Appendix 1 for 1996 Accounts Commission/COSLA Code)	Audit Scotland
How councils work series: ALEOs: are you getting it right	Accounts Commission
Office of the Scottish Charity Regulator: Who's in charge guidance?	OSCR
How councils work series: Roles and working relationships	Audit Scotland
The Role of Boards	Audit Scotland
Registration of Interests Amendment Regulations 2010	Scottish Statutory Instrument
Registration of Interests Regulations 2003	Scottish Statutory Instrument
Inquiry into arm's length external organisations	Scottish Parliament Local Government and Regeneration Committee





To: Council

On: 19 May 2022

Report by: Director of Finance and Resources

Heading: Remuneration, Expenses and Pensions for Elected Members

1. Summary

1.1 Renfrewshire Council's remuneration, expenses and pensions arrangements for elected members are in accordance with prevailing Scottish Government regulations and the current rates have been in place since 1 April 2022.

1.2 In addition to various mandatory remuneration and expenses rates set out in the Scottish Government regulations, the regulations contain a number of matters on which the Council has discretion. These matters are detailed in section 2 below, and are required to be considered at this statutory meeting of the Council.

2. Recommendations

2.1 It is recommended that the Council:

- (a) considers which elected member is to be paid remuneration as Leader of the Council;
- (b) considers whether to pay remuneration to an elected member as Civic Head and, if so, to consider which elected member is to receive remuneration as Civic Head;

- (c) considers whether any person receiving remuneration as Civic Head (or persons so deputising) should also be entitled to reimbursement of expenditure incurred in performing civic duties, up to a maximum yearly amount of £3,000, the yearly period to commence, in accordance with Scottish Government regulations, on 3 May each year (the previous maximum yearly amount was set at £1,000 by the Council at its meeting of 18 May 2017);
- (d) considers the number of elected members to be remunerated as Senior Councillors, up to a maximum of 14, and the amount of remuneration to be paid to each Senior Councillor;
- (e) considers which elected members are to be paid as Senior Councillors;
- (f) consider the means of publishing the records of expenditure and allowances paid to elected members;
- (g) approves the list of “approved duties” forming Appendix 1 to this report for the purposes of determining entitlement to allowances and expenses;
- (h) approves payment of remuneration and expenses to elected members on a four-weekly basis in arrears;
- (i) considers the allowances and expenses to be paid to the representatives on the Education and Children's Services Policy Board representing religious bodies.

3. **Background**

3.1 The current arrangements for the payment of remuneration and expenses and access to pension provision for elected members was introduced from 3 May 2007. Subsequent amendments have been made to remuneration and expenses rates as approved by the Scottish Parliament, including annual remuneration increases in most years and a change to the car mileage rate introduced from 14 November 2011. The regime is set out in the following statutory instruments:

- (i) The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (SSI 2007/183);
- (ii) The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 (SSI 2008/415), 2011 (SSI 2011/264), 2013 (SSI 2013/351), 2016 (SSI 2016/6),

2017 (SSI 2017/66), 2018 (SSI 2018/38), 2019 (SSI 2019/23), 2020 (SSI 2020/26), 2021 (SSI 2021/18) and 2022 (SSI 2022/18);

- (iii) The Local Government (Allowances and Expenses) (Scotland) Regulations 2007 (SSI 2007/108);
- (iv) The Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2008 (SSI 2008/414), 2010 (SSI 2010/45) and 2011 (SSI 2011/304);
- (v) The Local Government Pensions Etc. (Councillors and VisitScotland) (Scotland) Amendment Regulations 2007 (SSI 2007/71).

- 3.2 In the paragraphs that follow, the term “remuneration regulations” refers to the statutory instruments listed at 3.1 (i) and (ii) above, the term “allowances and expenses regulations” refers to the statutory instruments listed at 3.1 (iii) and (iv) above and the term “pensions regulations” refers to the statutory instrument detailed at 3.1 (v) above.
- 3.3 Although the regime for remuneration, expenses and pensions is regulated by the regulations listed at paragraph 3.1, in some cases the regulations give discretion to local authorities to decide how they will implement particular provisions. These are dealt with in turn in the following paragraphs.
- 3.4 The remuneration regulations provide that each local authority shall pay remuneration to one Leader of the Council, the yearly amount for that remuneration being £39,148. The Council must decide which elected member is to be the Leader of the Council for remuneration purposes.
- 3.5 The remuneration regulations give local authorities the discretion to pay remuneration to one Civic Head. If the Council decides to pay remuneration to an elected member as Civic Head, the yearly amount of remuneration shall be a maximum of £29,361. It should be noted that the Leader of the Council and the Civic Head for remuneration purposes cannot be the same person.
- 3.6 In addition to paying remuneration to the Civic Head, the Council has discretion in terms of the allowances and expenses regulations to reimburse the Civic Head, or any person deputising for the Civic Head, any receipted expenditure incurred by that person to enable them to carry out their civic duties. The allowances and expenses regulations permit councils to set a civic allowance from which to reimburse to the Civic Head (or any person deputising for the Civic Head) any receipted

expenditure, subject to an upper limit, incurred by the Civic Head to enable him/her to carry out his/her civic duties.

- 3.7 The upper limit set by the allowances and expenses regulations for the civic allowance is a yearly amount of £3,000, however the Council at its meeting of 18 May 2017 agreed to restrict the civic allowance to a yearly amount of £1,000 (the yearly period to commence, in accordance with the regulations, on 3 May each year). It is for the Council to decide on the maximum yearly amount of civic allowance payable to the Civic Head (or any person deputising for the Civic Head).
- 3.8 The remuneration regulations provide that Renfrewshire Council can have a maximum of 14 Senior Councillors for remuneration purposes. The Council has flexibility to determine which positions should be considered “Senior Councillors” meriting the higher remuneration. It is for the Council to decide how many Senior Councillor posts it wishes to allocate but the maximum number of 14 must not be exceeded.
- 3.9 Senior Councillors must be paid a yearly amount which is more than the total yearly amount payable to a Councillor (that is, more than £19,571 per annum) and no more than 75% of the total yearly amount payable to the Leader of the Council (that is, no more than £29,361 per annum).
- 3.10 A further restriction when allocating remuneration to Senior Councillors is that payment of Senior Councillors’ remuneration comes out of a sum of money, the amount of which is calculated using a formula set out in the remuneration regulations. For Renfrewshire Council the formula brings out an aggregate yearly amount payable of £342,524 available for the payment of remuneration for all Senior Councillors.
- 3.11 Therefore, if the Council decides to have the maximum number of 14 Senior Councillors and decided to pay them all at the same amount, those Senior Councillors would each receive around £24,466 per annum. It should be emphasised that the Council can choose to pay different amounts of remuneration to individual Senior Councillors and there is no requirement that they are all paid the same.
- 3.12 If the Council were to decide to pay all of its Senior Councillors the maximum allowable yearly amount (that is, £29,361 per annum per paragraph 3.9), there would only be sufficient money available from the £342,524 indicated at paragraph 3.10 to pay remuneration to 11 Senior Councillors.

- 3.13 The allowances and expenses regulations require each local authority to publish information on elected members' salaries, allowances and expenses in respect of the previous financial year in a standard format on the local authority's website by 1 June in each year. In addition to these requirements, the local authority is free to decide whether to use any other forms of publication, including in what form and how often it wishes to publicise the information.
- 3.14 The allowances and expenses regulations require that local authorities may only reimburse claims for allowances and expenses where the expenditure has been incurred by an elected member performing an approved duty. A list of approved duties was approved by Council on 18 May 2017 and it is proposed that that list be adopted for the purposes of the allowances and expenses regulations. The list of approved duties forms Appendix 1 to this report.
- 3.15 The remuneration regulations give the local authorities the option to pay remuneration either every calendar month or every four weeks. Renfrewshire Council employees are paid every four weeks and it would be consistent if remuneration for elected members continued to be paid at the same intervals. It is also proposed to follow guidance issued by the Scottish Government that payment should be in arrears.
- 3.16 In terms of Section 124 of the Local Government (Scotland) Act 1973 the Council is obliged to appoint three representatives of religious bodies as specified in that section to the Education and Children's Services Policy Board. The Council has previously reimbursed the expenses incurred by these representatives in attending meetings of the Board at the same rates paid to elected members. It is proposed to continue that arrangement by reimbursing expenditure relative to attendance at Board meetings at the rates set out in the allowances and expenses regulations.
- 3.17 The pensions regulations allow local authority councillors to become members of the Local Government Pension Scheme. However, it is for individual elected members to decide whether to join the Scheme and no decision is required from the Council.

Appendix 1: list of approved duties

- (a) Attendance at a meeting of the Council or any of its Boards or other meetings approved by the Council.

- (b) Undertaking a duty in connection with the Council's functions provided it has been approved in advance by the appropriate Board or, in an emergency, reported to the next meeting of that Board.
- (c) Performance of any duty similar to (a) or (b) above as a member of some other body to which an elected member has been appointed as a nominee of the Council.
- (d) Attendance at any annual inspection or other function (excluding functions of a social nature) of the Council to which a formal invitation has been extended by, or on behalf of, the Council.
- (e) Attendance at Political Group meetings.
- (f) Attendance by the Convener and Depute Conveners of the appropriate Board or, with their authority, other elected members at meetings with the Chief Executive, service directors, second-tier officers and appropriate senior managers, to consider matters relative to the appropriate Board.
- (g) Attendance at surgeries, subject to the condition that the allowance claimed shall not exceed 2 full days in any one month (except in particular circumstances with the approval of the Leader of the appropriate group) and that public intimation of the surgeries be given.
- (h) Reasonable attendance at meetings of Community Planning Forums / Community Councils and tenants' / ratepayers' / council tax payers' association meetings.
- (i) Undertaking within the Council's area, and on not more than 3 days per week, any activity other than an activity appropriate to headings (a) to (h) above considered by an elected member necessary for the proper discharge of duties.
- (j) Political Group Officer duties:
 - (i) Political Group Leaders and Group Secretaries - Group duties on up to 3 days in any one week;
 - (ii) Depute Group Leaders of the largest Political Group forming the political administration of the Council - Group duties on 2 days per week (may be aggregated monthly).
- (k) Conveners and Depute Conveners - 7 days in any one month.
- (l) Attendance by the Leader or Depute Leader of the Council at meetings to further the interests of the Council, its operations or policies and attendance at such meetings, when this has been or as may be

requested by the Leader or Depute Leader of the Council, by the Leader or Secretary of any minority Political Group on the Council or another elected member.

- (m) Attendance at a school ceremony in the elected member's own locality with the limit of one attendance per school per year.
- (n) Attendance by an elected member at any meeting of a School Board or Committee or Sub-committee relating to an elected member's constituents' interests.
- (o) Attendance at any meeting of a College Council or Committee or Sub-committee thereof by an elected member who is appointed by the relevant Board. 2.1 It is recommended.

Implications of the Report

1. **Financial** – The report relates to the appointment, following the May 2022 local government election, of the Leader of the Council, a Civic Head and Senior Councillors, and to the decisions that the Council requires to take regarding the yearly remuneration to be paid to elected members appointed to these posts. It is anticipated that the overall costs will be comparable to the cost of the arrangements prior to the May 2022 local government election.
2. **HR & Organisational Development** – none
3. **Community/Council Planning** – none
4. **Legal** – The Council is statutorily required to put in place appropriate arrangements for the remuneration of its elected members, including the appointment of the Leader of the Council and various Senior Councillors as deemed appropriate. Further, the Council is required to consider whether to appoint one of its elected members as a Civic Head and, if so, to decide on the level of remuneration to be paid to the Civic Head and whether any additional monetary allowance should be allocated for the Civic Head (or persons so deputising) to carry out their civic duties.
5. **Property/Assets** – none
6. **Information Technology** – none
7. **Equality & Human Rights** – none

8. **Health & Safety** – none
9. **Procurement** – none
10. **Risk** – none
11. **Privacy Impact** – none
12. **Climate Risk** – none
13. **COSLA Policy Position** – none

List of Background Papers

None

Author: Richard Conway (ext. 7377) richard.conway@renfrewshire.gov.uk



To: Council

On: 19 May, 2022

Report by: Director of Finance and Resources

Heading: Kirkin' of the Council

1. Summary

- 1.1 Renfrewshire Council has maintained a tradition of participating in a Kirkin' of the Council church service following the election of a new Council.
 - 1.2 Traditionally, the Kirkin' of the Council has taken place in Paisley Abbey and, among others, all elected members, the Chief Executive and Directors have been invited to attend as have the Lord Lieutenant of Renfrewshire, local MPs, MSPs and MEPs, the Moderator of Paisley Presbytery, the Bishop of Paisley, all local clergy, the Principals of the University of the West of Scotland and West College Scotland, the Chief Superintendent of (K) Division and the Fire Service Area Commander.
 - 1.3 The previous Kirkin' of the Council was held in Paisley Abbey on 18 June 2017.
 - 1.4 That the Council considers whether to participate in a Kirkin' of the Council church service, and if so where the service should be held on this occasion.
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2. Recommendations

- 21 That the Council considers whether to participate in a Kirkin' of the Council church service, and if so where the service is to be held on this occasion; and
 - 22 That if a Kirkin' is to be held, the Director of Finance & Resources be authorised to make the necessary arrangements in consultation with the Provost.
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Implications of this report

- 1. Financial Implications – none**
- 2. HR and Organisational Development Implications – none**
- 3. Community Plan/Council Plan Implications – none**
- 4. Legal Implications – none.**
- 5. Property/Assets Implications – none**
- 6. Information Technology Implications – none**
- 7. Equality and Human Rights Implications**
 - (a) 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 for example 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 and Safety Implications – none**
- 9. Procurement Implications – none**
- 10. Risk Implications – none**
- 11. Privacy Impact – none**
- 12. CoSLA Policy Position – n/a**
- 13. Climate Risk – n/a**

List of Background Papers –

- (a) none
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Author: Lilian Belshaw, Democratic Services Manager, 0141 618 7112