

Motions and Amendments

City of Edinburgh Council

10.00 am Thursday, 16th December, 2021

Virtual Meeting - via Microsoft Teams

Motions and Amendments

Contacts

Email: gavin.king@edinburgh.gov.uk

Tel: 0131 529 4239

Nick Smith

Service Director, Legal and Assurance

This page is intentionally left blank

Motion by the Coalition

City of Edinburgh Council

16 December 2021

Item 6.1 – Appointments to Committees & Outside Organisations

Council notes that Councillor Adam McVey will replace Councillor Lesley Macinnes as a Member of the Board of Directors for Energy for Edinburgh.

Moved by: Councillor Catherine Fullerton

Seconded by: Councillor Karen Doran

Cross-Party Addendum

City of Edinburgh Council

16 December 2021

Item 7.1 - Independent Review into Whistleblowing and Organisational Culture

Adds:

1.3 Council thanks the Independent Chair Susanne Tanner QC and the support team at Pinsent Masons LLP for setting out recommendations to build on the Council's strong foundations of a Whistleblowing Policy, process and experience of the last 7 years.

1.4 Council also thanks the many staff who engaged with the review team, giving their experience and input to help shape recommendations for improvement that affects staff and Elected Members.

1.5 However, Council recognises that a significant minority of staff who replied to the survey still need further support to instil greater confidence to use whistleblowing and management procedures to raise issues to help the Council address issues and make improvements for staff and the public.

1.6 Council therefore requests officers pay particular attention to the recommendations designed to improve this level of confidence and prioritise these actions in the implementation plans returning to Council.

1.7 Council notes the improvements to corporate culture and processes since May 2014 identified by the Independent Review and acknowledges the improvements required as set out in the report.

1.8 Further notes the recommendations in relation to Councillors' conduct and notes that Elected Members have a responsibility to show leadership and adhere to policies and abide by the standards expected of them.

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Conservative Group

City of Edinburgh Council

16 December 2021

Item 7.1 - Independent Review into Whistleblowing and Organisational Culture

Council

- 1.1 Notes that the independent review (the “Review”) into whistleblowing and organisational culture, conducted by Susanne Tanner QC with the assistance of Pinsent Masons LLP, has submitted the Report at Appendix 1 and its overarching finding that “there is not a universally positive, open, safe and supportive whistleblowing and organisational culture for the raising of and responding to concerns of wrongdoing within CEC”.
- 1.2 Recognises that while the overall aims and policy intentions of the Council in regard to Whistleblowing and Organisational Culture are sound there has been a failure since 2014 to drive the fundamental cultural change necessary to deliver on this in practice such that 50 recommendations and a number of other suggestions are made by Ms Tanner in addition to the recommendations made in her Inquiry report.
- 1.3 Agrees to accept the recommendations in full and add for consideration the other suggestions for improvement made in the Report; instructs the Chief Executive to report back to Council within one cycle with detailed proposals on how the recommendations will be implemented including an expectation of retrospective reporting of early action on administrative and management recommendations that can be implemented immediately.
- 1.4 Notes with concern that a number of the recommendations relate to matters of assurance and recognises that this is in an organisation that has been subject to four consecutive red internal audit opinions with limited progress in addressing audit findings and implementing on time agreed management actions.
- 1.5 In this regard notes the considerable number of attempts by the Conservative Group to improve assurance, performance management and

improvement processes in the Council over the past ten years, these attempts often voted down by other Groups, with recent examples being:

Date	Amend/Addend	Committee	Report Subject	Audit status referenced
30.11.21	Addendum	Policy and Sustainability	Performance Update Report	N/A
5.10.21	Addendum	Policy and Sustainability	BV Assurance Audit Response October Update	RED
19.8.21	Amendment	TEC	Edinburgh Tram Network Supplier Management	BLACK
20.4.21	Amendment	Policy and Sustainability	Internal Audit Overdue Finding and Key performance Indicators as at 10 Feb 2021-	RED
23.2.21	Amendment	Policy and Sustainability	Internal Audit Overdue Finding and Key Performance Indictors at 30 October 2020	RED
10.12.20	Amendment	Council	Best Value Assurance Audit	RED

1.6 Notes that considerable numbers of questions raised by councillors with the Review team as a result of the Report and that some of those involved in the case studies have raised questions of accuracy and agrees to request that

the Review Team address these and any remaining issues arising at no further cost to the public purse.

- 1.7 Notes the comments in paragraphs 5.16 to 5.42 the Report regarding councillors but recognises that councillors will often have a duty to speak publicly on issues of concern in representing constituents, the wider public or a political viewpoint of those who elected them regardless of whether this conflicts with the Council corporate view; and that the interpretation of some specific examples given in the Report are subjective, and this section distracts from the report's significant and far-reaching findings;
- 1.8 Nevertheless agrees that there are fundamental issue in regard to relationships between elected members as described in the Accounts Commission's Best Value Assurance Report dated 26 November 2020 and that no specific steps have been taken to address this although no specific recommendations were made as to how this could be addressed other than elected members attending already arranged training.
- 1.9 Agrees that the lack of a formal comprehensive Best Value Improvement Plan (as called for by the Conservative Group in the amendment of 10 December 2020 in the table above) has allowed this issue to be ignored and, while there are elections approaching in less than six months, the Council would still benefit from action on this given that many members may return. Therefore, further agrees that the advice of the Improvement Service be sought in order to initiate facilitated workshop and/or mediation sessions amongst councillors to address these concerns as discussions between Group Leaders have failed to improve insight or understanding of the fundamental problems involved.
- 1.10 Agrees to appoint an independent adviser, external to the Council Management Team, with a proven track record of implementing cultural change and assurance practices in large organisations. Reporting to the Chief Executive as Head of Paid Service, this Adviser will be tasked with delivering on the recommendations of the Review, the Inquiry, a full Assurance Framework, the recommendations arising from the Cultural Review described at paragraph 5.9 and initiated by HR, and the further development of the performance and continuous improvement culture of the Council (all as such matters may be amended by Council in response to the Chief Executive's proposals being brought back to Council within one cycle).

- 1.11 The Adviser referred to at 1.10 to be appointed by the Recruitment Committee and to report to councillors through Committees or the Council independently of the Chief Executive and to be able to raise issues directly with Councillors in a similar way to the Chief Internal Auditor or External Audit. The appointment to be time limited to one year with a possible extension of a further year should a case be made that the need remained.
- 1.12 To agree that the budget for this adviser is allocated at the Council budget meeting in February 2022.

Moved by: Councillor Iain Whyte
Seconded by: Councillor Phil Doggart

Amendment by the Conservative Group

City of Edinburgh Council

16 December 2021

Item 7.2 - Review of Political Management Arrangements - December 2021

Council

Accepts recommendations 1.1, 1.2, 1.3 and amends 1.4 in light of concerns raised as part of the Best Value Audit Report 2020 and reiterated in the Culture and Whistleblowing Report by Susanne Tanner QC regarding the culture amongst councillors; to reduce the length of meetings and to give councillors who don't sit on a particular Executive Committee the opportunity ask questions of the Leader and Committee Conveners in a structured manner through written Council Questions and verbal supplementary questions to remove 9.1 (e) of the Order of Business for Full Council in the Standing Orders.

Moved by: Councillor Joanna Mowat

Seconded by: Councillor Jim Campbell

Amendment by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.1 - By Councillor Burgess - Household Recycling Charter

Council:

Accepts paragraphs 1-5 and replaces paragraph 6 with:

Recognises that these commitments and the actions to achieve them are in line with Council ambitions for household recycling but that there are aspects of the Charter, as outlined in 4(IV), that could be difficult to implement in Edinburgh, notably the need to increase the number of bins each household receiving kerbside collections would require, but requests a short report outlining those challenges to the Transport and Environment Committee within two cycles. This should include a recommendation on whether the Council should sign the Charter and what the implications would be for the services we currently provide to residents, as well as a clear indication of how we already meet the objectives of the Charter.

Moved by: Councillor Lesley Macinnes

Seconded by: Councillor Karen Doran

Amendment by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.2 - By Councillor Laidlaw - Health and Wellbeing Census

Deletes all and replaces with:

Notes the Health and Wellbeing Census is essential to ensure young people can express their needs to policy makers, as defined by the UNCRC.

Notes Edinburgh Council, and authorities across Scotland follow a rights-based approach to this survey where young people can withdraw their consent to take part in some or all of the survey

Notes the responses of young people have a direct link to the curriculum covering Relationship, Sexual health and Parenting - where issues like consent and safe sex are explored within the classroom rather than the internet, and informed by the lived experience of young people from this survey.

Notes the Council will continue to work with the Scottish Government on the delivery of the census and feedback any issues from an Edinburgh perspective that could be helpful in improving the effectiveness of the census; and further notes that the Council and schools can exercise their rights to edit the survey.

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Green Group

City of Edinburgh Council

16 December 2021

Item 8.2 – By Councillor Laidlaw – Health and Wellbeing Census

Deletes all from -

“Council questions whether asking such questions...”

And replaces with –

Council notes that it is up to parents, carers and children and young people themselves to decide whether children and young person should take part. Children and young people can be opt-outed by parents/carers notifying their child’s school. Children and young people themselves can also say to their teacher that they do not wish to take part at any time.

Council recognises that this survey is an important tool to ensure that children’s services can be correctly planned and provided using the most complete and up to date information.

Council agrees with the reasons given by the government for the survey, which is to:

- plan and deliver better policies for the benefit of all children and families, or specific groups
- better understand some of the factors which influence the outcomes for children
- target resources better
- enhance the quality of research to improve the lives of people in Scotland
- provide a window on society, the economy and on the work and performance of local and central government

Council agrees to continue to deliver the survey in schools as planned.

Moved by: Councillor Mary Campbell

Seconded by: Councillor Steve Burgess

Addendum by the Scottish Liberal Democrat Group

City of Edinburgh Council

16 December 2021

Item 8.2 – By Councillor Laidlaw - Health and Wellbeing Census

Add at the end of the final paragraph:

“Officers to arrange for a representative of the Scottish Government, involved in the Census project, to be invited to the committee meeting so that members can ask questions around content and process.”

Moved by Councillor Louise Young

Seconded by Councillor Hal Osler

Amendment by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.3 - By Councillor Rust - Community Councils - Notification of Key Information and Consultations

Agree the motion by Councillor Rust except replace paragraph 5 with:

5. Notes that in 2021 the Council implemented a new Consultation Policy, which set up a process of quality assurance for consultation activity, supported by a skills development programme for key staff performing consultations in all departments. This included a standard 12-week period for consultations, excluding those issues with statutory timescales.

6. Notes that in early 2022, the Council will review the performance of the consultation policy and agrees that the report to Policy and Sustainability Committee will make recommendations for further improvement including around stakeholder communication and notification processes and taking on board the issues raised in paragraph 2.

7. Notes that although the principle of giving community councils more than one month notice on a consultation is reasonable and desirable, there are some statutory consultations which can include traffic regulation orders and licensing, where Community Councils are required to be notified but that may have 21 day or 28 day timescales as defined in the relevant legislation.

8. Notes that the Council has been developing a joint programme of improvement activity with the Edinburgh Association of Community Councils (EACC) to strengthen the communication and information flow between the Council and all community councils. This includes a specific action for both the Council and community councils to keep the community council database up to date. Notes that this collaborative work is due to be considered by the Edinburgh Partnership in December 2021 with a further report in March 2022 and agrees that the matters raised in paragraph 4 should be included in the discussions and

improvements being agreed with the EACC and the Council.

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.4 - By Councillor Staniforth - Scottish Government Funding for Light Rail

Council:

Deletes paragraph 2 and replaces with:

That representations have been consistently made from the City of Edinburgh Council to the Cabinet Secretary for Net Zero, Energy and Transport and the Cabinet Secretary for Finance and Economy on this issue, most recently in a letter from the Council Leader to the Cabinet Secretary for Finance and Economy in advance of the most recent budget announcement and in person during a Scottish Cities Alliance meeting with Green Party Government Ministers by the Council Leader.

Deletes the last paragraph and replaces with:

To support the Council Leader and Deputy Leader in their call for this change and support their request, which is being followed up in a meeting with the Cabinet Secretary for Finance in the coming weeks. Further resolves to continue to raise the points in this motion with all relevant Ministers until this change is secured as well as at the forthcoming meeting with the Cabinet Secretary.

Moved by: Councillor Lesley Macinnes

Seconded by: Councillor Karen Doran

Addendum by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.5 - By Councillor Howie - Enhancing Employment Opportunities for People with a Disability

Adds:

Notes commitment 7 of the Coalition Commitments which is to improve access to employment and training opportunities for people with disabilities, and that progress on this commitment is reported annually at P&S Committee and Full Council.

Notes specialist services are delivered through All in Edinburgh and Project Search. All in Edinburgh is a pan disability employment support service which was previously part funded through the European Social Fund, and which the Council has committed to continuing funding through the budget process. Project Search provides supported work placements in the Council and NHS complemented with training by Edinburgh College.

Notes that the Council has just recommissioned employability services to start from 1 April, with a detailed report on this process presented to the HHFW committee on 14th January 2021 and contracts approved by Finance and Resource Committee on 7 October 2021. The supported employment service for disabled people continues to be a focus area and we provide Job Coaches both in-house, and through our contracted third party providers who are able to offer specialist support for disabled people beginning work, to help people find new jobs or to help people retain existing jobs.

Further notes the reports to HHFW Committee on 3rd June and 2nd September on Network of Employability Support and Training (NEST) and No One Left Behind (NOLB2) funding from the Scottish Government through which we will deliver local grants and training opportunities, with a strong focus on individuals who have been most adversely impacted by the pandemic and who face existing barriers, which includes young people, members of the BAME community, and disabled people.

Further notes that the approach is to operate a 'no wrong door' policy for employability support and that disabled people are able to access a range of specialist and generalist employability support.

Agrees that the report to HHFW Committee should set out the full range of employability services provided or funded by the Council that disabled people can access, from in-house services, contracted services and third party grants. The report should consider how these services can be best used to mitigate any changes to provision in place from the DWP or other agencies.

Moved by: Councillor Kate Campbell

Seconded by: Councillor Mandy Watt

Amendment by the Coalition

City of Edinburgh Council

16 December 2021

Item 8.6 - By Councillor Howie - Cameron Toll Bridge Strikes

Replace paragraph 5 with:

Agree to request information from Police Scotland and Network Rail identifying any Council actions that could help mitigate the potential for instances like this and report back to Transport and Environment Committee, as appropriate with any updated information or further actions the Council could take while retaining the essential objective of no more bridge strikes and, therefore, preventing casualties.

Moved by: Councillor Lesley Macinnes

Seconded by: Councillor Karen Doran

Amendment by the Conservative Group

City of Edinburgh Council

16 December 2021

Item 8.6 – By Councillor Howie – Cameron Toll Bridge Strikes

Council

Replace clauses 1-4 with new clause 1 and thereafter renumber clause 5 as new clause 2.

1. Notes further collisions in September and November 2021 involving HGVs failing to navigate the railway bridge at Cameron Toll with consequential damage, risk to life and delay.

Moved by: Councillor Cameron Rose

Seconded by: Councillor

Addendum by Councillor Howie

City of Edinburgh Council

16 December 2021

Item 8.8 – By Councillor Cameron – Improving Accessibility and Inclusion for Edinburgh Citizens and Visitors

Adds after paragraph 2 (after the word “adaptable”):

“Council notes current bin collection arrangements limit access to the public footpath for people with a disability and others, including parents with buggies, in many of the capital's streets, particularly in residential areas.”

And adds after the word “amenities” in paragraph 4: “and bus stop closures”

Moved by: Councillor Derek Howie

Seconded by:

This page is intentionally left blank