

Motions and Amendments

City of Edinburgh Council

10.00 am Thursday, 10th February, 2022

Virtual Meeting - via Microsoft Teams

Motions and Amendments

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Motion by the Coalition

City of Edinburgh Council

10 February 2022

Item 6.1 – Appointments to Committees and Outside Organisations etc.

Council agrees to:

To appoint Councillor Eleanor Bird as Vice-Convener of Education, Children & Families Committee and as a member on all working groups appointed by the Education, Children and Families Committee, replacing Councillor Alison Dickie, with the accompanying Senior Responsibility Allowance of £27,908.

To replace Councillor Dickie with Councillor Frank Ross as a Member of Education, Children & Families Committee.

To replace Councillor Dickie with Councillor Frank Ross on the Committee on Pupil Student Support.

To replace Councillor Bird with Councillor Frank Ross on Personnel Appeals Committee.

To replace Councillor Dickie with Councillor Macinnes as Gaelic Champion.

To replace Councillor Dickie with Councillor Eleanor Bird as a Member of the Edinburgh Area Support Team.

To replace Councillor Dickie with Councillor Eleanor Bird as a Member of the John Watson's Trust.

Moved by: Councillor Catherine Fullerton

Seconded by: Councillor Karen Doran

Addendum by the Liberal Democrat Group

City of Edinburgh Council

10 February 2022

Item 6.1 – Appointments to Committees and Outside Organisations etc

Council

Adds at 1.4: To note that the appointed role on the Gaelic Implementation Group is covered by the Gaelic Champion.

Moved by: Councillor Louise Young

Seconded by: Councillor Hal Osler

Cross Party Amendment by the SNP/Labour/Green/Liberal Democrat Groups

City of Edinburgh Council

10 February 2022

Item 7.1 - Independent Review into Whistleblowing and Organisational Culture – next steps

Add another sentence to 1.7:

Notes as well as additional resourcing, this will require continued focus of senior management, including but not limited to, the Chief Executive, Executive Director of Resources, Heads of Legal and HR and others tasked with delivery of the recommendations and outcomes as set out in Appendix 1.

Delete point 1.8 and replace with:

“To agree to a proposed six-month reporting cycle with the first update report on progress being reported to Full Council, followed by update reports to an appropriate committee to be agreed in that first report.”

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Conservative Group

City of Edinburgh Council

10 February 2022

Item 7.1 – Independent Review into Whistleblowing and Organisational Culture – Next Steps

Council notes recommendations 1.1 to 1.6 of the report but considers that inadequate progress has been made at this stage to address the recommendations of the Tanner Inquiry and Review, such that assurance can be provided to councillors, Council staff, and the public that the issues identified are being resolved swiftly and effectively. The following issues require to be addressed:

1. Policy and Policy Communication

Council expresses disappointment that:

1. No draft revised Whistleblowing Policy has been provided for initial consideration, despite ample time since the last Council meeting to adapt the current policy to comply with Ms Tanner's Recommendations, at the very least as an initial proposal for consultation.
2. No draft or substantive communications plan has been provided for consideration, despite the urgent need to communicate the current Whistleblowing Policy, including its statutory expectations and commitments to staff as a first step, and adaptable to promote any revised Policy once available as a forward action.
3. There is no plan to reassure staff about confidentiality, given that more than half of respondents to Ms Tanner's survey doubted their anonymity would be protected or their rights not to suffer detriment would be maintained should they make a whistleblowing disclosure.

2. Resources

Outwith the investigations section, Council considers the request for additional resource to implement the recommendations is excessive because:

1. Policy review and development is an ongoing process and is part of Business as Usual.
2. Training resources should, at least in part, be retargeted to these issues as a priority.
3. Existing culture change and leadership training can and must be reviewed for effectiveness, and retargeted in part to the themes in the Review
4. That many of the recommendations represent developmental good practice and should be absorbed within current business through practice change rather than additional work.
5. An external investigations unit should free up internal management time and resource for other purposes.

3. Staff Communication

Council notes the difficulties identified by Ms Tanner in providing information to what the Council describes as “Hard to Reach Colleagues” and is disappointed that:

1. This problem, which has been recognised within the Council for many years, was fully identified in the 2018 Colleague Survey and both the follow up Interim Update and Action Plan, and actions supposed to have been taken to resolve it have not been fully addressed.
2. Giving such staff greater access to email and the Orb has not been fully actioned as these communication methods were regarded as two of the top four effective methods of communication by staff in the Survey.
3. The Council is now being told that considerable additional resource will have to be deployed to address this issue, despite the 2019 Action Plan indicating resource was available and was being deployed.

4. Recording of allegations/findings

Council regrets that:

1. No action has been put in place to use manual or bespoke IT arrangements for the urgent tracking of allegations of alleged abuse as recommended in the Inquiry and the Review. This would be an interim step with a view to migrating these to a future compliant HR system.
2. The report fails to provide an initial business case for a fully functioning HR system to be developed either through upgrade or replacement, despite Council's expressed wish to see these issues addressed by acceptance of the recommendations.

5. Redress

Council expresses disappointment that:

1. Despite the recommendations of the Inquiry being available since September along with specialist legal advice from Pinsent Masons and coordination with the Council's insurers, no proposal for a redress scheme has yet been put to Council for approval.
2. The report anticipates a further three to six months delay to set this up.
3. Although formal letters have been sent to survivors of Sean Bell's abuse expressing the Council's deepest sympathies, some who consider themselves to have been at the receiving end of abuse have received no such contact and the delay is causing distress.

6. Addressing remaining concerns

Council regrets:

1. The lack of any progress in considering how to reach out to whistle-blowers who contributed to the review but remain dissatisfied.

2. That no action has been proposed to address the issues identified by some participants to the Review that the CLT could be “an intimidating environment” for outsiders.

7. Immediate Action

Council:

1. Rejects the proposed actions at recommendations 1.7 and 1.8 of the Report as an inadequate response to the recommendations made by the Tanner Inquiry and Review.
2. Considers there is a lack of the necessary urgency and priority to deliver essential administrative and cultural change quickly, efficiently and effectively within the organisation.
3. Calls for a further report within one cycle to resolve the deficiencies identified above, provide assurance that the recommendations can be implemented in full and therefore give Council confidence in the Corporate Leadership Team’s ability to deliver.
4. Instructs that the report should also set out actions to implement any stand-alone recommendations that can be implemented immediately within existing resources.
5. Instructs that the report include a draft redress scheme with clarity about the criteria for inclusion, particularly for those who have made known they consider themselves to have been abused by Sean Bell.
6. Agrees that the Policy and Sustainability and Finance and Resources Committees should meet jointly, in a workshop format to be chaired by the Lord Provost, to review the proposed response to the recommendations in regard to resourcing and integration with Business as Usual in order to
 - a) reduce additional cost pressures
 - b) prioritise the resolution of the issues identified in the Inquiry and Review against other work of the Council and implement the Recommendations in full.

c) Determine how future monitoring and scrutiny of delivery of the recommendations should be undertaken.

7. Agrees that funding should be set aside in Reserves as part of the Budget Process so that necessary resource can be provided for future delivery once this is fully clarified.

8. Monitoring officer role

In addition to the matters addressed in the Report Council recognises that there have been a number of serious incidents spanning the last 20 years where whistleblowing has not been dealt with satisfactorily, that these point to a structural flaw in the process, and that external supervision is required.

Council accordingly, calls for representation to be made on behalf of the Council to the Scottish Government to consider empowering an external entity to assume such functions of the Monitoring Officer as are necessary to provide an independent and objective view of events as included within the current scope of the monitoring officer duties.

Moved by: Councillor Iain Whyte
Seconded by: Councillor Joanna Mowat

Amendment by the Conservative Group

City of Edinburgh Council

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Item 7.2 – Council Diary 2022-2023

Council considers that as a number of changes were made to the Council Diary to suit Conveners at the beginning of the 2017 – 2022 Council Term that we should defer consideration of the dates for Executive Committees until after the elections in May 2022 and draft the diary once the new Council Administration has been put in place; only detailing dates for the Full Council meetings at this stage.

Moved by: Councillor Joanna Mowat

Seconded by: Councillor Jim Campbell

Amendment by the Conservative Group

City of Edinburgh Council

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Item 8.1 – By Councillor Munro – 1000 Cities

Council:

Deletes the last paragraph, and replaces with:

Council accepts that joining the 1000 Cities Initiative may be in line with previous decisions of Council.

Council also understands that previous decisions of Council have led to a very large unfunded liability in our capital budget. Council is also aware that the most recent reports from Officers confirm that achieving net carbon neutral buildings is not, as first suggested, likely to be self-funding.

In line with legislation, Council re-affirms that it shall not take decisions regarding resources without Officer reports quantifying and budgeting for any explicit or implicant expenditure, and therefore request the Chief Executive prepares a report on the revenue and capital budget implications of meeting the obligations of the 1000 Cities Initiative that have not already been covered as part of an approved budget before taking a final decision on joining.

Moved by: Councillor Jim Campbell

Seconded by: Councillor John McLellan

Amendment by the Coalition

City of Edinburgh Council

10 February 2022

Item 8.2 – By Councillor Cook – Edinburgh Slavery and Colonialism Legacy Review

Deletes all and replaces with:

Thanks Sir Geoff Palmer and the review team, which includes input from Edinburgh world heritage and Edinburgh university, for their work in shaping a public consultation which thousands of people responded to.

Notes these responses will be analysed by the independent review team and they will then make recommendations to Councillors later this year.

Reaffirms the Council's position that we need to understand the honest history of our Capital if we're to understand the impacts on our culture today.

Notes the importance of this understanding specifically in tackling racism.

Notes the Council has a duty of care to Sir Geoff and the review team, as the commissioning body of this independent work.

Condemns in the strongest possible terms the appalling abuse Sir Geoff Palmer has been subjected to by groups who have tried to disrupt this work, unsuccessfully.

Finally notes that historians will continue to disagree with one another on some aspects of history. While welcoming academic debate and input, Council encourages those who wish to contribute to the public debate in Edinburgh to consider whether their comments are based on opinion or established facts and also whether the way they express those viewpoints actively contribute to an anti-racist culture in Edinburgh.

Moved by: Councillor Adam McVey
Seconded by: Councillor Cammy Day

Amendment by the Conservative Group

City of Edinburgh Council

10 February 2022

Item 8.3 – By Councillor Staniforth – Diversity Champions and UK Workplace Equality Index

Council:

In paragraph three: replaces the word 'program' with 'programme'

Replaces paragraphs four and five to read:

Agrees that the Executive Director of Corporate Services will prepare a report to the Policy and Sustainability Committee within three cycles detailing the criteria, requirements, benefits, implications, and financial commitments of joining the Stonewall Diversity Champions programme and submitting an annual update to the UK Workplace Equality Index. This report will include an assessment of how these would both align to integrate with or replace the Council's existing frameworks and/or action plans relating to diversity, inclusion, and workplace rights.

Further agrees that officers will organise a meeting during this period to engage with the Diversity and Inclusion working group, with invitations extended to STRIDE and relevant Union representatives, to discuss the previous and existing Diversity and Inclusion Action Plans and the forthcoming report.

Moved by: Councillor Max Mitchell

Seconded by: Councillor

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