

Policy and Sustainability Committee

10.00 am, Tuesday 29 March 2022

Present

Councillors McVey (Convener), Day (Vice-Convener), Aldridge, Burgess, Jim Campbell, Kate Campbell (from Item 10), Fullerton (substituting for Councillor Kate Campbell (items 1-9), Gardiner, Gloyer, Johnston (substituting for Councillor Hutchison) Macinnes, Miller, Mowat (substituting for Councillor Cook), Munn, Perry, Rose (substituting for Councillor McLellan), Whyte and Wilson.

1. Minutes

Decision

To approve the minute of the Policy and Sustainability Committee of 22 February 2022 as a correct record.

2. Policy and Sustainability Committee Work Programme

The Policy and Sustainability Committee Work Programme for 29 March 2022 was presented.

Decision

To note the Work Programme.

(Reference – Work Programme 29 March 2022, submitted.)

3 Policy and Sustainability Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

1) To agree to close the following actions:

Action 2 – City of Edinburgh Council Motion by Councillor Mowat – Edinburgh's Christmas and Hogmanay 2017/18

Action 7 – Supporting the Visitor Economy in Edinburgh

2) To clarify the dates for submission of the reports in respect of Actions 4 and 5 (Recycling and Waste Collection in Schools and Youth Work in Community Centres and Other Locations).

3) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

4. Business Bulletin

The Policy and Sustainability Committee Business Bulletin for 29 March 2022 was submitted.

Motion

To note the Business Bulletin.

- moves by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the information provided in this Business Bulletin on the Council's current investment to address the climate emergency as declared by the council in 2018 and particularly welcome additional funding for the 'Net Zero community' project agreed in the last council budget;
- 2) To note the Council had set a target of 2030 to achieve Net Zero emissions and had put in place a Council Emissions Reduction Plan and a city-wide 2030 Climate Strategy and further note the vital role that the council played in co-ordinating and facilitating the City's response;
- 3) To note that the dedicated council officer resource working towards this target was currently engaged on a temporary basis and understand that ongoing resource would be required for the council and the city to achieve our climate emergency ambitions;
- 4) To note that the council could invest in expertise to be able to bring forward investment in building energy efficiency and renewable energy, a major source of the council and City's carbon emissions;
- 5) To note that there were capital investment opportunities that could reduce the Council's own emissions – for example, investment electric refuse collection vehicles, light electric vehicle fleet and electric vehicle chargers at council depots;
- 6) To note that there was potential to invest in adaptation to climate change impacts such as reducing surface water flooding, one of the main impacts for the city;
- 7) To note that achieving the City's net zero ambitions would require residents to be engaged, consulted and brought along on the journey and that the Edinburgh Climate Forum could be further resourced to undertake proactive outreach work with communities;
- 8) To note that there was not yet a council programme in place for training all elected members and key staff in climate change awareness;

- 9) To therefore note that there was significant potential to review and revise the council's investment in its contribution towards tackling the global climate emergency.

- moved by Councillor Burgess, seconded by Councillor Miller

In accordance with Standing Order (22)12, the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the information provided in this Business Bulletin on the Council's current investment to address the climate emergency as declared by the council in 2018 and particularly welcome additional funding for the 'Net Zero community' project agreed in the last council budget.
- 2) To note the Council had set a target of 2030 to achieve Net Zero emissions and had put in place a Council Emissions Reduction Plan and a city-wide 2030 Climate Strategy and further note the vital role that the council played in co-ordinating and facilitating the City's response.
- 3) To note that the dedicated council officer resource working towards this target was currently engaged on a temporary basis and understand that ongoing resource would be required for the council and the city to achieve our climate emergency ambitions.
- 4) To note that the council could invest further in expertise to be able to bring forward investment in building energy efficiency and renewable energy, a major source of the council and City's carbon emissions.
- 5) To note that there were further capital investment opportunities that could reduce the Council's own emissions – for example, investment electric refuse collection vehicles, light electric vehicle fleet and electric vehicle chargers at council depots.
- 6) To note that there was potential to further invest in adaptation to climate change impacts such as reducing surface water flooding, one of the main impacts for the city.
- 7) To note that achieving the City's net zero ambitions would require residents to be engaged, consulted and brought along on the journey and that the Edinburgh Climate Forum could be further resourced to undertake proactive outreach work with communities.
- 8) To note that there was not yet a council programme in place for training key staff in climate change awareness.
- 9) To therefore note that there was significant potential to review and revise the council's investment in its contribution towards tackling the global climate emergency.

10) To otherwise note the Business Bulletin.

(Reference – Business Bulletin 29 March 2022, submitted.)

5. Police Scotland - Edinburgh City Division Scrutiny Report April-December 2021

Chief Superintendent Sean Scott and Superintendent Mark Rennie provided an update for April to December 2021 on Police Scotland's City of Edinburgh Division city-wide plans, policies and performance.

Decision

To note the update.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

6. Best Value Assurance Audit Response - March Update

An update was provided on the progress made to respond to the Best Value Assurance Audit recommendations.

Motion

- 1) To note the progress made to date to respond to the Best Value Assurance Audit Report recommendations.
- 2) To refer the report by the Interim Executive Director of Corporate Services to the Governance Risk and Best Value Committee for its consideration and scrutiny.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note with increasing concern that much progress has still to be made to demonstrate improvement in how the Council responds to feedback and scrutiny findings and specifically in relation to this report:
 - While a medium-term revenue budget framework was provided to the Finance and Resources Committee in October 2021 no long-term financial plan has yet been produced;
 - the Council still does not have a detailed workforce plan;
 - Publicly available performance reporting is still being developed;
 - No practical changes have yet taken place on community engagement, asset transfer or the Edinburgh Partnerships' community engagement.
- 2) To note that it was some 14 months since the BVAR was published and considered that this limited progress was unacceptable given that some of the issues identified were well known (e.g. the lack of long-term financial plan and workforce plan were already recommendations from previous iterations of BVAR).

- 3) To agree to continue with a full reporting process until these major recommendations were resolved and that a report be provided to the new Council or an appropriate committee no later than June 2022 with draft versions of the long-term financial plan and Workforce plan for approval along with a progress update on all other BVAR recommendations.
- 4) To refer the report by the Interim Executive Director of Corporate Services to the Governance Risk and Best Value Committee for its consideration and scrutiny.

- moved by Councillor Whyte, seconded by Councillor Jim Campbell

In accordance with Standing Order 22(12), paragraph 3) of the amendment was adjusted and accepted as an addendum to the motion.

Voting

The voting was as follows:

For the motion (as adjusted)	-	10 votes
For the amendment	-	7 votes

(For the motion (as adjusted): Councillors Burgess, Day, Fullerton, Gardiner, Macinnes, McVey, Miller, Munn, Perry and Wilson.

For the amendment: Councillors Aldridge, Jim Campbell, Gloyer, Johnston, Mowat, Rose and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the progress made to date to respond to the Best Value Assurance Audit Report recommendations.
- 2) To agree to continue with a full reporting process until these major recommendations were resolved and that a report be provided to the new Council or an appropriate committee.
- 3) To refer the report by the Interim Executive Director of Corporate Services to the Governance Risk and Best Value Committee for its consideration and scrutiny.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

7. Adoption of Chief Executive and Chief Officer Disciplinary Policy

As a consequence of a recent review of the Council's HR policies and procedures, a gap had been identified in that the Council's Chief Executive and Chief Officer Disciplinary policy did not currently cover all circumstances.

The current Disciplinary Procedure for Heads of Department became effective on 28 July 1997 and the Scottish Joint Negotiating Committee had set out a model framework of governance with regard to the terms and conditions for Chief Executive Officers in

2014 (as set out in Appendix 3 to the report by the Interim Executive Director of Corporate Services) which had not been formally adopted by the Council.

Motion

- 1) To recommend that the Council adopt and agree that the Scottish Joint Negotiating Committee (SJNC) Model Framework (the “Gold Book”) would apply where appropriate.
- 2) To recommend that Council establish a Chief Official Personnel Assessment Committee and the Chief Official Personnel Hearing Committee.
- 3) To recommend that Council adopt the revised Committee Terms of Reference and Delegated Functions as set out in appendix one to the report by the Interim Executive Director of Corporate Services and to request that Council delegate authority to the Chief Executive to make any minor amendments as required to implement the decision of Council.
- 4) To recommend that Council appoint one member each from the Conservative, SNP, Labour, Green and Liberal Democrats groups in line with the political balance of the Council, to the Chief Official Personnel Assessment Committee.
- 5) To recommend that Council appoint the convener of the Chief Official Personnel Assessment Committee.
- 6) To recommend that Council appoint one member each from the Conservative, SNP, Labour, Green and Liberal Democrats groups in line with the political balance of the Council, to the Chief Official Personnel Hearing Committee.
- 7) To recommend that Council appoint the convener of the Chief Official Personnel Hearing Committee.
- 8) To recommend that Council agree the Scheme of Delegation to Officers as set out in appendix two to the report and delegate authority to the Chief Executive to make any minor amendments as required to implement the decision of Council.
- 9) To note the detail contained in appendix three to the report by the Interim Executive Director of Corporate Services – the Gold Book – ‘Scheme of salaries and conditions of service for Chief Officials’.

Amendment

- 1) To recommend that the Council adopt and agree that the Scottish Joint Negotiating Committee (SJNC) Model Framework (the “Gold Book”) would apply where appropriate.
- 2) To recommend that Council establish a Chief Official Personnel Assessment Committee and the Chief Official Personnel Hearing Committee.
- 3) To recommend that Council adopt the revised Committee Terms of Reference and Delegated Functions as set out in appendix one and to request that Council delegate authority to the Chief Executive to make any minor amendments as required to implement the decision of Council.

- 4) To recommend that the Council appoint one member from each of the properly constituted political Groups that have three or more Members in line with the political balance of the Council, to the Chief Officer Personnel Assessment / Hearing Committee.
- 5) To recommend that Council appoint the convener of the Chief Official Personnel Assessment Committee.
- 6) To recommend that Council appoint the convener of the Chief Official Personnel Hearing Committee.
- 7) Notes the content of Paragraph 4.5 of the report but, notwithstanding agrees that the power to appoint an investigating officer should be within the power of the Assessment Committee with the assistance of the Service Director HR and Monitoring Officer.
- 8) To further agree that:
 - the Quorum for each of the Chief Officer Personnel Assessment / Hearing Committee should be 50%
 - the power to initiate an investigation, should it be with the Assessment Committee and / or the MO with advice from head of HR
- 9) To note that at its meeting on 17 March 2022 the Council voted, without debate or discussion, on a motion of no confidence in the Chief Executive under the previous arrangements in relation to a Monitoring Officer Report on Edinburgh Secure Services; considers that this was a completely unsatisfactory outcome, especially given the further allegations revealed in the media since then.

In accordance with Standing Order 30.1, the Convener ruled that the amendment was not competent and was therefore not accepted.

Decision

To approve the motion by Councillor McVey.

(Reference – report by the Chief Executive, submitted.)

8. Equality and Diversity Framework 12-Month Update

An update was provided on progress with the Council's Equality and Diversity Framework 2021-2025, and its subsequent progress reports which aimed to demonstrate how these and other equality duties were met.

Decision

- 1) To agree, due to the continuing impact of the pandemic over the first year of the Equality and Diversity Framework 2021-2025:
 - a) to agree to continue to progress with all equality outcomes including the five established priority outcomes as set out in the framework, and
 - b) to agree receive a report on progress with implementation of the outcomes in April 2023 as per statutory requirements.

- 2) To note the commitment to on-going engagement with stakeholders throughout the implementation of the Framework with the intention that this engagement informed the progress report in April 2023.

(Reference – Policy and Sustainability Committee 20 April 2021 (item 13); report by the Interim Executive Director of Corporate Services, submitted.)

9. Our Future Work Strategy - Progress Update

An update on progress with the Our Future Work strategy which set out a vision for how the City of Edinburgh Council could return to office-based working in a new and modern way was provided.

Motion

- 1) To note the progress made to date on delivery of the Our Future Work strategy.
- 2) To note the programme of work currently underway to enable colleagues to return to buildings across the Council estate.
- 3) To note the focus group work undertaken to date with frontline colleagues as to what flexible working means for them.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the progress made to date on delivery of the Our Future Work strategy.
- 2) To note the programme of work currently underway to enable colleagues to return to buildings across the Council estate.
- 3) To note the focus group work undertaken to date with frontline colleagues as to what flexible working means for them.
- 4) To call for a further report to Committee no later than June 2022 detailing how Council productivity will be monitored going forward under the Our Future Work Strategy and how performance management and staff management will be developed to be more outcome focused.

- moved by Councillor Whyte, seconded by Councillor Mowat

In accordance with Sanding Order 22(12), the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the progress made to date on delivery of the Our Future Work strategy.
- 2) To note the programme of work currently underway to enable colleagues to return to buildings across the Council estate.
- 3) To note the focus group work undertaken to date with frontline colleagues as to what flexible working means for them.

- 4) To call for a further report to Committee no later than August 2022 detailing how Council productivity would be monitored going forward under the Our Future Work Strategy and how performance management and staff management would be developed to be more outcome focused.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

10 Consultation on NHS Scotland Climate Emergency and Sustainability Strategy - Council Response

The Scottish Government and NHS Assure had developed a draft Climate Emergency and Sustainability Strategy 2022 to 2026 (the NHS Strategy) public consultation which had closed on 10 March 2022 and was therefore not possible for Committee to consider the proposed response prior to submission.

Details were provided on the Council's submission to the consultation which had been agreed by the Executive Director of Corporate Services in consultation with the Leader and Depute Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions so as to meet the consultation deadlines.

Decision

To note the response to the draft Climate Emergency and Sustainability Strategy 2022 to 2026 consultation (attached at appendix A to the report by the Interim Executive Director of Corporate Services), approved by the Executive Director of Corporate Services in consultation with the Leader and Depute Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions so as to meet the consultation deadlines.

(References – report by the Interim Executive Director of Corporate Services, submitted.)

11. Forever Edinburgh Update

Details were provided on the results of Forever Edinburgh's The Story Never Ends campaign together with a summary overview of the Marketing Plan for targeting Inbound Leisure Visitors in 2022.

Decision

- 1) To note the progress report for Forever Edinburgh's The Story Never Ends campaign.

- 2) To note the summary of the Forever Edinburgh Leisure Tourism Marketing Plan 2022

(References – Policy and Sustainability Committee 30 November 2021 (item 14); report by the Executive Director of Place, submitted.)

12 Petition for Consideration – Twinning Edinburgh with Gaza City

Decision

To note that the report had been withdrawn to allow officers to give full consideration to legal matters raised since publication of the agenda.

13. Review of Effectiveness of Scrutiny of the Policy and Sustainability Committee - Self-Evaluation and Lessons Learnt

Details were provided of a self-evaluation workshop undertaken by Policy and Sustainability Committee (PS) members on 10 March 2022 to assess current political management arrangements (PMAs), committee effectiveness and lessons learnt from this Council term.

Decision

- 1) To note the outputs from the self-evaluation workshop undertaken by the Policy and Sustainability Committee members on 10 March 2022 to assess current political management arrangements, committee effectiveness and lessons learnt from this Council term.
- 2) To note the outputs from the self-evaluation workshop would be used to inform the design of political management arrangement proposals and support provided to elected members around the local government election 2022 and following council term.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

14. Domestic Abuse Policy

Details were provided on the revised Council's Domestic Abuse Policy which included Manager Guidance and Training Matrix and the development of a pathway for awareness raising, education, on-going learning and a culture shift in how domestic abuse as a workplace issue was addressed.

Decision

- 1) To approve the recommendations in the report by the Interim Executive Director of Corporate Services in respect of the Council's revised Domestic Abuse Policy and approach to training.
- 2) To note that the proposed Domestic Abuse Policy, Training Matrix and Guidance had been formally endorsed by Edinburgh's Equally Safe Committee.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

15 Internal Audit: Overdue Findings and Key Performance Indicators as at 26 January 2022 – referral from the Governance, Risk and Best Value Committee

The Governance, Risk and Best Value Committee had referred a report on the outcome of the Internal Audit Overdue Findings and Key Performance Indicators as at 26 January 2022 to the Policy and Sustainability Committee for ongoing scrutiny of relevant overdue management actions.

Decision

To note the report by the Interim Executive Director of Corporate Services.

(Reference – Governance, Risk and Best Value Committee 8 March 2022 (item 5); referral from the Governance, Risk and Best Value Committee, submitted.)