

## South Ayrshire Council

### Report by Head of Legal and Regulatory Services to South Ayrshire Council of 12 October 2023

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**Subject: Standing Orders Relating to Meetings**

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#### 1. Purpose

- 1.1 The purpose of this report is to seek approval to amend the Standing Orders Relating to Meetings following review.

#### 2. Recommendation

- 2.1 **It is recommended that the Council approves the revised Standing Orders Relating to Meetings (extracts contained in [Appendix 1](#)) with effect from 13 October 2023 .**

#### 3. Background

- 3.1 It is a requirement of corporate governance that the Council's Standing Orders Relating to Meetings be kept under review. The last update was approved by Council on 29 June 2023 when the Monitoring Officer was asked to consider any amendments that could be made to the Standing Orders to improve the process followed for Formal Questions set out in Standing Order 26 and to revisit the provisions managing the call -in process set out in Standing Order 35.4 and to bring a report to this Council.
- 3.2 The Monitoring Officer met with Council Leaders on 18 September 2023 and they confirmed their support for these proposed changes.

#### 4. Proposals

- 4.1 After consideration of the provisions in other Councils' Standing Orders and discussion with the Chief Executive, it is proposed that the Standing Orders Relating to Meetings be updated to reflect changes to provide clarification in relation to:
- 4.1.1 the persons to whom Formal Questions may be directed; and
- 4.1.2 voting by Audit and Governance members on a call-in where they sign a call-in request.
- 4.2 The proposed amendments are tracked and highlighted in **bold text** in the relevant extracts from the revised Scheme ([Appendix 1](#)).
- 4.3 Subject to approval, it is proposed that the revised Standing Orders Relating to Meetings are adopted with effect from 13 October 2023.

4.4 Subject to approval, the revised Standing Orders Relating to Meetings, will be published on The Core and the Council's website, and will also be notified to employees by way of the SAC Staff Community Hub.

## **5. Legal and Procurement Implications**

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

6.1 Not applicable.

## **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

### ***8.1 Risk Implications of Adopting the Recommendations***

8.1.1. There are no risks associated with adopting the recommendations.

### ***8.2 Risk Implications of Rejecting the Recommendations***

8.2.1 The risk associated with rejecting the recommendations is that the Council's corporate governance will be less effective.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equalities Impact Assessment Scoping process, and there are no significant positive or negative equality impacts of agreeing the recommendations, therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#).

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## 12. Link to Council Plan

12.1 The matters referred to in this report contribute to enabling services through the delivery of sound decision making and governance.

## 13. Results of Consultation

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Martin Dowey, Portfolio Holder for Corporate and Strategic, and the contents of this report reflect any feedback provided.

## 14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Head of Legal and Regulatory Services will ensure that the following steps are taken within the following timescales, with progress reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the steps are completed:

| <i>Steps to be taken</i>   | <i>By what date</i> | <i>Managed by</i>                     |
|--|---------------------|---------------------------------------|
| Updated Standing Orders Relating to Meetings to be published and notified to employees | 20 October 2023     | Head of Legal and Regulatory Services |

**Background Papers** Report to South Ayrshire Council of 26 June 2023 - [Standing Orders Relating to Meetings](#)

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**Date:** 2 October 2023

## Relevant Extracts from Revised Standing Orders Relating to Meetings

**Page 20, Para 26.1:**

Questions may be directed to the Leader of the Council, any Cabinet Member, the Chair of any Committee, the Leaders of the Opposition or Council representatives on Outside Bodies ~~Portfolio Holder, Panel Chairs, the Chief Executive or Directors. Where addressed to a Portfolio Holder or Panel Chair,~~ any Such questions ~~shall~~ must relate to the functions of ~~that Portfolio or Panel,~~ respectively such office holder or member.

**Page 29, Para 35.4:**

*Additional paragraph inserted and subsequent paragraphs renumbered:*

- (7) No member of the Audit and Governance Panel who has signed a call-in request may take part in any voting which follows after members of the Panel have completed their deliberations on the call-in request.

## South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

### 1. Policy details

|                                       |   |
|---------------------------------------|---|
| Policy Title                          | Standing Orders Relating to Meetings  |
| Lead Officer<br>(Name/Position/Email) | Catriona Caves, Head of Legal and Regulatory Services –<br>catriona.caves@south-ayrshire.gov.uk |

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

| Community or Groups of People   | Negative Impacts | Positive impacts |
|---|------------------|------------------|
| Age – men and women, girls & boys   | -                | -                |
| Disability  | -                | -                |
| Gender Reassignment (Trans/Transgender Identity)  | -                | -                |
| Marriage or Civil Partnership   | -                | -                |
| Pregnancy and Maternity   | -                | -                |
| Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers                    | -                | -                |
| Religion or Belief (including lack of belief)   | -                | -                |
| Sex – (issues specific to women & men or girls & boys)  | -                | -                |
| Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight | -                | -                |

| Community or Groups of People                             | Negative Impacts | Positive impacts |
|---|------------------|------------------|
| Thematic Groups: Health, Human Rights & Children's Rights | -                | -                |

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

| Socio-Economic Disadvantage  | Negative Impacts | Positive impacts |
|--|------------------|------------------|
| Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing   | -                | -                |
| Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future                    | -                | -                |
| Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies | -                | -                |
| Area Deprivation – where you live (rural areas), where you work (accessibility of transport)   | -                | -                |
| Socio-economic Background – social class i.e. parent's education, employment and income  | -                | -                |

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

| General Duty and other Equality Themes<br>Consider the 'Three Key Needs' of the Equality Duty  | Level of Negative and/or Positive Impact<br>(High, Medium or Low) |
|--|---|
| <b>Eliminate unlawful discrimination, harassment and victimisation</b>   | Low   |
| <b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not  | Low   |
| <b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?) | Low   |
| Increase participation of particular communities or groups in public life  | Low   |
| Improve the health and wellbeing of particular communities or groups   | Low   |
| Promote the human rights of particular communities or groups   | Low   |
| Tackle deprivation faced by particular communities or groups   | Low   |

### 5. Summary Assessment

|  |  |
|--|--|
| <b>Is a full Equality Impact Assessment required?</b><br>(A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> ) | <input type="checkbox"/> <b>YES</b><br><br><input checked="" type="checkbox"/> <b>NO</b> |
|--|--|

**Rationale for decision:**

**This report provides an update on amendments to the Standing Orders Relating to Meetings following further review, and asks Members to approve. Their decision on this has no specific equality implications**

**Signed :**        Catriona Caves

**Head of Service**

**Date:**         21 September 2023