

**The Highland Council**  
**No. 7 2023/2024**

Minutes of Meeting of the Highland Council held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Thursday, 26 October 2023 at 10.35 am.

**1. Calling of the Roll and Apologies for Absence**  
**A' Gairm a' Chlàir agus Leisgeulan**

**Present:**

Mr C Aitken	Mr B Lobban
Ms S Atkin	Mr P Logue
Mr M Baird	Mr D Louden
Mr C Ballance	Ms M MacCallum
Dr C Birt	Mr A MacDonald
Mr B Boyd	Mr W MacKay (Remote)
Mr R Bremner	Mr G MacKenzie
Mr I Brown	Mrs I MacKenzie
Mr J Bruce	Mr A MacKintosh
Mr M Cameron	Mr R MacKintosh
Mrs I Campbell	Mrs A MacLean
Mrs G Campbell-Sinclair	Ms K MacLean
Mr A Christie	Mr T MacLennan (Remote)
Mrs M Cockburn	Mr D Macpherson
Ms T Collier (Remote)	Ms J McEwan
Mrs H Crawford	Mr J McGillivray (Remote)
Ms S Fanet	Mr D Millar (Remote)
Mr J Finlayson	Mr H Morrison (Remote)
Mr D Fraser	Mr C Munro (Remote)
Mr L Fraser	Ms L Niven (Remote)
Mr R Gale	Ms M Nolan
Mr K Gowans	Mr P Oldham
Mr J Grafton	Mrs M Paterson
Mr A Graham	Mrs M Reid
Mr D Gregg	Mr M Reiss
Mrs J Hendry	Mr A Rhind
Ms M Hutchison (Remote)	Ms T Robertson
Mr A Jarvie	Mr K Rosie
Mrs B Jarvie (Remote)	Ms M Ross
Ms L Johnston	Mrs L Saggars
Mr R Jones (Remote)	Mr A Sinclair
Mr S Kennedy	Ms M Smith
Ms E Knox	Mr R Stewart
Ms L Kraft	Ms K Willis

**In Attendance:**

Chief Executive  
Interim Deputy Chief Executive  
Executive Chief Officer Communities and Place  
Executive Chief Officer Education and Learning  
Executive Chief Officer Health and Social Care  
Executive Chief Officer Housing and Property  
Executive Chief Officer Infrastructure, Environment and Economy  
Interim Executive Chief Officer Performance and Governance  
Head of Corporate Finance  
Interim Head of People

## Mr B Lobban in the Chair

### 1. **Calling of the Roll and Apologies for Absence** **Gairm a' Chlàir agus Leisgeulan**

Apologies for absence were intimated on behalf of Mr A Baldrey, Mr M Green, Mr R Gunn, Mr S Mackie, Mrs B McAllister and Ms P Munro.

### 2. **Declarations of Interest/Transparency Statement** **Foillseachaidhean Com-pàirt/ Aithris Fhollaiseachd**

There were no Declarations of Interest.

The Council **NOTED** the following Transparency Statements:-

Item 4.i – Mr A Christie and Mr D Gregg  
Item 6.iii – Mr A Christie and Mr D Gregg  
Item 11 – Mr A Christie and Mr D Gregg  
Item 12 – Mr R Stewart

### 3. **Confirmation of Minutes** **Daingneachadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the Minutes of Meeting of the Council held on 14 September (and continued on 3 October 2023) and the Special Council on 3 October 2023 as contained in the Volume which had been circulated separately which were **APPROVED**.

### 4. **Minutes of Meetings of Committees** **Geàrr-chunntasan Choinneamhan Chomataidhean**

**Transparency Statement: the undernoted Members declared connections to item 4i but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr A Christie - as a Non-Executive Director of NHS Highland and a Non-Executive Member of the Inverness BID Board.**

**Mr D Gregg - as an employee of NHS Highland and as a Board Member of Inverness Citizens Advice Bureau.**

There had been submitted for confirmation as correct records, for information as regards delegated business and for approval as appropriate, the Minutes of Meetings of Committees contained in the Volume circulated separately as undernoted:-

Pensions Committee/Board	21 September 2023
Audit and Scrutiny Committee	28 September 2023
Climate Change Committee	5 October 2023

The Minutes, having been moved and seconded were **APPROVED**.

Minutes of Meetings not included in the Volume were as follows:-

- i. Community Planning Board – for noting – held on 22 June 2023 (approved by the Board on 15 September 2023) **NOTED**; and
- ii. Investment Sub Committee – for confirmation as a correct record - held on 8 September 2023 **NOTED**.

## **5. Question Time Àm Ceiste**

The following Questions had been received by the Head of Legal and Governance.

### **Public Question**

#### **(i) Ms G McMurray**

##### **To the Leader of the Council**

Key aspirations of NHS Highland and Highland Council are to improve the health of their citizens by reducing loneliness and improving uptake of exercise.

The levels of pavement parking in the town and villages in the NHS/Council area means that disabled and other pavement users are prevented from getting out and about easily and also these obstructions are costing NHS Highland monies in Do Not Attend/cancelled appointments.

Why is Highland Council tolerating this level of discriminatory behaviour?

The response had been circulated.

### **Member Questions**

#### **(i) Mr A Christie**

To the Chair Leader of the Council

“Budget process and engagement

13.1 This report is a key step in the Council’s budget planning for 2024/25 and the medium term. The scale of the challenge and financial outlook for those years means a significant organisational focus on achieving financial sustainability will be necessary. While the Council will continue its focus on income generation, new opportunities and transformative activity, there is a very clear need to make significant and difficult decisions relating to cost reduction and a fundamental shift in the services and priorities the Council can provide for on a sustainable basis going forward. Reports to subsequent Council meetings will set out further specific actions and timetables for budget planning for 2024/25 and beyond.

13.2 The Council’s budget strategy and plans for the coming year(s) needs to be underpinned by a clear approach to budget engagement. Some initial planning for options, and the form that might take, is set out in this part of the report.

13.3 Planning for engagement on developing the 2023/24 budget is currently underway. At this point, a two phased approach is proposed:

- Phase 1 is proposed to seek views from our communities on areas for service change and income generation. This would include a mix of broad public

engagement alongside targeted feedback sessions with partners and key third sector and community representatives to consider inter-agency working opportunities. A range of methods are proposed to gather views including online/face to face focus groups, surveys and online forums. Existing forums with partners and key groups will be utilised wherever possible.

- Phase 2 is proposed to focus on seeking views on specific proposals coming forward. At this point, it is anticipated this is likely to be targeted at subject matter/community experts, directly related to the specific proposals. Broader public engagement would be deployed depending upon the nature of the proposals”

What has the Administration actioned since the 14<sup>th</sup> September regarding these points?

The response had been circulated.

There was no supplementary question.

**(ii) Mr M Baird**

To the Chair of Economy and Infrastructure

The replacement of any road signs and Village name plates now needs to be bilingual i.e. Gaelic and English.

We have waited for one village sign board which disappeared through rotten uprights to be replaced. The trouble to get a Gaelic translation in the first place and then a company to make the sign surely is not worth the huge expenditure involved.

Can the Chair please justify the necessity to have bilingual signs?

The response had been circulated.

In terms of a supplementary question, it was queried when the missing sign with the Gaelic translation would be installed as it had been waited for for months.

In response, this Ward Manager.

**(iii) Mr D Gregg**

To the Chair of Chair of Health, Social Care and Wellbeing

How many people are currently waiting for either a package of care or a care home space within the Highland Council area?

The response had been circulated.

In terms of a supplementary question, it was queried how many people were awaiting discharge from hospital this time last year.

In response, it was confirmed that 147 people were awaiting discharge from hospital at this time in 2022.

**(iv) Mrs I Mackenzie**

To the Leader of the Council

We know we have an increasingly ageing population, so it is important that we adapt to this change and ensure people can have better later lives.

Being more age-friendly would have major benefits for our area, helping us to be a community where everyone can feel confident to be out and about in public spaces, to volunteer or stay in work, and to stay well and connected to family and friends. Age-friendly Communities ensure that the local environment, services, and social networks enable people to age well and support intergenerational relations. Becoming an age-friendly community is not just about starting new things, it's a way to bring together and make visible all the work that is already happening in our community which is age-friendly.

Please could you tell me what you will do to make our Highland Council area more age-friendly and take the lead to make Highlands become a member of the Age-friendly Communities?

The response had been circulated.

In terms of a supplementary question, it was asked if the Leader would also engage with the Scottish Old People's Network which is an affiliate of age-friendly communities so that Highland can be put on the map in the United Nations decade of healthy aging.

In response, The Leader of the Council agreed to do so and emphasised that all Members should be champions in their own communities to raise the profile of the elderly within communities and to be able to support them.

**(v) Mr M Reiss**

To the Chair of Economy and Infrastructure

With reference to the recently completed review of Highland Council buildings, excluding the school estate, what is the approximate estimated financial cost of carrying out repairs that have been identified as necessary within the next 18 months (to the end of the financial year 2024/25)?

The response had been circulated.

There was no supplementary question.

**(vi) Mr C Ballance**

To the Chair of Communities and Place

I understand that preliminary discussions on moving the transport of residual waste from Inverness to Dunbar from road to rail have taken place. Can you update us on the progress of these talks?

The response had been circulated.

In terms of a supplementary question, given the Council's commitment to Net Zero the Chair of Communities and Place was asked to confirm that when the tender for the transport of residual waste went out could it include a way for providers to show the carbon costs of their services so that a decision could be taken related to the carbon cost as well as the financial cost.

In response, it was confirmed the Communities and Place service was always looking at ways to reduce carbon within the service and would consider all opportunities to do so as they looked at the contract.

**(vii) Mr R Mackintosh**

To the Leader of the Council

What is Highland Council doing to investigate the possible uses of AI, particularly in relation to customer service?

The response had been circulated.

In terms of a supplementary question, it was queried whether the Council planned to gather feedback from the community regarding the possible implementation of AI in customer service.

In response, it was confirmed that this would be done and that everything would have checks and balances.

**(viii) Ms K Willis**

To the Chair of Economy and Infrastructure

I note that the Green Hydrogen Fund will be launched by Scot Gov by the end of this year, as part of the Hydrogen Action Plan. What will we be bidding for from it?

In terms of a supplementary question, it was queried what the Council would be bidding for support from the Green Hydrogen Fund and whether more information would be provided on this.

In response, it was confirmed that a report on this would go to either the Economy and Infrastructure Committee or the Climate Change Committee in due course.

In response,

**(ix) Mr A Graham**

To the Chair of Economy and Infrastructure

Please provide number of road gullies on the Highland Council road network, analysed by ward, failing which by operational area?

The response had been circulated.

In terms of a supplementary question, it was queried how many gullies had been cleared by the Council in 2021/2022 and 2022/2023.

In response, it was confirmed that this information would be provided. It was also emphasised that a lot of pressure been put on gullies recently and a lot of inspections would need to be done following the recent storm.

**6. Notices of Motion  
Brathan Glusaid**

The following Notices of Motion have been received by the Head of Legal and Governance –

- (i) Following concerns raised by the Parent Council of Rogart Primary regarding the PSA hours allocated to the school where they had been reduced by 50% the Sutherland Members requested a breakdown of PSA hours from the Education ASN Manager. This was provided at the ward Business meeting in August and delivered personally by the ASN Manager.

The figures provided were contrary to the information received from parents and as a result there is serious concerns about the allocation of PSA hours not only in Rogart but across the Highlands. There is also concern about the algorithm that is used to assess the need in each school and whether it is right and proper to use such a tool to determine the needs of our most vulnerable children. Furthermore, it is well known that following the pandemic the demand for additional support has increased across the board so to reduce the hours of support staff is clearly contrary to the need that exists.

Given that this support is vital for the wellbeing and education of our most vulnerable children this council will commit to a full review of PSA hours at all schools in consultation with parents as a matter of urgency and to be presented to the first Education Committee in 2024.

**Signed:-** Mr R Gale   Mr J McGillivray   Ms J McEwan   Mr D Gregg  
Mrs A MacLean

In discussion, Members raised the following main points:-

- children across Highland had suffered as a result of the covid pandemic and, as a result, the need for additional support in schools had grown. Some Members had been approached by concerned parents that the Pupil Support Assistant (PSA) provision in Rogart Primary had been cut by 50% despite an increase in demand. An update on the Additional Support Needs (ASN) provision in schools was reported to an East Sutherland and Edderton Ward Business Meeting but gave conflicting information to that provided by the parents;
- concern was expressed that a layer of ASN management had been removed, taking away experience and expertise that directly affected how ASN was administered;
- it was feared that the removal of PSAs on short term contracts was sometimes used as a budget saving measure and did not take into consideration the dedication and commitment of staff and the support and bond developed with the children;
- PSAs were among some of the lowest paid members of staff in the Council but were also some of the most valued;
- there seemed to be a breakdown in communication between what the Education Service thought was happening and the experiences of Parent Councils;
- the Neurological Assessment Service had seen a ten-fold increase in referrals since the Covid pandemic and this would be reflected in the number of children in Highland schools with ASN;
- Members had a duty to represent the concerns of their constituents whether at Local, Strategic Committee or even Full Council;
- there was a raft of other issues affecting the wellbeing of children including inadequate diet and housing;
- the rationale used to determine additional support was questioned;

- the reasons behind the anomaly which had arisen around PSA provision at Rogart Primary were explained and assurance provided that this had now been resolved;
- there was a degree of unease about naming schools in such a Motion where, when there were small rolls, staff and potentially vulnerable pupils could be identified;
- PSAs was only one way in which children with ASN were supported and there had been no reduction in provision, despite the budget pressures faced by Highland Council;
- the allocation model had only been in place for three months and it had been recognised that it would take three years to fully implement. However, other Members contended that if a process was not working as intended then it was important to be able to change it as and when required;
- the new model, which included local decision making, had been arrived at in response to concerns about the equity and fairness of the previous allocation and the need to develop a more inclusive practise which could react to change as and when required;
- the new model also took into account those children who had exceptional needs;
- Highland Council spent considerably more on ASN than other local authorities; and
- the algorithm used was only a small part of the calculation used to determine the allocation of PSAs. This enabled any discrepancies locally to be addressed by those best placed to make decisions.

Thereafter, Mr R Gale, seconded by Ms J McEwan, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Mr J Finlayson, seconded by Mr D Millar, moved an alternative Motion that “The Council will continue to implement the ASL allocation model which was agreed at the Education Committee in February of this year and any review of PSA hours can only be carried out after full implementation of the model has taken place”.

On a vote being taken, the **MOTION** received 21 votes and the **AMENDMENT** received 34 votes, with 6 abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr A Jarvie, Mrs B Jarvie, Mr A MacDonald, Mrs I MacKenzie; Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mrs L Saggars, Mr A Sinclair, Mr R Stewart, Ms M Smith.

**For the Amendment:**

Ms S Atkin, Mr R Bremner, Mr I Brown, Dr C Birt, Mr B Boyd, Ms G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Mrs T Collier, Ms S Fanet, Mr D Fraser, Mr L Fraser, Mr J Finlayson, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie.



## **Abstentions**

Mr C Ballance, Mr A MacKintosh, Mr R MacKintosh, Mr H Morrison, Mr M Reiss, Ms K Willis.

## **Decision**

The Council **AGREED**:-

The Council will continue to implement the ASL allocation model which was agreed at the Education Committee in February of this year and any review of PSA hours can only be carried out after full implementation of the model has taken place.

- (ii) Screen Machine is Scotland's mobile cinema and in September 2023, celebrates 25 years of the service, during which time it has travelled approximately 250,000 miles. It visits more than forty communities each year, from Arran to Orkney, where there is little or no other cultural provision. The service brings the latest cinema releases to local communities, offering blockbusters, independent and family films and ensuring it shows the best of Scottish cinema.

This service is now at risk as the existing machine is reaching the end of its lease. A new Screen Machine will cost approx. £1.4m and need between one year and eighteen months to build. RSS needs the Scottish Government to provide 50% of the cost. That will enable them to pay a deposit and begin the build.

This council recognises the importance of this service and agrees that the Leader will write to the Scottish Government and urge them to provide the 50% funding that will ensure that a new machine can be ordered.

**Signed**:- Mr R Gale      Mr M Baird      Mr D Gregg      Mr A Graham

## **Decision**

The Council **AGREED** this Motion.

- (iii) **Transparency Statement: Mr A Christie made Transparency Statement as a Non-Executive Director of NHS Highland and a Non-Executive Member of the Inverness BID Board. However, having applied the objective test, he did not consider that he had an interest to declare.**

**Mr D Gregg made a Transparency Statement in respect of this item as an employee of NHS Highland and as a Board Member of Inverness Citizens Advice Bureau. However, he elected to then leave the meeting and asked that his name be withdrawn from the Notice of Motion.**

Highland Council calls upon the Scottish Government to fund NHS Highland sufficiently well to do its job and avoid massive cuts!

1. Review the financial chasm between NHS Highland Services needs to deliver high-quality person-centred care and the associated budget allocated by the Scottish Government.
2. Recognize that:

- a. As at the last published financial report of the 30<sup>th</sup> June NHS Highland had submitted a financial plan to Scottish Government for the 2023/2024 financial year, with an initial budget gap of approaching a hundred million pounds, with actual funding cuts of almost thirty million pounds proposed.
- b. No funding source had subsequently been identified to close the associated residual gap of seventy million pounds.
- c. The Scottish Government 'Tailored Support' to the NHS Highland Financial Plan entails a review of activities with a view to working with Lead Officers to identify activities that may be reduced or stopped.

Call upon the Scottish Cabinet Secretary for Health and Social Care to fund NHS Highland sufficiently to do its job.

Call upon the Scottish Cabinet Secretary to acknowledge the devastating effect these cuts will be on a Highland population that is already struggling to access care, dentistry, GP and hospital services across the region.

**Signed:-** Mr A MacDonald    Mr A Graham    Mr M Baird    Mr D Gregg (withdrawn)    Mr J Grafton    Ms J McEwan    Mr R Gale  
Mr R Gunn    Mrs A MacLean

In discussion, Members raised the following main points:-

- all Members expressed their appreciation to staff providing healthcare in Highland under challenging circumstances;
- it was contended that the healthcare sector in the Highland suffered from inflationary pressures. These issues required a major increase in funding given that there was a budget gap in annual running costs and major investment was required to replace or upgrade hospitals and care homes;
- the Highland Health and Social Care Partnership (HHSCP) finance report had confirmed that there was a budget gap of £98m for the year 2023/24. Cuts of £29.5m had been proposed but no funding source had been identified for the remaining £68.7m;
- the HHSCP report also highlighted the difficulty in hiring and retaining staff and indicated that locum and agency staffing between 1 April to the end July had cost £22.6m;
- largely due to staffing issues, seven care homes had closed permanently and temporarily since March 2022 with a loss of 161 beds. A major care home company had also exited from their 3 Highland care homes. Independently owned care homes were losing money. However, these were "for profit" companies and it was concerning when profits were put before residents;
- care home staff were paid less than those in the hospitality sector;
- whilst striving to ensure that the best practise was provided, new facility upgrade requirements for licencing were, it was contended, unaffordable but unless an independent care home was relicensed it could not be sold as a care home;
- ideally care home residents should be placed close to where they had lived;

- there had been a reduction in available commissioned services of 2500 hrs per week over the last two years and consequently this had resulted in delayed discharges from hospitals;
- there was a commitment that 95% of patients at Accident and Emergency would be seen with 4 hrs but in NHS Highland it was only 78.5% and, as at end of May 2023, there were 13,355 people on the NHS Highland waiting list for appointments;
- the current state of Highland hospitals was a matter of concern;
- the shortage of dentists in Highland was particularly acute;
- healthcare services overall in Highland were in a dangerous state and needed a substantial increase in Scottish Government funding;
- similar points raised in the Motion had been questioned in the Scottish Government by Edward Mountain MSP. It was suggested that the Conservative and Unionist Government in Westminster was better placed to properly fund the NHS;
- National Care Service workshops had recently been held where the specific, but unique, healthcare challenges that were faced in Highland had been highlighted and it was important to work together to see health and wellbeing improvements;
- an additional £300m had been announced by the Scottish Government to reduce waiting lists and it was essential that this money was targeted at frontline services and community based services to enable quicker discharges from hospitals. However, at present, this allocation was unfunded and was likely to be taken from other budgets. Furthermore, once £300m was divided up, this would only result in a small award;
- the Scottish Ambulance Service frontline had also been provided with an addition £50m and £12m for Hospital at Home;
- the underfunding of the NHS was a national problem and, in fact, the provision of health services in Scotland was better than elsewhere in the UK;
- it was hoped that the new elective hospital at the Beechwood, Inverness site would soon reduce waiting lists; and
- a strong local health service was important to attract and retain younger people in communities.

Thereafter, Mr A MacDonald, seconded by Ms M Nolan, **MOVED** the terms of the Notice of Motion as detailed.

As an **AMENDMENT**, Mr D Fraser, seconded by Ms L Kraft, moved an alternative Motion that:-

“Highland Council recognise the funding challenges faced by NHS Highland and appreciate the work they do delivering health care in extremely difficult times and we fully support the need for them to be fully funded.

The Council will write to the Scottish Cabinet Secretary for Health and Social Care to welcome the recent announcement of £300m of extra funding to reduce waiting lists. We will ask that as well as funding front line services within the hospitals that the fund be used to increase community based services as that will help reduce discharge times from hospitals”

On a vote being taken, the **MOTION** received 19 votes and the **AMENDMENT** received 38 votes, with no abstentions, and the

**AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr R Gale, Mr J Grafton, Mr A Graham, Mr A Jarvie, Mrs B Jarvie, Mr A MacDonald, Mrs I MacKenzie; Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Mr M Reiss, Mrs L Saggars, Mr A Sinclair, Mr R Stewart, Ms M Smith.

**For the Amendment:**

Ms S Atkin, Mr C Balance, Mr R Bremner, Mr I Brown, Dr C Birt, Mr B Boyd, Ms G Campbell-Sinclair, Mr M Cameron, Mrs M Cockburn, Mrs T Collier, Ms S Fanet, Mr D Fraser, Mr L Fraser, Mr J Finlayson, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Mr G MacKenzie, Mr A MacKintosh, Mr R MacKintosh, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr H Morrison, Mr C Munro, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr K Rosie, Ms K Willis.

**Decision**

The Council **AGREED**:-

Highland Council recognise the funding challenges faced by NHS Highland and appreciate the work they do delivering health care in extremely difficult times and we fully support the need for them to be fully funded.

The Council will write to the Scottish Cabinet Secretary for Health and Social Care to welcome the recent announcement of £300m of extra funding to reduce waiting lists. We will ask that as well as funding front line services within the hospitals that the fund be used to increase community-based services as that will help reduce discharge times from hospitals

- (iv) In light of the frequency of road accidents, consequent lengthy closures on the A9 North of Inverness and considering that this road is a vital link for all of Highland and Islands to the South; Council instructs the Leader to write to the Scottish Government seeking an early meeting between the Cabinet Minister, the Area Chairs and the Chair of Economy and Infrastructure to discuss the issue.

**Signed**:- Ms J McEwan    Mr M Reiss    Mr A Christie    Mr R Gale  
Mr R Gunn    Mrs A MacLean    Mr A Graham

In discussion, Members raised the following main points:-

- Members felt that sections of the A9 and A99 were not fit for purpose due to reduced widths of the road, poor surface water drainage, wear and tear and an extensive number of sharp corners, landslides and increased traffic;
- due to the road conditions, there had been numerous accidents of which some had resulted in fatalities and road closures of more than 7 hours;
- it was felt that there was insufficient infrastructure to support the increased traffic on the NC500;

- vital services relied heavily on these routes and clear access was critical;
- it was clarified that all trunk roads in Highland were affected by the same issues, not just one area of Highland;
- Area chairs were encouraged to write to Transport Scotland or the Cabinet Minister to highlight specific concerns within their own area;
- the Leader expressed that meeting face to face with the Cabinet Minister to discuss the roads concerns would be a more direct and positive means of communication;
- it was felt that when local roads issues were highlighted by local Members, Council should acknowledge the issue and work together to resolve it as a collective;
- Members strongly suggested that the Leader of the Council write to the Cabinet Minister either before or after the face-to-face meeting had taken place; and
- it was hoped that discussions with the Cabinet Minister to include improvements to the far north line would be successful, as this was an essential railway connection serving the remote areas of the North Highlands and Islands.

Thereafter, Ms J McEwan, seconded by Mr M Reiss, **MOVED** the terms of the Notice of Motion as detailed, also taking into account that the Council also should called for discussions to include improvements to the far north line, as this is an essential railway connection serving the remote areas of the North Highlands and Islands.

As an **AMENDMENT**, Mr R Bremner, seconded by Mr J Finlayson, also taking into account the proposed modification of the Motion regarding improvement to the far north line, moved that Council recognises that road accidents can result in long periods of road closures and lengthy diversions on many trunk roads in Highland which are the responsibility of Transport Scotland. These trunk roads are vital links for all of the Highlands and Islands to and from other areas of Scotland. Council further recognises that there will be an opportunity for the Council Leader to meet with the Cabinet Minister at the Convention of Highlands and Islands which is being rescheduled from Monday of this week as a result of recent adverse weather conditions and, in the capacity as Leader of the Council, will include these particular issues as part of the discussion during their meeting. The outcome of those discussions to be reported back to Members.

On a vote being taken, the **MOTION** received 20 votes and the **AMENDMENT** received 27 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr C Aitken, Mr M Baird, Mr J Bruce, Mr A Christie, Mr R Gale, Mr J Grafton, Mr A Graham, Mr A Jarvie, Mr A MacDonald, Mrs A MacLean, Mr A Mackintosh, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Mr M Reiss, Mrs L Sagers, Mr A Sinclair, Mr R Stewart, Ms M Smith.

**For the Amendment:**

Ms S Atkin, Mr C Ballance, Mr R Bremner, Mr I Brown, Dr C Birt, Mr B Boyd, Ms G Campbell-Sinclair, Mr M Cameron, Ms S Fanet, Mr D Fraser,

Mr L Fraser, Mr J Finlayson, Mr K Gowans, Mrs J Hendry, Ms L Johnston, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Loudon, Mr G MacKenzie, Mr R MacKintosh, Ms K MacLean, Mr P Oldham, Mrs M Paterson, Mr K Rosie, Ms K Willis.

## **Decision**

The Council **AGREED**:-

Council recognises that road accidents can result in long periods of road closures and lengthy diversions on many trunk roads in Highland which are the responsibility of Transport Scotland. These trunk roads are vital links for all of the Highlands and Islands to and from other areas of Scotland. Council further recognises that there will be an opportunity for the Council Leader to meet with the Cabinet Minister at the Convention of Highlands and Islands which is being rescheduled from Monday of this week as a result of recent adverse weather conditions and, in the capacity as Leader of the Council, will include these particular issues as part of the discussion during their meeting. The outcome of those discussions to be reported back to Members.

Furthermore, the Council also calls for discussions to include improvements to the far north line, as this is an essential railway connection serving the remote areas of the North Highlands and Islands.

## **7. Memberships of Committees, etc Ballarachd Chomataidhean, msaa**

The Council **NOTED** that Mr P Logue was no longer a member of the Scottish Conservative and Unionists Group and that a new Group, Highland Alliance, had been formed. On this basis, the political make-up of the Council was therefore now as follows:-

SNP – 22 / Highland Independent – 18 / Scottish Liberal Democrats – 14 / Scottish Conservative and Unionist – 8 / Highland Alliance – 5 / Scottish Green Party – 4 / Labour – 2 / Non-Aligned 1.

The formula in respect of the number of places on Strategic Committees was therefore now 6/5/4/2/1.

The Council also **AGREED** to appoint Mr R Stewart as Vice Chair of the Audit Committee.

## **8. Budget Update, Revenue and Capital Cunntas às Ùr mu Bhuidseat, Teachd-a-steach agus Calpa**

There had been circulated Report No. HC/41/23 dated 12 October 2023 by the Head of Corporate Finance, who also provided a verbal summary of his report.

The Council Leader expressed his disappointment at the recent announcement by the Scottish First Minister that Council Tax should be frozen, pointing out that the Highland Council had already agreed a low rise of 4%, which was the second lowest in Scotland, and which recognised the financial challenges being faced by communities. Representations were being made to CoSLA about the perceived erosion of local democracy and the need for the 4% rise in light of the £61.7m budget gap that was forecast for the Council. A letter to this effect had been sent to the Scottish Government from the Leader and the Convener, a copy of which

had been provided to Members. The report reflected on the Administration's commitment to set out a clear pathway for engagement for the 2024-25 budget process and some the key points that required to be considered, acknowledging that some areas remained unclear, such as the outcomes of wage negotiation, at the present time.

The Leader of the Opposition echoed the Leader's points and referred to the need to reduce Scottish Government interference in local democracy, and to seek fairer funding. He felt that the Scottish Government's decision to freeze Council Tax did not accord with the Verity House Agreement which was intended to forge a stronger partnership between local and national government. He expressed concern at the lack of hope for the school projects that had previously been included in the Council's capital programme and that a decision was still awaited on the LEIP (Learning Estate Improvement Programme) 3 funding from the Scottish Government. He suggested that a special Council meeting in January 2024 might be helpful to allow the Council's Administration and Opposition to collaborate on these issues.

During discussion, the following issues were raised:

- many Members expressed disagreement with the Scottish Government's decision to freeze Council tax;
- with particular reference to Park Primary School, it was suggested that mixed messages about the status of the school capital projects were being given to communities. A clear and well-communicated prioritisation strategy was required for when funding became available. It was considered inappropriate that three schools had been gathered into one funding bundle as it was not clear which would receive priority if the total amount of funding required was not forthcoming;
- it was felt that the report did not adequately cover the implications of the loss of the school projects for the communities affected, although it was pointed out that the previous capital programme report had included the appropriate implications of those decisions, which had been taken at the previous meeting;
- it was disappointing that the promised stakeholder meetings with schools about the implications of the decision to amend the capital programme for schools were not being held promptly enough;
- several Members expressed concern at security issues at Beaully Primary School and it was asked when the Council had last reviewed guidance in this respect. The Chair of the Education Committee advised that any safety or security concerns would be raised with the Education and Housing & Property Services and would be investigated;
- concern was expressed about various issues being faced at Charleston Academy, including the investigation of the use of Reinforced Autoclaved Aerated Concrete (RAAC). It was suggested that parents were not being provided with sufficiently specific information and it was queried how long the refurbishment of the Academy had been postponed for;
- it was clarified that historic debt could include debt incurred in the last 10-12 years;
- in relation to the review of existing fees and charges mentioned in the report at paragraph 7.4, it was queried when this would be reported back to Members;
- reference was made to the possibility of selling housing stock where it was not cost effective to bring it up to the required energy efficiency standards;

- it was suggested that the report covered three separate topics, these being the letter from the Leader and the Convener to the Scottish Government, the revenue budget, and the capital programme;
- localism should be more highly valued at government level and reference was made to government decisions that resulted in local authorities incurring long term debt;
- the multi-year budget approach in the report was welcomed;
- it was suggested the Council's Administration should have been more transparent about the budget challenges in March 2023;
- examples of possible income-generating or self-funding budget streams were sought and provided;
- gratitude was expressed for the clarity and honesty in the report;
- information was sought, and provided, on Public Works Loan Board and on the possibility of reprofiling some of the historic Housing Revenue Account debt;
- the importance of prioritising children's education was emphasised and it was suggested that, should the LEIP 3 funding not be forthcoming, the Council should consider borrowing the £45m required to continue with the urgent school projects that had been in the capital programme;
- information was sought, and provided, on progress with the issues detailed in paragraph 7.4 of the report, including the review of fees and charges, council services being made available to private and public sector organisations and possible outsourcing of services;
- the report on the review of Housing Revenue Account, detailed at paragraph 7.7.4, did not have a timescale but it was clarified this would be taken through Member briefings;
- concern was expressed at the impact the reduction in the capital budget for Culloden Academy and other schools in the east of Inverness would have on children's education;
- increased levels of budget ring-fencing by central government was contrary to local democracy;
- information was sought on actions taken by the Council's Administration to obtain a decision on the LEIP 3 funding for schools;
- it was clarified that a Council Tax freeze would not directly impact Housing Revenue Account maintenance work;
- the current conditions at St Clemens school were inappropriate for vulnerable children and the removal of the school refurbishment from the capital programme was causing distress in the community;
- the Highland school estate was suffering due to long-term lack of investment and planning, and should be considered strategically alongside other essential infrastructure such as bridges. LEIP funding for schools could only be considered a sticking plaster on the wider challenges which required a strategic and holistic approach and for public expectations to be appropriately managed;
- it was vital that Local Members were a key part of the budget engagement process;
- tackling poverty was a significant challenge and while maintaining low rent increases was helpful for tenants, this had implications for the maintenance budget, therefore it was important to consider unintended consequences of budget decisions. Strategic decisions should be weighted against their impact on communities;
- in relation to community engagement, it was important to include the voices of younger and older people, and to ensure there were offline opportunities to engage. Consideration should be given to National Planning Framework 4 and community-based planning issues, and examples of redesign projects could be included in the engagement process;



- Members were reminded that budget briefings would provide opportunities for Members to seek additional information;
- the appropriate framing of questions during the engagement process was emphasised, noting that some statutory expenditure was critical but might only impact a small number of people;
- the budget strategy should be aligned with climate change and carbon clever initiatives, and should have provision for emergency or unexpected necessary expenditure;
- it was suggested that more could be done to reduce costs, with procurement policy being provided as an example, and that there were previous budget saving measures that had been proposed but not pursued;
- with reference to the £370k savings achieved by vacating the Inverness Town House, information was sought on whether the Town House was receiving that income from elsewhere but it was explained the Town House income was a matter for the Inverness Common Good Fund budget;
- information was sought on the cost of the public inquiry into the Red John hydro scheme and this could be provided to Mr Macpherson outwith the meeting if required;
- the challenges facing the Scottish and UK Governments were highlighted, including legacy costs from Covid and possible RAAC costs. It was hoped the money saved by the halting of the HS2 project would be redistributed for other projects;
- it was suggested the Housing Revenue Account debt should have been written off when the housing stock had been sold;
- it was clarified that the schools' projects in the capital programme had not been removed, only deferred pending funding being available;
- the Council's statutory responsibility to set a balanced budget was reiterated; and
- Members should work as one for the benefit of the Highlands, regardless of political allegiance.

Mr R Bremner, seconded by Mr B Lobban, **MOVED** to agree the recommendations as set out in the report along with the following additional recommendation:-

- v. that Council notes the letter sent to the First Minister, dated 25th October, stating the Council's disappointment at both the way the announcement of a Council Tax freeze was made and the implications it will have on the Highland Council as it seeks to prepare a balanced budget.

Mr Christie asked if Mr Bremner would accept his amendment into the motion, and Mr Bremner declined.

Mr A Christie, seconded by Mr R Stewart, moved as an **AMENDMENT** that, in addition to the recommendations as set out in the report, and the additional recommendation from Cllr Bremner, that the following additional recommendations be added:-

- vi. that Council formally records its extreme disappointment that the First Minister chooses to announce at a party conference the intention to remove the ability of individual councils to set the level of Council Tax without interference, dictatorial control or penalties from the Scottish Government; and
- vii. Council notes the severe underfunding of Local Government, now made worse through the Council Tax freeze policy and issues a press release calling for the First Minister and the Scottish Government to ensure fairer

funding is provided which in turn will avoid damaging cuts in services, job losses, whilst ensuring services continue to vulnerable residents and those impacted by the cost of living crisis.

On a vote being held, the motion received 38 votes, and the amendment 30 votes, with no abstentions, and the **MOTION** was carried, the votes having been cast as follows:

**For the motion:**

Ms S Aitkin, Dr C Birt, Mr B Boyd, Mr R Bremner, Mr I Brown, Mr M Cameron, Mrs B Campbell, Mrs G Campbell-Sinclair, Mrs M Cockburn, Ms T Collier, Ms S Fanet, Mr J Finlayson, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr B Lobban, Mr D Louden, Mr W MacKay, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr A Rhind, Mr K Rosie, Ms M Ross.

**For the amendment:**

Mr C Aitken, Mr M Baird, Mr C Ballance, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr A Jarvie, Mrs B Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Mr J McGillivray, Ms M Nolan, Mr M Reiss, Mrs T Robertson, Mrs L Saggars, Mr A Sinclair, Ms M Smith, Mr R Stewart, Ms K Willis.

**Decision:**

The Council:

- i. **NOTED** the update provided in relation to the capital programme;
- ii. **NOTED** the update provided in relation to revenue budget and financial outlook;
- iii. **AGREED** the budget timetable as set out in Appendix 1 to the report;
- iv. **NOTED** the draft sample survey questions as outlined in Appendix 2 to the report which will be accompanied by a budget simulator; and
- v. **NOTED** the letter sent to the First Minister, dated 25th October, stating the Council's disappointment at both the way the announcement of a Council Tax freeze was made and the implications it will have on the Highland Council as it seeks to prepare a balanced budget.

**9. Members' Learning and Development Programme  
Prògram Ionnsachaidh agus Leasachaidh Bhall**

There had been circulated Report No. HC/42/23 dated 12 October 2023 by the Interim Executive Chief Officer Performance and Governance.

During discussion, Members raised the following main points:

- there was a need to improve accessibility and a number of requests were made for a more blended approach to training. In order to increase attendance, which had sometimes been low, and enable live participation it was requested that all training sessions, workshops and briefings should be made available in hybrid format. In addition, these sessions should also be recorded with a view to developing a library of training that could be accessed at Members' convenience. Members were urged to regularly check the Traineasy e-learning site, the content of which was constantly being increased. It was further suggested that each session should also

- have a blog which would provide a forum for Member engagement to capture and record relevant questions/points raised;
- consideration be given to scheduling sessions in the evening delivered by external training providers;
- further information was sought, and provided, on how the Programme would be taken forward during which it was explained that the Framework would be reviewed annually and the outcome reported. However, the Framework was a live document and the points raised at the meeting would be incorporated;
- it was suggested that there should be more accredited learning which could be provided by working with other local authorities thus reducing costs. This would also help to attract younger people as they would gain transferable skills which could help to progress career development opportunities. Confirmation was provided that this would be investigated;
- there was a need for a more holistic approach to be adopted noting that everyone learnt in different ways. Emphasis was made to the importance of the learning experience, i.e. ensuring there was blended learning opportunities, training was relevant and the need for outcomes to be evidenced. References were made to the importance of evaluating training and seeking feedback;
- each Member should have a personal training record comprising of all training undertaken internally and externally and provision of this would be investigated;
- following a request, confirmation was provided that High Life Highland Awareness Raising and Information training would be provided;
- consideration should be given to developing an in-house Training and Development team thereby having dedicated trainers therefore reducing the pressure on staff to deliver training and avoiding potential staff conflicts of interest particularly in respect of governance and scrutiny;
- confirmation was provided that the initial training schedule following election had been quite intense and consequently a more phased approach was being adopted. It was also recommended that more information should be available prior to election including an Elected Member Job Description as well as greater information on the level of commitment required in to undertake the role. The information pack that was provided to Members on election was very helpful;
- the Head/Depute Head Teacher recruitment training video was helpful but a number of Members indicated that they were not aware of this resource. It was stressed that Head/Depute Head Teacher recruitment training was mandatory and Members must not join recruitment panels until this training had been completed. Although the importance of training in respect of this issue was recognised, it was felt that the recruitment process was outdated;
- it was queried whether the Council was learning from other local authorities and if there were any off-the-shelf products that could be used;
- there was a need to check training links to ensure they worked when issued to Members; and
- a request was made for Members to have more involvement in who provided the training.

Thereafter, the Council **AGREED**:

- i. the Members' Learning and Development Framework - Appendix 1 to the report;
- ii. Members' Learning and Development Programmes for 2023 and 2024 - Appendix 2 and 3 respectively to the report;

- iii. that a mid-year review of the Members' Learning and Development Framework and Programme with Working Group input is reported to Council in August 2024; and
- iv. that an annual report is taken to Council each December on the effectiveness of the Members' Learning and Development Framework and Programme.

## 10. Governance Review Ath-sgrùdadh Riaghlachais

There had been circulated Report No. HC/43/23 dated 10 October 2023 by the Interim Executive Chief Officer Performance and Governance.

During discussion, Members raised the following issues:-

- whilst Members welcomed the revisions, in regard to the proposals in relating to Planning Application Committees as detailed in Appendix 3, it was contended that the suggestion that Members could only speak in applications in their Ward was not appropriate. There were many planning applications which could affect much wider areas such as city centre, out-of-town retail developments and large scale housing applications which, in turn, affected Associated School Groups and transport infrastructure;
- the revision relating to the financial assessments of Notices of Motion would streamline the process;
- it was important to be mindful of the staff time taken in making financial assessments if and when Notices of Motion were not reached and then not automatically resubmitted;
- clarification was sought, and provided, as to who and when financial implications of Notices of Motion were determined;
- it was recognised that, with single Ward Area Committees, there were sometimes problems in ensuring that meetings were quorate and it would be interesting to see Council proposal in this regard to enable Area Committees to effectively progress important local issues;
- it was suggested that Notices of Motion be taken at the end of a Council Agenda once all other public items had been debated and before any Private items. However, it was pointed out that Notices of Motion could last over 2 hours, therefore delaying often very important and substantive Private Items;
- there was a danger that Notices of Motion might be repeatedly not reached under the current arrangements;
- the work of the Governance Review Steering Group was commended but it was suggested that it reconvene to review the manner in which Members' Question Time was conducted by exploring, among other options, the Scottish Parliament model. A report on this review could then be considered by the Council at its meeting on 14 March 2024; and
- it was hoped that Members had a comprehensive understanding of Standing Orders and that, when raising a Point of Order, they should make specific representation as to which Standing Order they were referring to. However, this would negate the ability of Members to raise matters of concern instantly and it would be for the Chair of the meeting to agree, or not agree to accept it.

Following debate, Mr K Gowans, seconded by Mr P Oldham, **MOVED** the recommendations detailed in Appendix 2 with the exception of the proposed changes in relation to Planning Application Committees detailed in Appendix 3.

As an **AMENDMENT**, Mr C Ballance, seconded by Mr R MacKintosh, moved to add in to the proposed changes to Standing Order 1, detailed in Appendix 2, "8. Matters in Private".

On a vote being taken, the **MOTION** received 39 votes and the **AMENDMENT** received 25 votes, with 2 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Ms S Atkin, Mr R Bremner, Mr I Brown, Dr C Birt, Mr B Boyd, Ms G Campbell-Sinclair, Mr M Cameron, Mrs I Campbell, Mrs M Cockburn, Mrs T Collier, Ms S Fanet, Mr D Fraser, Mr L Fraser, Mr J Finlayson, Mr K Gowans, Mrs J Hendry, Ms M Hutchison, Mrs B Jarvie, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr D Louden, Mr W MacKay, Mr G MacKenzie, Ms K MacLean, Mr T MacLennan, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mrs M Ross, Mr K Rosie, Mr A Sinclair.

**For the Amendment:**

Mr C Aitken, Mr M Baird, Mr C Ballance, Mr J Bruce, Mr A Christie, Mrs H Crawford, Mr R Gale, Mr J Grafton, Mr A Graham, Mr D Gregg, Mr A Jarvie, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mrs I MacKenzie, Mr A MacKintosh, Mr R MacKintosh, Mrs A MacLean, Mr D Macpherson, Ms J McEwan, Ms M Nolan, Mr M Reiss, Mrs L Saggars, Mr R Stewart, Ms K Willis.

**Abstentions:**

Mr B Lobban, Ms M Smith.

There then followed a second vote with Mr K Gowans, seconded by Mr P Oldham, again **MOVING** the recommendations detailed in Appendix 2 with the exception of the proposed changes in relation to Planning Application Committees detailed in Appendix 3.

As an **AMENDMENT**, Mr C Ballance, seconded by Mr R MacKintosh, moved to that the proposed change to paragraph 8 of Standing Order 12 whereby "If a Notice of Motion is not reached, it will require to be re-submitted in terms of paragraph 1 of the Standing Order" be removed.

On a vote being taken, the **MOTION** received 52 votes and the **AMENDMENT** received 6 votes, with 8 abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

**For the Motion:**

Mr C Aitken, Ms S Atkin, Mr M Baird, Mr R Bremner, Mr I Brown, Dr C Birt, Mr B Boyd, Ms G Campbell-Sinclair, Mr M Cameron, Mrs I Campbell, Mr A Christie, Mrs M Cockburn, Mrs T Collier, Ms S Fanet, Mr D Fraser, Mr J Finlayson, Mr R Gale, Mr K Gowans, Mr J Grafton, Mr A Graham, Mr D Gregg, Mrs J Hendry, Ms M Hutchison, Ms L Johnston, Mr R Jones, Mr S Kennedy, Ms E Knox, Ms L Kraft, Mr D Louden, Mr P Logue, Ms M MacCallum, Mr A MacDonald, Mr W MacKay, Mr G MacKenzie, Mr A MacKintosh, Mrs A MacLean, Ms K MacLean, Mr T MacLennan, Ms J McEwan, Mr J McGillivray, Mr D Millar, Mr H Morrison, Mr C Munro, Ms L Niven, Ms M Nolan, Mr P Oldham, Mrs M Paterson, Mrs M Reid, Mr M Reiss, Mrs M Ross, Mr K Rosie, Mr A Sinclair.

**For the Amendment:**

Mr C Ballance, Mr A Jarvie, Mr R MacKintosh, Mr D Macpherson, Ms M Smith, Ms K Willis.

**Abstentions:**

Mr J Bruce, Mrs H Crawford, Mr L Fraser, Mrs B Jarvie, Mr B Lobban, Mrs I MacKenzie, Mrs L Sagers. Mr R Stewart.

**Decision**

The Council **AGREED:**

- i. the revised wording of Standing Orders – Steering Group Appendix 2 to the report;
- ii. that the status quo in relation to Planning Application Committees, referred to in Appendix 3, remain;
- iii. that officers format Standing Orders and include definitions and guidance notes in terms of paragraph 5.6 of the report; and
- iv. that the Governance Review Steering Group reconvenes to review Members Question Time exploring, among other options, the Scottish Parliament model with a report on the review being presented with any observations to Council on 14 March 2024.

**11. Annual Review of the Scheme of Delegation  
Ath-sgrùdadh Bliadhnaidh dhen Sgeama Thiomnaidh**

**Transparency Statement: the undernoted Members made a Transparency Statement in respect to this item but, having applied the objective test, did not consider that they had an interest to declare:-**

**Mr A Christie - as a Non-Executive Director of NHS Highland and a Non-Executive Member of the Inverness BID Board.**

**Mr D Gregg - as an employee of NHS Highland and as a Board Member of Inverness Citizens Advice Bureau.**

There had been circulated Report No. HC/44/23 dated 18 October 2023 by the Head of Legal and Governance.

During discussion, Members raised the following issues:-

- i. the inclusion of the Joint Monitoring Committee in the Scheme was welcomed given it's increasing importance and the ongoing work between Highland Council and NHS Highland. However, clarification was needed around the description of the governance arrangements for children and adult social care services within the Scheme to ensure that the roles and remit of both the Health, Social Care and Wellbeing and the Highland Joint Monitoring Committees were clearly set out completely and accurately;
  - examples of when covert surveillance was undertaken was sought, and provided, together with the scrutiny arrangements in place;
  - in relation to the minute of 28 September, clarification was provided that the removal of "Scrutiny" had been from the title of the then Audit and Scrutiny Committee, not from its remit;
  - disappointment was expressed that the Audit Committee had agreed to remove "Scrutiny" from its title and it was feared that this would damage the Council's reputation. However, it was explained that this decision had been made in light of guidance from CIPFA Scotland, the Chartered Institute of Public Finance and Accountancy, which aimed to strengthen the role of the Committee. Scrutiny was something which all Committees should be undertaking;

- a request was made that Members be kept informed of amendments to Senior Management Structures and interim appointments of Executive Chief Officers;
- concern was expressed that there was an additional power being delegated to officers to write off Housing Revenue Account bad debt. However, clarification was provided that this amendment was a result of an internal audit and was simply a transfer of authority from Finance to Housing staff. It was in no way removing any powers from Members;
- now that the Highland Council had a Net Zero strategy, it was hoped that paragraph 14 of the General Duties exercisable by all the Headquarters Strategic Committees could be amended from “climate change/carbon clever” to “climate change/Net Zero”;
- clarification was sought as to why the policy and development of work relating to Community Councils had been removed from the Communities and Place Committee’s remit. In addition, it was also queried why that Committee now had responsibility for Common Good Policy rather than the Full Council; and
- Youth Development should be part of the Education Committee’s remit.

The Council **AGREED**:

- ii. the changes to the Scheme of Delegation as detailed in Appendix 1 to the report;
- iii. to undertake a review of the description of the governance arrangements for children’s and adult social care services within the Scheme of Delegation to ensure that the roles and remit of both the Health, Social Care and Wellbeing and the Highland Joint Monitoring Committees were set out completely and accurately;
- iv. in Part II Strategic Committees at paragraph 14 the words ‘climate change/carbon clever’ be replaced with ‘climate change/Net Zero’
- v. defer agreement of the proposed changes to Part II Communities and Place Committee being the deletion of paragraph 2.10 in respect of community councils and inclusion at paragraph 2.3 point 12 and 2.5 reference to Common Good until the Council meeting on 14 December 2023 to allow an explanation to be offered on the justification for the proposed changes;
- vi. In Part II Education Committee to add the words ‘Youth Development’ after the word ‘Sport’ in the remit of the Committee;
- vii. further adjustments to the Scheme of Delegation will be brought forward if required, to reflect any changes arising from the budget setting process; and
- viii. that amendments to post titles could continue to be made without recourse to Council as long as the level of delegation remained unchanged; and

**NOTED:-**

- ix. that page references will be updated once the substantive changes to the Scheme have been approved.

## **12. Staff Survey Suirbhidh Luchd-obrach**

**Transparency Statement: Mr R Stewart made Transparency Statement in respect of this item as a family member was an employee of Highland Council. However, having applied the objective test, he did not consider that he had an interest to declare.**

There had been circulated Report No. HC/45/23 dated 16 October 2023 by the Interim Depute Chief Executive.

Prior to the debate, the Convener drew Members' attention to the Councillors' Code of Conduct and associated advice from the Standards Commission which provided guidance on what was appropriate for public discussion and covered former and existing employees. However, it was important that the Council was open and transparent and that lessons were learnt from the survey and actions taken as a result demonstrated the high esteem and value placed on council employees.

During discussion, Members raised the following issues:-

- disappointment was expressed around the relatively low level of employee engagement compared to other local authorities, with some job categories being markedly lower. In this regard it was reassuring that the Chief Executive was committed to improvement and that there would be a pathway for Highland Council to make improvements and to become a better organisation;
- the Chief Executive and Executive Chief Officers taking time out to work at the front line would re-engage the connection between staff and senior management;
- there had been a significant gap between staff surveys, the survey currently before Members itself being 18 months old, and it was hoped surveys would be undertaken more regularly in future. The delay in reporting the outcomes of this survey was disappointing;
- the interpretation of responses had to be taken into account, especially around "neutrality". The level of such responses suggested that many staff were disengaged and uninterested and/or had concerns that the survey was not anonymous and that negative responses could adversely impact on them;
- the response rate from teachers was particularly disappointing but there could be various reasons for this. A more in-depth analysis should be reported to the Education Committee;
- it was hoped that staff had been given time and support to fill in the survey as not all were IT literate or would not necessarily have regular access to a computer;
- whistleblowing was an important tool to establish what was taking place on the ground but it was unfortunate that one of the links on the Council's website to help staff report concerns was broken. However, the whistleblowing route was not the right mechanism to report bullying;
- whilst it was recognised that bullying could never be totally eradicated, it was concerning that one in ten staff reported they had suffered bullying and/or harassment and some had felt unable to come forward to report it either to Human Resources or to their Trade Union. Even more disappointing were the instances of bullying behaviour by Elected Members who should, in fact, lead by example. There was no place for bullying and discrimination in Highland Council;
- training was needed to confirm the standards of behaviour required and to give clear direction about what was needed when bullying behaviour was witnessed;
- the Council had agreed in August 2022 to become a trauma informed organisation and had appointed two Trauma Champions. It was time to engage with the work being done by the Trauma Champions Network,



which consisted of senior leaders from Local Authorities, Health Boards, Health and Social Care Partnerships and other key community planning partners, to help progress trauma-informed practice in local areas and share learning across geographical and professional boundaries;

- many of the issues that had been highlighted in the survey suggested that Highland Council was a traumatised organisation, thus making it an ineffective organisation;
- in addressing the concerns raised by the survey it was essential to take cognisance that all staff need to be treated professionally with kindness, courtesy and respect. Often staff were deterred from reporting bullying given the stigma associated with it;
- a call was made for the Council's Bullying and Harassment Policy to be circulated to all Members;
- exit interviews were an important tool to look at why quality staff left and to address urgently any concerning issues;
- it was important to clearly differentiate between "managing" and "bullying";
- the survey had been carried out by an external organisation and it was felt this had given a more accurate picture;
- many staff felt overworked, overwhelmed, distressed and upset. It was important that staff knew that they were valued and it was suggested that Committee reports should also include "staffing" under its implications section;
- the Council's staff were an integral part of communities and it was important therefore to use the information the survey had provided to make improvements; and
- there was a need to provide staff with the ability to report concerns, to be better engaged and for the Council to be a "listening" Council.

The Council:

- i. **NOTED** the Survey results attached at Appendix 1 to the report;
- ii. **NOTED** the engagement with staff that has taken place in recent months;
- iii. **AGREED** the next steps at section 8 of the report, including the commitment to further investment in developing positive employee engagement; and
- iv. **AGREED** that a copy of the Staff Bullying and Harassment Policy be circulated to all Members.

### **13. Appointments**

#### **Cur an Dreuchd**

##### **i. Highland Reserves and Cadets Association**

The Council **AGREED** to appoint **Ms Morven-May MacCallum** to the Highland Reserves and Cadets Association.

##### **ii. UHI Local Advisory Committees**

The Council **AGREED** to appoint:-

- (a) Mrs Maureen Ross** from Wards 1, 2, 3, 4, 6, 7 or 8 to the North Highland Local Advisory Committee; and
- (b) Dr Chris Birt** from Wards 5, 10, 11 or 21 to the West Highland Local Advisory Committee.

### **14. Timetable of Meetings for 2024**

## **Clàr-ama Choinneamhan airson 2024**

The Council **AGREED** to hold a Special Meeting of the Audit Committee on 24 January 2024.

### **15. Deeds Executed Sgrìobhainnean Lagha a Bhuilicheadh**

There had been circulated a list of deeds and other documents executed on behalf of the Council since the meeting held on 14 September 2023 which was **NOTED**.

The meeting was closed at 6.40 pm.