

The background of the slide is a large, light blue watermark of the City of Vancouver's coat of arms. It features a crown at the top with four maple leaves. The shield is divided into four quadrants: top-left shows a sailing ship, top-right shows a stag's head, bottom-left shows a beaver, and bottom-right shows an eagle. A banner at the bottom reads "CITY OF VANCOUVER".

Agenda Item 8

Appointments

Falkirk Council

Title: Appointments
Meeting: Falkirk Council
Date: 9 May 2018
Submitted By: Director of Corporate and Housing Services

1. Purpose of Report

- 1.1. The purpose of this report is to invite Council to appoint (1) a panel to appoint a convener of the Audit Committee, (2) a second member to the Local Negotiating Committee for Teachers (LNCT) and (3) the Information Governance Manager as the Data Protection Officer for the purpose of the General Data Protection Regulation (GDPR).

2. Recommendations

2.1 Council is invited to:-

- (1) establish and appoint members to an Appointment Panel to appoint a convener of the Audit Committee;**
- (2) agree that the postholder may serve a maximum of two terms;**
- (3) appoint a second member to the Local Negotiating Committee for Teachers (LNCT); and**
- (4) appoint the Information Governance Manager as the Data Protection Officer for the purpose of the General Data Protection Regulation (GDPR).**

3. Considerations

The Audit Committee

- 3.1. The Audit Committee was established in 2008. At the time the convener was the Leader of the Council and convener of the then Policy and Resources Committee.
- 3.2. Having considered advice from Audit Scotland, Council agreed to co-opt an independent member to the committee as its convener. The current convener, Roseann Davidson was appointed in 2010 and reappointed in 2012 and 2017. Council noted in May 2017 Ms Davidson's intention to serve for a further 12 months.

- 3.3. It is recommended that an Appointments Panel is established to undertake the recruitment, selection and appointment of a successor. The appointment will be until the next Local Government elections in May 2022. It is also suggested that, in order to ensure that the convenership retains its independence that, any convener is limited to serve a maximum of two terms. A term constitutes the lifetime of the Council.
- 3.4. In regard to the panel composition it is recommended that it consist of 3 members.
- 3.5. The postholder is not remunerated for undertaking the role. Reasonable expenses will be met.

Local Negotiating Committee for Teachers

- 3.6. The Local Negotiating Committee for Teachers (LNCT) is the Falkirk level negotiating group for teachers terms and conditions. The management side has places for two councillors which were, by practice, until 2013, filled by the convener and depute convener of the Education and Leisure Committee. After the current decision making structure came into effect in 2013, the committee was attended by the Education Portfolio holder. This has continued to be the position, leaving one place unfilled. Council is accordingly invited to fill the vacant position.

Data Protection Officer

- 3.7. Council is required in terms of the General Data Protection Regulation (GDPR) to designate a Data Protection Officer (DPO). This is a statutory office established by the GDPR and the forthcoming Data Protection Act. The Council needs to have regard to the professional qualities of the officer it proposes to designate, in particular, their expert knowledge of data protection law and practice. The Information Governance Manager, has established expertise in this area and it is suggested that this post is designated as being the DPO.

4. Consultation

- 4.1. There has been no consultation on this report.

5. Implications

Financial

- 5.1 There are no financial implications.

Resources

- 5.2 There are no resource implications.

Legal

- 5.3 Council is required to designate a data protection officer under the terms of GDPR. Failure to do so would breach the Regulations

Risk

- 5.4 The position of data protection officer is a requirement of GDPR and is a key component of the framework. Failure to appoint a Data Protection Officer could compromise compliance with GDPR.

Equalities

- 5.5 An equality and poverty impact assessment is not necessary.

Sustainability/Environmental Impact

- 5.6 A sustainability assessment is not necessary.

6. Conclusion

- 6.1 Council is invited to consider establishing an appointments panel for the purpose of recruiting, selecting and appointing a convener of the Audit Committee, and designating the Information Governance Manager as Data Protection Officer for the purposes of GDPR. Council is also invited to consider appointing a second member to the Local Negotiating Committee for Teachers.

pp Director of Corporate and Housing Services

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Appendices

None.

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

None