

FALKIRK COUNCIL

Subject: MEMBERS' LEARNING AND DEVELOPMENT
Meeting: FALKIRK COUNCIL
Date: 5 DECEMBER 2012
**Authors: CHIEF GOVERNANCE OFFICER &
DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES**

1. INTRODUCTION

- 1.1 This report follows on from the decision of Council in September to widen the scope of the Learning and Development Policy to encompass elected Members. The decision required that Members have access to a range of learning and development opportunities in the same way as employees. Officers were asked to consider how best to apply the current policy to elected Members. This work has been undertaken by the Governance and Human Resources Divisions.

2. THE CURRENT POLICY

- 2.1 The Learning and Development Policy provides the framework for access to learning opportunities and qualifications for employees. The Policy draws a distinction between *approved* learning and qualifications and *developmental* learning and qualifications. Approved learning is any job related learning which is necessary to allow the employee to perform effectively in their current role. Approved qualifications are qualifications which have been identified as essential as opposed to desirable for the employee in their current role. Developmental learning and qualifications are defined as learning or qualifications which although completion may assist the employee to develop personally and/or professionally, are not required to allow the employee to perform effectively in their current role.
- 2.2 This is a significant distinction within the policy. In general, there would be an expectation that approved learning and qualification opportunities would be provided for employees. This would not be so in relation to developmental learning and qualifications where the decision would be discretionary taking into account the availability of finance. Similarly, approved learning and qualifications attract more favourable terms in relation to financial support and time off. For instance, the Policy provides that where the Council funds a developmental qualification and the employee leaves or does not complete the course leading to the qualification, the cost of the course would require to be repaid.

- 2.3 The Policy identifies the achievement and personal development scheme (APDS) as the means for identifying training needs. This scheme is used across the Council and involves employees meeting at regular intervals with a Manager to review achievements and identify learning and training needs.

3. APPLICATION TO ELECTED MEMBERS

- 3.1 The Policy is drafted to apply to employees. There are a number of significant respects in which elected Members are in different positions from employees. The most significant is that they are not employees of the Council. They are office holders and there is no line management relationship between a Member and any person in the Council. It is also important to note that there are no essential qualifications to being a Member of the Council other than that the Member is elected by his or her constituents. There are many desirable skills and areas of knowledge which would assist in the discharge of a Councillor's role but none are essential. The fundamental difference between the status of an elected Member and that of an employee gives rise to a number of questions in the application of the policy to Members. These are:-

- (a) How should the approved/developmental distinction be applied in relation to elected Members?
- (b) What would the proper process be for identifying the training needs of elected Members?
- (c) Who would the decision maker be in relation to agreeing the allocation of resources for learning opportunities or qualifications?

3.2 Approved and Developmental Training and Qualifications for Members

As noted above, there are no essential qualifications to perform the office of councillor. There are, however, a number of bodies (including Committees of the Council) where by virtue of statute (the Licensing Board), by the virtue of its regulatory framework (the Pensions Committee) or by decision of Council (the Appeals, Appointments, Civic Licensing and Planning Committees) where training is considered mandatory. It is suggested that this offers the basis for the learning which is approved for the purpose of the policy as it applies to Elected Members. This would place all other learning or qualifications in the developmental category within the Policy.

3.3 The Process for Identifying Training Needs.

As noted above, the process in relation to employees relies in large part on the APDS. This functions through the management relationship with employees and would not be easily adapted to apply to Members. The existing continuous professional development (CPD) framework for Elected Members would provide a better means to identify training needs. Further information on the CPD framework is provided at paragraph 2.9 of the revised policy which is appended to the Report.

3.4 Decision Making

Whilst the CPD framework provides a useful means of identifying individual learning needs, it does not answer the question of who will take the decision on whether a particular conference, seminar or course leading to a qualification meets the learning needs of the Member or whether Council resources should be used in funding them. At present, requests to attend seminars or conferences are dealt with on an *ad hoc* basis. A general training budget of £5130 that includes provision for Members' training is held within the Governance Division which is available to fund the cost of such courses or seminars. Demand from Members has been low and, in general, has been for modestly priced and easily accessible conferences and seminars. If there were to be more training needs identified for individual Members or, potentially, requests to undertake courses leading to qualifications, there would need to be a clearer decision making process. There are a number of models which could be adopted. The clearest of these is that all decisions in relation to Members' learning are taken by Members and that requests to attend conferences, seminars or to undertake qualifications are considered by the appropriate Committee. In the present decision making structure this would be the Policy and Resources Committee. A modified version of this approach could allow a delegated decision to be taken in relation to such requests where they fell below a specified financial level, for example, £150. Requests which would incur costs above that would be reserved to Committee.

3.5 Whichever method is adopted, it is suggested that the decisions need to be taken against some agreed principles. These could include:-

- That the learning, training or qualification is clearly linked to that Member's role as a Councillor;
- That priority is given to needs identified through the CPD framework;
- Consideration is given in taking decisions to equitable distribution of available resources among Members.

The latter suggested principle raises the issue of the current size of the budget provisions. While the budget provision has been adequate thus far, it can be seen that a small number of requests for an expensive conference would use a substantial portion of the budget. Similarly funding or part funding for a qualification could use a large portion of the budget. It is open to Members to consider whether the size of the budget is adequate for the needs of the organisation and to require that further provision be made in future revenue budgets.

3.6 A revised version of the Policy reflecting the suggestions noted above but leaving the issue of decision making at large is appended for consideration.

4. RECOMMENDATIONS

4.1 Council is asked to consider the terms of the report and the revised Policy.

Chief Governance Officer

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Services**

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