



REPORT TO: SPECIAL MORAY COUNCIL ON 24 JANUARY 2024

SUBJECT: PETITIONS PROCEDURE – UNDER 18 YEAR OLDS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To ask the Council to agree the inclusion of an addendum to the Petitions Guidance/Procedure to allow young people up to the age of 18 or still at school to make representations to the Council.
- 1.2 This report is submitted to Council in terms of Section II (10) of the Council's Scheme of Administration relating to changes in Committee structure, distribution of functions and responsibilities.

2. RECOMMENDATION

- 2.1 **It is recommended that the Council agree the inclusion of an addendum to the current Petitions Guidance/Procedure that will allow young people up to 18 years of age or still at school to make representation to the Council.**

3. BACKGROUND

- 3.1 At the meeting of Moray Council on 7 December 2022, the Council agreed to introduce an e-petition process and that a further report be brought forward on how the petitions process could best facilitate representation from young people up to the age of 18 years (para 22 of the Minute refers).
- 3.2 The draft procedure and template were considered at the meeting of Moray Council on 6 December 2023 (para 8 of the Minute refers). Following concerns raised by Councillors on a number of issues, the Council agreed to defer consideration of the report until the meeting of Moray Council in January 2024 to allow for further consultation to simplify the draft procedure with those Councillors raising concerns.

4. ENGAGING WITH YOUNG PEOPLE UP TO THE AGE OF 18 OR STILL AT SCHOOL

- 4.1 As previously discussed at the meeting of Council on 7 December 2022 (para 22 of minute refers), it is considered that the criteria set out within the Council's petitions process would be problematic in terms of gaining a fixed number of signatories who were required to be on the electoral register, therefore, in order to make it as accessible as possible, a much simpler process was required.
- 4.2 A draft proposed procedure is attached at **Appendix 1**. The procedure broadly aligns to the Council's petition process however has been amended to use plain English language and explains what issues can and cannot be raised. A pro forma is attached at **Appendix 2** to assist young people and ensure they provide the information required to progress the petition.
- 4.3 It is proposed that any petitions from young people up to the age of 18 or still at school are administered by Committee Services and then passed to the Head of Service for a decision on how the issue should be addressed, in conjunction with the Chair of the relevant Service Committee.
- 4.4 Should the Council be minded to approve this procedure it will be added as an addendum to the Council's Petition process/guidance on the relevant webpage.
- 4.5 A limited number of young people have been consulted on the draft procedure via the Community Learning and Development (CLD) Worker from which positive feedback has been provided.
- 4.6 **Appendices 1 and 2** have been amended to include input from the Councillors who raised concerns at the meeting of Moray Council on 6 December 2023.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Members of the public engaging with the Council by means of petitions links directly with Moray Council's priority to Empower Communities.

(b) Policy and Legal

It is important, in the interests of good corporate governance and the Best Value Statutory Duty, for the Council to provide a means for the public to engage in the decision making process.

Article 12 of the United Nations Convention on the Rights of the Child and its upcoming enshrinement into Scottish Law via the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill outlines that children have the right to express a view and have that view taken into account.

(c) Financial Implications

None

(d) Risk Implications

The Council could be seen to be excluding young people from being able engage with the Council on matters for which the Council has a responsibility or a service it provides relative to them.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

The proposals are consistent with the UNCRC (Incorporation) (Scotland) Bill.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

Depute Chief Executive (Education, Communities and Organisational Development); Head of Governance, Strategy and Performance; Head of Education; Democratic Services Manager; Susan Stronach, CLD Worker; Stewart McLauchlan, Quality Improvement Manager; Dr L Puhalak, Policy Officer; Ms L Van Zyl, Service Manager, both Health and Social Care Moray and the Equalities Officer.

Councillors Mustard, Van Der Horn and Warren were part of the working group and their comments to date have been included in the appendices, however they may wish to make further comment at the meeting.

6. CONCLUSION

- 6.1 It is recognised that the current Petitions Procedure does not provide a means by which young people up to the age of 18 or still at school can engage with the Council on matters of importance. The proposed addendum to the current Petitions Procedure will allow engagement from young people in a structured, yet simplified manner.**

Author of Report:

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Background Papers:

Ref:

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