

Minute

General Meeting of the Council

Wednesday, 3 May 2023, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, P Lindsay Hall, Steven B Heddle, Rachael A King, Kristopher D Leask, W Leslie Manson, James R Moar, Raymond S Peace, John A R Scott, Gwenda M Shearer, Gillian Skuse, Jean E Stevenson, James W Stockan, Ivan A Taylor, Mellissa-Louise Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Gavin Mitchell, Head of Legal and Governance.

In Attendance

- Oliver D Reid, Chief Executive.
- Stephen Brown, Chief Officer, Orkney Health and Social Care Partnership.
- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.
- James Wylie, Corporate Director for Education, Leisure and Housing.
- Andrew Groundwater, Head of Human Resources and Organisational Development (for Items 1 to 12).
- Sweyn Johnston, Head of Enterprise and Economic Growth.
- Inga Burton, Programme Manager Islands Deal.
- Hazel Flett, Service Manager (Governance).

Observing

- Kirsty Groundwater, Communications Team Leader.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Graham A Bevan, Convener.

1. Disclosure of Exempt Information

The Council noted the proposal that the public be excluded from the meeting for consideration of Item 13, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. General Meeting of the Council

Minute of Meeting held on 7 March 2023

On the motion of Councillor Graham A Bevan, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the General Meeting of the Council held on 7 March 2023 as a true record.

3. Planning Committee

Minute of Meeting held on 8 March 2023

On the motion of Councillor Owen Tierney, seconded by Councillor Kristopher D Leask, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 8 March 2023 as a true record.

4. Licensing Committee

Minute of Meeting held on 9 March 2023

On the motion of Councillor Duncan A Tullock, seconded by Councillor Kristopher D Leask, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 9 March 2023 as a true record.

5. Development and Infrastructure Committee

Minute of Meeting held on 28 March 2023

On the motion of Councillor David Dawson, seconded by Councillor Gillian Skuse, the Council resolved to approve the Minute of the Meeting of the Development and Infrastructure Committee held on 28 March 2023 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Development and Infrastructure Committee held on 28 March 2023.

6. Education, Leisure and Housing Committee

Minute of Meeting held on 29 March 2023

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Jean E Stevenson, the Council resolved to approve the Minute of the Meeting of the Education, Leisure and Housing Committee held on 29 March 2023 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Education, Leisure and Housing Committee held on 29 March 2023.

7. Monitoring and Audit Committee

Minute of Meeting held on 30 March 2023

On the motion of Councillor Alexander G Cowie, seconded by Councillor P Lindsay Hall, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 30 March 2023 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Monitoring and Audit Committee held on 30 March 2023.

8. Local Review Body

Minute of Meeting held on 31 March 2023

On the motion of Councillor Kristopher D Leask, seconded by Councillor Duncan A Tullock, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 31 March 2023 as a true record.

9. Policy and Resources Committee

Minute of Meeting held on 18 April 2023

On the motion of Councillor James W Stockan, seconded by Councillor Heather N Woodbridge, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 18 April 2023 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 18 April 2023.

10. Development and Infrastructure Committee

Minute of Special Meeting held on 19 April 2023

On the motion of Councillor David Dawson, seconded by Councillor Gillian Skuse, the Council resolved to approve the Minute of the Special Meeting of the Development and Infrastructure Committee held on 19 April 2023 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Special Meeting of the Development and Infrastructure Committee held on 19 April 2023.

11. Human Resources Sub-committee

After consideration of the draft Minute of the Meeting of the Human Resources Sub-committee held on 21 March 2023, copies of which had been circulated, the Council:

Resolved:

11.1. On the motion of Councillor Heather N Woodbridge, seconded by Councillor James W Stockan, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 21 March 2023 as a true record.

11.2. That the recommendation at paragraph 1.3 of the Minute of the Meeting of the Human Resources Sub-committee held on 21 March 2023, attached as Appendix 1 to this Minute, be approved.

12. Notice of Motion

The Council had for consideration the following Notice of Motion:

“Currently the Council is required under the terms of the Local Government (Scotland) Act 1973 to have three religious representatives on any committee established by the Council to discharge their responsibilities as an education authority.

In the case of Orkney Islands Council this is the Education, Leisure and Housing Committee. Section 124 of the Local Government (Scotland) Act 1973 sets out that, in the case of Orkney Islands Council, the three religious representatives shall comprise: one representative of the Church of Scotland, nominated in such manner as may be determined by the Church; and two persons, in the selection of whom, the Council is required to have regard (taking account of the representation of the Church of Scotland) to the comparative strength of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship within Orkney.

A Scottish Government spokesperson has since clarified the Scottish Government’s interpretation of the Local Government (Scotland) Act 1973 in recent press articles where they state, “where an education authority appoints a committee to discharge their functions, the Local Government (Scotland) Act 1973 requires councils to appoint members to that committee, including religious representatives.” They go on to state “voting rights on committees are a matter for each local authority”.

Proposed Changes

In line with the above clarification statement by the Scottish Government, the following is proposed:

That the Council agrees to amend the Scheme of Administration to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Education, Leisure and Housing Committee.

Proposed by Councillor John Ross Scott.

Seconded by Councillor Kristopher Leask.”.

After receiving procedural advice from the Head of Legal and Governance, the Council:

Noted:

12.1. That the Notice of Motion was procedurally competent, in that:

- It was received in the requisite timeframe.
- It was signed by an Elected Member and countersigned by at least one other Elected Member.

- It was accompanied by a report from the Corporate Director for Strategy, Performance and Business Solutions on the implications of the suggested course of action contained in the Notice of Motion.

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Head of Legal and Governance, the Council:

Noted:

12.2. That the Chief Executive had received a Notice of Motion in relation to the voting rights of religious representatives on the Education, Leisure and Housing Committee.

12.3. That the Notice of Motion requested that the Council amend the Scheme of Administration to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Education, Leisure and Housing Committee.

12.4. That the main implication of the suggested course of action was that voting rights were removed from the religious representatives on the Education, Leisure and Housing Committee.

Councillor John A R Scott, seconded by Councillor Kristopher D Leask, moved the Notice of Motion.

Councillor W Leslie Manson, seconded by Councillor James W Stockan, moved an amendment that consideration of the Notice of Motion be deferred, to enable the Chief Executive to arrange for consultation to be undertaken with the current religious representatives on the Education, Leisure and Housing Committee, together with other denominational bodies entitled to nominate a representative, and thereafter submit a report, on the outcome of the consultation, to the General Meeting of the Council scheduled to be held on 4 July 2023.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Graham A Bevan, Stephen G Clackson, Alexander G Cowie, David Dawson, W Leslie Manson, James R Moar, Gillian Skuse, James W Stockan and Ivan A Taylor (9).

For the Notice of Motion:

Councillors P Lindsay Hall, Steven B Heddle, Rachael A King, Kristopher D Leask, Raymond S Peace, John A R Scott, Gwenda M Shearer, Jean E Stevenson, Mellissa-Louise Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge (12).

The Notice of Motion was therefore carried.

The Council thereafter resolved:

12.5. That the Notice of Motion be supported and, accordingly, voting rights be removed from the religious representatives on the Education, Leisure and Housing Committee.

Councillor Rachael A King left the meeting at this point.

13. Nordic Atlantic Cooperation

On the motion of Councillor Graham A Bevan, seconded by Councillor James W Stockan, the Council resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Programme Manager Islands Deal, the Council:

Noted:

13.1. That, on 21 June 2022, when considering international engagement by the Council over the next three years, the Policy and Resources Committee recommended that the Council should continue to develop and enhance relationships with Arctic and Nordic countries to maximise the ongoing promotion of potential economic and cultural opportunities for Orkney.

13.2. That, on 23 November 2022, the Policy and Resources Committee recommended that the Council should establish a project development fund, to support Orkney based organisations to collaborate with partners/projects funded by the Nordic Atlantic Cooperation (NORA).

13.3. That the NORA Committee, comprising representatives from across the NORA region, expressed an interest in recognising the mechanisms of how the Council funding would be allocated and the relationship that existed, through development of a Memorandum of Understanding.

13.4. That the draft MoU, attached as Appendix 1 to the report by the Corporate Director for Enterprise and Sustainable Regeneration, which did not create legally binding obligations on either party, had been shared with UK Government due to the international links.

13.5. That, in terms of the MoU, funding for any collaborative projects would be provided on the basis that NORA would fund project partners based in the NORA region and the Council would fund Orkney based project partners.

The Council resolved:

13.6. That the MoU, attached as Appendix 2 to this Minute, be approved.

13.7. That the Leader be authorised to sign the MoU on behalf of the Council.

14. Conclusion of Meeting

At 11:27 the Convener declared the meeting concluded.

Signed: Graham A Bevan.

Minute

Human Resources Sub-committee

Tuesday, 21 March 2023, 12 noon.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Heather N Woodbridge, Alexander G Cowie, James R Moar, Gwenda M Shearer, James W Stockan and Duncan A Tullock.

Present via remote link (Microsoft Teams)

Councillor John A R Scott.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions.
- Gareth Waterson, Corporate Director for Neighbourhood Services and Infrastructure.
- Gavin Mitchell, Head of Legal and Governance.
- Emma Chattington, Senior Organisational Development Adviser.

Apology

- Councillor Ivan A Taylor.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Heather N Woodbridge.

1. Mental Health and Wellbeing Policy

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Senior Organisational Development Adviser, the Sub-committee:

Noted:

1.1. That, although the Council had a policy on Stress Management, a wider policy on helping employees with stress and other mental health and wellbeing issues would be advantageous.

1.2. That a draft Mental Health and Wellbeing Policy had been developed in line with current Health and Safety Executive standards and best practice.

The Sub-committee resolved to **recommend to the Council:**

1.3. That the policy on Mental Health and Wellbeing, attached as Appendix 1 to this Minute, be approved.

2. Conclusion of Meeting

At 12:12 the Chair declared the meeting concluded.

Signed: Heather N Woodbridge.



Mental Health and Wellbeing Policy

February 2023

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Introduction

Here at Orkney Islands Council, we want to support our colleagues' wellbeing and this includes mental health. We know for some of us, talking about our mental health can be uncomfortable. But with research suggesting that 1 in 4 of us will experience a mental health issue every year and that 17% of us are living with a serious mental health concern, it's ever more important to talk about how we are feeling.

Just like physical health, we all have mental health. Sometimes we might experience mental health concerns that last a few weeks or months, or we might have more serious issues that are longer term. Our mental health may change over time, just like our physical health does. The purpose of this policy is to encourage you to talk about your mental health and wellbeing, to let you know what we can do to support you, and to give you information on where to go for further help.

We have a number of guides that accompany this policy including a guide to managing workplace stress and a guide on supporting employees' mental health and wellbeing.

The aims of this policy are:

- To encourage us to talk more about mental health and wellbeing in the workplace.
- For those experiencing symptoms to feel you can ask for the support you need.
- For managers to have the knowledge and confidence to know what to do if you need to provide support to a team member through this time.
- To give all colleagues information about where to access further guidance and support.

We are committed to ensuring the health and wellbeing of all employees and that we are all treated fairly and with dignity and respect at work.

We are committed to taking all reasonable steps to make sure that we:

- Listen to you if you tell us about your mental health or workplace stress.
- Keep information about your mental health confidential.
- Support you if you are experiencing symptoms related to your mental health and wellbeing, making reasonable adjustments where needed.
- Treat you with respect, not making judgements or assumptions about you because you have told us about your mental health or workplace stress symptoms.
- Treat any issues of bullying and harassment in relation to mental health or workplace stress issues seriously. See our Dignity at Work Policy for more information.

Policy statement

As an employer we have a legal duty under Section 2 (1) of the Health and Safety at Work etc. Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all our employees. In terms of Regulation 3 of the Management of Health and

Safety at Work Regulations 1999, the Council also has a duty to make a suitable and sufficient assessment of the risks to the health and safety of our employees to which they are exposed whilst at work; this includes the risks of psychological as well as physical harm. Orkney Islands Council will therefore take the necessary steps to assess the risk of work-related stress and put measures in place to reduce the risk as far as is reasonably practicable.

We recognise that stress can be work related, can arise from a person's private life or a combination of the two. Whatever the case, the impact of stress on an individual will still potentially impact on the workplace.

Scope of the policy

This policy applies to and covers all managers and employees. Third parties (including contractors, customers and visitors) are also required to comply with this policy in so far as it relates to Orkney Islands Council's commitment to providing a workplace free from harassment, bullying and victimisation. This policy also takes account of Orkney Islands Council's obligations under the Employment Rights Act 1996, the Protection from Harassment Act 1997, the Working Time Regulations 1998 and the Equality Act 2010.

The procedures outlined within Orkney Islands Council's Sickness Absence Policy must be followed in conjunction with this Policy.

Please note this policy does not form part of any contract of employment and may be amended and reviewed in conjunction with Trade Unions at any time.

Responsibilities

The Chief Executive retains overall responsibility for Health and Safety as per the corporate Health and Safety Policy. Practical responsibility is delegated to line managers in respect of the area under their management control. Additional responsibilities in respect of Mental Health and Wellbeing are detailed below.

Corporate Directors and Head of Services are responsible for:

- Monitoring absence statistics, staff surveys and other available information on a regular basis, particularly in care settings where coping with distressing and traumatic incidents, including vacancy rates which may indicate where there are not enough people to do all of the work.
- Providing advice, support and training to managers in relation to implementation of this policy.
- Maintaining and promoting a positive working environment throughout their service.
- Ensuring sufficient resources are made available to implement this policy.

As a manager with responsibility for others, you should:

- Have an awareness of your own management and leadership style and the impact your behaviours might have on the people you manage.
- Have regular conversations with your team members and should cover health and wellbeing.

- Listen non-judgementally and provide appropriate support to your team members who are affected by mental health problems or workplace stress.
- Follow the relevant manager guidance to support team members in managing any mental health issues or workplace stress.
- Consider using the Wellness Action Plans with your team members to help proactively manage health and wellbeing. Guides can be found for line managers and employees within [Health and Wellbeing \(sharepoint.com\)](#).
- Set team members realistic targets, monitor workloads, working hours and overtime to ensure that they are managing their workload within the time available.

As an employee you should:

- Take reasonable care of your own health and wellbeing.
- Familiarise yourself with this policy and associated documentation and act in accordance with its aims and objectives.
- Plan and organise your work to meet organisational objectives.
- Behave in a manner that is conducive to the mental wellbeing of your colleagues.
- Raise issues of concern and seek assistance as appropriate from your line manager, human resources, health and safety representative, trade union, your General Practitioner or the Council's occupational health service (via a management referral).
- Engage with any support, advice and guidance that may be offered.
- Engage with any Work-related stress risk assessment your manager or service is undertaking.

Talking about mental health and wellbeing at work

If you're living with a mental health issue, we know it can be a difficult step to tell people about it. But we encourage you to talk to your manager, so they can give you the support you need. You can mention it in your next one-to-one or ask to meet with them just to talk about this.

Your manager won't judge you. They'll listen to you and talk to you about what they can do to help. You might feel it's enough for them just to be aware of what you're experiencing. Or they might need to make changes to your work or work environment to help. There is more information about reasonable adjustments in the section below. You can discuss and agree what will happen next.

They may encourage you to go to your GP for support, if you haven't already. They might also ask you if you're happy to be referred to occupational health. This is so we can get more information about how your mental health issue is likely to affect you at work, and what adjustments we can make to help.

If you tell your manager about your mental health concerns, they'll keep this confidential and won't share this information unless you say it's okay – except if we've got serious concerns for your safety or that of others.

Reducing stigma

We recognise the importance of promoting open communication to support reducing any stigma around mental health issues. We are committed to raising awareness of mental health in the workplace and continue to:

- Utilise national campaigns and activities relating to mental health and wellbeing.
- Provide online training to all employees via iLearn to raise awareness of mental health conditions.
- Provide specific training for managers on supporting people with mental health issues.

Making reasonable adjustments

There might be reasonable adjustments we can make at work to help you manage your mental health or workplace stress symptoms. These may be temporary changes or longer-term changes depending on your particular circumstances.

Your manager may do a risk assessment to understand more about how your mental health or stress symptoms might affect you at work and the adjustments you need.

Wellness Action Plans

You can use a Wellness Action Plan to identify how your mental health or stress is impacting you at work and use this to discuss any changes you might need with your manager.

The adjustments we can make will depend on your circumstances, but the types of changes that might help could be:

- Having meetings with your manager more often.
- Agreeing that we'll tell you information face to face, so you can talk through how you feel about it. Alternatively, you might prefer us to send information to you in an email first, so you have time to think through how you want to talk about it. Whatever helps in your situation.
- Adjusting some of your duties.
- Providing specific equipment such as noise cancelling headphones or a light box which might help if you have Seasonal Affective Disorder (SAD).
- Changing your start and finish times, or when you take your breaks. This might help you avoid situations you know are going to be stressful for you.
- Agreeing for you to work somewhere else at times if you need to.
- Giving you time off to attend medical appointments.

If you think you might need a change to your working pattern to help you manage your mental health or stress, talk to your manager about this when you are creating your [Wellness Action Plan](#). In some circumstances, this request may be considered as a reasonable adjustment rather than requiring an application through the [Flexible Working Policy](#).

Your manager may suggest an occupational health referral. This is so that we can get more information about how your mental health or stress symptoms are likely to affect you at work and what adjustments can be put in place to support you.

Implementation of existing Policies

The Council has a policy on Sickness Absence management which includes absence triggers based on duration or frequency of sickness absences. Any employee absences resulting from mental health or workplace stress should be recorded as per the Sickness Absence Management policy.

It is acknowledged that mental health or stress symptoms may in some circumstances impact a person's performance at work, and therefore this should be taken into account when applying the Council's Disciplinary or Capability Policy.

Other policies that may be useful for you and your team member include:

- Health and Safety.
- Leave of Absence.
- Flexible Working.
- Supporting Menopause in the workplace.

Wellness Action Plans

Wellness Action Plans can be used to identify what helps you to manage your mental health or stress symptoms at work, what causes you to become unwell and the support you would like to receive to improve your wellbeing.

By creating a Wellness Action Plan, you can identify what works and what doesn't work for you in managing your mental health and wellbeing. It can help identify what support you might need from your manager and what you can do to support your own mental health and wellbeing.

There are templates you can use to create your Wellness Action Plan; one for [hybrid working](#) and one for the [workplace](#). You can either do this on your own and then share it with your manager or discuss it with them to put it together. Once you have shared this with your manager, they will keep it confidential and won't share it with anyone else without your permission.

It is good to meet regularly with your line manager to discuss your Wellness Action Plan and how you feel things are going. You can use your usual one-to-one, or just ask them if you want a catch up.

Other sources of support

There is lots of other support available about managing mental health, stress and wellbeing. Here are some that you may find useful:

Wellbeing Resources

Resources to support employees and further information can be found within the Wellbeing section of the [Council's Intranet](#).

Mental Health Awareness for Managers – Virtual

The aim of the course is to understand common mental health problems and how to cope with and deal with these in a positive way in your role as a manager.

Occupational Stress will be covered along with your responsibilities as a manager in dealing with this in terms of both organisational policy and under legislation.

Scottish Mental Health First Aid – Face to Face

This is a two-day course and is designed for everyone. It covers how to recognise someone in a mental health crisis, how to approach and support them and covers basic suicide intervention skills.

Managing Personal Stress – Face to Face

For all employees who are prone to stress and would like to investigate the reasons and potential solutions behind work related stress, contact Learning and Development for a place on a Managing Personal stress workshop.

iLearn health and wellbeing resources

Available to all employees to raise awareness of health and wellbeing in a workplace setting.

Trauma Informed Training – Virtual

Training sessions are available on [TURAS](#), The NHS Learning Management Centre. Contact Learning and Development for further details.

Trade Unions can be contacted for further advice and support.

Glossary

Knowing how to talk about mental health, stress and wellbeing is important for both people experiencing symptoms and those who need to provide support to a team member or colleague during this time.

Having a shared understanding of the terms and terminology that are frequently used in discussions about the mental health is key to ensuring we are all clear on what we mean and helps to reduce any potential confusion or embarrassment.

You aren't expected to be an expert on mental health conditions. Having an awareness of the common terms used when discussing mental health and wellbeing means that conversations are more likely to be supportive and better provide the right guidance and signposting where needed.

The table below provides a short guide to some of the terms and definitions that are used regarding the mental health.

| Term | Definition |
|---|--|
| Mental wellbeing | A positive term that includes life satisfaction and psychological wellbeing e.g. a sense of control, having a purpose in life, a sense of belonging and positive relationships with others. |
| Mental illness or mental health problems | A term that refers to symptoms that meet a clinical diagnosis of mental illness or symptoms at a sub-clinical threshold which interfere with emotional, cognitive, or social function. Examples include common mental health problems such as depression, anxiety or severe and enduring mental health problems such as schizophrenia. |
| Work related stress | The adverse reaction some people may have to perceived excessive pressures or other types of demand placed on them at work (HSE). Stress can contribute to a state of poor mental wellbeing and sustained over a period of time, can lead to mental or physical illness. It should be recognised that stress can be work related or can arise from a person's personal life or a combination of the two. |
| Mental health disability | A mental impairment which has substantial, adverse and long-term effects on a person's ability to carry out normal day-to-day activities. Someone with a mental health-related disability would fall under the scope of the Equality Act (2010) and reasonable adjustments should be supported in line with the relevant section in the Sickness Absence Policy and Procedure. |

Memorandum of Understanding NORA OIC

Making the North Atlantic a better place to live

MEMORANDUM OF UNDERSTANDING

(1) Orkney Islands Council constituted by the Local Government (Scotland) Act 1973 as amended by the Local Government etc. (Scotland) Act 1994 and having its registered office at Council Offices, School Place, Kirkwall, Orkney KW15 1NY (“OIC”)

The Orkney Islands Council (OIC) is committed to improving the lives of the people of Orkney as set out in the [Council Plan 2023-2028 ‘Working Together for Orkney’](#) and through [Orkney’s community planning partnership](#). This includes maintaining high standards of service, improving services and outcomes for the people of Orkney and develop and deliver projects for the benefits of our communities with a focus on growing our economy strengthening our communities and developing our infrastructure. OIC’s core principles include: protecting our environment and combating climate change; equality, fairness and inclusion, in particular for vulnerable and remote communities like the ferry linked isles; sustainable and accessible services for all, community wellbeing and mental health and community wealth building for future generations.

(2) The Nordic Atlantic Cooperation, an intergovernmental organisation under the regional cooperation programme of the Nordic Council of Ministers that brings together Greenland, Iceland, Faroe Islands and coastal Norway with registered company number 379557, having its registered office at Bryggjubakki 12, post box 259, FO-110 Tórshavn, Faroe Islands (“NORA”)

NORA is committed to contributing to the general development of the NORA area – Greenland, Iceland, Faroe Islands, and Coastal Norway; to the diversification of the area’s economies through new and innovative ideas; to the green, competitive, and socially sustainable development of the North Atlantic in priority issues; and work to further collaboration with neighbours of the Nordic Region. The priority issues are set out in [NORAs Strategic Programme](#) and [Action Plan](#).

The Cooperation between

Orkney Islands Council and the Nordic Atlantic Cooperation

This Memorandum of Understanding records the basic understanding and terms upon which the OIC and NORA wish to establish a working relationship, which supports the shared commitments of both organisations. The relationship is based on shared cultural values and histories, similar geographies, trust, understanding, respect, and the shared ambition to make the North Atlantic a better place to live.

The relationship represents a platform for supporting cooperation which addresses mutual challenges and opportunities in the region. Both parties will work together for the promotion of OIC and NORA and their respective communities and regions.

OIC and NORA will maintain their separate corporate and legal identities without any formal conjoining of legal structures.

OIC and NORA will, hereinafter, be referred collectively as “the Parties” and each as a “Party”.

1. The cooperation

- 1.1 The Parties agree to work collaboratively and facilitate the funding of projects that support the shared commitments of both organisations in accordance with the established regulation in NORA’s Charter together with the legislation, governance and policy applicable to OIC. The Parties understand that the terms of any funding to projects identified under this clause will be project specific and subject to further agreements. It is, however, agreed that NORA will fund project partners based in the NORA region and OIC will fund Orkney based project partners.
- 1.2 The Parties agree, where possible and desirable, to cooperate on shared challenges, including strategic initiatives and events to promote opportunities and initiatives designed to benefit the North Atlantic communities and regions together with Orkney, from both local and international perspectives.
- 1.3 The Parties agree to meeting annually to discuss issues of relevance to cooperation projects, strategic initiatives and efforts, and any other business of mutual interest pertaining to the essence of this Memorandum of Understanding. The meeting will be held either in the NORA region or in Orkney. Each party will cover its expenses in connection with the meeting.

2. Terms

- 2.1 This Memorandum of Understanding shall be subject to review on an annual basis from the date of its signing.

3. Costs

- 3.1 Each Party shall bear its own costs and expenses in connection of any formal agreement or other arrangements between them.

4. Termination

- 4.1 This Memorandum of Understanding may be terminated at any time by any Party upon 14 days written notice to the other Parties.

5. Limitation of liability

- 5.1 Under no circumstance shall any Party be liable to any other party or any third party for any damages resulting from any actual or perceived failure to comply with any terms of this Memorandum of Understanding such as, but not limited to, loss of revenue or anticipated profit or lost business, costs of delay or failure of delivery, which are not related to or the direct result of a party’s negligence.

6. Nature of Agreement

- 6.1 The Parties agree that this Memorandum of Understanding is a summary of the terms of the joint working relationship between the parties, and as such, the terms hereof are not intended to create any legally binding rights or obligations on either party.

7. Dispute Resolution

7.1 The Parties to this Memorandum of Understanding agree that if any dispute arises through any aspect of this agreement, including, but not limited to, any matters, disputes, or claims, the Parties shall confer in good faith to promptly resolve any dispute.

8. Entire Agreement

8.1 The Parties acknowledge and agree that this Memorandum of Understanding represents the entire agreement between the Parties. In the event that the Parties desire to change, add, or otherwise modify any terms, they shall do so in writing to be signed by the Parties.

(Place, city) _____

Name (in print), Authorised Signatory
for and on behalf of the Orkney Islands Council

Date

Name (in print), Director of NORA – or Chairman of the Board
for and on behalf of the Nordic Atlantic Cooperation

Date