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East Dunbartonshire Council

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COUNCIL THURSDAY, 28 SEPTEMBER 2023

REFERENCE: EDC/015/23/KMD

LEAD OFFICER: DEPUTE CHIEF EXECUTIVE

CONTACT OFFICER: KAREN DONNELLY, CHIEF SOLICITOR & MONITORING OFFICER / EXECUTIVE OFFICER - LEGAL & REGULATORY SERVICES,

SUBJECT TITLE: REVIEW OF THE EAST DUNBARTONSHIRE COUNCIL ADMINISTRATIVE SCHEME SEPTEMBER 2023

1.0 PURPOSE

1.1 The purpose of this Report is to invite Members to adopt updated versions of the Council's Administrative Scheme Part 2 – Decision Making Bodies Scheme of Delegation, and Part 3 – Scheme of Delegation to Officers.

2.0 RECOMMENDATIONS

It is recommended that the Council

- 2.1** approves the proposed amendments to Part 2 of the Administrative Scheme – Decision Making Bodies Scheme of Delegation, as summarised at section 3.3 of the Report;
- 2.2** approves the proposed amendments to Part 3 of the Administrative Scheme – Scheme of Delegations to Officer, as summarised at section 3.5 of the Report;
- 2.3** adopts Part 2 – Decision Making Bodies Scheme of Delegation, and Part 3 – Scheme of Delegation to Officers of the Administrative Scheme, attached as Appendices 2 and 3 to this Report;
- 2.4** notes that a report will be submitted to a future meeting of Council detailing proposed changes to the Contract Standing Orders, Financial Regulations and Property Standing Orders following implementation of the Council's new financial management system;
- 2.5** agrees that where the Policy & resources Sub-Committee is meeting as an appointment panel, then these meetings should be fully in person, unless there is a compelling reason why this cannot happen; and

2.6 subject to 2.1 – 2.3 above, agrees that the amended Part 2 – Decision Making Bodies Scheme of Delegation, and Part 3 – Scheme of Delegation to Officers of the Administrative Scheme shall come into force with effect from 1st October 2023.

ANN DAVIE
DEPUTE CHIEF EXECUTIVE

3.0 BACKGROUND/MAIN ISSUES

3.1 The Council's Administrative Scheme comprises the following sections: -

- Council Standing Orders
- Reserved Matters/Scheme of Delegation to Committees
- Scheme of Delegation to Officers
- Financial Regulations
- Contract Standing Orders
- Standing Orders for the Disposal or Leasing of Heritable Property.

3.2 Members will recall that at its meeting on 22nd June 2023, Council adopted an updated set of Standing Orders and instructed the Chief Solicitor & Monitoring Officer to submit a further report proposing changes to Parts 2 and 3 of the Administrative Scheme, namely the Decision Making Bodies Scheme of Delegation and the Scheme of Delegation to Officers.

3.3 Appendix 1 to this Reports sets out an updated version of the Administrative Scheme Part 2 – Decision Making Bodies Scheme of Delegation. The changes are mainly housekeeping in nature e.g. to reflect new Service titles and reference to only one Depute Chief Executive, or to ensure that remits reflect current arrangements e.g. in relation to the approval of certain reports etc. In addition, it is proposed that Council approves the following: -

- The Housing Health & Care Forum be renamed the Health & Social Care Forum and its remit be widened to include engagement and collaborative working between the HSCP and all Council Services. It will also continue to provide an opportunity for Members to comment and influence matter of joint interest with the HSCP or matters which might otherwise impact on the Council and its services.

3.4 Members will be aware that the default position for meetings of Council, Planning Board, service committees (Place Neighbourhood & Corporate Assets, Education, Policy & Resources and Audit & Risk), and Scrutiny Panels is hybrid. The default position for remaining boards, sub committees etc is virtual. Both can be amended where Council determines or where there is a statutory requirement for a meeting to take place in person. It is proposed that where the Policy & resources Sub-Committee is meeting as an appointment panel, then these meetings should be fully in person, unless there is a compelling reason why this cannot happen e.g. public health guidance to the contrary. Other meetings of the Policy & Resources Sub-Committee will continue to be virtual.

3.5 Part 3 of the Administrative Scheme deals with Delegations to Officers. These have been updated to reflect recent changes in the management structure and changes to job titles, where appropriate. In addition, they now include powers delegated to the Chief Officer of the Health & Social Care Partnership. This is currently possible due to the fact that the Chief Officer is an employee of the Council. In the event that this changes, it is proposed that the powers default to the Depute Chief Executive until such time as alternative arrangements can be presented to Council.

3.6 Subject to approval by Council, it is proposed that the updated versions of Parts 2 and 3 of the Administrative Scheme, the Decision Making Bodies Scheme of

Delegation and the Scheme of Delegation to Officers take effect from 1st October 2023.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – an up-to-date Administrative Scheme assists the Council to be more flexible and responsive in delivering services and ensures efficient decision making.
- 4.2** Workforce (including any significant resource implications) – None
- 4.3** Legal Implications – failure to have in place proper arrangements for the decision-making and governance of the Council may compromise the Council's ability to make decisions, comply with legislative obligations and may result in significant legal and reputational consequences, including challenges to decisions made and actions taken as a result
- 4.4** Financial Implications – None
- 4.5** Procurement – None
- 4.6** ICT – None
- 4.7** Corporate Assets – None
- 4.8** Equalities Implications – None
- 4.9** Corporate Parenting - None
- 4.10** Other – None

5.0 MANAGEMENT OF RISK

There are no specific risks attached to this Report, however the updating of the Council's Standing Orders and the imbedding of provisions allowing for in-person, virtual and hybrid meetings provide the Council with full flexibility to continue its governance meetings regardless of any future restrictions on movement or gathering

6.0 IMPACT

- 6.1 ECONOMIC GROWTH & RECOVERY** - None
- 6.2 EMPLOYMENT & SKILLS** - None
- 6.3 CHILDREN & YOUNG PEOPLE** - None
- 6.4 SAFER & STRONGER COMMUNITIES** - None

6.5 ADULT HEALTH & WELLBEING - None

6.6 OLDER ADULTS, VULNERABLE PEOPLE & CARERS - None

6.7 CLIMATE CHANGE - None

6.8 STATUTORY DUTY - None

7.0 POLICY CHECKLIST

7.1 This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

8.1 Appendix 1 – East Dunbartonshire Council Administrative Scheme Part 2 - Decision Making Bodies Scheme of Delegation.

8.2 Appendix 2 - East Dunbartonshire Council Administrative Scheme Part 3 - Scheme of Delegation to Officers