

## REVIEW OF STANDING ORDERS & SCHEMES OF DELEGATION

### Purpose of Report

This report asks Members to (1) consider amendments to Standing Orders and (2) note progress in the development of the Scheme of Administration and Delegation to Committees and Scheme of Delegation to Officers and (3) agree to proceed with the appointment of Parent Council representatives on Education Committee.

Members are asked to:

- 2.1 agree to amend Standing Order 10.3 (Voting) to provide that the only voting by ballot shall be for votes in relation to the appointment of Officers or disciplinary and grievance issues;
- 2.2 agree to amend Standing Order 8 (Quorum) to provide that the quorum for Common Good Fund Sub-Committees shall be based on voting members only;
- 2.3 agree to amend the Scheme of Administration and Delegation to Committees at 4.12 (Substitution) to provide that substitution does not apply to Common Good Fund Sub-Committees;
- 2.4 agree to amend the Scheme of Administration and Delegation to Committees at 4.2 (Composition of Education Committee) to provide for the appointment of two Parent Council representatives (one from the Primary Sector and one from the Secondary Sector) and that method of appointment of these two representatives be via nominations from the Dumfries and Galloway Regional Parent/Carer Council Forum;
- 2.5 note progress in the development of the Scheme of Administration and Delegation to Committees as detailed at paragraph 3.4;
- 2.6 note progress in the development of the Scheme of Delegation to Officers as detailed at paragraph 3.5;
- 2.7 note the consultation proposed with Area Committees in order to receive their views on community input and that this would be reported to a future meeting of the Sub-Committee as detailed at paragraph 3.6; and
- 2.8 agree that the Ad Hoc Sub-Committee be a Standing Sub-Committee of the Council, noting that its delegation would continue to be to review Standing Orders and Schemes and make recommendations to Full Council as detailed at paragraph 3.7.

### 3. Considerations

#### Amendments to Standing Orders/Scheme

3.3 The Ad Hoc Sub-Committee Review of Schemes, at its meeting on 4 September 2015, agreed to recommend the following amendments to Standing Orders:

### 3.3.1 Standing Order 10.3 – Voting

A recent training event advocated that best practice was now that there should be no voting by ballot. SO10.3 provides that all votes on the appointment of Members to office or Committee; appointment of Officers or in relation to disciplinary and grievance issues shall be by ballot. In the interests of openness and transparency, it is recommended that voting on the appointment of Members to office, Committee or outside bodies be by roll call; voting on appointment of Officers or disciplinary and grievance issues be by ballot.

### 3.3.2 Standing Order 8 – Quorum

Membership of Common Good Fund Sub-Committees includes non-elected Members who, in terms of the legislation, are able to participate in the debate at the meetings but not entitled to vote on any matters. In terms of determining the quorum for meetings of Common Good Fund Sub-Committees it is based on voting members only and this should be explicitly stated to avoid any dubiety.

### 3.3.3 Scheme of Administration & Delegation to Committees - 4.12 – Substitution

Standing Orders allow for substitution on Sub-Committees subject to a number of rules. Membership of Common Good Sub-Committees consists of the relevant ward Members for that area having due regard to the needs of the inhabitants. It therefore follows that substitution from the Area Committee is not appropriate or keeping with the spirit of the remit of Common Good Sub-Committees. It should be explicitly stated that there is no substitution on Common Good Fund Sub-Committees.

### 3.3.4 Scheme of Administration and Delegation to Committee – 4.2 (Composition of Education Committee)

The Scheme of Administration and Delegation to Committees at 4.2 (Composition of Education Committee) be amended to provide for the appointment of two Parent Council representatives (one from the Primary Sector and one from the Secondary Sector) and that method of appointment of these two representatives be via nominations from the Dumfries and Galloway Regional Parent/Carer Council Forum.

### Scheme of Administration and Delegation to Committees (The Scheme)

3.4 As part of the governance arrangements for the revised organisational structure, it was agreed to review the current Service Committee structure and delegations. It was remitted to the Ad Hoc Sub-Committee Review of Schemes to consider and report to Full Council with recommendations. At the meeting on 4 September 2015, the Ad Hoc Sub Committee agreed that it would consider the following points initially in the future development of the Scheme and agreed to receive further information at the next meeting.

3.4.1 That the starting point for Service Committee structure and delegations should broadly reflect the organisation of services agreed under the Shape of the Council, ie four Committees and an Integration Joint Board, with consideration being given to setting up ancillary Committees /Sub-Committees as required as well as a pro-active approach to agenda management.

3.4.2 That the Policy and Resources Committee continues, although consideration would be given to the need for a separate Corporate Services Committee to oversee the Corporate Services Directorate within the Scheme.

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3.4.3 That the Housing Sub-Committee continues until the Communities' remit and delegations were agreed.

3.4.4 That the Welfare Reform Sub-Committee continues until the Communities' remit and delegations were agreed.

3.4.5 That the Police, Fire and Rescue Sub Committee be retained to allow for a local scrutiny role of Police Scotland and Fire and Rescue Scotland.

3.4.6 It was acknowledged that there was the need for a separate Committee/Board for monitoring of the Enterprising Arm of the Council, although it was not clear at this stage what form this might take as part of any revised Committee structure.

3.4.7 That the future role of Area Committees in terms of local community participation, development of participative budgeting or scrutiny of local plans be considered as part of the revised Committee structure.

3.4.8 That Social Work Services delegations and local scrutiny arrangements would be considered as part of the formation of the Integration Joint Board, and would be the subject of a report to a future meeting of this Committee.

#### Scheme of Delegations and Responsibilities to Officers

3.5 At its meeting on 4 September 2015, the Ad Hoc Sub-Committee was asked to provide guidance to Officers to develop options for a revised Scheme. The Sub-Committee reviewed a draft Scheme and noted the opportunity for further refinement and development by newly appointed Heads of Service and the appointed Head of Legal and Democratic Services, subject to Members' consideration and review on at least an annual basis. A final scheme will be presented to the Ad Hoc Sub Committee for review and recommendation to Full Council in December 2015.

#### Community Input at Area Committees

3.6 The Ad Hoc Sub-Committee on 4 September 2015 considered options on community input at Area Committee meetings, noting the proposals that had been considered by the Wigtown Area Committee. The Sub-Committee agreed to consult with Area Committees (Annandale & Eskdale, Stewartry and Nithsdale) and to receive a report on the outcomes of this consultation at a future meeting.

3.7 Given the ongoing work that was being undertaken by the Ad Hoc Sub-Committee in reviewing Standing Orders and Schemes of Delegation, it was agreed to recommend to Full Council that it be a Standing Sub-Committee. Its delegations would continue to be to make recommendations, however, as the making and amendment of Standing Orders is a matter for Full Council decision.

### **4. Governance Assurance**

The Corporate Management Team was consulted and is in agreement with the recommendations.

### **5. Impact Assessment**

As this report does not propose a change in policy/strategy/plan/project, it is not necessary to complete an Impact Assessment.

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**Approved by**

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**Appendices – None****Background Papers**

Standing Orders and Schemes at <http://www.dumgal.gov.uk/index.aspx?articleid=4688>

Reports to Ad Hoc Sub-Committee Review of Schemes at

<http://egenda.dumgal.gov.uk/aksdumgal/users/public/admin/kab71.pl?cmte=ROS>

Report to and minutes of full Council on 26 March 2015 at

<http://egenda.dumgal.gov.uk/aksdumgal/users/public/admin/kab14.pl?operation=SUBMIT&meet=132&cmte=COU&grpId=public&arc=71>