
SESPLAN: GOVERNANCE RATIFICATION

Report by Service Director Regulatory Services

SCOTTISH BORDERS COUNCIL

27 September 2018

1 PURPOSE AND SUMMARY

- 1.1 This report seeks ratification of proposed changes to the SESplan governance arrangements.**
- 1.2 The revised SESplan governance arrangements which are proposed follow an internal audit by Fife Council in March 2018 of the existing Governance arrangements. The audit made five recommendations three of which require amendments to the SESplan Constitution and Financial Rules. These relate to the organisation's complaints procedure, the timing of budget approvals by the Joint Committee and Member Authorities and the procedure for submitting financial monitoring reports.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Council:-**
 - (a) Agrees to ratify the revised SESplan Governance arrangements set out in Appendix 1 to this report.**

3 BACKGROUND

- 3.1 The governance of SESplan is set out in its Constitution, Scheme of Delegation and Financial Rules. This framework was first established by the SESPlan Joint Committee in August 2008 and has been amended on two occasions first in December 2011 and subsequently in December 2015
- 3.2 A further governance review was undertaken as part of an audit by Fife Council in March 2018. The audit recommended the following actions to address gaps in the existing governance arrangements where procedures were not clearly set out.
- Action 1 – SESplan should formally consider amending its Constitution and related procedures to advise complainants that if not satisfied with SESplan’s initial response referral to the Ombudsman is available.
 - Action 2 – SESplan should formally consider amending its constitution for the Joint Committee to approve the Budget by December for Member Authorities to ratify in the New Year.
 - Action 3 – SESplan should formally consider amending its financial rules for it to be the SDP Manager, in consultation with the Treasurer, to submit appropriate financial monitoring reports to the SESplan Joint Committee.
- 3.3 The Joint Committee agreed these recommendations at its meeting on 25 June 2018. Any decision by the Joint Committee to amend the Constitution, Scheme of Delegation or Financial Rules also requires to be ratified by the six Member authorities.
- 3.4 The amendments are considered to be of a minor operational nature and do not give rise to any concerns for member authorities. It is considered that these can be supported

4 IMPLICATIONS

4.1 Financial

The recommendations will provide greater clarity and transparency in the management of SESplan’s financial affairs.

4.2 Risk and Mitigations

The recommendations should further reduce the risk of challenge to decisions taken by SESplan.

4.3 Equalities

There are no direct adverse equality implications arising from this report.

4.4 Acting Sustainably

There are no direct economic, social or environmental effects arising from this report.

4.5 Carbon Management

There are no effects on carbon emissions arising from this report.

4.6 **Rural Proofing**

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes required to the Council's Scheme of Administration or Scheme of Delegation as a result of this report.

5 CONSULTATION

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and their comments incorporated into this report.

Approved by

Brian Frater
Service Director Regulatory Services

Signature

Author(s)

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Background Papers: None

Previous Minute Reference: None

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