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# CORPORATE MANAGEMENT TEAM STRUCTURE REVIEW – CHANGES TO SCHEME OF DELEGATION, SCHEME OF ADMINISTRATION AND STANDING ORDERS

Report by Chief Executive

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## SCOTTISH BORDERS COUNCIL

23 September 2021

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### 1 PURPOSE AND SUMMARY

- 1.1 **This report requests approval for changes to the Scheme of Delegation to reflect the new job titles and changes to line management with the recent restructure of the Council’s Corporate Management Team, as well as some subsequent minor changes to the Scheme of Administration and Standing Orders.**
- 1.2 Over the last few months it has been necessary to review the Council’s Corporate Management Team (CMT), to ensure we have a flexible and dynamic approach that allows us to better reflect priorities, and to ensure that we have the right capacity, experience, and skills in the right place. As well as responding to the departure of one member of CMT staff, the changes to CMT will assist in defining the commissioning arrangements around social work and social care, including the relationship and processes between the Council, the IJB and the Health & Social Care Partnership. With the pandemic and speed of digital change, it also means we need to reflect on what is needed to be delivered in the Transformation programme now, versus our previous thinking pre-pandemic.
- 1.3 These changes to CMT require amendments to be made to the Council’s Code of Governance documents. The Scheme of Delegation, attached as the Appendix to this report, contains the changes stemming from the amendments to Directors’ job titles and subsequent changes in responsibilities. No new delegated powers have been added to the Scheme. The changes are colour coded as follows:
  - Red, scored through – job titles deleted
  - Blue, scored through – moved from that Director to elsewhere in the Scheme
  - Blue – new responsibility for a Director
  - Black – no change
- 1.4 As a consequence of the changes to Directors’ job titles and responsibilities, a number of minor changes are required to the Scheme of Administration and to Standing Orders. These are detailed in Section 5 of the report. Section 6 of the report gives Members an update on the future working of

committees, including the technology to be used, the livestreaming and recording of Council committees. A further report will be brought to Council on this in due course.

## **2 RECOMMENDATIONS**

### **3.1 I recommend that the Council agrees to:-**

- (a) note the changes to job titles and responsibilities of the Corporate Management Team;**
- (b) approve the changes to the job titles and responsibilities of the Corporate Management Team in the Scheme of Delegation, as detailed in the Appendix to this report;**
- (c) approve changes to the Scheme of Administration, deleting all references to the 'Service Director – Young People, Inclusion and Engagement', and replacing that title with 'Director – Education & Lifelong Learning'; and for Appointment Committees, to delete the word 'Service' so the functions referred are "The recruitment of staff to posts at Director and above."; and**
- (d) approve a change to Standing Order No. 49(c), deleting the reference to the 'Executive Director (Finance & Regulatory)' and replacing that title with 'Director – Finance & Corporate Governance'.**

### **3 BACKGROUND**

- 3.1 Over the last few months it has been necessary to review the Council's Corporate Management Team (CMT), to ensure we have a flexible and dynamic approach that allows us to better reflect priorities, and to ensure that we have the right capacity, experience, and skills in the right place. Changing Directors' responsibilities will not be unusual as we move forward and this will allow CMT to be agile and responsive across the organisation.
- 3.2 In particular, the changes to CMT will assist in defining the working and commissioning arrangements around social work and social care, including the relationship and processes between the Council, the IJB and the Health & Social Care Partnership. The Transformation programme contains many complex work streams. With the pandemic and speed of digital change, it also means we need to reflect on what is needed to be delivered now, versus our previous thinking pre-pandemic. Moving around responsibilities within CMT will ensure we have capacity in the right areas, and a greater focus on communications will allow us to enhance our relationship as an organisation with our communities – something that has never been more important than now. The change in structure of CMT will allow us to deliver the outcomes our communities need as they too change and develop. By engaging and working with our partners and communities, together we will face the current and future challenges our citizens experience.
- 3.3 The Council's Corporate Management Team thus comprises:
- Chief Executive - Netta Meadows
  - Director - Finance & Corporate Governance: David Robertson
  - Director - People, Performance & Change: Clair Hepburn
  - Director - Strategic Commissioning & Partnerships: Jen Holland
  - Director – Social Work & Practice: Stuart Easingwood
  - Director – Infrastructure & Environment: John Curry
  - Director – Education & Lifelong Learning: Lesley Munro
  - Director – Resilient Communities: Jenni Craig
  - Director of Public Health (Joint post with NHS Borders): Tim Patterson
  - Chief Officer - Health and Social Care Partnership (Joint post with NHS Borders): Rob McCulloch-Graham
- 3.4 These changes to CMT now need to be reflected in the Council's Code of Governance documents, with changes mainly to the Scheme of Delegation as well as some minor changes to the Scheme of Administration and Standing Orders.

### **4 SCHEME OF DELEGATION**

- 4.1 The current Scheme of Delegation was approved by Council on 29 March 2018, with a number of amendments since then, the latest being on 5 June 2020. The Scheme contains details of those functions, both statutory and non-statutory, which Council has chosen to delegate to Officers. The Scheme is read and used alongside the Council's Standing Orders, Financial Regulations, and the Scheme of Administration, which together make up the wider framework of governance within the Borders, and collectively encapsulate and define the 'Scottish Borders Code of Governance.'

- 4.2 The Scheme of Delegation, attached as the Appendix to this report, contains the changes stemming from the amendments to Directors' job titles and subsequent changes in responsibilities. No new delegated powers have been added to the Scheme. The changes are colour coded as follows:
- Red, scored through – job titles deleted
  - Blue, scored through – moved from that Director to elsewhere in the Scheme
  - Blue – new responsibility for a Director
  - Black – no change

## **5 SCHEME OF ADMINISTRATION AND STANDING ORDERS – MINOR CHANGES**

- 5.1 As a consequence of the changes to Directors' job titles and responsibilities, a number of minor changes are required to the Scheme of Administration and to Standing Orders. With regard to the Scheme of Administration, the following changes are required:
1. Section XII: Appointment Committee – removal of the word "Service" so the function referred now reads "The recruitment of staff to posts at Director and above."
  2. Section XII: Education Appeals Committee – in Administrative Arrangements section, replace reference to 'Service Director Young People, Engagement & Inclusion' with 'Director – Education & Lifelong Learning'.
  3. Appendix 2: Regulations – Teachers – replace all references to 'Service Director Young People, Engagement & Inclusion' with 'Director – Education & Lifelong Learning'.
- 5.2 With regard to Standing Orders, reference to 'Executive Director – Finance & Regulatory' should now be replaced with 'Director – Finance & Corporate Governance'.

## **6 FUTURE WORKING OF COMMITTEES**

- 6.1 From Spring 2020, due to the pandemic, all formal Council committee meetings have been taking place on-line through Microsoft Teams, with public meetings livestreamed. There is still guidance around working from home where possible and restrictions on public events. No physical meetings will be held until we can be sure it is safe and sustainable in line with advice from Public Health/Scottish Government.
- 6.2 Members will be aware that work is planned to change the IT kit in the Council Chamber and committee rooms to allow a "blended" approach to meetings in future, with some Members physically in the room and others coming in online. Once this technology is in place it is being proposed that most meetings will remain either as online meetings or as blended meetings, with the number of physical meetings minimised. These meetings will continue to be livestreamed and also recorded so they will be made available out-with the meeting time for 60 days. This will allow the Council's carbon footprint to be reduced, with less travel, and also make Council meetings more open, transparent and accessible to the public/press to view at times more convenient to them. There are currently supply

issues with some of the components required to make these changes possible but it is hoped that can be resolved in the near future.

- 6.3 Changes will be needed to Standing Orders to take account of blended meetings i.e. to cover quorum, issues with technology, numbers in the physical room and those logging in from elsewhere, etc. and a further report will be brought to Council on this in due course.

## **7 IMPLICATIONS**

### **7.1 Financial**

There are no financial implications arising from the changes to the Scheme of Delegation.

### **7.2 Risk and Mitigations**

If changes are not made to the Scheme of Delegation, Scheme of Administration and Standing Orders then job titles and responsibilities of Directors will be unclear and this could lead to confusion.

### **7.3 Integrated Impact Assessment**

None of the changes being proposed to the Scheme of Delegation, Scheme of Administration or Standing Orders will lead to unlawful discrimination, harassment and victimisation; prevent equality of opportunity between people who share a characteristic (age, disability, gender re-assignment, trans/transgender identity, marriage or civil partnership, pregnancy and maternity, race groups, religion or belief, sex-gender identity, and sexual orientation) and those who do not; and negate good relations between people who share a characteristic and those who do not. An Integrated Impact Assessment has not been completed.

### **7.4 Sustainable Development Goals**

The recommendations in this report will have no direct impact or make a specific difference to the UN Sustainable Development Goals.

### **7.5 Climate Change**

The recommendations in this report will have no direct impact on mitigating or enhancing activity in terms of climate change.

### **7.6 Rural Proofing**

The recommendations in this report will have no impact on rural proofing.

### **7.7 Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

### **7.8 Changes to Scheme of Administration or Scheme of Delegation**

The changes required to the Scheme of Administration and the Scheme of Delegation are contained in the recommendations in this report.

## **8 CONSULTATION**

- 8.1 The Director (Finance & Corporate Governance), Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), and Corporate Communications have been

consulted and any comments received have been incorporated into the final report.

**Approved by**

**Netta Meadows**

**Chief Executive**

**Author(s)**

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**Background Papers:** Nil

**Previous Minute Reference:** Scottish Borders Council, 17 June 2021

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

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