
INTERIM SCHEME OF ADMINISTRATION

Report by Director Finance & Corporate Governance

SCOTTISH BORDERS COUNCIL

26 May 2022

1 PURPOSE AND SUMMARY

- 1.1 This report proposes amendments to the current Scheme of Administration to take account of the new Portfolio holders and the consequential impact on committee memberships and advises that a further report will be brought forward in due course with additional changes to the Scheme.**
- 1.2 The new Administration of Scottish Borders Council has put forward changes to its Portfolio holders and as a consequence, an amended Scheme of Administration requires to be approved. As Councillors will wish to review the committee structure, other changes to the Scheme will also be brought forward following further discussion.
- 1.3 An Interim Scheme of Administration is attached as an Appendix to this report, which highlights in red the changes to the existing Scheme. Details of the specific changes are contained in Section 4 of this report.

2 RECOMMENDATIONS

- 2.1 I recommend that Scottish Borders Council agrees to approve the Interim Scheme of Administration, attached in the Appendix to this report, which has changes highlighted in red and that further changes to the Scheme will be brought forward in due course.**

3 BACKGROUND

- 3.1 The new Administration of Scottish Borders Council has put forward changes to its Portfolio holders and as a consequence, an amended Scheme of Administration requires to be approved. As Councillors will wish to review the committee structure, other changes to the Scheme will also be brought forward following further discussion.

4 INTERIM SCHEME OF ADMINISTRATION

- 4.1 An Interim Scheme of Administration is attached as an Appendix to this report, which highlights in red the changes to the existing Scheme. These changes are detailed in the following paragraphs:

(a) Major Contracts Governance Group

The Portfolio holder for Service Delivery & Transformation replaces the Executive Member for Finance & Budget Oversight as member and Chair of the Group.

(b) Executive Committee

The membership of the Executive Committee is increased from 12 to 13 to include the Leader and amended to take account of the following new Portfolio holders:

- Community and Culture
- Estate Management and Planning
- Social Work and Community Enhancement
- Health and Wellbeing
- Community and Business Development
- Service Delivery and Transformation
- Roads Development and Maintenance
- Developing our Children and Young People
- Education and Lifelong Learning
- Environment and Transport
- Communities and Equalities
- Community Engagement

At that part of the Executive Committee meeting which is considering Education Authority business as a main theme, the Committee will be chaired by the Portfolio holder for Education and Lifelong Learning.

At that part of the Executive Committee meeting which is considering Economic Development business as a main theme, the Committee will be chaired by the Portfolio holder for Community and Business Development.

(c) Education Performance Sub-Committee

The Portfolio holder for Education & Lifelong Learning replaces the Executive Member for Children & Young People as member and Chair of the Sub-Committee.

(d) Planning and Building Standards Committee

The Portfolio holder for Estate Management & Planning replaces the Executive Member for Enhancing the Built Environment & Natural Heritage as member and Chair of the Committee.

- (e) Local Review Body
The Portfolio holder for Estate Management & Planning replaces the Executive Member for Enhancing the Built Environment & Natural Heritage as Chair of the Review Body.
- (f) Sustainable Development Committee
The Portfolio holder for Environment & Transport shall be a member and Chair of the Committee.
- (g) Joint Consultative Group for Staff
The Portfolio holder for Service Delivery & Transformation (responsible for HR) replaces the Convener as a member and Chair of the Group.
- (h) Joint Consultative Group for Teachers
The Portfolio holder for Education & Lifelong Learning replaces the Executive Member for Children & Young People as a member and Chair of the Group.
- (i) Employee Council
The Portfolio holder for Service Delivery & Transformation replaces the Convener as member and Chair of the Group.
- (j) Appointment Committee
The Portfolio holder for Service Delivery & Transformation replaces the Convener as member and Chair of the Committee.
- (k) Staffing Appeals Committee
The Portfolio holder for Service Delivery & Transformation replaces the Convener as Chair of the Staffing Appeals Panel
- (l) Education Appeals Committee
The Portfolio holder for Education & Lifelong Learning replaces the Executive Member for Children & Young People as a Vice-Chair of the Group.
- (m) Asset Transfer Appeals Committee
The Portfolio holder for Communities & Equalities replaces the Executive Member for Community Development & Localities as Chair of the Panel or in their absence, the Portfolio holder for Estate Management & Planning.
- (n) Police, Fire & Rescue, and Safer Communities Board
The Portfolio holder for Community & Culture replaces the Executive Member for Public Protection on the Board.
- (o) Scottish Borders Health and Social Care Integration Joint Board
The three members of the Executive to be appointed to the Board to include the Portfolio holder for Health & Wellbeing.

4.2 Councillors will wish to review the current committee structure and a report with further changes will be brought forward in due course. The opportunity will also be taken to tidy up the wording within the Interim Scheme of Administration to remove references to Chairman and he, as appropriate.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

There is a reputational risk to the Council if it does not review of its decision making structure. It is through committees that the decisions of Scottish Borders Council are made. These decisions affect the lives of every person in the Scottish Borders and it is therefore critical that the infrastructure around that decision making process is as effective as possible to ensure that the most informed and the best possible decisions are made.

5.3 Integrated Impact Assessment

No Integrated Impact Assessment has been carried out on the Interim Scheme of Administration although it is anticipated that there are no adverse equality issues.

5.4 Sustainable Development Goals

The changes to the Scheme of Administration will not have any direct impact on the UN Sustainable Development Goals.

5.5 Climate Change

The changes to the Scheme of Administration will not have any direct impact on climate change.

5.6 Rural Proofing

There is no specific impact on the rural area from the proposals contained in this report.

5.7 Data Protection Impact Statement

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

5.8 Changes to Scheme of Administration or Scheme of Delegation

Changes are needed to the Scheme of Administration and these are detailed in the report.

6 CONSULTATION

- 6.1 *The Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), and Corporate Communications are being consulted and any material comments received will be reported at the meeting.*

Approved by

Name **David Robertson**
Title **Director Finance & Corporate Governance**

Author(s)

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Background Papers: Nil

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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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