

REPORT TO: TAYSIDE VALUATION JOINT BOARD – 26 AUGUST 2019

REPORT ON: SCHEME OF DELEGATION

REPORT BY: ASSESSOR

REPORT NO: TVJB 17-2019

1 PURPOSE OF REPORT

1.1 To present to the Joint Board a draft Scheme of Delegation which is attached as an Appendix to this report.

2 RECOMMENDATIONS

2.1 The Joint Board is asked to approve the draft Scheme of Delegation.

3 FINANCIAL IMPLICATIONS

3.1 None.

4 POLICY IMPLICATIONS

4.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

5 BACKGROUND

5.1 Internal Audit Report No 2018/04 noted that the Joint Board's Scheme of Delegation has not been updated since 1996 and recommended that this should be reviewed. The Annual Governance Statement approved by the Board on 24 June 2019 identifies that a review of the Scheme of Delegation should be undertaken by 30 September 2019.

5.2 Following a review of the Scheme of Delegation the Assessor, together with the Clerk and the Treasurer, have prepared a draft Scheme of Delegation and this is attached as an Appendix to this report.

6 CONSULTATIONS

6.1 The Clerk and Treasurer to the Board have been consulted on this report.

7 BACKGROUND PAPERS

7.1 None.

ALASTAIR KIRKWOOD
Assessor

August 2019

TAYSIDE VALUATION JOINT BOARD

DELEGATION OF POWERS TO OFFICERS

August 2019

INTRODUCTION

The powers/functions detailed within this document are those delegated by Tayside Valuation Joint Board to its Officers.

1 POWERS DELEGATED TO THE TREASURER

The Treasurer is authorised:-

- 1 To make arrangements for the collection, payment and recovery of all income due to the Board.
- 2 To make arrangements to sign or to authorise the signature of cheques and other instruments of payment on behalf of the Board in respect of authorised expenditure.
- 3 To make the necessary arrangements in accordance with the CIPFA Code of Practice for Treasury Management in Local Authorities for duly authorised borrowing and lending in terms of Schedule 3 to the Local Government (Scotland) Act 1975.
- 4 Without prejudice to section 69 of the Act, to act for the purposes of section 95 of the Local Government (Scotland) Act 1973 as the proper officer responsible for the financial affairs of the Board in accordance with the arrangements made or to be made by the Board for the proper administration of such affairs.

2 POWERS DELEGATED TO THE CLERK

The Clerk is authorised:-

- 1 To act as the Proper Officer in relation to all matters relating to the Board except for financial matters.
- 2 To raise or defend, or in emergency, settle legal actions of all descriptions for the promotion or protection of the Board's interests.
- 3 To execute, publish or serve on any person or body, any notice, direction, order, licence, summons, writ or other document which the Board is required or authorised to execute, publish or serve under the Act or any other Act or any regulation or order thereunder, unless otherwise specified by the Board.

3 POWERS DELEGATED TO THE ASSESSOR

The Assessor has a statutory responsibility for carrying out the professional functions associated with the maintenance of the Valuation Roll and Council Tax List in the areas of Angus Council, Dundee City Council and Perth and Kinross Council. In addition, Angus Council and Perth and Kinross Council have also appointed the Assessor to be the Electoral Registration Officer (ERO) for those areas. Thus with regard to the Valuation Roll, Council Tax List and Electoral Register, the powers of the Assessor and ERO come directly from statute and from Angus Council and Perth and Kinross Council and are not delegated by the Board.

The following functions are delegated to the Assessor and Electoral Registration Officer and any officers acting in that capacity from time to time. In exercising any delegated function, the officer will take account of any appropriate Board practice or procedure, of any managerial instruction given and of any other similar consideration.

The Assessor is authorised:-

- 1 To expend the approved budget.
- 2 To manage within the policies agreed by the Board.
- 3 To act on urgent matters which may arise between meetings in connection with the Convener, or in the absence of the Convener, the Vice Convenor and, in the absence of both, spokesperson and the Clerk to the Board and to report thereon for information and record purposes to the next meeting of the Board.
- 4 To apply regulations relative to the Board's facilities to ensure safety for staff and members of the public, including the authority to close or restrict the use of facilities as required.
- 5 To instruct the immediate implementation of any Circular from any officially recognised body which allows no discretion to the Board. The terms of such Circulars shall be reported to the Board for information.
- 6 To make appointments to all posts below Assessor level, so long as such posts are within the approved establishment.
- 7 To determine requests for re-grading from members of staff with the support of Dundee City Council under the Board's Support Agreement.
- 8 To approve the appointment of temporary staff as necessary where budgetary provision exists.
- 9 To sanction the payment of overtime where budgetary provision exists.
- 10 To review and amend salary and/or grade placing in appropriate circumstances, in accordance with job evaluation or re-evaluation and the Board's pay model.

- 11 To approve initial grade placing within approved salary scales.
- 12 To approve changes in post designations and job descriptions.
- 13 To conduct Grievance and Disciplinary and other proceedings in respect of employees within the terms of the Board's approved procedures and to take decisions in respect of those.
- 14 To take decisions on personnel matters in line with agreed policies.
- 15 To sign and issue the necessary authorisation to officers of the Board to exercise statutory powers (including, where appropriate, the right to enter land and premises in connection with the discharge of their duties).
- 16 To pay valid claims for damage to, or loss of, personal property of employees occurring during the course of their employment, up to an amount of £2,000 per claim for any one incident; and to pay claims in excess of £2,000 after consultation with the Clerk and the Treasurer to the Board.
- 17 To approve the provision of reasonable hospitality to representatives of other authorities, organisations, officers of the Board or others.
- 18 To make visits within the UK and to authorise officers to make visits within the UK as representatives of the Board, subject always to details of the expenses incurred in terms of this delegation being made available, where requested, by the Clerk or Treasurer to the Board.
- 19 To approve attendance at meetings, training courses and conferences within the UK of officers in cases where he or she considers it to be in the interest of the Board.
- 20 To absent himself or herself or permit any member of his or her staff to absent himself or herself occasionally and temporarily during business hours to attend to duties or services of a civic, honorary, charitable or social nature provided that these do not interfere with the efficient discharge of his duties to the Board.
- 21 To purchase goods, supplies and services in accordance with the Financial Regulations and Tender Procedures and to sign contracts relating to these.
- 22 To set charges, rents and fees to ensure budgetary provisions are met.
- 23 In consultation with the Clerk and the Treasurer to the Board to terminate on behalf of the Board any contract which the Board is entitled to terminate under the appropriate conditions of contract where he or she is satisfied that it is in the interest of the Board to do so.
- 24 In consultation with the Clerk and the Treasurer to the Board to deal with, and in appropriate circumstances, to approve applications from employees for reimbursement of reasonable legal expenses, in part or in whole, incurred in defending actions raised against them personally, providing that they were acting (i) within the course of their employment; (ii) in accordance with Board procedures; and (iii) in good faith.
- 25 In consultation with the Clerk and the Treasurer to the Board to appoint consultants and other specialists on such terms and conditions as he or she might consider to be appropriate.

- 26 To engage private legal firms for Court and other legal work if and when he or she may consider this to be necessary.
- 27 To engage Counsel for Court of Session and other business as and when he or she may consider it necessary.
- 28 To instruct repairs to the Boards property and to accept tenders or estimates within budget limits or administer through agreement with Dundee City Council.
- 29 To approve childcare voucher, assisted computer purchase and similar staff benefit schemes and administer through agreement with Dundee City Council.