

SCHEME OF DELEGATION AND PROCEDURAL RULES
WDA/23/15

Recommendation

That:

1. the Scheme of Delegation be adopted for the 2015/16 Municipal Year;
and
2. the amended Information Procedural Rules and the Protocol on Reporting at Meetings attached to the report be approved.

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Report of the Chief Executive

1. Purpose of the Report

- 1.1 To seek Members' approval to revisions to the Constitution and the adoption of the Scheme of Delegation for the 2015/16 Municipal Year.

2. Background

- 2.1 The Constitution comprises a Scheme of Delegation and a comprehensive set of Procedural Rules which define the Authority's governance arrangements.
- 2.2 Rule 3.2(vi) of the Procedural Rules requires the Authority to agree its Scheme of Delegation at its Annual Meeting each year.
- 2.3 The Authority's Constitution is regularly reviewed and updated as necessary. Any proposed changes to the Scheme of Delegation or procedural rules are subject to Members' approval.

3. Review of Constitution

- 3.1 The Authority's Constitution includes the following key documents:
- Scheme of Delegation
 - Authority Procedural Rules
 - Financial Procedural Rules
 - Contract Procedural Rules
 - Information Procedural Rules
- 3.2 These documents are reviewed annually to ensure that the Authority's governance arrangements remain fit for purpose. The findings of this year's review are presented in this report.

4. Scheme of Delegation

4.1 The Authority defines three levels of decisions as follows:

- **Key Decisions** are decisions having significant financial or community implications as defined in the Authority's Procedural Rules, or if the Chief Executive is of the view that a decision should be a Key Decision. Key Decisions cannot be delegated except under urgent action as identified in Procedural Rule 23.
- **Executive Decisions** and **Administrative Decisions** are decisions which can be delegated to officers subject to the limitations defined in the Scheme of Delegation.

4.2 The existing Scheme of Delegation has been reviewed and no amendments have been identified. Members are therefore asked to adopt the Scheme of Delegation attached at Appendix 1 in accordance with Rule 3.2 (vi) in the Authority's Procedural Rules.

5. Procedural Rules

5.1 The set of procedural rules listed in para 3.1 have been reviewed and amendments to the Information Procedural Rules are proposed. All other documents will remain in place without amendment.

5.2 The Information Procedural Rules describe how information in relation to Authority meetings will be provided and what members of the public can expect. A review of these procedural rules has been undertaken in light of the Openness of Local Government Bodies Regulations 2014 which entitles members of the public to report on local authority meetings to which the public have access.

5.3 To support this, a protocol has been drafted which sets the basic principles for reporting and is primarily concerned with reporting that involves filming, photographing, and/or audio-recording of meetings.

5.4 Reporting is not permitted where the public have been excluded from a particular meeting, or part of a meeting as permitted by law (for example to protect confidential information) and other restrictions apply to protect those individuals who do not wish to be recorded.

5.5 The Information Procedural Rules have therefore been amended to include a reference to the protocol and a revised draft is attached at

Appendix 2. The proposed Protocol on Reporting at Meetings is attached at Appendix 3.

6. **Risk Implications**

6.1 The following risk analysis had been undertaken in relation to this report:

Identified Risk	Likelihood Rating	Consequence Rating	Risk Value	Mitigation
Delegation of decisions not proportionate to levels of responsibility.	1	5	5	Scheme defines scope and limitations for taking delegated decisions.
Members and officers not aware of levels of delegation.	2	4	8	Adoption and review of scheme each year. Constitution included in training and induction programmes.
Updated rules not disseminated.	2	3	6	The revised Constitution will be published on the Authority's website.

7. **HR Implications**

7.1 There are no HR implications associated with this report

8. **Environmental Implications**

8.1 There are no environmental implications associated with this report.

9. **Financial Implications**

9.1 There are no financial implications associated with this report.

10. **Conclusion**

10.1 The Authority's Constitution has been reviewed and the amended Information Procedural Rules and supporting Protocol on Reporting at Meetings are presented to Members for their approval.

10.2 Members are further asked to adopt the Authority's Scheme of Delegation for the 2015/16 Municipal Year.

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The background documents to this report are open to inspection in accordance with Section 100D of The Local Government Act 1972 - Nil.