

AGENDA ITEM 6

VALUATION JOINT BOARD FOR CENTRAL SCOTLAND

Subject: Capability Policy
Meeting: Central Scotland Valuation Joint Board
Date: 10th September, 2010
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1.0 Introduction

As Clackmannanshire Council provides Human Resources/Personnel services to the Valuation Joint Board, the Board generally adopts the Human Resources policies of Clackmannanshire Council. However, in practice these policies have to be interpreted in terms of the management and governance structure of the Assessor's Office and the Joint Board.

It is intended over the next year to review all such policies where such interpretation may lead to confusion; so that a specific Valuation Joint Board wording is established.

2.0 Capability Policy

The Capability Policy of Clackmannanshire Council has now been rewritten as a Board specific policy to take account of the Board's governance structure and in particular the legal requirements for dealing with an Assessor or with Deputy Assessors appointed by the Board under Section 27(2) of the Local Government Etc. (Scotland) Act 1994. As the Capability Procedure could ultimately result in dismissal such statutory considerations must be reflected in the policy.

Section 27(6) of the Local Government Etc. (Scotland) Act 1994

An assessor or deputy assessor appointed under this section shall hold office during the pleasure of the valuation authority but shall not be removed from office (or required to resign as an alternative thereto) except –

- (a) by a resolution of the authority passed by not less than two-thirds of the members present at a meeting of the authority the notice of which specifies as an item of business the consideration of the removal from office of the Assessor or his being required to resign; and
- (b) with the consent of the Secretary of State,

and before deciding whether or not to give such consent the Secretary of State shall give the authority and the assessor an opportunity of being heard by a person appointed by the Secretary of State.

Appendix 1 shows the currently used Clackmannanshire Council Policy while Appendix 2 shows the proposed Board specific version.

5.0 Recommendations

The Valuation Joint Board is asked to approve the Capability Policy and Procedure.

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Brian Byrne
2nd September, 2010

Appendix

1.0 CSVJB - Capability Policy & Procedure

2.0 Clackmannanshire Council – Capability Policy & Procedure