

**FALKIRK COUNCIL**

**Subject: AMENDMENT TO STANDING ORDERS AND SCHEME OF DELEGATION**  
**Meeting: FALKIRK COUNCIL**  
**Date: 6 OCTOBER 2010**  
**Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to present for approval a revised set of Standing Orders and Scheme of Delegation in consequence of the decision of Council in June 2010 to implement a new Council management structure.

**2. BACKGROUND**

- 2.1 At its meeting on 23 June 2010, Council agreed a revised Council management structure, including a Chief Executive Office which will incorporate the functions formerly performed by Finance and Law and Administration Services. The current Director and Head of Service level posts for these Services will be lost and the posts of Chief Governance Officer, Depute Chief Governance Officer, Chief Finance Officer and two Depute Chief Finance Officers will be created. It is understood that the process to fill these posts will begin in October 2009. It is proposed that the Standing Orders and Scheme of Delegation are amended to reflect these changes and that they become effective when the Chief Officer appointments are made. At this stage, the amendments deal mainly with terminology rather than matters of substance. A more thorough review of Standing Orders and the Scheme of Delegation will be carried out to ensure they are still fit for purpose, having regard to the dynamic change climate across the public sector generally.
- 2.2 Council also agreed in June that the Licensing function would transfer to Law and Administration Services with effect from 5 July 2010 (and consequentially to the Chief Executive Office), with management responsibility being undertaken, in the first place, by the Acting Director of Law and Administration. The Scheme of Delegation requires to be amended to reflect this change and to accommodate the future role of the Chief Governance Officer.
- 2.3 As set out in the June report, the posts of Director of Finance and Director of Law and Administration hold a number of statutory offices, principally those of Chief Finance Officer and Monitoring Officer, but also various other proper officer functions detailed in statute. These are set out in Appendix 1. The Acting Director of Law and Administration has also been accorded the role of the Clerk to the Licensing Board.
- 2.4 Council agreed in June that, at the stage appointments are made to the posts of Chief Finance Officer and Chief Governance Officer, each office, role or function currently associated with the posts of Director of Finance and Director of Law and Administration should transfer to the new post until further decision by the Council. Council is now invited to confirm that the functions, as detailed above and in the appendix, will transfer to the new posts of Chief Governance Officer and Chief Finance Officer as appropriate, once those posts are filled.

### **3. STANDING ORDERS AND SCHEME OF DELEGATION**

- 3.1 The current Standing Orders and the Scheme of Delegation have been revised in consequence of the changes to Council's management structure, with the deletion of all references to the Director of Law and Administration and the Director of Finance and replaced by the posts of Chief Governance Officer and Chief Finance Officer respectively.
- 3.2 Changes have also been made to the relevant sections relating to the licensing function in recognition that the responsibility for the licensing function will rest with the Chief Governance Officer.
- 3.3 Copies of the revised versions of both the Standing Orders and the Scheme of Delegation are attached as Appendix 2 and Appendix 3, with the changes made shown in bold.

### **4. RECOMMENDATIONS**

#### **4.1 Members are asked to :-**

- (i) confirm that the roles and functions ascribed to the posts of Director of Finance and Director of Law and Administration, as detailed in paragraph 2.3, transfer, at the stage appointments are made, to the posts of Chief Finance Officer and Chief Governance Officer respectively;
- (ii) approve the revisions to the Standing Orders and to the Scheme of Delegation as detailed in this Report, and
- (iii) agree that that the revised versions of the Standing Orders and the Scheme of Delegation will take effect when the new management structure is implemented, on a date to be determined by the Chief Executive, with the exception of the revisions to reflect the transfer of the licensing function to the Acting Director of Law and Administration which will take immediate effect.

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**Acting Director of Law and Administration Services**

**Date:** 17 September 2010

Contact Officer: Brian Pirie, Democratic Services Manager, ext 6110.

#### **LIST OF BACKGROUND PAPERS**

Nil