

**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2014

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Amendments to Appendix 2 – Scheme of Delegation of the Council’s Standing Orders

---

**1 PURPOSE**

- 1.1 To amend the Council’s Scheme of Delegation to take account of title changes and to appoint officers to carry out the duties of statutory officers when they are unavailable.

**2 RECOMMENDATIONS**

- 2.1 That Council approves the amendment to Section 12.2 of Appendix 2 to the Council’s Standing Orders, as detailed in 3.3 and 3.4 of this report.

**3 BACKGROUND**

- 3.1 The Council must by law appoint individual officers for a variety of purposes. These officers are authorised to take the actions that are an essential part of their roles. These appointments are listed at Section 12.1 of Appendix 2 of the Council’s Standing Orders.
- 3.2 These officers cannot delegate their duties to other officers. If they are unavailable and unable to carry out their duties they can, however, arrange for other officers to carry out their duties. Details of those who can carry out these duties are contained in the table in 12.2 of Appendix 2 of Standing Orders:

<b>Proper officer appointed for the roles set out in part 12.1</b>	<b>Officer who will carry out duties if the proper officer is not available</b>
If the Returning Officer is not available for election purposes	Depute Returning Officer
If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer	Service Manager – Legal Services Service Manager – Licensing, Administration and Democratic Services

If a Depute Chief Executive is not available to act as an officer	The relevant Head of Service
If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board	Service Manager – Legal Services
If the Chief Executive is not available to act as the Head of Paid Service	Depute Chief Executive as agreed
If the Head of Adult Wellbeing is not available to act as the Chief Social Work Officer	Children’s Wellbeing and Adult Wellbeing Service Managers

3.3 The table requires to be updated and Council is asked to amend Appendix 2, 12.2 by replacing the existing table with the following table:-

<b>Proper officer appointed for the roles set out in part 12.1</b>	<b>Officer who will carry out duties if the proper officer is not available</b>
If the Returning Officer is not available for election purposes	Depute Returning Officer
If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer	Service Manager – Legal and Procurement Service Manager – Licensing, Administration and Democratic Services
If a Depute Chief Executive is not available to act as an officer	The relevant Head of Service
If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board	Service Manager – Legal and Procurement Senior Solicitor
If the Chief Executive is not available to act as the Head of Paid Service	Depute Chief Executive as agreed
If the Head of Adult Wellbeing is not available to act as the Chief Social Work Officer	Children’s Wellbeing and Adult Wellbeing Service Managers and the Area Practice Manager, Children’s Wellbeing
If the Head of Council Resources is not available to act as s.95 Chief Finance Officer	Depute Chief Executive (Resources and People Services)

3.4 The changes are:-

- Service Manager – Legal Services becomes Service Manager – Legal and Procurement
- A Senior Solicitor can act as Clerk of the Licensing Board in the absence of the Service Manager – Licensing Administration and Democratic Services
- In addition to the Children’s Wellbeing and Adult Wellbeing Service Managers, the Area Practice Manager, Children’s Wellbeing can act as the Chief Social Work Officer in the absence of the Head of Adult Wellbeing

- The Depute Chief Executive (Resources and People Services) can act as s.95 Chief Finance Officer in the absence of the Head of Council Resources.

#### **4 POLICY IMPLICATIONS**

4.1 None

#### **5 EQUALITIES IMPACT ASSESSMENT**

5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial - none

6.2 Personnel - none

6.3 Other - none

#### **7 BACKGROUND PAPERS**

7.1 Standing Orders

<b>AUTHOR'S NAME</b>	Kirstie MacNeill
<b>DESIGNATION</b>	Service Manager - Licensing, Administration and Democratic Services
<b>CONTACT INFO</b>	kmacneill@eastlothian.gov.uk 01620 827164
<b>DATE</b>	6/6/2014