

Revision of the Council's Standing Orders and associated documents

Report by Acting Director, Resources

1 Purpose of Report

The purpose of this report is to advise Council of the requirement for a review of Standing Orders which may include the 2 associated documents, namely, the Scheme of Administration and Scheme of Delegation.

2 Background

- 2.1** Standing Orders were last considered and approved by the Council on 19 December 2017. At that time, it was agreed an annual review, commencing 2019, would be undertaken. This report is therefore in line with the decision taken on 19 December 2017.
- 2.2** It is proposed that a Short Term Elected Member Working Group be established for the purposes of undertaking the review; the Group consist of 2 Elected Members from each of the 3 political groups; the Group meets as and when determined by its members and reports back to the Council once the review is concluded. The Short Term Working Group will be assisted by officers identified by the Acting Director, Resources including the Monitoring Officer and the Democratic Services Team Leader.
- 2.3** The Scheme of Delegation was last approved by the Council on 27 September 2016. The review of Standing Orders can include the Scheme of Delegation. However, Council may wish to postpone this meantime pending any changes to the senior management structure.
- 2.4** The Scheme of Administration was last approved by the Council on 29 August 2017. The review of Standing Orders can include the Scheme of Administration. However, Council may wish to postpone this until the next review of the composition of the Council and its various Committees, Sub-Committees etc is undertaken. Meantime, changes made to the Scheme resulting from decisions taken by the Council since 2017 can be incorporated within the current Scheme and reported to Council by the end of 2019.

3 Report Implications

3.1 Resource

The resource implications relating to this report will be officer time on reviewing and producing amended documents and reports to Council.

3.2 Risk

The Standing Orders and associated documents provide the fundamental governance arrangements of the Council. If these are not reflective of the current ways of working, there is a potential for

challenges to be made to decisions made by the Council, Cabinet and Committees.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- X None of the above

3.4 Key Priorities within the Single Midlothian Plan

This report does not impact on the key priorities within the Single Midlothian Plan.

3.5 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes.

3.6 Adopting a Preventative Approach

The report does not directly impact on actions and plans in place to adopt a preventative approach.

3.7 Involving Communities and Other Stakeholders

The report does not directly relate to involving communities.

3.8 Ensuring Equalities

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment.

3.9 Supporting Sustainable Development

There are no sustainability issues arising from this report.

3.10 IT Issues

There are no IT issues arising from this report.

4 Recommendations

The Council is invited to:

- (a) consider whether to instruct a review of Standing Orders by creating a Short Term Elected Members' Working Group consisting of 2 Elected Members from each of the 3 political parties which will meet as and when determined by its members and once the review is complete, report back to the Council on its findings;
- (b) nominate the Elected Members to serve on the Working Group;
- (c) note the Working Group will be assisted by officers identified by the Acting Director, Resources to include the Monitoring Officer and Democratic Services Team Leader;
- (d) determine whether, after a review of the senior management structure of the Council takes place, a review of the Scheme of

- Delegation is undertaken with the Chief Executive thereafter bringing forward a revised Scheme of Delegation for consideration;
- (e) determine whether, after a review of the composition of the Council, its Committees, Sub-Committees etc takes place, a review of the Scheme of Administration is undertaken;
 - (f) request the Acting Director, Resources to report back to Council before the end of 2019 with an updated Scheme of Administration incorporating changes made by the Council since the last update in 2017.

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**Background Papers: Minute of Midlothian Council of 19 December 2017
– Revision of the Council's Standing Orders**