



THE MORAY COUNCIL

ADMINISTRATIVE SCHEME

CONTENTS

(I)	Terms of Reference of Committees and Sub-Committees	4 – 5
(II)	Matters Excluded from Delegation to Committees	5 – 6
(III)	Terms of Reference to Committees	6
	(A) Policy & Resources Committee	6 – 11
	(B) Appeals Committee	11
	(C) Emergency Planning Committee	11
	(D) Children and Young People Services Committee	11 – 13
	(E) Health and Social Care Committee	13 – 14
	(F) Planning and Regulatory Services Committee	14 – 15
	(G) Economic Development & Infrastructure Committee	15 – 17
	(H) Communities Committee	18 – 19
	(I) Licensing Committee	19
	(J) Audit and Performance Review Committee	20-21
IV	Remit of Local Review Body	21

V	Terms of Reference for Community Planning Board and Strategic Groups	22 – 23
	(A) Wealthier Strategic Group	23 -24
	(B) Smarter Strategic Group	24 – 25
	(C) Safer and Stronger Strategic Group	25
	(D) Greener Strategic Group	26
	(E) Community Engagement Group	26 - 27

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ADMINISTRATIVE SCHEME

(I) TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES

Subject to the provisions of the Local Government (Scotland) Act 1973 and any other statutes and subject also to the provisions of the Council's Standing Orders and also to the expectations, limitations and special delegations hereinafter specified, there shall be referred or delegated to the respective Committees of the Council all the functions, services, undertakings or other matters whether in pursuance of statute or otherwise as contained in the respective terms of reference of the said Committees as detailed in Section (III) hereof. When such functions, services, undertakings or other matters are delegated to a Committee, the Committee shall have the power to exercise the function in like manner in all respects as the Council could have exercised it had there been no delegation; provided however that it shall be competent for such Committee in relation to any matter, instead of taking a decision thereon, to make a recommendation thereon to the Council in which event the matter shall be decided by the Council after consideration of the Committee's recommendation.

- (1) A Committee may delegate to a Sub-Committee or to an officer of the Council, any of the functions which have been delegated to the Committee by the Council.
- (2) Each Committee shall delegate powers to a group of 3 of its members from the administration and 1 each from the other political groups, to authorise acceptance of tenders which exceed the approved estimate or budget provision provided that the tender accepted is the lowest received in any case and that the value does not exceed the approved estimate or budget provision by more than 10% up to a maximum excess of £50,000.
- (3) In exercising the functions conferred on it, each Committee shall comply with the Standing Orders of the Council in so far as applicable and with any resolutions or instructions given by the Council.
- (4) Subject as aforesaid the Council may at any time, if they so decide, notwithstanding the delegating of that matter to a Committee, deal with any question not previously determined in terms of that delegation.
- (5) The Council may vary, add to, recall or restrict any delegation to any Committee.
- (6) The senior members of staff at the level of the posts listed in the Appendix to this Scheme shall be appointed by the Council in accordance with the recruitment procedure approved by the Council. Members of staff other than teaching staff shall be appointed by the Head of Department concerned in accordance with the recruitment procedure approved by the Council. Subject to paragraph 11 (17) the power to dismiss a member of staff, other than teaching staff to whose dismissal special statutory provisions apply, shall be

exercised by the Head of the employing department, except in the case of the Chief Executive, Chief Financial Officer and Monitoring Officer subject to any right of appeal enjoyed by that member of staff.

(II) MATTERS EXCLUDED FROM DELEGATION TO COMMITTEES

Subject to any relevant statutory provisions and to the provisions of the Council's Standing Orders, there shall be excluded from the delegation to Committees:-

- (1) Fixing of the Council Tax and Council house rents in each financial year.
- (2) Approval of the annual estimates of capital and revenue expenditure for all services.
- (3) the incurring of (a) any capital expenditure exceeding £50,000 not provided for in the estimates and (b) any revenue expenditure exceeding £50,000 not provided for in the estimates.
- (4) The compulsory acquisition of any interest in land or buildings.
- (5) The enactment, alteration or revocation of any Orders, Regulations, Bye-laws or Schemes other than Orders of an emergency nature, other than Road Traffic Orders.
- (6) The promotion or opposition of private legislation and the consideration of Provisional Orders or Private Bills affecting the interests of the Council.
- (7) The resolution of any conflict that may arise on any matter between Committees.
- (8) Alterations to the establishment, whether by way of increase or decrease, of posts graded on or above SCP 92 of the SJC spinal column of hourly rates shall be the subject of recommendation to the Council.
- (9) All matters relating to elections including the appointment of a Returning Officer and electoral boundaries.
- (10) Changes in Committee structure, distribution of functions and responsibilities.
- (11) Appointment of Committees and the appointment of Chairmen and Vice-Chairmen thereof.
- (12) The approval of Council Reports and Strategies of a corporate nature including Structure, Local and Housing Plans.
- (13) The closure of schools or other educational establishments.
- (14) The provision of office accommodation for all departments of the Council.
- (15) The formulation, review and amendment of the Administrative Scheme and Standing Orders.

- (16) Dismissal of the Chief Executive, the Chief Financial Officer and the Monitoring Officer in terms of the relevant disciplinary procedures relating to the same.
- (17) All matters relating to emergency planning and home defence.
- (18) Any new policy matter which does not fall within the terms of reference of any Committee.
- (19) The determination of applications by businesses for assistance of whatever nature which fall outwith the terms of reference of the Environmental Services Committee or any other relevant Committee.

(III) TERMS OF REFERENCE TO COMMITTEES

NOTE - All items marked * can be considered by the Committee and subject to recommendations but are excluded from the full delegation to Committees.

(A) POLICY & RESOURCES COMMITTEE

The following functions of the Council shall stand referred or delegated to this Committee:-

- * (1) To consider the financial and budgetary policy of the Council.
- (2) To regulate and manage the finances of the Council in accordance with the policies determined by the Council and to prepare and review from time to time such rules as may be necessary for the proper administration of the Council's financial affairs.
- (3) To implement and monitor the treasury policy statement dealing with the management of all money and capital market transactions in connection with cash and funding resources of the Council.
- * (4) To consider the need for new services and the necessity for existing ones.
- * (5) To consider the annual estimates of capital and revenue expenditure.
- * (6) To consider the amounts to be raised by levying the Council Tax in each financial year and recommend charges to the Council.
- (7) To consider the Council's Capital Plan and monitor progress of projects in the approved Plan.
- (8) To monitor current expenditure in relation to approved estimates.

- (9) To consider any proposal to incur capital expenditure over £50,000 not provided for in the estimates and make recommendations to the Council.
- (10) To deal with recommendations from other Committees for the acquisition or sale of land or buildings or approval of projects or obligations either in principle or at tender stage where the value of the matter exceeds £100,000 and the matter is in the approved annual budget (i.e. the Service Committee concerned may approve at detailed estimate or at tender stage, projects not exceeding £100,000 in value listed in the annual budget) subject to the qualifications that:-
 - (11) (a) where the Council have already approved the detailed estimated cost for any matter whether or not exceeding £100,000 in value, the tender may be accepted by the Service Committee provided it does not exceed the approved estimate by more than 10% up to a maximum excess of £50,000; and
 - (12) (b) in the case of maintenance contracts to be met from revenue, no approval shall be required provided the contract is within the total allowance for maintenance set in the revenue budget.
- (13) To deal with the administration of the levy, collection, payment and recovery of Council Tax, Community Charges, non-domestic rates and water and sewerage charges.
- (14) To arrange for the borrowing of money by the Council.
- (15) To deal with superannuation and pensions.
- (16) To supervise the payments and recovery of monies on behalf of the Council.
- (17) To keep accounts for the proper recording of all transactions of the Council and to audit such accounts.
- (18) To make banking arrangements for the Council.
- (19) To write off irrecoverable debts in accordance with the Council's Financial Regulations.
- (20) To determine appeals against assessments and to dispose under any enactment of all other claims or applications for relief from or repayment of charges or rates.
- (21) To deal with all matters relating to insurance.

- (22) To deal with the management and investment of any funds including Common Good Funds and trust funds, under the control of the Council, except that expenditure of available funds in Education and Social Work Trusts shall be under the control of the Educational Services and Community Services Committees respectively.
- * (23) To deal with all matters relating to Police and Fire and Rescue Services.
- * (24) To provide office accommodation for all departments of the Council.
- (25) To provide furniture, office supplies and equipment including computer systems and all common office services.
- * (26) To consider the promotion or opposition of private legislation in Parliament under Section 82 of the Local Government (Scotland) Act 1973 subject to consultation with other Committees as appropriate.
- * (27) To consider any Provisional Order, Parliamentary Bill or Statutory Instrument (other than Orders, Bills or Instruments specifically affecting particular departments of the Council).
- (28) To exercise the functions of the Council in connection with the Registration of Births, Deaths and Marriages.
- (29) To deal with the functions of the Council as valuation and electoral registration authority.
- (30) To exercise the functions of the Council in connection with Community Councils
- (31) To make arrangements for ceremonial matters and hospitality.
- (32) To provide members' services.
- (33) To authorise, control and review as necessary, in consultation with the appropriate Service Committee, the establishment of all categories of staff of the Council, with the exception of teachers.
- (34) Any proposal to alter the establishment, whether by way of increase or decrease, of posts graded on or above SCP 92 of the SJC spinal column of hourly rates shall be the subject of recommendation to the Council.
- (35) To formulate, supervise the implementation of and review as necessary the policy and practices of the Council for all employees, other than teachers, in relation to:-

- (36) (a) the policies for the appointment and deployment, appraisal, transfer and promotion of all employees within the approved establishment;
- (37) (b) the remuneration, conditions of service and allowances of all posts;
- (38) (c) the recruitment, training and development, health, safety and welfare policies and practices of the Council;
- (39) (d) the grievance and disputes procedures, disciplinary rules and procedures and dismissal procedures relating to all employees.
- (40) To formulate, supervise the implementation of and review as necessary the policies and practices of the Council in relation to its procurement arrangements.
- (41) To formulate, supervise the implementation of and review as necessary the policies and practices of the Council in relation to asset management and to maintain an overview of the Council's property disposal programme.
- (42) In the case of teachers, to apply and monitor the implementation of general personnel policies and practices of the Council, including health, safety and welfare and to co-ordinate local conditions of service in the line Council policy.
- (43) To provide, develop and monitor all central support services including information technology, personnel, administrative, estates, finance and legal services including printing, reprographic and other services.
- (44) To deal with all matters relating to the exercise of the statutory functions of the Council under the Local Government in Scotland Act 2003 to initiate, maintain and facilitate Community Planning, the process by which public services in Moray are provided and planned for.
- (45) To ensure that the organisation, administrative and management processes of the Council are designed to make the most effective contribution to achieving the Council's objectives; to keep these procedures under review in the light of changing circumstances and to make such recommendations to the Council as are necessary for changes in the Committee or departmental structure or the distribution of functions and responsibilities.
- (46) To co-ordinate the activities of other Committees.
- (47) To exercise the statutory power of the Council to advance well-being under the Local Government in Scotland Act 2003.

- * (48) To consider Housing Plans as prepared with other Council Committees.
- * (49) To consider the Transport Policy and Programme as prepared by the Environmental Services Committee.
- * (50) To consider any new policy matter which does not fall within the terms of reference of any other Committee.
- * (51) To adjudicate on any conflict which may arise on any matter between two or more Committees, which provision shall not apply where the Administrative Scheme vests exclusive responsibility for making the final decision in one of these Committees.
- (52) To deal with all matters relating to risk assessment and management.
- (53) To exercise the functions of the Council under the Local Government and Housing Act 1989, the Local Government (Scotland) Act 1973 and the Local Government etc. (Scotland) Act 1994.
- (54) To deal with the overall estates management of Council properties which are not for the time being used by the appropriate service department and the sale or lease of land or buildings temporarily or permanently surplus to the needs of the Council except Council Housing.
- * (55) To consider all matters relating to any alteration in the boundaries of the Council Area of electoral divisions or the number of Councillors.
- (56) To consider and act upon any urgent matter on behalf of the Council.
- (57) To develop and implement information technology policies including the "Easy Access" Project
- (58) To deal with all matters relating to developing and monitoring customer access and information.
- (59) To deal with all matters relating to entering into partnerships, co-operating and liaising with other bodies and Authorities
- (60) To deal with all matters relating to developing and monitoring public relations, public reporting, publicity and corporate communications.
- (61) To set standards for services provided by the Council

- (62) To formulate and review Council wide policy, strategies, priorities and objectives in standards and levels of service.
- (63) To deal with all matters relating to the Councils Strategy, Policy, budgetary and monitoring arrangements for voluntary organisations.
- (64) To promote and maintain high standards of conduct by Members of the Council.
- (65) To assist Members of the Council to observe the Councillors Code of Conduct.
- (66) To advise the Council on the adoption or revision of the Councillors Code of Conduct.
- (67) To monitor the operation of the Councillors Code of Conduct.
- (68) To advise, train or arrange to train Members of Council on matters relating to the Councillors Code of Conduct.
- (69) To assist the Standards Commission for Scotland in whatever way may be required.
- (70) *To develop and monitor the Council's Performance Management Framework for Central Services.*
- (71) *To contribute to public performance reporting.*

(B) APPEALS COMMITTEE

- (1) To hear, consider and determine appeals by employees, other than teachers, in terms of the Scheme of Pay and Conditions for Scottish Joint Council employees and the Scheme of Pay and Conditions of Service for Craft Operatives and Chief Officers excluding the Chairman of the meeting at which the original decision was taken.

(C) EMERGENCY PLANNING COMMITTEE

- (1) To incur necessary expenditure in circumstances of emergency or disaster as set out in Section 84 of the Local Government (Scotland) Act 1973

(D) CHILDREN AND YOUNG PEOPLE SERVICES COMMITTEE

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) To exercise all the functions of the Council as Education Authority within the terms of relevant legislation with regard to nursery, primary, secondary, further, community education and Lifelong learning.
- (2) To exercise the functions of the Council under the Children (Scotland) Act 1995 and to determine the Council's policies in regard thereto, including youth justice.
- * (3) To deal with the closure of schools and other educational establishments under the control of the Council as Education Authority.
- (4) To deal with the appointment, transfer, dismissal, suspension, remuneration and conditions of service of teaching staff so far as under the control of the Council, subject to the duty of the Policy Committee to co-ordinate and apply local conditions of service of teaching staff after the approval of the Education Committee.
- (5) To deal with Children's safety including school crossing patrols.
- (6) To assist voluntary organisations who provide youth and community facilities.
- (7) To carry out the duties of the Council in regard to Parent Councils and to consider submissions from such Parent Councils.
- (8) To exercise the functions of the Council under the Children and Young Persons (Scotland) Act 1937.
- (9) To deal with the managing or leasing out of Council Community Education Centres, working with locally elected Management Committees.
- (10) To provide programmes of Adult Education.
- (11) To exercise the statutory duties of the Council to ensure the adequate provision of facilities for recreational, sporting, cultural and social activities.
- (12) To exercise the Council's statutory powers to support activities related to the development of recreation, sport, culture and heritage.

- (13) To deal with the management of indoor and outdoor facilities operated by the Council for recreational, sporting, cultural and social activities.
- (14) To consider Capital and Revenue budgets and long-term financial plans.
- (15) To exercise the Council's statutory powers to provide community education.
- (16) To deal with the management of community centres, residential outdoor centres and community facilities within community high schools.
- (17) To deal with issues related to the community use of schools.
- (18) To act as Trustees of the Moray and Nairn Educational Trust Scheme.
- (19) To exercise control of expenditure of available funds in Educational Trusts
- (20) To exercise the statutory duties of the Council to secure the adequate provision of libraries.
- (21) To deal with matters related to the provision of library and information services.
- (22) To deal with matters related to the provision of museums and related services.
- (23) To develop and monitor the Council's Performance Management Framework for Children & Young People's Services.
- (24) To contribute to public performance reporting.

E. HEALTH AND SOCIAL CARE COMMITTEE

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) To exercise the function of the Council as Social Work Authority under the Social Work (Scotland) Act 1968.
- (2) To exercise the function of the Council under the Part X of the Children Act 1989.

- (3) To exercise the functions of the Council under the Mental Health (Care and Treatment) (Scotland) Act 2003.
- (4) To exercise the functions of the Council under the National Health Service (Scotland) Act 1947 and the National Health Service and Community Care Act 1990.
- (5) To exercise the functions of the Council under the Children (Scotland) Act 1995.
- (6) To exercise the Council's powers to contribute to the expense of housing elderly, infirm or disabled people.
- (7) To exercise control of expenditure of available funds in Social Work Trusts.
- (8) To exercise the function of the Council in respect of services to adults with incapacity in terms of the Adults with Incapacity (Scotland) Act 2000.
- (9) To exercise the functions of the Council in respect of the Adoption and Fostering of children in terms of the Adoption (Scotland) Act 1978 and the Foster Children (Scotland) Act 1984.
- (10) To exercise the functions of the Council in respect of looked after children and young people leaving care
- (11) To implement the Council's responsibilities with regard to criminal justice, social work services
- (12) To develop and monitor the Council's Performance Management Framework for Health & Social Care Services.
- (13) To contribute to public performance reporting.

F. PLANNING AND REGULATORY SERVICES COMMITTEE

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) Subject to paragraphs (2) and (3) hereunder, to exercise the statutory functions of the Council as Planning Authority under the Planning Acts, the Local Government (Scotland) Act, 1973; the Local Government Scotland Act 1994 and other relevant legislation.
- (2) To review or prepare all Strategic and Local Plans including the Council Report and an Environmental Charter for submission to the Council.

- (3) To comment on Housing Plans.
- (4) To exercise the functions of the Council under Building Standards Regulations and Orders and relaxations.
- (5) To exercise the functions of the Council in relation to dangerous or dilapidated buildings or structures repair or demolition notices.
- (6) To make Orders for the preservation of trees including the power to make orders of an urgent nature.
- (7) To exercise the statutory functions of the Council as Local Weights and Measures Authority.
- (8) To exercise the function of the Council under the Petroleum (Consolidation) Act 1928 including the issue, suspension or revocation of licences thereunder.
- (9) To deal with registration under the Poisons Act, 1972.
- (10) To deal with all matters relating to Trading Standards.
- (11) To exercise the functions of the Council in relation to Diseases of Animals.
- (12) To exercise the functions of the Council under the Explosives Acts including the issue, suspension or revocation of licences thereunder.
- (13) To exercise the functions of the Council under the Mines and Quarries Acts.
- (14) To exercise the functions of the Council in relation to the safety of sports grounds legislation.
- (15) To exercise the functions of the Council as the Environmental Health Authority.
- (16) To deal with all matters relating to contaminated land in terms of the Environmental Protection Act 1990, the Environmental Act 1995 and the Contaminated Land (Scotland) Regulations 2000, as amended 2005.
- (17) To exercise the functions of the Council in relation to the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 and the Smoking, Health and Social Care Act (Scotland) 2005
- (18) To develop and monitor the Council's Performance Management Framework for the Planning & Regulatory Services.
- (19) To contribute to public performance reporting.

G. ECONOMIC DEVELOPMENT AND INFRASTRUCTURE

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) To consider Capital and Revenue budgets and long-term financial plans.
- (2) To deal with all matters relating to twinning, subject, where appropriate, to consultation with other Committees. Any proposal to establish a new twinning link shall be the subject of a recommendation to the Council.
- (3) To deal with all matters relating to industrial and commercial development, subject to (4) below.
- (4) To provide financial and other assistance to those engaged in industry or commerce up to such maxima as may be determined by the Council from time to time.
- (5) To consider all other applications by business for assistance of whatever nature which fall outwith the terms of clause (4) above and to make recommendations to the Council.
- (6) To manage and maintain public conveniences.
- (7) To exercise the statutory functions of the Council under the Land Reform(Scotland) Act 2003.
- (8) To exercise the functions of the Council in relation to Countryside Amenities including the Speyside Way, Fisheries and Ranger Service
- (9) To make recommendations to the Council on the acquisition or sale of land or buildings.
- (10) To provide architectural, quantity surveying, maintenance and allied property services.
- (11) To manage the transport of vehicles belonging to, hired by or otherwise under the control of the Council.
- (12) To exercise the functions of the Council in relation to Parks, Open Spaces and Tree/Woodland management and maintenance.
- (13) To exercise the functions of the Council in relation to the provision of Catering and Cleaning Services.
- (14) To deal with all matters relating to Environmental Protection.

- (15) To provide and maintain all burial ground services.
- (16) To exercise all functions of the Councils as Roads Authority including safety, the detailed planning, design and construction, improvement, maintenance and lighting of roads, bridges and other structures.
- (17) To exercise the functions of the Council under the Roads (Scotland) Act 1984 and other relevant legislation.
- (18) To deal with traffic management functions, including the preparation and implementation of traffic management schemes.
- (19) To exercise the function of the Council in relation to public passenger transport under the Transport Act 1985.
- (20) To exercise the functions of the Council under the Flood Prevention (Scotland) Act 1961 as amended by the Flood Prevention and Land Drainage (Scotland) Act 1997.
- (21) To make Orders for the regulation of traffic including the power to make Orders of an emergency nature.
- * (22) To prepare the Local Transport Strategies and Road Traffic Reduction for consideration by the Full Council.
- (23) Determining arrangements for waste management, street sweeping, refuse collection and refuse disposal including re-cycling.
- * (24) To consider concessionary travel arrangements.
- (25) To exercise the functions of the Council as lighting authority.
- (26) To exercise the functions of the Council in relation to the maintenance of piers and harbours and coast protection.
- (27) To exercise the functions of the Council under the Reservoirs Act 1975.
- (28) To exercise supervision of the internal transport section dealing with the management, repair and maintenance of all Council vehicles, plant and equipment.
- (29) To carry out the Council's responsibilities in regard to youth training and employment creation schemes.
- (30) To promote Tourism development in Moray.
- (31) To oversee the application for, co-ordination and monitoring of Council funding from European programmes.

- * (32) To deal with all matters relating to emergency planning and home defence.
- (33) *To develop and monitor the Council's Performance Management Framework for the Economic Development and Infrastructure Services.*
- (34) *To contribute to public performance reporting.*

H. COMMUNITIES

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) *To deal with the Capital and Revenue budgeting and long-term financial planning in the discharge of the Council's Housing function including:-*
 - * (a) *to set Council house rent levels;*
 - * (b) *to set garage and garage site rent levels; and*
 - * (c) *to deal with levy, collection, payment and recovery of Council house rents.*
- (2) To exercise all the functions of the Council as Housing Authority.
- (3) To carry out the management and maintenance of the Council's Housing Stock including housing for the homeless and sites for Gypsies/Travellers.
- (4) To deal with the allocation and letting of houses and homelessness.
- (5) To administer private sector housing grants etc.
- (6) To administer house purchase/improvement loans.
- (7) To deal with matters arising under the Right to Buy and Rent to Mortgage Schemes.
- (8) To deal with the Council's responsibilities for the Direct Labour Organisation.
- (9) To prepare housing quality plans and other such housing related plans as may be required to ensure effective implementation of strategic housing matters.
- (10) To formulate and implement the Council strategic Housing Plan in partnership with other housing providers in co-operation with other Council Committees and services.

- (11) To develop and implement the Council's strategy and policies in relation to social inclusion in partnership with other public sector partners, voluntary sector and private sectors as appropriate.
- (12) To formulate, supervise the implementation of and review as necessary the policies and practices of the Council in relation to its arrangements for promoting, fostering and maintaining equal opportunities
- (13) To develop and implement the Council's strategy and policies in relation to Community Liaison, Community Safety and Anti Social behaviour in partnership with other public sector partners, voluntary sector and private sectors as appropriate.
- (14) To develop and monitor the Council's Performance Management Framework for the Communities Services.
- (15) To contribute to public performance reporting.

I. LICENSING COMMITTEE

The following functions of the Council shall stand referred or delegated to this Committee:-

- (1) To exercise all the functions of the Council as Licensing Authority including applications in terms of relevant legislation other than duties carried out by the Licensing Board.
- (2) To issue and suspend, revoke and refuse applications for all licences made in respect of activities, which require to be licensed in terms of the Civic Government (Scotland) Act 1982.
- (3) To authorise the prosecution of offences prescribed in terms of the Civic Government (Scotland) Act 1982.
- (4) To deal with all matters of Licensing and Registration not falling within the functions of any other Committee.
- (5) To issue, suspend, revoke and refuse approvals for venues for civil marriages in terms of the Marriage (Scotland) Act 2002.

J. AUDIT AND PERFORMANCE REVIEW COMMITTEE

The following shall stand referred or delegated to this Committee:-

Standards

- (1) To ensure that the highest standards of probity and public accountability are demonstrated .

Audit Functions

- (1) Considering reports from the Council's Internal Auditor.
- (2) Considering reports from Audit Scotland concerning Council functions.
- (3) Contributing towards making the Council, its Committees and Services more responsive to the audit function and its purpose.
- (4) Enhancing corporate governance arrangements by promoting internal control and risk management, by supporting an anti-fraud culture, and by the review of revisions to financial procedures.
- (5) Having responsibility for focussing audit resources through a process of endorsing the five year strategic audit plan and agreeing the annual programme of work.
- (6) Monitoring delivery of the audit service through receipt of quarterly reports on work carried out by Internal Audit.
- (7) Considering reports produced by the Council's External Auditor and by Audit Scotland.
- (8) Considering the annual assurance statement provided by Internal Audit on the Council's control environment.

Scrutiny Functions

- (9) Scrutinising the strategies and policies of the Council and their effectiveness in terms of the Single Outcome Agreement Local Action Plans
- (10) Scrutinising progress of the five strands of 'Moray Performs'.
- (11) Evaluating the actions of Committees and implementing the Action Plan set out in the Corporate Development Plan.

Performance Monitoring

- (12) Reviewing the development and definition of local performance indicators.
- (13) Reviewing the development and definition of local performance monitoring and reporting systems to assist decision making processes.
- (14) Development and implementation of public performance reporting at service level to explain and demonstrate to the community how well each service is delivering.
- (15) Reviewing progress in implementing Best Value Reviews.
- (16) Reviewing current performance information for all services.
- (17) Reviewing how performance information can be used to improve performance.
- (18) Overseeing the development and implementation of the Best Value improvement process.
- (19) To deal with all matters relating to the Council's duty to secure Best Value in terms of the Local Government in Scotland Act 2003 with the exception of equalities, the power of well-being and Community Planning.
- (20) To receive reports on the performance of and trends within all of the Council's services in terms of service standards and performance information.

LOCAL REVIEW BODY

- (IV) To consider and determine requests by applicants to review a planning application decision of the 'Appointed Person' or the failure of the 'Appointed Person' to determine a planning application within two months, as required by the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland Regulations) 2008.

COMMUNITY PLANNING

- (V) The Community Planning Board shall, in so far as it conforms to the approved strategic objectives and priorities of the partners, agree the basis on which public services provided in the Moray area are planned and provided and in particular shall:-
- (1) Agree a strategy to achieve the objectives of the Partnership, based on the National Outcomes within the Single Outcome Agreement, *what the priorities are and how they will translate into outcomes and what indicators will be used to measure progress of these outcomes.*
 - (2) Agree the programme for, and the method of achieving the agreed objectives and priorities, ensuring the effective use of resources, *in particular, what actions need to be taken to deliver improvements.*
 - (3) Further the sharing of information among the partners, within the parameters of an agreed data sharing protocol.
 - (4) Scrutinise the performance of the Partnership in achieving its strategic priorities.
 - (5) Secure the funds and resources required to address the strategic priorities of the Partnership.
 - (6) Review the performance of each partner of its obligations under the Single Outcome Agreement in meeting the strategic priorities of the Partnership.
 - (7) Report to the Partnership on progress in furthering the objectives and priorities of the Partnership as and when required and in a form agreed by the Partnership.
 - (8) Review the objectives and priorities as and when required and in a form required by the Partnership in order to agree future levels of activity.
 - (9) Provide effective commitment and leadership and facilitate agreement between partners on the strategic priorities of the area.
 - (10) Oversee and direct the achievement and the performance of agreed objectives and priorities.
 - (11) Develop a strategic approach to its Partnership activity ensuring effective use of resources which contribute to achieving the strategic priorities.
 - (12) Review commitments made to partners on a regular basis to agree future of levels of activity.
 - (13) Oversee governance arrangements across the Partnership.
 - (14) Ensure strategic priorities are reflected in the work of each of the Partners.

- (15) Encourage open discussion and transparent decision making within the Partnership.
- (16) Provide direction in reaching decisions on those issues that involve competing interests or are controversial or contentious.
- (17) Embed Community Planning issues in the policy and decision making process of all Partners.
- (18) Ensure other Elected Members, Council Committees and Partner Boards are fully and regularly briefed on key Community Planning issues, developments and programmes under the Community Planning Agenda and how that would affect their service interest in the community areas.
- (19) Develop networks, discussion forums for sharing experiences in good practice.
- (20) Promote mutual understanding by sharing key organisational information (for example, Committee decisions, resource allocations).
- (21) Gain a shared understanding of need.
- (22) Improve efficiency and reduce duplication (e.g. one partner to analyse Census information and provide briefings to all).
- (23) Actively encourage opportunities for formal and informal joint working, joint use of resources and joint funding options, where this will offer scope for service improvement.
- (24) To work with partner organisations to ensure a joined up approach to meeting the needs of stakeholders and communities.
- (25) Address impediments and barriers which inhibit integrated approaches to joint funding and joint management of services with internal and external partners.

The Board shall be responsible, in particular, for the following over-arching outcome within the Single Outcome Agreement:-

- Our public services are high quality, continually improving, efficient and responsive to local people's needs.

A. WEALTHIER & FAIRER STRATEGIC GROUP

- (1) Identify the theme groups' focus and priorities, referenced to the CPP strategic priorities, outlining the steps to meeting these priorities and committing the necessary resources
- (2) Evaluate performance, holding each other to account and supporting problem solving with the Partnership.

- (3) Complete strategic assessment for theme – review annually
- (4) Target resources effectively to deliver priorities
- (5) Ensure overall delivery and monitoring of the priorities
- (6) Target intervention and actions based on evidence based data
- (7) Evaluate impact of intervention or action based on evidence
- (8) Compile focused assessments to consider specific problems relating to agreed priorities including any specific changes and predictions for the next period; identify any new issues; progress made in relation to the current problem solving activity; and identify any potential resource requirement
- (9) Management meetings – cross partner
- (10) Topic based group –to deliver specifically against one of the activities or issues identified by the Co-ordinating group

B. SMARTER STRATEGIC GROUP

- (1) be responsible for the following national outcomes within the Single Outcome Agreement:
 - *We are better educated, more skilled and more successful, renowned for our research and innovation*
 - *Our young people are successful learners, confident individuals, effective contributors and responsible citizens*
 - *Our children have the best start in life and are ready to succeed*
 - *We have improved the life chances for children, young people and families at risk*
- (2) be responsible for contributing to the achievement of other national and local outcomes within the Single Outcome Agreement, which impact on its role and remit.
- (3) better meet needs as outlined in 'Getting it Right for Every Child' and develop all children and young people in line with the four capacities of 'Curriculum for Excellence'.
- (4) Focus on early years' provision and early intervention.

- (5) Promote smooth transitions for children and young people, including to positive destinations post school.
- (6) Support the drive to close the gap in educational attainment and work to raise overall attainment.
- (7) Work to ensure the development of staff in order to improve the service, including the provision of training, which is less bound by traditional career pathways and more aligned with concepts, such as Community Planning, Best Value and integrated delivery of service.
- (8) be responsible for appointing representatives to a Coordinating Group, which shall monitor the delivery of the priority actions to achieve the specified national outcomes, and Operating Groups, which shall deliver the actions.

C. SAFER AND STRONGER STRATEGIC GROUP

- (1) Identify the theme groups' focus and priorities, referenced to the Community Planning Partnership strategic priorities, outlining the steps to meeting these priorities and committing the necessary resources
- (2) Evaluate performance, holding each other to account and supporting problem solving with the Partnership
- (3) Complete strategic assessment for theme – review annually
- (4) Target resources effectively to deliver priorities
- (5) Ensure overall delivery and monitoring of the priorities target intervention and actions based on evidence based data
- (6) Evaluate impact of intervention of action based on evidence
- (7) Compile focused assessments to consider specific problems relating to agreed priorities including any specific changes and predictions for the next period identify any new issues; progress made in relation to the current problem solving activity; and identify any potential resource requirement
- (8) Management meetings – cross partner
- (9) Topic based group – to deliver specifically against on of the activities or issues identified by the Co-ordinating group
- (10) To address the equality agenda within the Partnership structure

D. GREENER STRATEGIC GROUP

- (1) Identify the theme groups' focus and priorities, referenced to the CPP strategic priorities, outlining the steps to meeting these priorities and committing the necessary resources
- (2) Evaluate performance, holding each other to account and supporting problem solving with the Partnership.
- (3) Complete strategic assessment for theme – review annually
- (4) Target resources effectively to deliver priorities
- (5) Ensure overall delivery and monitoring of the priorities
- (6) Target intervention and actions based on evidence based data
- (7) Evaluate impact of intervention or action based on evidence
- (8) Compile focused assessments to consider specific problems relating to agreed priorities including any specific changes and predictions for the next period; identify any new issues; progress made in relation to the current problem solving activity; and identify any potential resource requirement
- (9) Management meetings – cross partner
- (10) Topic based group –to deliver specifically against one of the activities or issues identified by the Co-ordinating group

E. COMMUNITY ENGAGEMENT GROUP

- (1) Co-ordinating consultation and engagement with local communities and service users between partners themes and the partnership.
- (2) Collating local information from community engagement to improve services to inform community-planning activity.
- (3) Providing feedback to the local community, theme groups and Partners on the impact the Partnership has had on service users.

- (4) Ensuring that the development of the strategic assessments for the Single Outcome Agreement is fully informed by the views of local communities and users.
- (5) Contributing the views of the community to the development of Outcomes and actions in the Single Outcome Agreement
- (6) Raising community concerns and support community engagement at a more local level.
- (7) Ensuring that the Partnership is visible and accountable to the community about what is being done to address their concerns.
- (8) Ensuring the Partnership engages with, involves and regularly offers feedback to the community to increase public confidence and reassurance.

SENIOR MEMBERS OF STAFF APPOINTED BY THE COUNCIL

Chief Executive
Chief Financial Officer
Chief Legal Officer
Director of Community Services
Director of Environmental Services
Director of Educational Services

Approved and Adopted by The
Moray Council at their Meeting on
12 April, 2000

E Aldridge
Convener

Note

- (i) Amended by the Moray Council at their meeting on 29 May 2002
- (ii) Amended by the Moray Council at their meeting on 7 July 2004.
- (iii) Amended by The Moray Council at their Meeting on 5 July 2006.
- (iv) Amended by The Moray Council at their meeting on 31 January 2007.
- (v) Amended to reflect changes to the Committee Structure on 9 May 2007.
- (vi) Amended to reflect changes to the Committee Structure on 14 May 2008.
- (vii) Amended to reflect changes to the Committee Structure on 17 June 2009.

