

# **EAST DUNBARTONSHIRE COUNCIL**

## **COUNCIL – RESERVATION OF POWERS**

## **DECISION MAKING BODIES – SCHEME of DELEGATION**

## **1. DELEGATION**

The Committees and Sub-Committees of the Council will have the terms of reference and delegated authority specified in this Scheme of Delegation. In addition to Standing Order 80, any Committee or sub Committee may refer a matter which is otherwise delegated, to the Council or Committee (as appropriate) rather than exercise the delegation itself.

The Committees and Sub-Committees of the Council will conduct their business within their terms of reference only and will exercise the authority delegated to them always in accordance with the following provisions.

## **2. LIMITATIONS**

The powers and duties delegated shall be subject to the following limitations:

- a) The reservation to the Council of the powers and duties specified in this Scheme of Delegation.
- b) Compliance with the Council's Standing Orders, Financial Regulations, Contract Standing Orders and Standing Orders for the Disposal or Leasing of Heritable Property.
- c) That the financial liability of the Council is limited to the monies provided in the Estimates, unless the matter has been referred to the Policy and Resources Committee of the Council.
- d) The observance of existing policy. Where a Committee or Sub-Committee proposes to reach a decision which departs from existing Council policy, the Committee shall first refer the matter to the Council.
- e) If any delegated matter is deemed urgent it may be referred immediately to the Council rather than a Committee or to a Committee rather than a Sub-Committee, following consultation with the Convener of the Committee or Sub-Committee which would ordinarily have dealt with the delegated matter.

## **3. LOCAL MEMBER INTEREST**

The Committees and Sub-Committees of the Council will conduct their business having regard, where appropriate, to the constituency interests of the relevant Ward Members in the matters under

---

consideration. Where the subject matter of a report to Council or Committee impacts on a specific Ward, then officers shall consult with the local Members prior to submitting the report to Council or Committee.

## **THE COUNCIL**

### **TERMS OF REFERENCE OF THE COUNCIL**

1. The following powers shall be reserved to the Council:
    - 1.1 To elect the Provost and Depute Provost.
    - 1.2 To elect the Leader and Depute Leader of the Council.
    - 1.3 To determine the constitution, convenership, membership, functions and powers of its Committees, Sub-Committees, Boards and other decision making bodies, and to amend them from time to time.
    - 1.4 To arrange for the participation of the Council in any external Organisation or joint Committee including the appointment of Members to represent the Council thereon.
    - 1.5 To make schemes to regulate the activities of the Council, its Committees and Officers including the making of Standing Orders.
    - 1.6 To effect amendments to the Council's boundaries or the Electoral Wards therein, in line with orders or directions received from the Boundary Commission.
    - 1.7 To make Byelaws, Regulations, Schemes and Orders and to promote or oppose Parliamentary Bills.
    - 1.8 To make, amend, suspend, review and repeal bye-laws.
    - 1.9 To authorise the use of the Common Seal and Coat-of-Arms, Logo and Slogan.
    - 1.10 To define the Council's main objectives and determine its priorities; to allocate resources between the functions and activities of the Council
    - 1.11 To make, amend or alter policy, except where this is specifically delegated to a designated Committee of the Council.
    - 1.12 To evaluate, co-ordinate and review the activities and functions of all Committees
    - 1.13 To consider matters relating to Police and Fire and, in particular, the approval of Local Plans and management of the relationship with the Scottish Police Authority, Police Scotland, Scottish Fire & Rescue Authority, and Scottish Fire & Rescue Service.
-

- 1.14 To consider matters relating to the operation of and management of the relationship with the Dunbartonshire, Argyll and Bute Valuation Joint Board.
- 1.15 To approve the annual capital and revenue estimates and fix the annual Council Tax charge
- 1.16 To authorise allocations from reserves to specific activities and to authorise the retention of unallocated sums in reserve
- 1.17 Only to incur capital and revenue expenditure in addition to approved budgets (including entering into any commitment of resources beyond the current year) subject to the specific identification of appropriate and sustainable sources of funding with such changes to budgets then being formalised through virement.
- 1.18 To promote the purchase of land and property by compulsory purchase.
- 1.19 To undertake the employer role in relation to the Chief Executive, unless power is specifically delegated.
- 1.20 To authorise the establishment of formal relationships between the Council and communities elsewhere, including the establishment of and all other matters relating to Town Twinning links.
- 1.21 To consider all matters in relation to the Civic, Ceremonial and Hospitality arrangements of the Council;
- 1.22 To authorise, review and amend the Scheme governing Community Councils
- 1.23 To make schemes relative to Members' Allowances
- 1.24 To deal with all matters relating to electoral registration and all matters relating to the election of Councillors including, inter alia, alteration of electoral divisions and polling districts and the provision of polling stations and review of boundaries and electoral arrangements, except where specifically reserved to Council. Further, to oversee the whole functions of the Council in relation to the conduct and administration of elections including arrangements for the poll, counting of votes and declaration of results.
- 1.25 To oversee the Council's involvement in the Glasgow City Region and City Deal generally and any specific Council City Deal project or programme of work.

- 1.25 To undertake any function not otherwise delegated to any Committee, Sub-Committee or Officer.
  
- 1.26 To submit representations to Scottish Ministers in relation to any matter relating to the operation of the Council or delivery of services not otherwise delegated to any Committee, Board, Sub-Committee or Officer.

## **PLACE, NEIGHBOURHOOD & CORPORATE ASSETS (PNCA) COMMITTEE**

### **TERMS OF REFERENCE**

#### **GENERAL**

The committee shall have corporate responsibility for the following sections of the functions directed by the Depute Chief Executive – Place, Neighbourhood & Corporate Assets:-

- Planning including Development Management, Building Standards & Policy Development
- Economic Development & Tourism
- Asset Management including Estates
- Fleet Management
- Technical & Engineering Services
- Housing
- Waste Management
- Roads & Environment
- Neighbourhood Services
- Community Planning and Place
- Community Protection
- The promotion of the area of East Dunbartonshire

In addition, the Committee shall undertake the performance oversight of East Dunbartonshire Leisure & Culture Trust (“EDLCT”)

#### **SPECIFIC**

The committee shall have responsibility for policies, service plans, performance management and financial monitoring systems for the following service areas:-

##### **Local Development Planning & Planning Policy**

To direct and discharge the statutory and non-statutory functions of the Council as strategic and local planning authority in accordance with recognised planning principles and to formulate, promote and implement policies to plan, control and promote the use and development of land and buildings in East Dunbartonshire and also to include transportation strategies.

##### **Enterprise and Economic Development**

To exercise the statutory functions of the Council in relation to Economic Development and to develop strategies for marketing and inward investment,

business development and support, tourism development (incl. Mugdock Country Park)

The consideration of the broad social and economic needs of East Dunbartonshire and matters of comprehensive importance to the area including the contents of strategic and local plans.

To respond to and develop policies arising from International Policy in terms of impacts on the economy and infrastructure of East Dunbartonshire and to develop the profile of the Council overseas.

### **Asset Management**

To oversee the Council's asset portfolio and accommodation, ensure effective development and provision of corporate asset management plans and strategies and to direct and discharge the statutory and non-statutory functions of the Council in relation to energy management, climate change and sustainability legislation.

### **Fleet Management**

To direct and discharge the statutory and non-statutory functions of the Council relating to the council Fleet Operator Licence, management, operation and replacement of the council's plant and vehicle fleet.

### **Housing Services**

To direct and discharge the statutory and non-statutory functions of the Council as Housing Authority and to develop strategies in relation to all types of tenure, including the identification of need, the direction of investment and the management and disposal of Housing Revenue and Capital Accounts assets, Housing Repairs and Estate Management.

To be responsible for the Council's strategy and policies in respect of Housing Strategy, including the Local Housing Strategy and Strategic Housing Investment Plan

To oversee all Housing Development matters for the Council (except in relation to matters reserved to the Planning Board).

To be responsible for the Council's strategy and policies in respect of private Sector Housing and the administration of grant and loan assistance to private sector housing owners.

To discharge the Council's functions in terms of the Housing (Scotland) Act 1987; Part II Homeless Persons.



To oversee the provision of a comprehensive Housing Information and Advice Service to all residents of East Dunbartonshire.

To oversee progress by Housing Services in housing related aspects of Care in the Community Legislation, (NHS and Community Care Act, 1990).

### **Property Maintenance**

To oversee the management of the maintenance, repair, improvement and preservation of all property assets within the Council's ownership or management.

### **Facilities Management**

To oversee the effective provision of facilities management services including catering, cleaning, janitorial and mail delivery systems for all operational properties.

### **Roads Operations and Network Management**

To oversee the development and review effective policies and strategies and deliver statutory and non-statutory services with respect to all matters relating to the relevant powers and duties of the Council as Roads Authority.

To oversee the discharge of the Council's Statutory obligations under the Road Traffic Act 1988 in respect of the following:-

- the preparation of a Road Safety Plan.
- information in relation to accidents, statistics and trends within East Dunbartonshire.
- policies and targets for reduction of road accidents within East Dunbartonshire.
- programmes of road safety training.
- expenditure to outside bodies for road safety purposes
- liaison with outside bodies with road safety interests including consultation with RoPSA, SRSC, community groups and organisations with an interest in road safety.

### **Neighbourhood Services**

To direct and discharge the statutory and non-statutory functions of the Council in relation to Waste Management Services.

### **Environmental Services**

To direct and discharge the statutory and non-statutory functions of the Council in relation to Streetscene services, including parks, open spaces, playing fields and cemeteries.

---

### **Building Standards**

To direct and discharge the Council's statutory and non-statutory functions relating to building control and other health, safety and welfare matters relating to the public use of buildings.

### **Community Planning**

To be responsible for policies and operational arrangements to identify and meet the needs of the communities within East Dunbartonshire in so far as relating to the functions of the Council, including the delivery of the Local Outcome Improvement Plan (LOIP) and Place Plans

### **Community Safety**

To be responsible for the management of Community Safety Services including anti-social behaviour teams, road safety, emergency response and civil emergency planning.

### **Environmental Health**

To exercise the statutory powers and duties of the Council relative to Environmental Health and Trading Standards services including food hygiene, labelling and safety standards, health and safety at work, public health, pollution and environmental protection legislation.

### **Leisure & Cultural Services**

To commission, provide, develop and maintain sports, recreational and leisure facilities on behalf of the Council in liaison with other agencies and voluntary bodies.

To receive and consider performance reports from EDLCT.

## **EDUCATION COMMITTEE**

### **TERMS OF REFERENCE**

#### **GENERAL**

The committee shall have corporate responsibility for the following sections of the Council's Education Services:-

- Education
- School Management
- Curriculum for Excellence
- Early Years & Childcare
- Supporting Families
- Quality Assurance
- Additional Support Needs
- Getting it Right for Every Child (GIRFEC)
- Skills for Learning Life & Work, including employability

#### **SPECIFIC**

To direct and supervise the discharge of the functions of the Council as Education Authority in terms of Education (Scotland) Act 1980 (as amended) and any enactments amending or extending such functions.

The committee shall have responsibility for policies, service plans, performance management and financial monitoring systems for the following service areas:-

#### **Support for Learning**

To develop and review policies, strategies and schemes for the delivery of Support for Learning Services including additional needs, sensory, psychological, behavioural, language, child protection and outdoor education.

#### **Quality Improvement**

To develop and review Quality Assurance and Improvement policies and strategies and schemes for the delivery of Education and Support services relating to instrumental music, work experience and vocational education, college and school partnerships, equalities and parental involvement.

#### **Early Years & Childcare**

To develop and review policies, strategies and schemes for Early Years Services and the management of childcare and parental support services.

## **Community Learning & Development**

To be responsible for the management and delivery of community and lifelong learning and development services and to develop policies for delivery of services to children and young people.

### **Membership**

In addition to the 12 Elected Members of the Council, the Education Committee shall comprise the following members:

- 3 Religious Representatives as required by s.31 of the Local Government (Scotland) Act 1973, including one representative from each of the Church of Scotland and the Roman Catholic Church, and a third selected having regard to comparative membership within East Dunbartonshire of all of the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship;
- One Head Teacher representative from an East Dunbartonshire school, to be appointed from among their number;
- One teaching staff (other than Head Teacher) representative from an East Dunbartonshire School, to be appointed from among their number;
- One parent member from an East Dunbartonshire Parent Teacher Council; and
- Two young persons to be appointed by the East Dunbartonshire Youth Council

Religious representatives appointed as members of the Committee may participate in Committee meetings and shall have the same voting rights as Councillors

The additional representatives are appointed to the Committee as assessors to represent the interests of their particular group. Whilst they can participate in Committee meetings, they shall not have voting rights.

## **AUDIT & RISK MANAGEMENT COMMITTEE**

### **Terms of Reference of the Committee**

This committee is charged with responsibility for the following matters:-

1. Ensuring good stewardship of the Council's resources including the discharge and support for all activities in terms of Section 95 of the Local Government (Scotland) Act 1973.
2. Enhancing the profile, status and authority of the audit function and demonstrating its independence.
3. Contributing towards making the Council, its Committees and Services more responsive to the Audit function.
4. Promoting internal control by the systematic appraisal of the Council's internal control mechanisms, by the development of an anti-fraud culture and by the review of all procedures.
5. Agreeing the audit plans and monitoring the delivery of the audit service and for supplementing resources in specialist areas as required.
6. To secure Best Value & Value for Money in relation to both internal and external audit performance by ensuring auditor / officer collaboration within the agreed timescales, by securing the timely preparation and response to audit reports, by ensuring the implementation of audit recommendations and by monitoring the finalisation of the annual accounts.
7. To receive and consider executive summaries of: - System reviews; Value for Money (VFM) reports; Contract Audit reports; Special Investigation reports; chronological summary of internal audit reports awaiting a Service response; key recommendations actioned; and all external audit reports.
8. To refer all applicable Reports to the relevant Committee or Council, as appropriate.
9. To consider and provide scrutiny of the Treasury Management Strategy, Investment Strategy and Prudential Indicators (as determined in accordance with CIPFA's "Prudential Code for Capital Finance in Local Authorities") prior to submission for approval by the Council.
10. To consider any issue regarding Best Value, as may be remitted to the Committee from the Council or Standing Committee.

11. To consider specific reports in relation to the LOIP performance and the Council's Transformation Programme.
12. To undertake strategic scrutiny of (i) Community Planning progress towards achieving the long term outcomes of the East Dunbartonshire LOIP and (ii) the delivery of the Council's Transformation Programme.
13. To consider and scrutinise the Council's performance in relation to its obligations relating to Information Management, including the scrutiny of the performance of each executive portfolio and wider corporate performance.
14. To receive an annual report in relation to the Council's use of the Regulation of Investigatory Powers (Scotland) Act 2000 for both Directed Surveillance and Covert Human Intelligence Sources.
15. To determine and co-ordinate the work plans and scrutiny activity of the Council's Scrutiny Panels.
16. To consider improvement reports from the Council's Scrutiny Panels.
17. To consider consolidated improvement reports for all executive portfolios

## **POLICY and RESOURCES COMMITTEE**

### **TERMS OF REFERENCE**

#### **GENERAL**

The Committee shall have corporate responsibility for the Chief Executive's Office, functions under the direction of the Depute Chief Executive – Education, People & Business, and the performance oversight of the Council's operational Social Work delivery. In particular, the Committee shall have responsibility for:-

- Procurement & Contract Management
- Corporate & Directorate Finance
- Revenues & Benefits
- Information Management
- Internal Transactional Shared Services
- Legal Services
- Corporate Governance including Members Support
- Registration
- Licensing
- Customer Services
- ICT
- Transformational Change
- Workforce Strategy
- HR & Employee Relations
- Strategic Planning & Performance
- Oversight of operational Social Work performance

To deal with all matters not otherwise within the area of responsibility of another Committee or reserved to Council;

On behalf of the Council, to deal with any matter of urgency which arises during the Council recess.

To oversee arrangements for the provision of resources for Members whether by way of accommodation, equipment, technology or otherwise;

To consider matters concerned with the structure and organisation of Local Government generally, including arrangements concerning relations with the Convention of Scottish Local Authorities except where those fall within the operational responsibilities of another Committee.

## **SPECIFIC**

The committee shall have responsibility for policies, service plans, performance management and financial monitoring systems for the following service areas: -

## **GOVERNANCE & REGULATION**

### **Registration**

To direct and supervise the discharge of functions of the Council under the Registration of Births, Deaths and Marriages (Scotland) Act 1965 and the Marriage (Scotland) Act 1977 and any enactments altering or amending the same;

### **Management Rules of Council**

To make and review management rules except in so far as expressly contained within the Terms of Reference of the Council.

### **Licensing**

To oversee the whole functions and powers of the Council, including policy-making, as the Authority responsible for civic government licensing, registration and the determination of applications for permits and permissions except to the extent that such functions and powers are expressly within the Terms of Reference of another Committee or are the responsibility of the Civic Government Appeals Board, to include policy-making.

### **Public & Private Legislation**

To consider provisions contained in Bills, Acts and provisional Orders affecting the interests of the Council and to promote or oppose provisional Orders etc. in the interest of the Council but only in so far as such Bills, Acts or provisional Orders are not specifically and solely appropriate for consideration by another Committee or fall within the scope of matters reserved to the Council;

### **Financial Management**

To advise the Council generally as to its financial and economic policies and as to the allocation and control of its financial resources and, in particular, to consider and make recommendations to the Council on: -

- The annual estimates of revenue expenditure and estimates of capital expenditure of all Committees;



- The determination of requests to incur expenditure not provided for in the approved Capital and Revenue Estimates; and
- The Treasury Management Strategy; and
- The approval of expenditure on capital schemes coming within the remit of the Committee within approved capital programmes and within approved Council objectives.

### **Corporate Procurement**

To develop and manage the effective delivery of the Council's Corporate Procurement Strategy including the regulation and monitoring of local purchasing.

### **Public Relations/Communications**

To provide information concerning the activities of the Council, to develop and manage policies for the effective delivery of internal and external communications and to consider matters of public relations and community consultation and engagement.

### **Strategic Planning & Performance**

To guide the Council in the formulation of its policy objectives and priorities and, for this purpose, to recommend to the Council such forward programmes and other steps as may be necessary to achieve those objectives, either in whole or in part, during specific time spans.

Without prejudice to the duties and responsibilities of the Committees, to review the effectiveness of the whole work of the Council and the standards and levels of service provided, to identify the need for new services and to keep under review the necessity for existing services.

To prepare, implement and keep under continuous review such forward programmes as the Committee considers necessary to achieve the Council's long term aims and objectives.

To co-operate on behalf of the Council in all relevant matters with domestic, international and all other public sector bodies.

### **Human Resources**

To consider all matters associated with the policies and practices of the Council in relation to the human resources of the Council including: -

The establishment of all Services of the Council, and

The pay, wages and Conditions of Service of all Council employees including matters associated with Sick Pay Schemes, Pension, Group Life Assurance and Accident Assurance and Allowances.

### **Information Technology**

To oversee the development of Information Technology within the Council and to consider the Council's information technology Plans, strategies, policies, standards and guidelines.

To be responsible for reviewing the effectiveness of information technology in the Council in terms of achieving objectives and value for money

Such matters relating to information technology as may be referred by any Committee or the Council from time to time.

### **Social Work**

To have oversight of the operational service delivery and performance for Social Work and Social Care Adult, Children's and Criminal Justice Services, in accordance with the policies and priorities determined by the East Dunbartonshire Health and Social Care Partnership ("HSCP").

- **Social Work Children's Services**

The HSCP will retain overall strategic and financial authority for the functions to which these services pertain. The Council shall have responsibility for operational services, performance management and financial monitoring, against the policies and priorities determined by the HSCP. The relevant services will include but may not be limited to: the statutory functions of the Council as Social Work Authority in relation to relevant child care legislation, including functions and services associated with assessment and care management, adoption and fostering, looked after and accommodated children, kinship care, child protection and youth justice.

- **Criminal Justice Social Work Services**

The HSCP will retain overall strategic and financial authority for the functions to which these services pertain. The Council shall have responsibility for operational services, performance management and financial monitoring, against the policies and priorities determined by the HSCP. The relevant services will include but may not be limited to: relevant adult criminal justice legislation, including functions and services associated with provision of social background reports to court, probation orders, community payback orders and public

---

protection with regard to the risk assessment and supervision of serious violent and sex offenders.

- **Adult Social Work and Social Care Services**

The HSCP will retain overall strategic and financial authority for the functions to which these services pertain. The Council shall have responsibility for operational services, performance management and financial monitoring, against the policies and priorities determined by the HSCP. The relevant services will include but may not be limited to: assessment and care management, domiciliary care at home, care home admission, occupational therapy, self-directed support, alcohol and drugs, learning disability, sensory impairment, physical disability, mental health and adult protection.

## **REMIT OF SUB-COMMITTEES**

### **POLICY & RESOURCES SUB-COMMITTEE**

#### **TERMS OF REFERENCE**

##### **Human Resources**

1. To determine applications made under the Council's Early Retirement and Voluntary Severance and Redundancy Schemes;
2. To be responsible for the selection and appointment of the Chief Executive, Depute Chief Executive, Chief Finance Officer, Chief Solicitor & Monitoring Officer, Chief Education Officer and the Chief Social Work Officer.
3. To be responsible for operation of any HR proceedings in accordance with the relevant Council policies in relation to the Chief Executive.
4. Such other related matters as may be referred by the Policy & Resources Committee or Council.

## **PLANNING BOARD**

### **TERMS OF REFERENCE**

#### **1. Composition and Membership**

- 1.1 East Dunbartonshire Planning Board will be a full Member Board consisting of all 22 Councillors. The quorum for the meetings for the Board shall be six Members.

#### **2. Powers**

- 2.1. The Planning Board shall have full powers to deal with all types of Planning Applications and Planning Enforcement matters, and matters arising from Building Standard applications and submissions including representations against enforcements under the Building (Scotland) Act 2003.
- 2.2 The Planning Board shall be entitled to hear interested parties in order to discharge the Board's responsibilities and in particular at the discretion of the Board to hold Planning Hearings on request in respect of:-
- i) Planning Applications where there is a proposed substantial departure from the Local Development Plan, or otherwise as determined by the Planning Board.
- 2.3 To undertake Site Visits as and when requested on a purely factual basis, reporting back to the full Board where thereafter all Members may discuss and vote even if not present at the Site Visit.
- 2.4 To hold hearings as necessary where the Council is acting as verifier or local authority in the exercise of their functions under Parts 2, 3, 4 and 5 of the Building (Scotland) Act 2003.
- 2.5 To determine planning applications which have been the subject of a pre-determination hearing.

## **REMITS OF APPEALS BOARDS**

### **HUMAN RESOURCES APPEALS BOARD**

#### **Terms of Reference of the Appeals Board**

1. To conduct appeals by employees in respect of HR procedures, as appropriate, and where a right of appeal to the Human Resources Appeals Board exists in accordance with the relevant Council policies and procedures.

## **BUSINESS RATES APPEALS BOARD**

### **Terms of Reference of the Business Rates Appeals Board**

1. To conduct Hearings in relation to appeals against Non-Domestic Rates decisions, in accordance with section 238 of the Local Government (Scotland) Act 1947.

## **CIVIC GOVERNMENT APPEALS BOARD**

### **Terms of Reference of the Civic Government Appeals Board**

1. To discharge the Council's regulatory and enforcement functions in relation to all matters under the Civic Government (Scotland) Act 1982 ("the Act") and/or other legislation covering other licences, certificates, permits, permissions, consents, notifications and appeals, including specifically the regulation of public processions, so far as not delegated to another Committee, Board or Officer.
2. To conduct hearings in respect of the functions detailed at 1 above, in such a manner as it considers appropriate having regard to the subject matter under consideration and the requirements of law, in relation to the determination, suspension, variation, or revocation, as appropriate, of applications for licences, certificates, permits or orders.
3. To conduct hearings into investigations undertaken in terms of Paragraphs 4 and 11 of Schedule 1 to the Act in respect of any existing licence, application for grant of a licence or renewal application, whether or not a complaint has been received by the Council as licensing authority.
4. To visit any site connected with a matter under consideration, where doing so would assist the discharge of functions.
5. To issue Exclusion Orders and conduct hearings in respect of such Orders in terms of Section 117 of the Civic Government (Scotland) Act 1982.
6. To conduct hearings in respect of offences for which Fixed Penalty Notices have been issued under the Smoking, Health and Social Care (Scotland) Act 2005.



## **EDUCATION APPEALS BOARD**

### **Terms of Reference of the Appeals Board**

The following powers in relation to appeals: -

1. The power to determine appeals made in terms of the Disciplinary Procedure and Procedure for Settling Grievances contained in the Conditions of Service for all employees in educational establishments who are subject to Teachers' Conditions of Service, and
2. The power to uphold or reject such appeals, to order the varying of disciplinary action taken and to dispose of all issues arising from appeals heard in terms of the said Procedure for Settling Grievances.

The following powers in relation to joint appeals and bursaries: -

3. The power to determine appeals relating to Further Education and Higher School Educational Maintenance Allowances (EMA);
4. The power to consider points of principle relating to bursary awards and to advise and make recommendations to the Education Committee on the Council's policy on Further Education and Higher School Educational Maintenance Allowances (EMA), and
5. The power to determine appeals relating to access to or amendment of pupil or student records

The following powers in relation to Teachers' Conditions of Service:

6. The power to determine applications under the Teachers' Early Retirement/ Voluntary Severance Scheme.

## **HOUSING APPEALS BOARD**

### **Terms of Reference of the Appeals Board**

1. To consider appeals in relation to decisions made by the Executive Officer – Housing on: -
  - Homelessness determinations;
  - Council tenancy successions;
  - The private landlord registration scheme and whether a landlord is a fit and proper person;
  - House of Multiple Occupation licences where an application attracts three or more representations;
  - Any Housing matter in respect of which the officers have not acted in accordance with Council policy.

## **TRAFFIC MANAGEMENT APPEALS BOARD**

### **Terms of Reference of the Appeals Board**

1. To consider objections and representations in respect of proposed traffic orders and to decide whether to approve, amend or abandon the proposed order.

## **PLANNING LOCAL REVIEW BODY**

### **Terms of Reference of the Review Body**

1. To carry out reviews, in terms of the Planning etc. (Scotland) Act 2006 and associated regulations, of:
  - planning decisions made by officers under delegated powers; and
  - non-determination of planning applications which fail to be dealt with by officers under delegated powers within the prescribed timescales.

## **HOUSING, HEALTH & CARE FORUM**

### **Terms of Reference of the Housing, Health & Care Forum**

1. To engage with the Council's Housing Service in relation to the following matters:
  - the development of policies and priorities for housing in East Dunbartonshire
  - the implementation of operational delivery plans, including (but not limited) to housing repairs, care and repair service, partnership provision of services by Housing and HSCP
2. To consult on those Housing issues which may be referred to a future meeting of the Place, Neighbourhood & Corporate Assets Committee for determination.
3. To foster and further develop collaborative working across Housing Services and the HSCP through ongoing engagement and discussion.
4. To engage with the HSCP in relation to the following matters: -
  - development of the strategic plan for integrated health and social care services;
  - the development of policies and priorities for integrated health and social care within East Dunbartonshire; and
  - wider issues impacting on the integration of health and social care and the provision of services within East Dunbartonshire;
5. To consult on issues which may be referred to a future meeting of the HSCP.

## **REMITTS OF SCRUTINY PANELS**

### **Terms of Reference for Scrutiny Panels**

The primary role of the Scrutiny Panels is to scrutinise the performance of Council services and their work with partners in contributing to delivery of the Local Outcome Improvement Plan and the Transformation Programme to support more effective resource use and the achievement of continuous improvements. The Panels will have the following designated accountabilities:

- To scrutinise performance in implementation of local outcomes within the Single Outcome Agreement designated by the Audit & Risk Management Committee
- To scrutinise performance in implementation of the Transformation Plan workstreams agreed in partnership with Audit and Risk Management Committee
- To respond to issues referred by the Audit and Risk Management Committee
- To report on outcomes of scrutiny to the Audit and Risk Management Committee
- To make recommendations relevant to more effective resource use and the achievement of continuous improvement to the Audit and Risk Management Committee
- To develop and implement Panel Work Plans based on initial scrutiny undertaken by the Audit and Risk Management Committee for approval by the Audit and Risk Management Committee
- To submit to the Audit and Risk Management Committee an annual review of Work Plan implementation which demonstrates the impact of Panel activity
- To invite Conveners/Vice Conveners and relevant officers to provide information on a specific issue being considered by the Panel
- To invite relevant stakeholder groups and individuals, including individuals, voluntary sector and community organisations to provide information on a specific issue being considered by the Panels

### **Scrutiny Panels - Criteria for Selecting an Area for Scrutiny Focus**

Areas selected for scrutiny focus will be those where improvements require to be implemented. The need for improvement will be evidenced through the following:

- Findings of initial review of performance undertaken by Audit and Risk Management Committee
- Findings of external/internal audit and inspection reports reported to Audit and Risk Management Committee.
- Benchmarking data with other Councils and service providers identifies the need for more effective delivery
- Findings from consultation with service users and other stakeholders
- Gaps in performance evidence a risk to outcome delivery