



Glasgow City Council

Item 4

27th June 2024

Report by: Mairi Millar, Director of Legal and Administration

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PROPOSED CHANGES TO THE SCHEME OF DELEGATED FUNCTIONS

Purpose of Report:

To submit for approval the Scheme of Delegated Functions.

Recommendations:

It is recommended that the Council approves the proposed changes to the Scheme of Delegated Functions as detailed in this report.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No x ☐

1. Introduction

The attached Scheme of Delegated Functions are submitted for approval. The existing Scheme of Delegated Functions have been amended to take account of revised management structures and changes in legislation as well as some minor clarifications. The amendments are as follows:-

Existing Delegation	Reason for amendment	Proposed Amendment
General - Introduction <i>“No. 3 is exercisable also by the following officers in the Chief Executive’s Department: Director of Legal and Administration, Head of Legal and Democratic Services, Executive Legal Manager, Head of Corporate Procurement, Legal Manager, and Contract Review and Service Reform Manager.”</i>	To allow the Head of Information and Data Protection Officer, as a senior legal officer, to award contracts in terms of Standing Orders 1.1.7.3, 7.2.2.3 and 12 as detailed in paragraph 3 of the General Delegations.	Amendment to insert <i>“Head of Information and Data Protection Officer”</i> .
General – No. 3 (a) <i>“3. In terms of the Standing Orders Relating to Contracts:-</i> <i>(a) under either Standing Order 1.1.7.3 or 7.2.2.3, to issue letters of acceptance for any contracts of a value up to 213,477 (incl VAT) (or any revised value threshold notified by the Scottish Ministers from time to time) for supplies/services/light touch regime services, and for any contract of a value up to £2,000,000 (excl. VAT) for works;”</i>	To reflect the Scottish Government procurement threshold value which was updated in January 2024.	Amendment to delete <i>“213,477”</i> and relace with <i>“214,904”</i> .
Chief Executive – No. 49 <i>“49. To issue, after consultation with the City Convener for Democratic Renewal and the Corporate Management Team, Procedural Rules relating to the use and management of information within the Council.”</i>	To bring this delegation in line with other references throughout the Scheme of Delegated Functions to <i>“the appropriate City Convener”</i> rather than to a specific Convener title which may change from time to time.	Amendment to delete <i>“City Convener for Democratic Renewal”</i> and replace with <i>“appropriate City Convener”</i> .

<p>Executive Director of Finance</p> <p>The current delegations to the Executive Director of Finance to settle claims are set out in the delegations to the Chief Executive at paragraphs 15, 16 and 17.</p>	<p>To reflect in this section the current delegations set out in the Chief Executive's section which allow for the Executive Director of Finance to settle claims up to £25,000 and after consultation with the appropriate Executive Director and the Chief Executive, claims over £25,000.</p> <p>To allow for the Executive Director of Finance to settle claims against the former Strathclyde Regional Council up to £25,000 and after consultation with the appropriate Executive Director and the Chief Executive, claims over £25,000.</p>	<p>Amendment to insert the following as paragraphs 23, 24 and 25:</p> <p><i>“23. To settle up to a maximum of £25,000 and, where appropriate, after consultation with the appropriate Executive Director and the Chief Executive, over £25,000:-</i></p> <ul style="list-style-type: none"> <i>(a) Public liability claims;</i> <i>(b) Employer's liability claims;</i> <i>(c) Motor - own fleet claims;</i> <i>(d) Motor - hired plant claims; and</i> <i>(e) claims to an employment tribunal.</i> <p><i>24. To settle claims against the former Strathclyde Regional Council of up to £25,000 (where the settlement has involved a court action in which he/she or solicitors in agents authorities represented the Council).</i></p> <p><i>25. Together with the Chief Executive, after consultation with other Executive Directors where appropriate, to settle claims against the former Strathclyde Regional Council of over £25,000.”</i></p>
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<p>Chief Officer to the Integration Joint Board – No. 3</p> <p><i>“3. To make payments to voluntary organisations for the purchase of services or initial purchase of equipment up to a value of £20,000.”</i></p>	<p>To clarify that the Chief Officer to the Integration Joint Board can make payments of grants and to expand the use for such grants up to the currently agreed value.</p>	<p>Amendment to delete “<i>payments</i>” and replace with “<i>grants</i>”.</p> <p>Amendment to delete “<i>for the purchase of services or initial purchase of equipment</i>” and replace with “<i>in support of the provision of social care / support and / or housing support services</i>”.</p>
<p>Chief Officer to the Integration Joint Board – No. 6</p> <p><i>“6. To provide direct assistance (loans or grants) under statutory provisions in</i></p> <p><i>(a) the Social Work (Scotland) Act 1968, the Children’s Act 1975 or the Children (Scotland) Act 1995; and</i></p> <p><i>(b) Sections 29 and 30 of the Children (Scotland) Act 1995, Section 73 of the Regulation of Care (Scotland) Act 2001 and Section 6 of the Children (Leaving Care) Act 2000.”</i></p>	<p>To amend the delegated function to appropriately reflect the relevant legislation.</p>	<p>Amendment to delete bullet points “(a)” and “(b)” and replace with “<i>To provide direct assistance (loans or grants) under statutory provisions in the Social Work (Scotland) Act 1968, the Children’s Act 1975 or the Children (Scotland) Act 1995</i>”.</p>
<p>Appendix – List of officers by whom delegated powers are exercisable – Introduction.</p> <p><i>“2. Item No 3 in the General delegations is also exercisable by the following officers in the Chief Executive’s Department: Director of Legal and Administration, Head of Legal and Democratic Services, Executive Legal Manager, Head of Corporate Procurement, Legal Manager, and Contract Review and Service Reform Manager.”</i></p>	<p>To allow the Head of Information and Data Protection Officer, as a senior legal officer, to award contracts in terms of Standing Orders 1.1.7.3, 7.2.2.3 and 12 as detailed in paragraph 3 of the General Delegations.</p>	<p>Amendment to insert “<i>Head of Information and Data Protection Officer</i>”.</p>

<p>Appendix – List of officers by whom delegated powers are exercisable – Executive Director of Finance</p> <p>The current delegations to the Executive Director of Finance to settle claims are set out in the delegations to the Chief Executive at paragraphs 15, 16 and 17.</p>	<p>To reflect that the powers delegated to the Executive Director of Finance are also exercisable by the Director of Financial and Business Services and to allow the Head of FS Governance and Change to settle relevant claims up to the value of £150,000.</p>	<p>Amendment to insert paragraphs 23, 24, and 25.</p> <p>Amendment to insert “<i>Director of Financial and Business Services</i>” and, separately, “<i>Head of FS Governance and Change, up to £150,000</i>” for paragraphs 23, 24 and 25.</p>		
<p>Appendix – List of officers by whom delegated powers are exercisable - Chief Officer to the Integration Joint Board – No. 2</p> <table><tr><td>No 2</td><td><p><i>Chief Social Work Officer</i> <i>Deputy Chief Social Work Officer</i> <i>Chief Officer: Finance and Resources</i> <i>Head of Commissioning (contracts up to a value of £213,477 (incl. VAT))</i></p></td></tr></table>	No 2	<p><i>Chief Social Work Officer</i> <i>Deputy Chief Social Work Officer</i> <i>Chief Officer: Finance and Resources</i> <i>Head of Commissioning (contracts up to a value of £213,477 (incl. VAT))</i></p>	<p>To reflect the Scottish Government procurement threshold value which was updated in January 2024.</p>	<p>Amendment to delete “213,477” and relace with “214,904”.</p>
No 2	<p><i>Chief Social Work Officer</i> <i>Deputy Chief Social Work Officer</i> <i>Chief Officer: Finance and Resources</i> <i>Head of Commissioning (contracts up to a value of £213,477 (incl. VAT))</i></p>			

2. Policy and Resource Implications

Resource Implications: N/A

Financial: N/A

Legal: N/A

Personnel: N/A

Procurement:

Council Strategic Plan: N/A

Equality and Socio-Economic Impacts: N/A

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify.

N/A

What are the potential equality impacts as a result of this report?

N/A

Please highlight if the policy/proposal will help address socio-economic disadvantage.

N/A

Climate Impacts:

N/A

Does the proposal support any Climate Plan actions? Please specify:

N/A

What are the potential climate impacts as a result of this proposal?

N/A

Will the proposal contribute to Glasgow's net zero carbon target?

N/A

Privacy and Data Protection Impacts:

N/A

Are there any potential data protection impacts as a result of this report Y/N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out.

3. Recommendations

It is recommended that the Council approves the proposed changes to the Scheme of Delegated Functions as detailed in this report.