



Orkney and Shetland Valuation Joint Board



Scheme of Delegation to Officers

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1. Introduction

1.1. The powers/functions detailed within this document are those delegated by Orkney and Shetland Valuation Joint Board to the Assessor and Electoral Registration Officer, the Clerk and the Treasurer or in appropriate cases powers/functions recognised by the Board as powers/functions exercised by the Assessor and Electoral Registration Officer under statutory authority.

2. Definitions

2.1. In this Scheme of Delegation, the following words have the following meanings:

- Assessor and Electoral Registration Officer – the officer appointed by the Board as the Assessor and Electoral Registration Officer in terms of the Local Government etc. (Scotland) Act 1994.
- Clerk – the Clerk to the Board appointed by the Board.
- Contract Standing Orders – the Contract Standing Orders adopted by the Board.
- Convener – the Convener of the Board appointed by the Board.
- Council – the authority undertaking a range of duties including administering the meetings of the Board and providing financial, administrative, human resource, and other support services to facilitate the work of the Board.
- Data Protection Officer – the Data Protection Officer appointed by the Board.
- Depute Assessors and Electoral Registration Officers – the officers appointed by the Board as the Assistant Assessors and Electoral Registration Officers in terms of the Local Government etc. (Scotland) Act 1994.
- Depute Convener – the Depute Convener of the Board appointed by the Board.
- Financial Regulations – the Financial Regulations adopted by the Board.
- The Board – the Orkney and Shetland Valuation Joint Board set up under The Valuation Joint Boards (Scotland) Order 1995.
- The Order – The Valuation Joint Boards (Scotland) Order 1995 made in terms of section 27(7) to (9) of the Local Government etc. (Scotland) Act 1994.
- Treasurer – the Treasurer to the Board appointed by the Board.

3. General

3.1. Without prejudice to the statutory functions and duties of the Assessor and Electoral Registration Officer, the delegations approved by the Orkney and Shetland Valuation Joint Board are subject to:

- Appropriate provisions for financial outlays having been made in the estimates for the current year.
- The Contract Standing Orders and the Financial Regulations.
- The Chief Executive of the Council authorising other officers to carry out the duties of the Clerk and the Treasurer in their absence or with their authority.

4. Commencement

4.1. This Scheme will apply and have effect on and after 24 September 2024.

5. Review

5.1. The Board may review this Scheme annually.

5.2. Subject to adequate publicity being given to such amendments, the Clerk shall have the power to amend or alter this Scheme:

- To correct any textual or minor errors.
- To make any consequential amendments required as a result of a decision of the Board.
- To reflect changes in legislation and/or established practice.

6. Powers/Functions Delegated or Recognised to the Assessor and Electoral Registration Officer

6.1. The delegations to the Assessor and Electoral Registration Officer shall also be delegations to the Depute Assessor and the Depute Electoral Registration Officer but only in those circumstances where the Assessor and Electoral Registration Officer is not available to exercise any of these delegations.

6.2. The **Assessor and Electoral Registration Officer** is empowered or is recognised by the Board as having the undernoted authority:

Corporate Governance	
6.2.1.	To deploy resources as he/she thinks fit for the best execution of functions under his/her management subject to the Board's Financial Regulations and subject to there being appropriate provision in the Board's budget.
6.2.2.	To ensure that all activities undertaken are within the legal powers of the Board and/or of the Assessor and Electoral Registration Officer and in the event of doubt to consult with the Clerk and/or an independent legal adviser as appropriate.
6.2.3.	Where he/she thinks it is in the interests of the Board or to be of assistance in carrying out his/her statutory functions to approve the provision of reasonable hospitality to representatives of other authorities, organisations, officers of the Board and to others up to a maximum of £500 in relation to any one occasion.
6.2.4.	To sign all documents on behalf of the Board relative to the functions for which the Assessor and Electoral Registration Officer is responsible and to authorise other officers to do so.
6.2.5.	To agree with constituent authorities the exchange of staff or other resources to complete work on behalf of the Board.
6.2.6.	To take all necessary action of a routine nature in terms of his/her appointment to implement policies, practices and procedures previously agreed by the Board

	and also to take such action implicitly in all matters ancillary thereto, including the incurring of expenditure of a minor or recurring nature and for which adequate provision has been made in the approved revenue budget.
6.2.7.	To sign documents on behalf of the Board relevant to any functions which the Assessor and Electoral Registration Officer has as a matter of custom and practice carried out on behalf of their valuation authorities.
6.2.8.	In consultation with the Clerk, to engage private legal firms and/or legal counsel in respect of judicial or quasi-judicial proceedings or in connection with questions relating to the statutory powers or functions of the Assessor and Electoral Registration Officer and to take appropriate action including initiating, entering, defending and withdrawing from such proceedings or engagements.
6.2.9.	To deal with any operational matter not otherwise delegated in the period between the last meeting of an administration and prior to the setting up of a new Board following statutory elections.
6.2.10.	In consultation with the Clerk, to take such measures as may be required in emergency situations on any matter for which the Board's approval would normally be necessary subject to advising the Convener and/or the Depute Convener where possible and reporting to the Board as soon as practicable thereafter.
6.2.11.	To submit responses to consultation documents which concern operational issues.
Finance and Resources	
6.2.12.	To maintain proper security for staff, buildings, stocks, stores, furniture, equipment, non-physical assets such as data and similar items under his/her control. Where special arrangements are considered necessary he/she shall consult with the Treasurer.
6.2.13.	To issue orders for the supply of goods and services required for normal working and for which there is adequate provision in the approved revenue budget, all in accordance with the Contract Standing Orders and Financial Regulations.
6.2.14.	To authorise the payment of accounts due by the Board or by the Assessor and Electoral Registration Officer for goods and services properly supplied and for which there is adequate provision in the approved revenue budget.
6.2.15.	To advise the Treasurer about any extraordinary financial obligation which will affect the Board.
6.2.16.	To advise the Treasurer about any extraordinary risk which will affect the insurances held on behalf of the Board.
6.2.17.	In consultation with the Treasurer, the Clerk and the Convener, to contribute towards the costs of settlement of cases up to a maximum of £10,000 in any one case not otherwise covered by the Board's insurance arrangements.
6.2.18.	To set fees for the sale of the valuation roll, other documents and services where the level of such fees is not prescribed by statute.

6.2.19.	To exercise delegations in terms of the Financial Regulations.
6.2.20.	In consultation with the Clerk and the Treasurer, to approve the terms and conditions of and to sign missives for leases or licences to occupy by or to the Board for periods not exceeding one year and to approve the renewal of leases or licences to occupy by the Board for up to a maximum overall term of 9 years.
Procurement	
6.2.21.	After consultation with the Clerk, to terminate, vary or amend on behalf of the Board any contract or part of any contract which the Board is entitled to terminate, amend or vary under the appropriate conditions of contract, if satisfied that it is in the interests of the Board.
6.2.22.	After consultation with the Clerk, to renew any contract, or conclude a contract with an existing supplier replacing a previous contract, where this is required by a continuing need for the service and there is adequate provision for the sums or fees payable, where it is in the Board's interests to do so, and where there are no other circumstances requiring Board decisions, always provided that this delegation is subject to the provisions of the Contract Standing Orders.
6.2.23.	To exercise delegations in terms of Contract Standing Orders.
Human Resources	
6.2.24.	To ensure, so far as reasonably practicable, the health, safety and welfare at work of Board employees.
6.2.25.	To approve the attendance of officers at conferences or meetings within the United Kingdom where he/she considers it to be in the interests of the Board or is relevant to the statutory functions of the Assessor and Electoral Registration Officer provided that the cost of the officer's attendance at any such event does not exceed £2,000 exclusive of subsistence, travelling and other ancillary expenses.
6.2.26.	To authorise the attendance of employees on full-time or part-time courses of study and the payment of appropriate fees.
6.2.27.	To authorise officials to travel within and outwith the Board's area (but within the United Kingdom), to authorise overnight absences in appropriate circumstances and to authorise the payment of monies for travel and subsistence in accordance with the scheme of travel/subsistence allowances accepted or approved by the Council.
6.2.28.	To appoint all staff up to and including the posts of Depute Assessor and Electoral Registration Officer.
6.2.29.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to approve salary placings within the agreed salary scales.
6.2.30.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to approve the acceleration of increments within existing salary scales to members of staff where appropriate.

6.2.31.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to amend post designations where they do not affect the grade of the posts.
6.2.32.	To exercise all powers given in the Conditions of Service adopted by the Board so far as discipline and efficiency of the Board is concerned.
6.2.33.	To determine appeals arising from disciplinary action and termination of service of employees except in so far as such appeals stand referred to any sub-committee of the Board arranged for this purpose.
6.2.34.	To determine appeals relating to statutory grievances.
6.2.35.	To apply the Conditions of Service adopted by the Board as affecting members of staff of the Board.
6.2.36.	To authorise the working of ordinary overtime by appropriate grades of officers. In addition the Assessor and Electoral Registration Officer is empowered to authorise the payment of overtime to certain officers whose salary exceeds the normal overtime limit subject to the proviso that the basic overtime rate will not exceed any grading level or spinal column point approved by the Council as the maximum basic overtime rate payable subject to the proviso that the payments in respect of overtime can be met from the approved revenue budget.
6.2.37.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to approve the award of temporary responsibility payments to employees in recognition of significant increase in duties and responsibilities, such payments to be reviewed at the end of a period of six months unless approved for a shorter period of time.
6.2.38.	To sign and issue (a) authorisation to officers of the Board to exercise statutory powers (including the right to enter land and premises in connection with the discharge of their duties) and (b) identity cards.
6.2.39.	To permit any member of his/her staff to absent him/herself occasionally and temporarily during business hours to attend to personal or family related matters or duties or services of a civic, honorary, charitable, academic or social nature or as otherwise prescribed in the adopted special leave policy, provided these do not interfere with the efficient discharge of the functions of the Assessor and Electoral Registration Officer or of the Board.
6.2.40.	To authorise that the salary of an officer should progress over/beyond a salary bar point in circumstances where the Assessor and Electoral Registration Officer is satisfied that the officer has attained the qualification and/or experience generally recognised as necessary/appropriate for such progression and provided that the agreement of the Head of Human Resources and Organisational Development, or equivalent, at the Council has been sought and obtained.
6.2.41.	To deal with, and in appropriate circumstances, to approve applications from employees for reimbursement of reasonable legal expenses, in part or in whole, incurred in defending actions raised against them personally, providing that they were acting:

	<ul style="list-style-type: none"> • within the course of their employment; • in accordance with Board procedures; and • in good faith.
6.2.42.	To employ temporary staff for electoral registration canvass work or in the discharge of the statutory duties of the Assessor and Electoral Registration Officer on such terms and conditions as may be appropriate subject to the proviso that any payments can be met from the approved revenue budget.
6.2.43.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to appoint temporary staff as replacements for established employees on long term absence through sickness, maternity or special leave or where the appointments are fully funded by external agencies.
6.2.44.	In consultation with the Clerk and the Head of Human Resources and Organisational Development, or equivalent, at the Council, to make such changes to the authorised establishment up to but not including Chief Officers, as he/she considers necessary to meet the requirements of efficient service delivery subject to the proviso that any changes can be funded from the approved revenue budget.
6.2.45.	To allow reasonable unpaid leave of absence to any employee to attend public duties as defined in section 50(1) and (2) of the Employment Rights Act 1996 or approve leave of absence in accordance with the Board's adopted Special Leave Policy.
6.2.46.	To approve the secondment of staff to other organisations, such appointments to be subject to the exigencies of the service and to be for periods not exceeding 2 years.
6.2.47.	In consultation with the Head of Human Resources and Organisational Development, or equivalent, at the Council, to determine all requests from employees for voluntary redundancy/early retirement in accordance with the Board's adopted policy.
Information Governance	
6.2.48.	In consultation with the Clerk, to make decisions regarding complaints made under the Board's Complaints Procedure.
6.2.49.	To determine requests under the Freedom of Information (Scotland) Act 2002 for the release of information held by the Board.
6.2.50.	In consultation with the Data Protection Officer, to determine requests under the Data Protection Act 2018 for the release of personal data held by the Board.
6.2.51.	To update and amend the Board's Scheme of Publication in terms of the Freedom of Information (Scotland) Act 2002 as required by the Scottish Information Commissioner.

7. Powers/Functions Delegated or Recognised to the Clerk

7.1. The Clerk is empowered:

7.1.1.	To act as adviser to the Board on procedural and administrative matters and in this capacity ensure the provision of adequate administrative and other support to the Board and its sub-committees.
7.1.2.	To act as proper officer to exclude reports containing exempt information from the public, and to provide documents to the press, in accordance with the provisions of section 50(B) of the Local Government (Scotland) Act 1973.
7.1.3.	To act as proper officer for calling meetings of the Board.
7.1.4.	To act as proper officer to sign summons to special meetings of the Board.
7.1.5.	To act as proper officer for receipt of notice by members of an alternative address.
7.1.6.	To act as proper officer to provide a public version of minutes in cases where the relevant meeting included the consideration of exempt or confidential information.
7.1.7.	Following consultation with the Assessor and Electoral Registration Officer, to provide to the Local Government Adjudicator for Scotland on behalf of the Board any certificates that may be required for the purposes of section 3(3) of the Local Government and Housing Act 1989 or any other legislation in relation to exemption of posts from political restrictions.
7.1.8.	To exercise delegations in terms of the Contract Standing Orders.
7.1.9.	To exercise delegations in terms of the Financial Regulations.
7.1.10.	To liaise and deal with any enquiries made by the Scottish Public Services Ombudsman. Should any investigation be carried out by the Scottish Public Services Ombudsman resulting from a complaint received, the necessary arrangements will be undertaken by the Clerk.
7.1.11.	To determine reviews of decisions under the Freedom of Information (Scotland) Act 2002.

8. Powers/Functions Delegated or Recognised to the Treasurer

8.1. **The Treasurer** is empowered or is recognised by the Board as having the authority:

8.1.1.	To co-ordinate the financial planning of the Board in terms of the Financial Regulations.
8.1.2.	To issue guidance for the control of all expenditure in terms of the Financial Regulations.
8.1.3.	To advise on procedures for accounting and financial record-keeping by the Board.
8.1.4.	To make arrangements with insurance companies concerning the settlement of claims.
8.1.5.	In consultation with the Assessor and Electoral Registration Officer, the Clerk and the Convener, to settle without reference to the Board claims against the Board not otherwise covered by the Board's insurance arrangements up to a maximum of £10,000 per claim.
8.1.6.	To make the necessary arrangements concerning the collection of debts owed to the Board and the terms and commissions payable for services rendered to the Board by other authorities and agents with regard to the collection of debts.
8.1.7.	To exercise delegations in terms of the Contract Standing Orders.
8.1.8.	To exercise delegations in terms of the Financial Regulations.

Document Control Sheet

Date.	Board/Person.	Reason.
8.12.22.	Board.	Adoption of New Scheme of Delegation.
24.09.24	Board.	Revision.