



REPORT TO: MORAY COUNCIL ON 23 AUGUST, 2023

SUBJECT: REVIEW OF SECOND TIER GOVERNANCE DOCUMENTS

BY: DEPUTE CHIEF EXECUTIVE EDUCATION COMMUNITIES AND ORGANISATIONAL DEVELOPMENT

1. REASON FOR REPORT

- 1.1 To ask the Council to agree a programme of review of the Second Tier Governance documents.
- 1.2 This report is submitted to Committee in terms of Section II (19) of the Council's Scheme of Administration, relating to any policy matter which does not fall within the terms of reference of any Committee.

2. RECOMMENDATION

2.1 It is recommended that the Council:

- (i) approve the index and priority for review of the Second Tier Governance Documents contained in Appendix 1; and**
- (ii) approve the Notice of Motion flowchart attached as Appendix 2 and Notice of Motion template attached as Appendix 3.**

3. BACKGROUND

- 3.1 A review of the Council's Committee Governance arrangements was carried out as part of the Council's Improvement and Modernisation Programme. The Standing Orders were reviewed and agreed at a meeting of Moray Council on 28 September 2022 (paragraph 11 of the minute refers), the Scheme of Delegation and Scheme of Administration were reviewed and agreed at a meeting of Moray Council on 24 May 2023 (paragraphs 15 and 16 of the minute refers)
- 3.2 Following the Committee Governance Review it was noted that there is a tier of documents relating to the administration of Council business which sits below the level of the constitutional documents. For simplicity these are referred to as the Council's Second Tier Governance Documents.

3.3 These Second Tier Governance Documents complement the Council's primary governance documents, its Constitutional Documents:

- Standing Orders
- Scheme of Administration
- Scheme of Delegation
- Financial Regulations
- Integration Joint Board scheme

3.4 The Council's Second Tier Governance Documents have been approved by the Council on an ad hoc basis over a period of time, and would benefit from indexing and a programme of review.

3.5 An index of these documents has been drawn up and is attached as **Appendix 1** to this report.

4. PROPOSALS

4.1 It is proposed that the Council agree the index for review of the Second Tier Governance Documents outlined in **Appendix 1**, noting that there needs to be some flexibility built into the timescales given that this work is being slotted in amongst competing priorities.

4.2 Individual documents will be put forward for Council approval under the priority categories indicated in **Appendix 1**. Some of this work has already progressed and been approved through the Council. The Councillor Roles and Responsibilities document was approved on 28 September 2022. It is anticipated that the A priorities would be completed by March 2024.

4.3 The Notice of Motion flowchart (**Appendix 2**) and Template (**Appendix 3**) have recently been developed to help handle the increasing number of Notices of Motion being submitted to Committee. These are listed as Item 2.4 in **Appendix 1**. It is proposed that the Council adopt these as part of its Second Tier Governance Documents.

4.4 The Second Tier Governance Documents are currently published on the Council's Interchange (internal web pages). Councillors have reported these pages as being hard to access so it is proposed that all newly agreed Second Tier Governance Documents are placed on the Council's publicly accessible web pages alongside the [Constitutional Documents](#).

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Having clear governance arrangements will help give a platform for the Council to move forward with its corporate priorities.

(b) Policy and Legal

The status of the Council's Second Tier Governance Documents is outlined at paragraph 3.2 above.

(c) Financial implications

None

(d) Risk Implications

The Second Tier Governance Documents help mitigate governance risks by providing clarity over a number areas where tensions or misunderstandings can arise:

- Roles and responsibilities of members and officers
- Smooth running of meetings
- Access to information

(e) Staffing Implications

Review of the Council's Second Tier Governance Documents is a significant piece of work which is being undertaken alongside competing priorities. Timescales are indicative and regular updates will be given to members via the service planning reporting process.

(f) Property implications

None

(g) Equalities/Socio Economic Impact

No direct impact

(h) Climate Change and Biodiversity Impacts

No direct impact.

(i) Consultations

Consultations have taken place with the Chief Executive, Depute Chief Executive (Economy, Environment and Finance) and Depute Chief Executive (Education, Communities and Organisational Development) have been consulted and any comments have been incorporated into the report.

6. CONCLUSION

6.1 Review of the Council's Second Tier Governance Documents was recognised as the logical follow on from the completed a review of the Council's primary committee governance documents

6.2 A programme of review has been set out in Appendix 1 for agreement by the council.

6.3 The Notice of Motion Flowchart and Template form part of these documents and are submitted for approval.

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Background Papers: None

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