

HIGHLAND AND WESTERN ISLES VALUATION JOINT BOARD

SCHEME OF REFERENCE AND DELEGATION

TO

OFFICERS

OFFICERS

ASSESSOR & ELECTORAL REGISTRATION OFFICER ("ASSESSOR")

The following matters are delegated to the Assessor:

1. Discharging the obligations outlined in the Board's Financial Regulations, including the exercise of delegated powers
2. Management of stocks and equipment
3. Daily administration of property, including maintenance of property and contracts, subject to the Board's Standing Orders and Financial Regulations. In these matters, the Assessor will be guided by the advice of the Director of Housing and Property, the Highland Council
4. Appointing employees within the approved establishment
5. Authorising minor changes in the staff structures or gradings, provided these can be contained within their approved budgets
6. Responsibility for all personnel administration, other than relating to Chief Officers or as specified elsewhere in this Scheme of Delegation, in accordance with agreed Board policies, where in place. In these matters, the Assessor will be guided by the advice of the Board's Personnel Adviser
7. Conducting disciplinary proceedings in respect of employees within the general terms of employment law and the specific provisions of the Board's approved disciplinary procedure
8. Implementing national circulars where these contain no element of discretion

TREASURER

The following matters are delegated to the Treasurer:

1. Acting as the proper officer of the Board with responsibility for the administration of its financial affairs
2. Discharging the obligations outlined in the Board's Financial Regulations, including the exercise of delegated powers

MONITORING OFFICER

The Depute Chief Executive, the Highland Council, has been appointed to act as the Board's Monitoring Officer in terms of Section 5 of the Local Government and Housing Act 1989.

CLERK

The following matters are delegated to the Clerk:

1. Acting as the proper officer of the Board in relation to the provisions of the Local Government (Scotland) Act 1973, as amended, and other statutory provisions, including the Board's Scheme of Delegation and Proper Officer provision.
2. Meetings and proceedings of the Board (Section 43 of the Act of 1973)
3. Circulating reports and agendas, supplying papers to the press and, where necessary, providing summaries of minutes (Section 50B(2); 50B(7)(c) and 50C(2) of the Act of 1973)
4. Complying with the Local Government (Access to Information) Act 1985 (Section 50A of the Act of 1973)
5. Deciding on members' rights of access to Board documents which disclose 'exempt information' in terms of the Local Government (Access to Information) Act 1985 (Section 50(F)(2) of the Act of 1973)
6. Acting as 'proper officer' to prepare and maintain a list of politically restricted posts (Section 2 of the Local Government and Housing Act 1989)
7. Accepting tenders in circumstances as set out in the Board's Standing Orders Relating to Contracts
8. On the recommendation of the Assessor and in consultation with the Convener and Vice-Convener, approving early retirements on the grounds of ill-health
9. Approving attendance of Members at conferences/seminars in Great Britain where there is insufficient time for the invitation to be considered by the Board prior to the conference/seminar being held, subject to availability of funds and a report for information being submitted to the next available meeting of the Board.

HEAD OF LEGAL SERVICES

The following matters are delegated to the Head of Legal Services, the Highland Council, and solicitors designated by him/her:

1. Acting as the proper officer of the Board in respect of the functions described in the following sections of the Local Government (Scotland) Act 1973:-

Section 190	-	service of legal proceedings
Section 191	-	claims in sequestrations and liquidations
Section 193	-	authorisation of documents
Section 194(i)	-	execution of deeds
Section 197	-	inspection and deposit of documents
2. Instituting, defending or appearing in any legal proceedings or any inquiry held by or on behalf of any minister or public body under any enactment, including, for the avoidance of doubt, proceedings before any statutory tribunal, board or authority
3. In an emergency, and in consultation with the Assessor, settling legal actions of all descriptions
4. Appointing or consulting with Counsel where considered expedient to do so for the promotion or protection of the Board's interests
5. Engaging private legal firms, Sheriff Officers, patent agents and parliamentary agents when suitable
6. Publishing or serving on any person or body any notice, direction, order, licence, summons, writ or other document which the Board is required or authorised to publish or serve under any public act or any regulation or order made thereunder, other than where the publication or service of any document has been delegated by the Board to another officer
7. Signing binding missives on behalf of the Board relating to the purchase or sale of heritable property, and executing any notice, order, declaration or other document which may be required relative to any compulsory purchase authorised by the Board
8. Carrying out any legal procedure which may prove necessary to enable either the Assessor, Clerk or Treasurer to implement a duty delegated to him/her

DIRECTOR OF HOUSING AND PROPERTY, THE HIGHLAND COUNCIL

The following matters are delegated to the Director of Housing and Property, the Highland Council:

1. Where required, implementation of the Board's capital programme, in accordance with the Board's agreed policies and budget decisions
2. Where required, responsibility for the maintenance of Board properties, in accordance with the Board's agreed capital programme

PERSONNEL MANAGER, THE HIGHLAND COUNCIL

1. Acting as the Board's Personnel Adviser