

TAYSIDE CONTRACTS JOINT COMMITTEE

SCHEME OF DELEGATION

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1. POWERS DELEGATED TO THE MANAGING DIRECTOR

The Managing Director is authorised:-

1. To carry out all aspects in relation to the general management of Tayside Contracts.
2. To enter into Contracts for works and services carried out by Tayside Contracts in accordance with Financial Regulations and Tendering Procedures.
3. To invite and open tenders in accordance with Financial Regulations.
4. To negotiate and award contracts in accordance with Financial Regulations.
5. To procure appropriate goods or services in accordance with Financial Regulations.
6. To set pay and conditions of employment and negotiation of these with relevant Trade Unions.
7. To certify and authorise redundancies.
8. To determine representation on appropriate outside bodies.
9. To determine attendance of employees at seminars and conferences.
10. To determine subscriptions and donations.
11. To determine appropriate hospitality to members and officers of HM Government, other local authorities or public bodies who are assisting or co-operating with officer of Tayside Contracts in the carrying out of their duties.
12. To negotiate, in conjunction with the Clerk and Proper Officer, where necessary, financial settlement of tribunal, contractual or similar claims.
13. To enter into such contractual arrangements in conjunction with the Clerk and Proper Officer as are necessary between meetings of the Joint Committee.
14. To sign documents having taken legal advice, where appropriate.

2. POWERS DELEGATED TO THE PROPER OFFICER

The Proper Officer is authorised:-

1. To act as a Proper Officer for the purposes of Section 95 of the Local Government (Scotland) Act 1973 (proper administration of financial affairs).
2. To ensure that arrangements for the proper administration of the Joint Committee's financial affairs are made, while the daily, management of the financial affairs is conducted by the Managing Director of the Joint Committee.

3. To ensure that a Scheme of Administration of Financial Regulations is established and maintained.
4. To monitor and enforce the Joint Committee's Financial Regulations.
5. To ensure that regular revenue monitoring is carried out by the Managing Director and that relevant financial information is provided in an appropriate format to the Joint Committee.
6. To ensure the following accounts are prepared and submitted to the Joint Committee in line with Accounts Commission regularity deadlines.
 - a Annual Unaudited Statement of Accounts.
 - b Annual Unaudited Report and Accounts.
 - c Annual Audited Report and Accounts.
7. To ensure proper liaison with the Board's External Auditors.
8. To commission an Internal Audit service as required.
9. To satisfy himself/herself that an appropriate system of internal controls is established and maintained.
10. To offer advice on business Finance issues.
11. To provide advice to the Joint Committee on the formulation of policies and strategies in respect of financial matters.
12. To determine and apply the Joint Committee's accounting policies.
13. To provide financial advice regarding the status of companies to be included on the Joint Committee's Standing List of Contractors.
14. To manage the Joint Committee's borrowing and lending arrangements to ensure that funds are available for approved capital expenditure and day to day revenue expenditure.

3. POWERS DELEGATED TO THE CLERK

The Clerk is authorised:-

1. To convene meetings of the Joint Committee in conjunction with the Convener.
2. To enforce the Joint Committee's Standing Orders and agendas preparation procedures.
3. To appoint Counsel.
4. To appoint external legal advisers.
5. To raise, defend and settle legal claims in the Joint Committee's best interests.
6. To take necessary legal action for the recovery of debts and monies due to the Joint Committee.
7. To conclude missives and settle conveyancing transactions.
8. To instruct Searches in Property, Personal and Charges Registers.

9. To appoint Sheriff Officers.
10. To act as the Proper Officer of the Joint Committee in relation to all matters relating to the Joint Committee except for financial matters.
11. To execute, publish or serve any person or body, any notice, direction, order, licence, summons, writ or other document that the Joint Committee is required or authorised to execute, 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 Joint Committee to another Officer.
12. To carry out any legal procedure which may prove necessary to enable either the Managing Director or Proper Officer to implement a duty delegated to that Officer.