

# Scheme of Delegation - Law and Governance Directorate

**General Notes:** With the exception of matters that are delegated to an officer due to their Statutory Role or where a specified professional qualification is required, the authority delegated to an officer within a team for any matter is automatically delegated to any officer within the team at a more senior level. Proper Officer functions may be discharged by other officers duly authorised by Directors and/or Chief Officer(s) to act in the name of the Proper Officer concerned. In the event of the Director not being available for whatever reason then the next most senior officer of the Directorate shall be authorised to implement these delegated powers. Where any new duty is given to the Council which does not fall within this Scheme of Delegation, the exercise of that duty shall be undertaken by the relevant Director until such time as the Council has allocated responsibility. Where a function is delegated to an officer, he/she may authorise the carrying out of that function, in his/her name, by other officers within his/her department, directorate, team, unit or section (or such other officers as report to him/her directly or indirectly) either fully or under the general supervision and control of the authorising officer.



Signed:

Dated: 29.09.2020



Role within Scheme	Specific Function or Decision Making	Officer responsible
<b>Statutory Officers</b>	Monitoring Officer	Director of Law and Governance
<b>Proper Officers</b>	Statutory Scrutiny Officer	Head of Democratic and Member Services
	Compilation of background paper lists under the Access to Information legislation	Chief Officer

Type of activity	Specific function or decision-making	Officer responsible for that function
Management of Staff	1. Authorising appointment of agency staff	Head of Service – at the moment Directors as part of recruitment freeze
	2. Authorising recruitment of permanent staff	Head of Service – at the moment Directors as part of recruitment freeze
	3. Authorising overtime & expenses payments	Manager
	4. Authorising loan payments (car, season ticket)	Manager
	5. Authorising acting-up payments and honoraria	Head of Service
	6. Approval of special leave and unpaid leave	Manager up to 5 days, Head of Service over 5 days
	7. Approval of extension of sick pay	Assistant Director HR/OD

	8. Approval of carry over and buy-out of annual leave	Head of Service – at the moment Directors as part of recruitment freeze
	9. Approval of career break applications	Manager up to 5 days, Head of Service over 5 days
	10. Approval of applications for additional employment	Head of Service
	11. Service structure changes	Head of Service
	12. Approval of changed and new job descriptions	Head of Service, Director Resources
	13. Authorisation for retirement, redundancy and pension transfer	Head of Service
	14. Issue notices of termination – redundancy & retirement	Head of Service, Assistant Director HR/OD
	15. Authorising the appointment of consultants	Head of Service, Assistant Director HR/OD

Contracts	To sign up to new EU compliant frameworks procured by another public body, a local authority consortium, a national agency which is recognised as carrying out procurement for the benefit of public bodies or another local authority as part of a joint purchasing arrangement of which the Council is permitted to use in accordance with the Public Procurement Regulations 2015	(Chief Officer/Head) Procurement
	To authorise contract variations where the overall financial implications of the variation is contained within the agreed contract sum for a project and is compliance with conditions of the signed contract.	Authorised Contract Officer
Contracts (applies to all contracts under £1.5m) – and must be processed in accordance with Contract Procedure Rules	1. Contracts more than £250,000 and above but less than £1.5 million in total	Chief Officer in consultation with s151 Officer
	2. Contracts more than £100,000 and above but less than £250,000 in total	Chief Officer
	3. Contract up to £100,000	Budget Holder
Authorisation of Expenditure	1. Authority to purchase (revenue and capital) and authorisation of invoices - £250,001 - £1,500,000	Chief Officer in consultation with s151 Officer
	2. Authority to purchase (revenue and capital) and authorisation of invoices - £100,001 - £250,000	Chief Officer

	3. Authority to purchase (revenue and capital) and authorisation of invoices - up to £100,000	Budget Holder
Revenue virements	Revenue Virements - up to £100,000	Chief Officer (following consultation with s151 Officer)
Acquisition and Disposal of land	To authorise the acquisition and disposal of land where value is up to £100,000	Senior Manager Asset Management
Debt Write-offs	To authorise write offs of value up to £10,000	Budget Holder following consultation with Chief Officer and s151 Officer

Reports sign off	Policy & Services Committees	Chief Officer or in alternative Head of Service
	Regulatory Committees	Chief Officer or in alternative Head of Service
	Decision Notices	Chief Officer or in alternative Head of Service
	CMT	Chief Officer or in alternative Head of Service
	Member Briefings	Chief Officer or in alternative Head of Service
Communications	Members enquiries responses	Chief Officer or in alternative Head of Service
	FOI responses	Chief Officer or in alternative Head of Service
	Complaint responses	Chief Officer or in alternative Head of Service
	Press releases - political or reputational impact	Chief Officer or in alternative Head of Service
	Press releases - without political or reputational impact	Chief Officer or in alternative Head of Service

Type of activity	Specific function or decision-making	Officer responsible for that function
Licencing	Determine and issue licences and permits to individuals, businesses and other organisations, providing controversial matters must be submitted to the Licencing, Regulatory and General Purposes Committee or Licencing Panel or Licencing Act 2003 Committee	Licencing Manager
	Review of licences under Licencing Act 2003 and Gambling Act 2005	Licencing Operations Manager
	Authorising Officers to enforce licences	Head of Service
	Authorising another Local Authority to enforce licences	Head of Service

	Initiated legal proceedings on behalf of the Council under licensing legislation	Licencing Manager (in consultation with Legal)
	Immediate revocation of licence or permit	Licencing Manager
Registrar	To provide the functions, facilities and arrangements for providing citizenship ceremonies, and the registrar to conduct them, under Section 3 and Schedule 1 of the Nationality, Immigration and Asylum Act 2002	Superintendent Registrar
	To exercise the council's functions under the Registration Service Act 1953 regarding the registration of births, deaths and marriages	Superintendent Registrar
Legal Proceedings	Institute and defend legal proceedings on behalf of the council under s222 Local Government Act 1972	Principal Lawyers
	Instruction of Legal Counsel	Principal Lawyers
	To authorise any officer of the authority to prosecute or defend or otherwise appear in proceedings before	Director of Law and Governance

	a Magistrates' Court under s223 of the Local Government Act 1972	
	To authenticate and serve statutory notices and to place public notices and advertisements, as may be necessary or expedient for the discharge of functions	Principal Lawyers
	To prepare and execute any contract, agreement, conveyance or other document necessary to give effect to a decision of the Council, a Committee, Sub-Committee or officer acting under delegated functions	Principal Lawyers
Democratic Services	Issue Notice of meeting and issue summons to members	Head of Democratic and Member Services
	Clarification and authentication of documents, byelaws and copy minutes and signing of other relevant formal notices	Head of Democratic and Member Services