

### **Chief Executive Scheme of Delegation to Officers**

1. To support the council's intention that decision taking should be delegated in the interests of speed, and consistent with democratic accountability and openness, the constitution delegate's officer decision making to the chief executive.
2. The chief executive is unable to take all decisions personally and this scheme of delegation sets out: who the chief executive has authorised to take decisions or fulfil specified proper officer functions on his behalf; and the framework in which those delegations may be exercised.
3. It remains open to the officer making the delegation to call back a matter for their own determination, and for the decision maker to refer a matter back to the officer who delegated it to them.

### **General delegations**

4. The table at appendix 1 identifies which senior managers the chief executive has authorised to take executive (non-key), or non- executive decisions on his behalf, and the service areas their authority extends to.
5. Each senior manager identified in appendix 1 has delegated to them power to act on behalf of the council in relation to any incidental operational matters within the service areas for which they are responsible, including spending decisions, subject to the following overriding provision:
6. Any action taken under delegated powers shall be in accordance with:
  - i. the overall policies approved by full Council, the Cabinet or a committee;
  - ii. the provisions of the constitution, including the contract and financial procedure rules;
  - iii. no contracts, of any value, may be approved or authorised below the level of Assistant Director<sup>1</sup>;
  - iv. human resources policies and procedures;
  - v. approved capital and revenue budgets; and
  - vi. the requirements of the relevant legislation.
7. In exercising delegated authority, decision makers will:
  - be clear about what the council wants to happen, how it will be achieved, who is accountable for the decision and who is accountable for implementing it and monitoring implementation;
  - consult properly and have regard to the professional advice from the council's officers;
  - have regard to the public sector equality duty and respect for natural justice and human rights;
  - make the decision public unless there are good reasons for it not to be;
  - give due weight to all material considerations, only take relevant matters into account, and make sure the action is proportionate to what the council wants to happen;

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<sup>1</sup> as per the instruction issued by the Chief Executive with effect from 17 May 2017.

- explain what options were considered and give the reasons for the decision; and
  - follow proper procedures.
8. Without prejudice to these delegations, senior managers are expected to have regard to any resolution of full Council, Cabinet, relevant cabinet member or committee, on any matter of principle or policy relating to the power being exercised and shall, as appropriate:
- a) maintain a close liaison with the relevant cabinet member(s), or in their absence the Leader;
  - b) ensure that the local member is consulted on, or advised of the exercise of delegated powers;
  - c) ensure that the Monitoring Officer, Chief Finance Officer are consulted and advised of any decisions as necessary; and
  - d) ensure that management board is consulted and advised where appropriate in relation to cross service issues

### **Staff**

9. Subject to the provisions of the council's employment rules, each senior manager identified in appendix 1 is authorised to act in relation to the appointment of staff within approved budgets, in accordance with the personnel policies and procedures of the council.
10. Subject to the provisions of the council's employment rules, each senior manager identified in appendix 1 is authorised to act in relation to the dismissal of staff in accordance with the personnel policies and procedures of the council.
11. Subject to the provisions of the council's employment rules, each senior manager identified in appendix 1 is authorised to make variations in establishment using grades approved in accordance with the council's personnel policies and procedures, and to determine all other matters relating to the employment of staff, within approved budgets and in accordance with the personnel policies and procedures of the council.

### **Emergencies**

12. Where the chief executive or directors are operating under the council's emergency management procedures (or silver and gold officers as listed below in the absence of the chief executive and all directors) and believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual, or that the interests of the council may be compromised they are authorised to take 'all necessary decisions' to take such action as is necessary within the law to protect life, health, safety, the economic, social or environmental wellbeing of the county, its communities and individuals living, working or visiting, and to preserve property belonging to the council or others.
13. Before exercising this delegated authority any officer shall use their best endeavours if, in their opinion, time or circumstances permit, to consult the Leader, or, in their absence, the appropriate cabinet member, and the chairman of the relevant scrutiny committee and in any case, inform them of their actions as soon as practicable.

14. Where the delegated powers in paragraph 12 above are exercised, contract and financial procedure rules are deemed to be waived for that purpose.
15. Any action taken under the powers delegated above will be reported to the chief executive at the earliest opportunity. All emergency decision taken by officers are reported to full Council at the next meeting, including the extent to which it has been necessary to operate outside the contract and financial procedure rules.

### **Indemnity**

16. The Council will provide an indemnity (in accordance with SI 2004/3082) to any of their members, employees, former members and former employees relating to any neglect, act, error or omission committed by them as they undertook their duties which were authorised by the Council or arose from powers conferred or duties placed on the member or employee at the request of or with approval of the Council. This indemnity shall include when they are acting for other persons or bodies with the Council's consent. The indemnity will include costs awarded and reasonable costs incurred.
17. For the avoidance of doubt this indemnity will only apply for former members and employees in respect of acts and omissions whilst they were members or employees of the council
18. The indemnity will not extend to loss or damage directly or indirectly caused by or arising from:
  - (a) fraud, dishonesty or a criminal offence on the part of the employee; or
  - (b) any neglect, error or omission by the employee other than in the course of his duties; or
  - (c) Activities which are "ultra vires", that is to say outside the powers of the council, save to the extent that at the time of the activity concerned the individual truly and reasonably believed that the activity was intra vires, i.e. within the legal powers of the council; or
  - (d) liability in respect of losses certified by the auditor caused by wilful misconduct, or
  - (e)
19. The Council will not usually itself make claims against its employees for any loss or damage as a result of the officers' actions, unless claims fall within the cover provided to its employees under any policy of insurance taken out by the council or any motor vehicle insurance policy taken out by the employee. In the case of criminal proceedings, if the officer in question is convicted of a criminal offence and that conviction is not overturned following any appeal reimbursement will be sought.
20. This indemnity will not cover the making by a member or employee of any claim.. This indemnity will however include an indemnity for the defence by a member or employee in any claim where there actions whilst acting on behalf of the council are challenged..
21. The indemnity will not apply if an employee admits liability, negotiates or attempts to negotiate a settlement of any claim that falls within the scope of this indemnity, without the written authority of the Council. The indemnity will also not apply where there is evidence that the employee had acted with reckless disregard for the

22. The indemnity is without prejudice to the right of the Council to take or start disciplinary action against an employee in respect of any neglect, act, error or omission.

**Sub delegation**

23. Where a director is absent from the workplace for any period of time that requires others to exercise delegated authority in that officer's absence, another officer should be nominated in writing, the nomination be approved by the chief executive and forwarded to the governance team.

24. Each of the three corporate directors and those in the corporate centre shall maintain a directorate scheme of delegation specifying specific delegations relevant to the service.

**Statutory and proper officer functions**

25. Council has designated posts as fulfilling the following statutory and proper officer functions:

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP01	Head of Paid Service (Section 4 – Local Government & Housing Act 1989)	Chief executive
SP02	Monitoring Officer (Section 5 – Local Government & Housing Act 1989)	Solicitor to the council
SP03	Officer responsible for financial administration (Section 151 – Local Government Act 1972)	Chief finance officer
SP04	Electoral Registration Officer and Returning Officer (Sections 8, 28 and 35 – Representation of the People Act 1983)	Chief executive
SP05	Chief Education Officer (Section 532 – Education Act 1996)	Director for children and families
SP06	Director of Children’s Services (Section 18 – Children Act 2004)	Director for children and families
SP07	Director of Adult Social Services (Section 6 – Local Authority Social Services Act 1970)	Director for adults and communities
SP08	Director of Public Health (Section 73A National Health Service Act 2006)	Director of public health
SP09	Scrutiny Officer (Section 31 – Local Democracy, Economic Development and Construction Act 2009)	Democratic services manager

**REPRESENTATION OF THE PEOPLE ACT 1983**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP10	Section 8 – The Electoral Registration Officer for the purpose of the registration of electors, as required by law	Chief executive Deputy Electoral Registration Officers: Assistant Director, Corporate Support Head of Information Compliance and Equality
SP11	Section 28 – The Acting Returning Officer at an election of a Member of Parliament	Chief executive
SP12	Section 35 – The Returning Officer at an election of local elections	Chief executive

**LOCAL GOVERNMENT ACT 1972**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP13	Section 83(1) – The officer to whom a person elected to the office of councillor shall deliver a declaration of acceptance of office on a form prescribed by rules made under Section 42 of the Act	Chief executive Monitoring officer Deputy monitoring officer
SP14	Section 83(3)(b) – The officer before whom a declaration of acceptance of office of chair of council or deputy chair of council may be made	Chief executive Monitoring officer
SP15	Section 84 – The officer to whom written notice of resignation of elected office shall be delivered	Monitoring officer
SP16	Section 86 – To declare any vacancy in any office under this section	Monitoring officer
SP17	Section 88(2) – The officer by whom a meeting of the council for the election of the vacant office of chairperson of the council may be convened	Chief executive Monitoring officer
SP18	Section 96 – The officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Monitoring officer

Chief Executive Scheme of Delegation – Updated 7 June 2021

SP19	Section 99 and Schedule 12 – To give notice and send summonses in respect of any council meeting	Monitoring officer
SP20	Section 100A(6) – To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press	Monitoring officer
SP21	Section 100B(2) – The officer to exclude from committees, sub-committees, council or cabinet meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded	Monitoring officer
SP22	Section 100B(7)(c) – The officer to supply to any newspaper copies of documents supplied to members of committees, sub-committees, council or cabinet meetings in connection with an item for consideration	Democratic services manager
SP23	Section 100C(2) – The officer to prepare a written summary of proceedings of committees, sub-committees, council or the cabinet from which the public were excluded	Monitoring officer
SP24	Section 100D(1)(a) – The officer to prepare a list of background papers for reports considered by committees, sub-committees, council or the cabinet	Director economy and place, Director for children and families, Director for adults and communities
SP25	Section 100D(5) – The officer to determine which documents constitute background papers and Section 100H – ability to charge for the provision of such documents	Director economy and place Director for children and families and families Director for adults and communities
SP26	Section 100F(2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection	Monitoring officer

**LOCAL GOVERNMENT ACT 1972**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP27	Section 100G – To maintain a register of the names and addresses of members and membership of committees, lists of delegations and the like	Monitoring officer
SP28	Section 115 – The officer to whom money properly due from officers shall be paid	Chief finance officer
SP29	Section 146 – The officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies	Chief finance officer
SP30	Section 151 – The officer to be responsible for the proper administration of the authority's financial affairs (and to issue a report to members if there is or is likely to be unlawful expenditure or an unbalanced budget)	Chief finance officer
SP31	Section 223 – Authorising officers to attend court and appear on behalf of the council under Local Government Act 1972 and the County Courts Act 1984	Solicitor to the council
SP32	Section 225(1) – The officer to receive and retain statutory documents on behalf of the authority	Solicitor to the council
SP33	Section 229(5) – The officer to certify photographic copies of documents	Solicitor to the council
SP34	Section 233 – The officer to receive documents required to be served on the authority	Solicitor to the council
SP35	Section 234(1) and (2) – The officer to authenticate documents on behalf of the authority	Solicitor to the council
SP36	Section 238 – The officer to certify printed copies of bylaws	Solicitor to the council

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP37	Schedule 12 [paragraphs 4(2)(b) & 4(3)] – The officer responsible for the receipt of notices regarding address to which summons to meetings is to be sent	Monitoring officer
SP38	Schedule 29 [paragraph 41] – The officer responsible for the exercise of functions under Sections 9(1) & (2), 13(2)(h) and (3)(b) and 20(b) of the Registration Services Act 1953 (Proper Officer)	Electoral services manager

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP39	Section 41 – The officer to certify copies of any resolution, order, report or minutes of proceedings of the authority as evidence in any legal proceedings	Monitoring officer
SP40	Section 16 – Notices requiring details of interest in land	Solicitor to the council

#### **LOCAL GOVERNMENT AND HOUSING ACT 1989**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP41	Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 – provision of certificates as to whether a post is politically restricted	Chief executive Assistant Director People
SP42	Sections 15-17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups	Chief executive Monitoring officer

**LOCAL GOVERNMENT ACT 2000**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP43	The officer responsible for ensuring a proper record is made of cabinet decisions and that the document comprising the authority's forward plan is published in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000	Monitoring officer
SP44	To establish and maintain the members' register of interest (Section 81 LGA 2000) and ensure it is available for public inspection	Monitoring officer
SP45	To ensure that copies of the constitution are available for inspection (Section 37)	Monitoring officer
SP46	To make payments of relevant allowances in accordance with the council's members allowances scheme (Section 99)	Democratic services manager
SP47	Officer for the purpose of verifying the validity of any electoral petition and for the purposes of announcing and holding any referendum	Chief executive

**LAND CHARGES ACT 1975**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP48	The officer to act as Local Registrar as defined in Section 3 of the Local Land Charges Act 1975	Land charges manager

**NATIONAL ASSISTANCE ACT 1948 AND NATIONAL ASSISTANCE (AMENDMENT) ACT 1951**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP49	Proper officer to seek an order for removal of persons into care	Director for adults and communities Director for children and families

**REGISTRATION SERVICES ACT 1953**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP50	Section 6 - Proper officer for births, deaths and marriages	Direct services manager

**LOCAL GOVERNMENT ACT 2003**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP51	Section 6 - Proper officer for births, deaths and marriages	Direct services manager
SP52	Section 25 – requirement to report to council annually on the robustness of estimates and the adequacy of the proposed financial reserves	S151 Officer

**PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP53	Requirement to appoint a suitably qualified person as the council's medical advisor on environmental health and proper officer for notifiable diseases	Director of public health
SP53a	To act on behalf of the council in respect of the legislation specified in the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020	Director of public health Director, economy and place

**CIVIL EVIDENCE ACT 1995**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP54	To certify council records for the purposes of admitting the document in evidence in civil proceedings	Solicitor to the council

**CRIME AND DISORDER ACT 1998**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP55	Section 12 – to apply for the discharge or variation of a Child Safety Order	Director for adults and communities Director for children and families
SP56	Sections 17 and 37 – to have regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons	The chief executive and Directors

**CRIMINAL JUSTICE AND POLICE ACT 2001**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP57	Delegated power to authorise officers to enter premises and seize items where the council has a power of seizure under this Act and to perform other related duties (return and security of seized items)	Assistant Director for Regulation, Environment & Waste Services

**LOCAL GOVERNMENT FINANCE ACT 1988**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP58	Section 114 – The officer to be responsible for the proper administration of the authority's financial affairs (and to issue a report to members if there is or is likely to be unlawful expenditure or an unbalanced budget)	Chief finance officer
SP59	Section 116 – Notification to the council's auditor of any meeting to be held under Section 115 of the 1988 Act (meeting to consider any report of the Chief Finance Officer under Section 114)	Chief finance officer
SP60	Section 139A – Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required	Chief finance officer

**LOCAL GOVERNMENT (CONTRACTS) ACT 1997**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP61	Certification of relevant powers to enter into contracts	Solicitor to the council

**LOCAL AUTHORITIES' CEMETERIES ORDER 1977 (SI 1977 NO 204)**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP62	Section 10 – To appoint an officer for the purpose of signing the Grants of Exclusive Right of Burial Deeds on behalf of the burial authority	Direct services manager

**NATIONAL HEALTH SERVICE ACT 2006**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP63	Section 2B – the exercise by the authority of its duty to take steps as it considers appropriate for improving the health of the people in its area	Director of public health
SP64	Section 111 ( amended by Health and Social Care Act 2012 part 1 s. 29 ) – the exercise by the authority of any functions prescribed by Secretary of State in relation to dental public health	Director of public health
SP65	Section 249 – the exercise by the authority of its duty to cooperate with the prison service with a view to improving the exercise of their respective functions in relation to securing and maintaining the health of prisoners	Director of public health
SP66	Schedule 1 – the exercise by the authority of any of its functions as set out in Schedule 1 and Section 73B as amended by Health and Social Care Act 2012	Director of public health
SP67	Section 6C(1) – the exercise by the authority of any of the Secretary of State's public health functions, which it is required to carry out by regulations issued by the Secretary of State	Director of public health

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP68	Section 7A – the exercise by the authority of any of the Secretary of State’s public health functions, which are delegated to it by the Secretary of State	Director of public health
SP69	Section 73A(1)(d) – the exercise by the authority of any of its functions that relate to planning for, or responding to, emergencies involving a risk to public health	Director of public health
SP70	Section 73A(1)(e) – the exercise by the authority of its functions under section 325 Criminal Justice Act 2003 (cooperating with “responsible bodies” in relation to the assessment of risks posed by certain offenders)	Director of public health
SP71	Section 73A(1)(f) – the exercise by the authority of such other functions relating to public health as may be prescribed	Director of public health

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP72	<i>No longer in use.</i>	N/A

**DATA PROTECTION ACT 1998**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP73	Section 20 – to notify the Information Commission of any changes as per this provision	Head of Information compliance and equality

**LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) ACCESS TO INFORMATION (ENGLAND) REGULATIONS 2000**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP74	The officer responsible for ensuring a proper record and access is made of Executive reports, background papers and decisions and that the document comprising the Authority’s Forward Plan is published in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	Democratic services manager

**GENERAL DATA PROTECTION REGULATION (EU REGULATION 2016/679)**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP75	Article 35 - An officer responsible for; monitoring, informing, advising the controller or the processor and the employees who carry out processing of their obligations pursuant to the Regulation and other UK data protection legislation.	Head of Information compliance and equality

**HOUSING ACT 2004**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP76	Section 4 – The officer to receive complaints that any category 1 or 2 hazards may exist on premises or that an area in the district should be dealt with as a clearance area	Director for adults and communities

**AGRICULTURAL ACT 1970**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP77	Section 67(3) – To appoint an inspector and agricultural analyst and, if the authority thinks fit, one or more deputy agricultural analyst	Chief executive

**WEIGHTS AND MEASUREMENTS ACT 1985**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP78	Section 72(1) – To appoint a chief inspector of weights and measures and such number of other inspectors if necessary	Trading standards service manager

**CALDICOTT REPORT 1997**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP79	Recommendation 3 – Caldicott guardian to ensure patient data is kept secure and adherence to the Caldicott principles.	Director for Adults and Communities

**INFORMATION GOVERNANCE TOOLKIT**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP80	A senior information risk owner who will take overall ownership of the local authority's Information Risk Policy.	Assistant director corporate support

**MENTAL HEALTH ACT 1983**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP81	Section 114 – persons to act as an approved mental health professional for the purposes of the Mental Health Act. This includes the power to make applications under Sections 2, 3, 4, 18, 135, and 138. This also includes duties under Section 13, 136 and 17A of the Mental Health Act 1983.	Approved mental health professionals

**THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) REGULATIONS 2001**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP82	Schedule 1 Part 2 Para 5(2) notification of appointment, Para 6(2) notification of dismissal and any objections	Assistant Director People

**THE LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS) (ENGLAND) REGULATIONS 2011**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP83	Regulation 4 – publish the verification number Regulation 10 - validation decision	Chief executive

**THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (ENGLAND) REGULATIONS 2020**

<b>SPO Ref No.</b>	<b>TITLE/DESCRIPTION (and statutory derivation)</b>	<b>OFFICER APPOINTED</b>
SP84	Regulation 8 – enforcement of requirement Regulation 10 – fixed penalty notices	Director for Economy and Place

26. The chief executive is designated as the council’s proper officer for all other such purposes.

Appendix 1

In accordance with the constitution 3.7.13 it is not appropriate for executive decisions to be taken by any officer below the level of assistant director in the organisation structure. Where senior officers below assistant directors are named their delegation is to undertake operational decisions only.

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA01	Act as chief executive including the power to grant delegations in accordance with this scheme  And in the absence of or a conflict of interest of the chief executive or deputy chief executives	Deputy chief executives  Director for children and families Director for adults and communities
<b>ADULTS AND COMMUNITIES</b>		
SA02	Adult social care operation and policy provision of assessment and care management; approved mental health practitioners; deprivation of liberty functions; strategic and operational safeguarding adults policies and procedures; prevention and support services (including welfare rights, occupational therapy, financial assessments, direct payments, telecare, rapid response registered service).	Director for adults and communities Assistant director all ages commissioning  Assistant director adults and communities operations
SA03	Public health	Chief executive Director of public health

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<sup>2</sup> Say all the posts to which the activity has been delegated; please refer only to post names and not post holders unless there is a personal delegation

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA04	<p>To discharge any functions in relation to the corporate public health duties of the council authorised to the director of public health under the NHS Act 2006 and the Health and Social Care Act 2012, including responsibility for:</p> <ul style="list-style-type: none"> <li>• The annual report on the health of the local population;</li> <li>• Improving public health, including commissioning alcohol and drug misuse services, sexual health services, child health services, smoking cessation services;</li> <li>• Planning for, and responding to, emergencies that present a risk to public health;</li> <li>• Promoting safer communities by working with local criminal justice partners and police and crime commissioners, the probation service and the prison service;</li> <li>• The council's public health response to licensing applications;</li> <li>• Developing wellbeing, implementing the health and wellbeing strategy</li> </ul>	Director of public health
SA05	<p>To carry out such public health protection or health improvement functions as the Secretary of State shall delegate to local authorities either by arrangement or under regulations and including services mandated by regulations made under Section 6C of the National Health Service Act 2006, as amended, namely:</p> <ul style="list-style-type: none"> <li>• ensuring appropriate access to sexual health services;</li> <li>• the delivery of the national child measure programme;</li> <li>• the delivery of the NHS health check assessment;</li> <li>• public health advice to NHS commissioners;</li> <li>• to be a statutory member of the health and wellbeing board</li> </ul>	Director of public health
SA06	Community resilience and development	Director for adults and communities
SA07	Health and wellbeing including leading on the development of the health and wellbeing board	Director for adults and communities
SA08	Housing and homelessness support and solutions	Director for adults and communities Director economy and place

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA09	Commissioning, quality assurance and contract management relating to all ages	Director for adults and communities Assistant director all ages commissioning
SA10	Herefordshire safeguarding adults board strategic development	Director for adults and communities Assistant director all ages commissioning
SA11	Safeguarding children and young people in Herefordshire, Herefordshire safeguarding adults, and community safety partnership board business unit	Director for children and families
SA12	Directorate lead for Caldicott guardian functions	Assistant director all ages commissioning
SA13	Customer services	Director for adults and communities
SA14	Sustainable communities	Director for adults and communities
SA15	Promoting community cohesion and preventing anti-social behaviour	Director for adults and communities
SA16	Directorate performance	Director for adults and communities

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA17	Directorate risk management	Director for adults and communities
SA18	Overall lead for community safety and the prevent strategy	Director for adults and communities
<b>CHILDREN AND FAMILIES</b>		
SA19	Commissioning for children’s services including schools, early years, colleges, adult learning, social care and vulnerable	Director for children and families
SA20	Safeguarding and child protection services	Director for children and families Assistant director safeguarding and family support
SA21	Early help and family support services	Director for children and families Assistant director safeguarding and family support Assistant director education, development and skills
SA22	Children’s centres	Director for children and families Assistant director education, development and skills
SA23	Early years and school improvement and support	Director for children and families Assistant director education, development and skills
SA24	Special educational needs and disabilities service	Director for children and families Assistant director education, development and skills
SA25	Sufficiency of places in early years, schools and colleges	Director for children and families Assistant director education, development and skills

	<b>Service area</b>	<b>Who may carry it out?</b>
SA26	Schools admissions	Director for children and families Assistant director education, development and skills
SA27	Effective health and wellbeing board, Herefordshire safer children and young people partnership, and children and young people's partnership arrangements	Director for children and families
SA28	Delivery of adult and community learning	Director for children and families Assistant director education, development and skills
SA29	Youth justice	Director for children and families Assistant director safeguarding and family support
SA30	Adoption and fostering	Director for children and families Assistant director safeguarding and family support
SA31	Herefordshire safer children and young people partnership	Director for children and families Assistant director safeguarding and family support
SA32	Directorate lead for Caldicott guardian functions	Assistant director safeguarding and family support
SA33	Education services	Director for children and families Assistant director education, development and skills
SA34	School admissions	Director for children and families Assistant director for education, development and skills

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA35	Home to school transport policy	Director economy and place Assistant director education, development and skills
SA36	Tracking and reduction of those not in education, employment or training	Director for children and families Assistant director education, development and skills
SA37	Education and commissioning policies and procedures	Director for children and families Assistant director education, development and skills/Director for adults and communities Assistant director all ages commissioning
SA38	Commissioning of children’s and young people’s services including schools, early years, colleges, adult and community learning, social care and vulnerable children; and children’s centre services	Director for children and families
SA39	Directorate performance	Director for children and families
SA40	Directorate risk management	Director for children and families
	<b>ECONOMY AND PLACE</b>	
SA41	Libraries	Director economy and place
SA42	Cultural and leisure service	Director economy and place
SA43	European and external funding	Director economy and place
SA44	Strategic planning policy including neighbourhood planning	Director economy and place
SA45	Economic development	Director economy and place
SA46	Hoople - commissioning	Chief finance officer
SA47	Number not used at present time	N/A

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA48	Environment and waste	Director economy and place
SA49	Sustainability	Director economy and place
SA50	Highways and transportation	Director economy and place
SA51	Public rights of way	Director economy and place
SA52	Parks and countryside	Director economy and place
SA53	Development management	Director economy and place
SA54	Conservation	Director economy and place
SA55	Building control	Director economy and place
SA56	Markets, fairs and street trading	Director economy and place
SA57	Bereavement services including Coroners services and Registration services	Director economy and place
SA58	Environmental health and trading standards	Director economy and place
SA59	Technical and parking services	Director economy and place
SA60	Enforcement	Director economy and place
SA61	Community protection	Director economy and place
SA62	Property services	Director economy and place
SA63	Housing growth, development and strategy	Director economy and place
<b>CORPORATE CENTRE</b>		
SA64	Corporate information, research and needs analysis	Assistant director corporate support
SA65	Information access and handling all complaints in accordance with the customer strategy;	Assistant director corporate support
SA66	Customer services standards	Assistant director corporate support
SA67	Facilities management	Assistant director corporate support

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA68	Management Board, Leader and Chairman support	Assistant director corporate support
SA69	Policy planning	Assistant director strategy
SA70	Equalities	Assistant director corporate support
SA71	Corporate grants and income development	Assistant director corporate support
SA72	Democratic services	Solicitor to the council
SA73	Legal services	Solicitor to the council
SA73a	Payments for maladministration under s92 Local government Act 2000	Solicitor to the council
SA74	Electoral services	Assistant director corporate support
SA75	ICT commissioning and strategy	Assistant director corporate support
SA76	Communications	Assistant director strategy
SA77	Records and information compliance.	Assistant director corporate support
SA78	County-wide broadband deployment and digital inclusion	Assistant director corporate support
SA79	Procurement / commercial team	Assistant director corporate support
SA80	Human resources and organisational development	Assistant Director People
SA81	Flexible working	Assistant Director People
SA82	Payroll	Assistant Director People
SA83	Hoople HR services	Assistant Director People
SA84	Business continuity and emergency planning	Assistant Director People

	<b>Service area</b>	<b>Who may carry it out<sup>2</sup></b>
SA85	Health and safety	Assistant Director People
SA86	Transformation	Assistant director strategy
SA87	Project management	Assistant director strategy
SA88	Corporate performance to include strategic corporate planning and CPIP	Assistant director strategy
SA89	Corporate risk management	Solicitor to the council
SA90	Corporate co-ordination risk management	Assistant director corporate support
SA91	Corporate co-ordination performance reporting / management	Assistant director corporate support
SA92	Finance services	Chief finance officer
SA93	Revenues and benefits	Chief finance officer
SA94	Audit	Chief finance officer
SA95	Insurance	Chief finance officer

Appendix 2 – Gold and Silver officers

<b>Officer appointed</b>	<b>Gold/Silver officer</b>
Chief executive	Gold
Deputy chief executive	Gold
Director for economy and place	Gold
Director for children and families	Gold
Director for adults and communities	Gold
Director for public health	Gold
Assistant director corporate support	Silver
Assistant director strategy	Silver
Assistant director all ages commissioning	Silver
Assistant director adults social care operations	Silver
Assistant director safeguarding and early help	Silver
Assistant director talk community	Silver
Assistant director education, development and skills	Silver
Chief finance officer	Gold
Monitoring officer	Silver
Programme director housing and growth	Silver
Assistant director (regulatory, environment & waste services)	Silver
Acting assistant director highways and transport	Silver
Assistant director technical services	Silver
Assistant director people	Silver
Assistant director, safeguarding, quality and improvement	Silver

**Signed:**

**Date: 29 September 2020**

**Alistair Neill  
Chief Executive**

