

# Sub-delegation scheme template

This template should be followed by:

- **directors;**
- **the Chief Executive;**
- **the Deputy Chief Executive;**
- **Assistant Chief Executives; and**
- **chief officers with concurrent delegations.**

References to **directors** refer to all of the officers listed above, unless otherwise specified.

**Guidance** on how to complete this template is inserted as endnotes. These are written in blue, and highlighted in yellow. If you point your cursor over an endnote, the guidance will come up on screen. You may wish to print the guidance out and read through it, before you start to complete the template.

You will also need to refer to the council's constitution. Please use the most up to date version, which is available on the intranet.

## Introduction

The authority carries out **council** and **executive** functions.

**Council** functions are specifically identified in regulations issued under the Local Government Act 2000. They are generally quasi-judicial, such as granting planning applications. Full Council and council committees delegate many of their council functions to officers.

All other functions are **executive** functions. The Leader may delegate these to officers. The Executive Board may also delegate executive functions to officers.

Some functions are “**local choice**” functions. This means that the authority decides whether to treat them as council or executive functions<sup>1</sup>.

Because the authority has council and executive functions, there are two separate delegation schemes in Part 3 of the constitution:

- officer delegation scheme (**council** functions) – Part 3 Section 2C; and
- officer delegation scheme (**executive** functions) – Part 3 Section 3E.

Both delegation schemes set out:

- **general** delegations to all directors; and
- delegations to **specific** directors.

Some directors have also been delegated authority under local choice functions – Part 3 Section 1.

All Directors now have delegated authority under the Articles – Part 2.

An officer may carry out their functions through other officers. To do so, they must sub-delegate the functions<sup>a</sup> to appropriate officers. These officers must be of suitable experience and seniority<sup>2</sup>.

This sub-delegation scheme sets out how the Chief Executive<sup>b</sup> has sub-delegated their functions, to other officers.

## Chief Executive: Sub-delegation scheme

The Chief Executive is authorised to carry out functions on behalf of the authority.

This sub-delegation scheme sets out:

- which functions have been sub-delegated by the Chief Executive;
- which officers<sup>c</sup> have been authorised by the Chief Executive to carry out functions; and
- any terms or conditions<sup>d</sup> attached to the authority sub-delegated by the Chief Executive.

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<sup>1</sup> These are listed in Part 3 Section 1 of the constitution

<sup>2</sup> Paragraph 8.1 Guidance notes on delegated decision making, Part 3 Section 5 of the constitution.

Any decision taken by an officer acting under authority from the Chief Executive remains the personal responsibility of the Chief Executive.

## Officers with sub-delegated authority under this scheme

An officer to whom authority has been sub-delegated under this scheme may decide not to exercise their authority in relation to a particular matter. They should refer any such matter to the Chief Executive<sup>3</sup>.

They must follow the officer code of conduct and any other rules or requirements in relation to personal conflicts of interest which apply to them.

## Absence of the Chief Executive<sup>e</sup>

### Delegation of functions

In the absence of the Chief Executive from illness or leave, where a decision cannot reasonably be delayed until the return of the Chief Executive, the Chief Executive sub-delegates their functions as follows:

Function	Officer to whom sub-delegated	Terms and conditions
All those functions which are delegated to the Chief Executive except the specific Council functions relating to elections.	Deputy Chief Executive or, in their absence, the Director of Resources	

## Sub-delegation to other officers

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<sup>3</sup> The Chief Executive may in turn decide to refer such a matter to the relevant committee or the Executive Board, as appropriate.

For the purpose of this sub-delegation scheme the following definitions apply<sup>f</sup>:

Definition	Post-holders
All Directors	Deputy Chief Executive, Assistant Chief Executive (Corporate Governance), Assistant Chief Executive (Planning, Policy and Improvement), Director of Adult Social Services, Director of Children’s Services, Director of Resources, Director of Environment and Neighbourhoods and Director of City Development

## The Chief Executive sub-delegates authority as follows:

Local choice functions where the decision-making body is full Council and which are delegated specifically to the Chief Executive <sup>4g</sup>

	Function sub-delegated by Chief Executive	Officer to whom sub-delegated	Terms and conditions
1.	Not applicable		
2.			

## Council functions<sup>h</sup> – specific to the Chief Executive <sup>5</sup>

These functions **cannot** be carried out where the Chief Executive has directed that the delegated authority should not be exercised and that the matter should be referred to him/her or the relevant committee for consideration<sup>i</sup>

	Function sub-delegated by the Chief Executive	Officer to whom sub-	Terms and conditions
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<sup>4</sup> Under Part 3 Section 1 of the constitution

<sup>5</sup> Under Part 3 Section 2C of the constitution

		<b>delegated</b>	
1.	To assign officers in relation to requisitions of the registration officer in accordance with Section 52(4) of the Representation of the People Act 1983	Electoral Services Manager	
2.	To provide assistance at European Parliamentary elections in accordance with Section 6(7) and (8) of the European Parliamentary Elections Act 2002	Electoral Services Manager	
3.	To divide constituency into polling districts in accordance with Section 18A to 18E and Schedule A1 of the Representation of the People Act 1983	Electoral Services Manager	
4.	To divide electoral divisions into polling districts at local government elections in accordance with Section 31 of the Representation of the People Act 1983	Electoral Services Manager	
5.	Powers in respect of holding of elections in accordance with Section 39(4) of the Representation of the People Act 1983	Electoral Services Manager	
6.	To pay expenses properly incurred by electoral registration officer in accordance with Section 54 of the Representation of the People Act 1983	Electoral Services Manager	
7.	To fill vacancies in the event of insufficient nominations in accordance with Section 21 of the Representation of the People Act 1985	Not delegated	
8.	To declare vacancy in office in certain cases in accordance with Section 86 of the Local Government Act 1972	Electoral Services Manager	
9.	To give public notice of a casual vacancy in accordance with Section 87 of the Local Government Act 1972	Electoral Services Manager	
10.	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000 in accordance with Section 10 of the Representation of the People Act 2000.	Not delegated	

## Council functions - general<sup>6</sup>

These functions **cannot** be exercised where the Chief Executive has directed that the delegated authority should not be exercised and that the matter should be referred to him/her or the relevant committee for consideration<sup>†</sup>:

### 1. In relation to approvals, licences, permissions or registrations which come within the Chief Executive's authority<sup>k</sup>:

	Function	Approval, licence, permit or registration - see table above	Officer to whom sub-delegated	Terms and conditions
(a)	To impose conditions, limitations or restrictions	Not applicable		
(b)	To determine any terms to which they are subject	Not applicable		
(c)	To determine whether and how to enforce any failure to comply	Not applicable		
(d)	To amend, modify vary or revoke	Not applicable		
(e)	To determine whether a charge should be made and the amount of such a charge	Not applicable		

### 2. Maladministration/health and safety/personnel matters/byelaws<sup>†</sup>

<sup>6</sup> Under Section 2C of Part 3 of the constitution

	<b>Function</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
(a)	To make payments or provide other benefits in cases of maladministration <sup>7</sup>	<u>Chief Officer – Public Private Partnership Unit</u>	Only following consultation with the Deputy Chief Executive
(b)	Functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer.	<u>Chief Officer – Public Private Partnership Unit</u>	
(c)(i)	To appoint staff within the approved establishment - i.e. to approve the filling of a vacancy and instigate the recruitment process	<u>Chief Officer – Public Private Partnership Unit</u>	
(ii)	To appoint staff on a temporary basis	<u>Chief Officer – Public Private Partnership Unit</u>	
(iii)	To determine issues relating to officers' terms and conditions of employment and enter into such agreement as may be required to give effect to such determinations	<u>Chief Officer – Public Private Partnership Unit</u>	
(d)	To enforce byelaws	<u>Not delegated</u>	

<sup>7</sup> Item 48 of Schedule 1 Local Authorities (Functions and Responsibilities) Regulations 2000

## Executive functions<sup>m</sup> – specific to the Chief Executive<sup>8</sup>

These functions **cannot** be exercised where an appropriate Executive Member has directed the Chief Executive that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>n</sup>.

These functions **cannot** be exercised:

- where an appropriate Executive Member or the Chief Executive has directed that the delegated authority should not be exercised, and that the matter should be referred to the Executive Board; or
- where the Chief Executive has directed that the authority should not be exercised, and that the matter should be referred to him/her<sup>o</sup>.

The Chief Executive must be consulted before any key or major decisions are taken under the following sub-delegations<sup>p</sup>.

	Function sub-delegated by the Chief Executive	Officer to whom sub-delegated	Terms and conditions
(a)	<p>Any function of the Executive not otherwise delegated to a Director, including civic and ceremonial functions of the Council:</p> <ul style="list-style-type: none"> <li>• civic and ceremonial functions</li> <li>• the operation of the Public Private Partnership Unit</li> </ul>	<p>Chief Democratic Services Officer</p> <p>Chief Officer – Public Private Partnership Unit</p>	<p>Save in relation to authorisation of the use of the Council's crest</p>

<sup>8</sup> Under Section 3E of Part 3 of the constitution. These include local choice functions which are the responsibility of the Executive Board, and which have been specifically delegated to the Chief Executive.

## Executive functions – general<sup>9</sup>

These functions **cannot** be exercised where the Chief Executive has directed the Chief Executive that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>1</sup>.

The Chief Executive must be consulted before any key or major decisions are taken under the following sub-delegations<sup>5</sup>.

	Function sub-delegated by the Chief Executive	Officer to whom sub-delegated	Terms and conditions
1.	<p><b>Revenue Expenditure</b></p> <p>(a) Following approval of departmental revenue budgets, Directors have authority to incur expenditure within those estimates with the exception of items being subject to separate release in accordance with Appendix B to Financial Procedure Rules.</p> <p>(b) To incur expenditure within the Revenue Budget in accordance with the virement procedures and delegated limits set out in Financial Procedure Rules.</p> <p>(c) In an emergency to incur immediately necessary expenditure which shall be reported to the Director of Resources at the first opportunity.</p>	<p><u>Chief Officer – Public Private Partnership Unit</u></p>	<p>In relation to those areas within their remit.</p>
2.	<p><b>Capital Expenditure</b></p> <p>(a) To incur expenditure on capital schemes in</p>	<p><u>Chief Officer – Public Private Partnership Unit</u></p>	<p>In relation to those areas within their remit.</p>

<sup>9</sup> Under Part 3 Section 3E of the constitution.

	<b>Function sub-delegated by the Chief Executive</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
	<p>accordance with the arrangements set out in Financial Procedure Rules.</p> <p>(b) To accept tenders for construction works in accordance with the Contracts Procedure Rules.</p>		
3.	<p><b>Debts</b></p> <p>To write off debts (other than local taxation) in accordance with the procedures and maximum values set out in Financial Procedure Rules.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
4.	<p><b>Disposal of Property</b></p> <p>To dispose of property (including obsolete vehicles and plant, stores, old materials and scrap), other than property for resale, in accordance with the requirements of Financial Procedure Rules and Contracts Procedure Rules.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
5.	<p><b>Payments</b></p> <p>To approve payments to suppliers prior to the receipt of goods in accordance with the limits set out in Financial Procedure Rules.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
6.	<p><b>Cash imprests and disbursements</b></p> <p>(a) To authorise individual establishment cash imprests in accordance with the limits set out in Financial Procedure Rules.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.

	<b>Function sub-delegated by the Chief Executive</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
	(b) To approve individual payments from cash imprests in excess of the limit set out in Financial Procedure Rules.		
7.	<p><b>Stores deficiencies and surpluses</b></p> <p>To authorise the making good or otherwise of stores deficiencies up to the limit specified in Financial Procedure Rules.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
8.	<p><b>Lost property</b></p> <p>To take responsibility for lost property found on council premises, including the registration of found items and the designation of a responsible officer</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
9.	<p><b>Data Protection, Human Rights, Surveillance activities, and Freedom of Information</b></p> <p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> <li>• the rules on data protection, human rights, surveillance activities, and freedom of information</li> <li>• the council's policies on these matters</li> <li>• guidance and advice from the Assistant Chief Executive (Corporate Governance) on these matters.</li> </ul> <p>b) To designate officers with specific responsibilities for these matters.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
10.	<p><b>Media</b></p> <p>To issue statements to the press and other news media</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.

	<b>Function sub-delegated by the Chief Executive</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
	about their delegated functions within the settled framework of council policy		
11.	<p><b>Authorising officers<sup>f</sup></b></p> <p>To authorise officers possessing such qualifications as may be required by law or in accordance with the council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the council (however described) and to issue any necessary certificates of authority.</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
12	<p><b>Corporate procedures<sup>u</sup></b></p> <p>To take any action remitted to the Director under corporate procedures</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
13	<p><b>Local Choice Functions</b> (see Section 1, Part 3 of the Constitution)</p> <p>(a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000</p> <p>(b) To obtain particulars of persons interested in land</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
14.	<p><b>Signature of Contracts</b> - Local Government (Contracts) Act 1997</p> <p>To sign certificates for contracts</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.

	<b>Function sub-delegated by the Chief Executive</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
15.	<p><b>Budget and policy framework</b></p> <p>To formulate initial proposals within the budget and policy framework</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
16.	<p><b>Miscellaneous employment issues</b></p> <p>To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements</p>	<u>Chief Officer – Public Private Partnership Unit</u>	In relation to those areas within their remit.
17.	<p><b>Changes to staff structure</b></p> <p>Decisions can be taken in relation to restructures except where the decision:</p> <p>(i) involves changes to existing National or Local Agreements and policies; and/or</p> <p>(ii) cannot be achieved within delegated powers in respect of budgets</p>	<u>Chief Officer – Public Private Partnership Unit</u>	<p>Decisions are subject to:</p> <p>(i) appropriate professional advice being sought;</p> <p>(ii) prior consultation with all appropriate parties affected by the decision, including all officially recognised trade unions; and</p> <p>iii) appropriate consideration of pay and grading requirements.</p> <p>In relation to those areas within their remit and only following consultation with the</p>

	<b>Function sub-delegated by the Chief Executive</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
			Deputy Chief Executive

### Delegation of functions under Articles<sup>10v</sup>

<b>Article</b>	<b>Function</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
14.5	Signature of Contracts - To sign as Agent for the Council all Contracts agreed to be entered into by the Council, or any part of it.	Not delegated	
14.5	Authentication of Documents for Legal Officer Proceedings – To sign any document which is a necessary step in legal proceedings on behalf of the Council	All Directors and Chief Officers with concurrent delegations	
16.3	Publication of the Constitution – To inform new Members that the Constitution and such statutory provisions as regulate the proceedings and business of the Council are available	Chief Democratic Services Officer	

### Delegation of functions (miscellaneous)<sup>w</sup>

	<b>Function</b>	<b>Officer to whom sub-delegated</b>	<b>Terms and conditions</b>
	Functions in respect of the closure of noisy premises (sections 40/41 of the Anti-Social Behaviour Act 2003)	Director of Environment and Neighbourhoods	

<sup>10</sup> Part 2 of the constitution

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Signature .....

Date of signature: 22 May 2009

(Chief Executive)

Date sent to Chief Democratic Services Officer<sup>11</sup>: 22 May 2009

Date by which scheme needs to be reviewed<sup>x</sup>: 1 January 2010

Please delete the guidance endnotes, once you have completed the template.

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<sup>a</sup> **Functions**

Only functions which have been delegated for more than 6 months are legally required to be recorded in the delegation scheme.

This template follows the layout and contents of the officer delegations as they are set out in the constitution.

By using this template, you can be sure your sub-delegation scheme is comprehensive. You will also be able to amend the scheme easily, if the delegations to you set out in the constitution are amended in the future.

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<sup>11</sup> This is required by paragraph 8.1 Guidance notes on delegated decision making Section 5, Part 3 of the constitution.

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If there aren't any functions delegated to you in a particular section of the constitution, please keep the table in your scheme, but insert "not applicable". That way, it is clear that all sections have been considered. The table will also serve as a prompt when you come to review the scheme, as you may be delegated functions under one of these sections in the future.

Although your sub-delegation scheme should follow the template, it is up to you whether and how you sub-delegate your functions.

If you decide **not** to sub-delegate a particular function, please list the function in the appropriate place in the scheme, but insert "not delegated" in the column which identifies the officer to whom sub-delegated. If you do this, it will be clear that the function has not simply been overlooked.

#### <sup>b</sup> **Post-holder**

Please replace any reference to **post-holder** with your post-title.

#### <sup>c</sup> **Officers**

Please insert the post-title of an officer, and not their name. You may delegate to any officer of suitable experience and seniority – see paragraph 8.1 of the Guidance notes on delegated decision making Section 5, Part 3 of the constitution.

You may sub-delegate to an officer in your directorate, or another directorate, including to other directors.

You may also sub-delegate the same function to more than one officer.

#### **Delegations by a director, where functions are concurrently delegated to a chief officer**

Directors should not sub-delegate to any function to a chief officer, who has already been given concurrent delegation for that function under the officer delegation scheme. It is not necessary to do this (as they already have authority) and to do so would blur accountability, as it would not be clear under whose authority a decision is taken.

#### <sup>d</sup> **Terms and conditions**

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You may limit or restrict a sub-delegation, by imposing a term or condition.

For example you may:

- impose a financial limit;
- impose an exception in relation to any matter where you direct that the matter should be referred to you or to a relevant committee or the Executive Board (depending on whether it is a council or executive function);
- require particular types of decision to be referred to you;
- require an officer to consult specified people before making a particular type of decision;
- sub-delegate a function to a particular officer “in relation to matters within their remit”;
- state that the function does not extend to making key / major / significant operational decisions; or
- limit the delegation to apply only in specified circumstances, or in relation to specific functions.

You must make sure that the authority you have sub-delegated is clearly defined. For example, if you wish to restrict an officer’s sub-delegation to preclude decisions about “politically sensitive” matters, or matters which have “significant implications”, then your scheme should be clear how these decisions can be identified.

#### <sup>e</sup> **Absence of post-holder**

You may decide that in your absence:

- particular functions should be carried out by different officers; or
- one officer should carry out all of your functions (for example your deputy director if you have one).

#### Statutory posts

Article 12, Part 2 of the constitution already sets out who is the deputy for the **statutory posts** of Head of Paid Service, Monitoring Officer and Chief Finance Officer. If you are one of these post-holders, you do not therefore need to include your statutory functions within this scheme of sub-delegation, as these have already been effectively sub-delegated in the constitution. However, you may wish to include them for completeness, with an appropriate reference to Article 12.

#### <sup>f</sup> **Sub-delegation to other officers - definitions**

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For brevity, if you delegate a number of different functions to the same group of officers, you may wish to complete this table.

You should:

- insert a generic description (for example, “Chief Officers” or “Managers”) in the first column; and
- list all of the post-holders who come within the description in the second column.

You can then insert the appropriate definition against any function in the scheme which you want to sub-delegate to **all** of the post-holders within the definition.

<sup>g</sup> Please check through Section 1 of Part 3 and insert any functions specifically delegated to you, where the decision making body is **full Council**. Local choice functions where the decision making body is the **Executive Board** should be inserted later in the scheme.

#### <sup>h</sup> **Council functions – specific to post-holder**

You need to check through Section 2C of Part 3 to see whether you have been specifically delegated any council functions. Not all directors or chief officers have.

Because they are often quasi-judicial, council functions may be particularly likely to be subject to challenge through the courts. So, please specify in your scheme the post-title of **all** officers to whom you wish to sub-delegate authority for each particular council function. This should include officers who carrying out administrative tasks (for example issuing a licence), where these tasks are council functions.

You may, however, impose different terms and conditions, according to the seniority or experience of a particular post-holder.

You must also include any exceptions which will apply to officers under the sub-delegation scheme, because they apply to you. For example, some licenses can only be granted by a director where no objections have been received. Obviously, you can only delegate authority, where you yourself have authority.

<sup>i</sup> Under the officer delegation scheme (council functions), the authority of chief officers with concurrent authority in relation to specific council functions is subject to an exception in respect of those matters where the relevant director has directed that the authority should not be exercised, and that the matter should be referred to the director or the relevant committee.

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The exception will therefore also apply to any officer who is carrying out a function sub-delegated to them under a **chief officer's sub-delegation scheme**. Please insert the name of the relevant director.

<sup>j</sup> Under the officer delegation scheme (council functions), the authority of **chief officers** is subject to an exception where the relevant director has directed that the authority should not be exercised, and that the matter should be referred to him/her or the relevant committee for consideration.

This exception will therefore also apply to any officer who is carrying out a function sub-delegated to them by a chief officer. It must be included in **chief officer sub-delegation schemes**. Please insert the name of the relevant director.

<sup>k</sup> Council functions in relation to approvals, licences, permissions or registrations which come within the post-holder's authority:

You will need to complete this table only if you have authority in relation to any approvals, licences, permissions or registrations under your specific delegation in the officer delegation scheme (council functions).

If you do have delegated authority, please insert the type of approval, licence, permissions or registration in column 2, by referring to the number of the function on the table above.

<sup>l</sup> **Council functions – Maladministration/health and safety/personnel matters/byelaws**

These council functions are delegated to **all** directors and chief officers, so you will need to complete this table.

<sup>m</sup> **Executive functions specific to post-holder**

You need to include here any local choice functions which are the responsibility of the executive and have been delegated specifically to you. These are listed in the officer delegation scheme (executive functions) with the other executive functions delegated to you by the leader.

The officer delegation scheme (executive functions) sets out delegation to specific post-holders by exception. That is, the delegations are framed very widely, but are subject to an exceptions – see footnotes below.

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You should set out the delegations to you in the officer delegation scheme (executive functions), in the order in which they are set out in the constitution. This way, it will be clear that they have all been included.

However, because the descriptions of these functions are very broad, you might need to break them down into more specific services, or provide more detail about them.

**It is important make sure you include the post-title of any officer who you wish to authorise to make key, major or significant operational decisions about a function, in your sub-delegation scheme. Delegated decision notices for these types of decisions, should only be signed by officers who are specified as having authority under your scheme.**

<sup>n</sup> Under the officer delegation scheme (executive functions), the authority of directors is subject to an exception where an appropriate Executive Member directs that a matter be referred to the Executive Board. Chief officers are subject to a different exception – see footnote below.

This exception must therefore also apply to any officer who is carrying out a function sub-delegated to them by a director. It must be included in directors' sub-delegation schemes, **except for chief officers** – see footnote below.

<sup>o</sup> Under the officer delegation scheme (executive functions), the authority of chief officers with concurrent authority is subject to an exception in respect of those matters:

- where an appropriate Executive Member or the relevant director has directed that the delegated authority should not be exercised, and that the matter should be referred to the Executive Board; or
- where the relevant director has directed that the authority should not be exercised, and that the matter should be referred to him/her.

These exceptions will therefore also apply to any officer who is carrying out a function sub-delegated to them by a chief officer. It must be included in **chief officer sub-delegation schemes**. Please insert the name of the relevant director.

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<sup>p</sup> Under the officer delegation scheme (executive functions) chief officers are required to consult the relevant director before taking key or major decisions. This requirement therefore applies any officer who is carrying out a function sub-delegated to them by a chief officer. It must be included in **chief officer sub-delegation schemes**. Please insert the name of the relevant director.

<sup>q</sup> If you already have a scheme setting out the officers who are authorised to approve various financial or personnel issues, you can cross-reference that scheme in this sub-delegation scheme.

<sup>r</sup> Under the officer delegation scheme (executive functions), the authority of chief officers with concurrent authority is subject to an exception in respect of those matters where the relevant director has directed that the authority should not be exercised, and that the matter should be referred to him/her.

The exception will therefore also apply to any officer who is carrying out a function sub-delegated to them by a chief officer. It must be included in **chief officer sub-delegation schemes**. Please insert the name of the relevant director.

<sup>s</sup> Under the officer delegation scheme (executive functions) chief officers are required to consult the relevant director before taking key or major decisions. This requirement therefore applies any officer who is carrying out a function sub-delegated to them by a chief officer. It must be included in **chief officer sub-delegation schemes**. Please insert the name of the relevant director.

#### <sup>t</sup> **Authorising officers**

Some legislation requires an officer to be authorised to carry out a particular function, such as entering onto land or appearing in court. These officers should be individually authorised i.e. by name, and should have a signed certificate which they can produce to show that they have been properly authorised.

You should not insert the names of these authorised officers into your sub-delegation scheme here. You should insert the post-title of any officer who is to authorise officers on your behalf.

You should, however, also keep a **separate** record of any officer who is an authorised officer, together with details of:

- who authorised them,
- when they were authorised; and
- the functions for which they are authorised officers.

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## <sup>u</sup> **Corporate Procedures**

You need to include any functions you wish to sub-delegate which you have under, for example,:

- Financial Procedure Rules;
- Contract Procedure Rules; and
- Access to Information Rules

if they haven't been included elsewhere in your scheme.

Functions under employment procedures should not be sub-delegated here, but in 16. below.

## <sup>v</sup> **Delegation of functions under Articles**

Only directors with functions delegated to them under Articles need to complete this table. If you do not, please retain table but insert "not applicable".

Article 14 (finance, contract and legal matters), 15 (review and revision of the constitution) and 16 (suspension, interpretation and publication of the constitution) set out various functions of the Chief Executive and the Assistant Chief Executive (Corporate Governance) which may need to be sub-delegated by those officers.

## <sup>w</sup> **Delegation of functions (miscellaneous)**

Please insert here any other functions which have not been sub-delegated elsewhere in the scheme. These should include:

- functions which legislation specifies are the specific responsibility of a post-holder, and so have not been delegated to the post-holder by the council or executive;
- functions which have been sub-delegated to you by another director, and therefore are not recorded in the constitution; and
- functions which have been sub-delegated to you for less than 6 months and therefore are not recorded in the constitution.

<sup>x</sup> You will need to review your scheme:

- after the annual meeting of the council, each year, when the council and the Leader have confirmed the officer delegation schemes;
- whenever there is a change to your delegation during the year; and

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- whenever there is a change to the structure of your directorate.

You may wish to timetable a review every 6 months, perhaps at your DMT, to see if any changes are necessary.

Please send a copy of your updated scheme to the Chief Democratic Services Officer.