

# Director's Sub-Delegation Scheme

<sup>1</sup>Assistant Chief Executive (Citizens and Communities)

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Signed<sup>2</sup>  \_\_\_\_\_

Dated \_\_25 May 2016

Review Date <sup>3</sup>	Initial of reviewing officer
25 May 2016	EJJ

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<sup>1</sup> Insert title of Director here

<sup>2</sup> Approving a sub-delegation scheme should be treated as a Significant Operational Decision, and the Delegated Decision Notice, together with supporting report, and the scheme should be published on the Council's website.

<sup>3</sup> This scheme is first made at the beginning of the Municipal Year following delegations being made by the Leader and at the Annual Council Meeting. After this the sub-delegation scheme should be kept under review to ensure that it is up to date and fit for purpose – use this table to record the dates when the scheme is reviewed if no changes are necessary.

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# Introduction

The<sup>4</sup> Assistant Chief Executive (Citizens and Communities) is authorised in accordance with the Officer Delegation Scheme to carry out functions on behalf of Full Council and the Executive. Each Director has the benefit of a number of delegations – these are set out separately in two schemes; one for Council functions (delegated by Full Council) and one for Executive Functions (delegated by the Leader of Council). Each scheme is further separated into the general functions which are shared so that all Directors can carry out those functions in relation to areas within their remit, and specific functions which may only be carried out by or on behalf of the named Director. Details of those delegations can be found in Part 3 of the Council’s Constitution. Follow these links to find delegations in relation to [Council Functions](#) and [Executive Functions](#).

The Director has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the Director delegates functions to a fellow Director he/she makes it clear in this sub-delegation scheme whether that Director can sub-delegate those functions. This scheme details the officers who can carry out each function on the Director’s behalf, together with the details of any terms and conditions which the Director has imposed on that sub-delegation (examples can be found in footnote<sup>5</sup> below). All officers are bound by the [Employee Code of Conduct](#) and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme.

Even though the Director has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme. An officer with sub-delegated authority may decide not to exercise that authority, or the Director may indicate that the authority should not

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<sup>4</sup> title of Director

<sup>5</sup> The Director may limit the delegation by imposing a term or condition, for example he/she may:-

- Impose a financial limit (e.g. decisions up to and including £100,000per annum in value);
- Impose a limit in relation to the category of the decision (e.g. Administrative decisions only);
- Require that certain decisions are referred to the Director or another senior officer (e.g. Key decisions to be referred to the Chief Officer (Environmental Action));
- Require an officer to consult specified people before making a particular type of decision (e.g. in consultation with the City Solicitor or in consultation with relevant ward Members);
- Limit decisions to those within an officer’s role (e.g. in relation to matters within their remit);
- Limit decisions to those relating to a specific function or project (e.g. decisions relating to the Basic Need Programme);

be exercised, in respect of any individual matter. In either case that matter should be referred to the Director for a decision or for referral to the relevant Committee if appropriate.

In some circumstances not all Directors have functions delegated to him/her in the delegation scheme. In these cases the relevant part of this sub-delegation scheme is marked as 'not applicable'.

Where the Director has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Director unless the absence provisions at the end of this scheme apply.

# Glossary

Council Functions	Functions which must be carried out by or on behalf of full Council. Functions which are reserved to Full Council can be found <a href="#">here</a> . Other Council functions are delegated to Committees of Elected Members or to individual officers.
Elected Members	Councillors elected by the citizens of Leeds.
Executive Board	The group of 10 Elected Members including and selected by the Leader, responsible for carrying out Executive functions.
Executive Functions	Functions which must be carried out by or on behalf of the Executive.
Full Council	The meeting of all 99 Elected Members of Leeds City Council
Functions	Things which Leeds City Council must or may do. All functions are set out in legislation which will state whether the function is permissive or mandatory.
Leader	The Leader of Council, elected by all 99 Members of Council. (Usually the chosen leader of the largest political group represented at full Council.)
Local Choice Functions	The Council must decide whether these functions should be treated as Council functions or Executive functions. Details of the responsibility for these functions can be found <a href="#">here</a> .

Officers	Staff employed by the Council.
Relevant Executive Member	The Leader gives Portfolios of responsibility to individual members of Executive Board. Details of specific responsibilities are set out in the <a href="#">Executive Members Portfolios</a> and <a href="#">Overview of Executive Member's Roles and Responsibilities</a> .

## Group Delegations – Definitions and Priorities

The Director has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group. It also provides details of how it should be determined which of the officers within the group should take any given decision.

Group Title	Officers included in group authorisation	Order of responsibility
Information Asset Owner (IAO)	This is a senior person identified as responsible for a specific information asset and understanding, identifying and controlling risks to the business in relation to their information asset(s), contributing to the information risk management process and providing assurance to the SIRO.	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>• <b>Head of Council Tax and Benefits</b></li> </ul>



# Delegation of Functions Under Articles

The functions set out in this part of the sub-delegation scheme are delegated to the Director by Full Council through the relevant Article of the Constitution.

## General Delegations

The officer to whom these functions are sub-delegated may exercise these functions, which have been delegated to all Directors, for matters within his/her Director's remit only.

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
14.5	To sign as agent for the Council all contracts of a value below £100,000 agreed to be entered into by the Council or any part of it	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	Contracts of a value below £100,000 <sup>6</sup> In relation to those areas within their remit.

## Specific Delegations<sup>7</sup>

The officer to whom these functions are sub-delegated may exercise these functions, which have been delegated to the Director alone, with general effect.

<sup>6</sup> Contracts above the value of £100,000 are signed in accordance with Article 14 and the sub-delegation scheme of the City Solicitor.

<sup>7</sup> Specific Delegations are made under:-

- Article 12 to the Chief Executive as Head of Paid Service and Deputy Chief Executive as his deputy; the City Solicitor as Monitoring Officer and the Head of Governance Services as her deputy; and the Deputy Chief Executive as Chief Finance Officer and the Chief Officer (Financial Management) as his deputy;
- Article 14 to the Chief Executive and the City Solicitor;
- Article 15 to the City Solicitor as Monitoring Officer;

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
	NA		

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- Article 16 to the City Solicitor as Monitoring Officer

# Council Functions –

## Introduction

The functions set out in this part of the sub-delegation scheme are Council Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)<sup>8</sup> which have been delegated to the Director by Full Council, or by a Council Committee.

Decisions in relation to these functions should be categorised in accordance with [Article 13](#) and taken in accordance with [the Access to Information Procedure Rules](#)<sup>9</sup>.

Where a Significant Operational Decision is taken in relation to a Council Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice, both of which can be found in the [Decision Making Toolkit](#). The decision may be implemented immediately. The report supporting the decision should be published together with the Delegated Decision Notice on the Council's website as soon as practicable after the decision has been taken.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Notice to make this written record if it is helpful to do so. The decision may be implemented immediately.

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<sup>8</sup> And those Local Choice Functions which are the responsibility of Full Council and have been delegated to the Director

<sup>9</sup> These rules incorporate the requirements of the Openness of Local Government Bodies Regulations 2014 in relation to the publication of written records of relevant decisions.

# Council Functions –

## General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>General</b>			
(a)	To make payments or provide other benefits in cases of maladministration	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with guidance notes jointly prepared by the City Solicitor and the Deputy Chief Executive and,</li> <li>• where a payment exceeds £100, only following consultation with the Assistant Chief Executive (Citizens and Communities).</li> </ul>
(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	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>• Head of Council Tax and Benefits</li> </ul>	For areas within their remit

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>Personnel</b>			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	For areas within their remit
(c)(ii)	To appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision.	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	<ol style="list-style-type: none"> <li>1. Subject to there being budgetary provision.</li> <li>2. Such staff should be employed on terms set out in the guidance issued by the Deputy Chief Executive.</li> <li>3. Decision to establish or extend a temporary contract for more than one year to only take place following consultation with the Assistant Chief Executive (Citizens and Communities).</li> </ol>
(c)(iii)	To determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	For areas within their remit, excluding posts graded DIR 40% and above.

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>Byelaws</b>			
(d)	The enforcement of byelaws	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	

# Council Functions –

## Specific Delegations

The sub-delegation scheme for Council functions set out below includes a number of powers authorising the named officer to make decisions in relation to approvals, licenses, permissions and registrations. In accordance with his/her general delegations, and unless otherwise stated, the Director includes in relation to those authorisations the power to:-

- a) Impose conditions, limitation or restrictions;
- b) Determine any terms to which they are subject;
- c) Determine whether and how to enforce any failure to comply;
- d) Amend, modify, vary or revoke; and
- e) Determine whether a charge should be made or the amount of such a charge.

	Function Delegated	Officer to whom delegated	Terms and Conditions
1	<b>Regulatory Functions</b>		
1a	To approve premises for the solemnisation of marriages Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995(SI 1995/510)	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Entertainment Licensing Section Head</li> <li>• Principal Licensing Officers</li> <li>• Principal Liaison and Enforcement Officer</li> <li>• Senior Liaison and Enforcement Officers</li> <li>• Licensing Officers (Entertainment Licensing)</li> </ul>	The Assistant Chief Executive is not authorised to discharge the function where objections have been received.

<b>2</b>	<b>Functions of the Licensing Authority delegated by Full Council</b>		
2a.	Any function of a Licensing Authority <sup>10</sup> Licensing Act 2003 and any regulations or orders made under that Act <sup>11</sup> .		The Assistant Chief Executive (Citizens and Communities) is not authorised to discharge any function of the Licensing Authority reserved to full Council <sup>12</sup>
2b	Powers and functions relating to late night levy requirements Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter.		
<b>3</b>	<b>Functions of the Licensing Authority delegated by Licensing Committee</b>		
3a	The licensing functions <sup>13</sup> of the licensing authority which are delegated to the Assistant Chief Executive.	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Entertainment Licensing Section Head</li> </ul>	<p>The Assistant Chief Executive is not authorised to discharge:-</p> <ul style="list-style-type: none"> <li>• Any function of Licensing authority reserved to full council.</li> <li>• Any function of the Licensing Authority where full Council has referred a matter to a committee other than the Licensing Committee<sup>14</sup></li> <li>• Any function of the Licensing Authority reserved to the Licensing Committee;</li> <li>• Any function of the Licensing Authority within the terms of reference of the Licensing Sub-committees<sup>15</sup> and; to object when the Authority is consultee and not the relevant authority considering an application under the 2003 Act</li> </ul>

<sup>10</sup> These functions will be carried out to support those matters which cannot be delegated by the Licensing Authority.

<sup>11</sup> Including functions which, by virtue of the Gambling 2005 Act are delegated to the Licensing Committee.

<sup>12</sup> Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2011 Act.

<sup>13</sup> "Licensing functions" means functions under the Licensing Act 2003, the Gambling Act 2005 and the Police Reform and Social Responsibility Act 2011..

<sup>14</sup> Under the provisions of Section 7(5)(a) of the 2003 Act.

<sup>15</sup> Except where a Licensing sub-committee has arranged for the discharge of any of their functions by an Officer



		<ul style="list-style-type: none"> <li>Principal Licensing Officers</li> </ul>	
		<ul style="list-style-type: none"> <li>Principal Liaison and Enforcement Officer</li> <li>Senior Liaison &amp; Enforcement Officers</li> </ul>	
		Licensing Officers (Entertainment Licensing)	Except for the making of representations, and/or the application for reviews, and determining applications made pursuant to section 41A and 86A of the Licensing Act 2003 and s193 of the Gambling Act 2005
4.	<b>Functions relating to the Licensing functions delegated by Licensing Committee</b>		
4a.	To licence hackney carriages and private hire vehicles As to hackney carriages, the Town Police Clauses Act 1847 as extended by section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985 and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) As to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	<ul style="list-style-type: none"> <li>Head of Elections, Licensing and Registration</li> <li>Taxi and Private Hire Licensing Section Head</li> <li>Principal Managers</li> </ul>	
		Licensing Officers (Taxi and Private Hire)	Renewals only
4b.	To licence drivers of hackney carriages and private hire vehicles Section 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	<ul style="list-style-type: none"> <li>Head of Elections, Licensing and Registration</li> <li>Taxi and Private Hire Licensing Section Head</li> </ul>	
		Principal Managers	In absence of Taxi and Private Hire Licensing Section Head only

		Licensing Supervisors	To issue only in the absence of Principal Officers where the DBS check is clean or the application has been approved by Principal Officers or Section Head where there are convictions.
4c.	To licence operators of hackney carriages and private hire vehicles Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Taxi and Private Hire Licensing Section Head</li> <li>• Principal Officers</li> </ul>	
		Licensing Officers (Taxi and Private Hire)	Renewals only
4d.	To licence sex shops and sex cinemas and sexual entertainment venues. The Local Government (Miscellaneous Provisions) Act 1982, Section 2, Schedule 3, the Policing and Crime Act 2009, Section 27	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Entertainment Licensing Section Head</li> <li>• Principal Licensing Officers</li> <li>• Principal Liaison and Enforcement Officer</li> <li>• Senior Liaison and Enforcement Officers</li> <li>• Licensing Officers (Entertainment Licensing)</li> </ul>	The Assistant Chief Executive (Citizens and Communities) is not authorised to discharge this function where the application is for the grant, renewal, variation or transfer of a sexual entertainment venue licence irrespective of whether objections have been received, or the grant or variation of a sex shop or sex cinema licence irrespective of whether objections have been made, or renewal or transfer of a sex shop or cinema licence where objections have been received.

4e.	To licence performances of hypnotism The Hypnotism Act 1952	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Entertainment Licensing Section Head</li> <li>• Principal Licensing Officers</li> <li>• Principal Liaison and Enforcement Officer</li> <li>• Senior Liaison and Enforcement Officers</li> <li>• Licensing Officers (Entertainment Licensing)</li> </ul>	
4f.	*** To licence persons to collect for charitable and other causes Section 5 of the Police, Factories etc (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Entertainment Licensing Section Head</li> <li>• Principal Licensing Officers</li> <li>• Licensing Officers (Entertainment Licensing)</li> </ul>	The Assistant Chief Executive (Citizens and Communities) is not authorised to discharge this function where objections have been received.

# Executive Functions –

## Introduction

The functions set out in this part of the sub-delegation scheme are Executive Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)<sup>16</sup> which have been delegated to the Director by the Leader of Council. If the Leader or relevant Executive Member<sup>17</sup> directs that the Director should not exercise his/her delegated authority in respect of any Executive function, then the officer with sub-delegated authority may not exercise that authority, and the matter must be referred to Executive Board.

Decisions in relation to these functions should be categorised in accordance with [Article 13](#) and taken in accordance with [the Executive and Decision Making Procedure Rules](#).

Where a Key Decision is proposed in relation to an Executive Function it should be publicised on the Council's web site using the Request to add a Key Decision to the 'List of Forthcoming Key Decisions' form. The decision itself should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice. The necessary templates can be found in the [Decision Making Toolkit](#). In most cases a Key Decision will be open to Call In and should not be implemented until the Call In period has expired.

Where a Significant Operational Decision is taken in relation to an Executive Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice. The report supporting the decision should be published together with the Delegated Decision Notice on the Council's website as soon as practicable after the decision has been taken. A Significant Operational Decision may be implemented immediately.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Notice to make this written record if it is helpful to do so. There is no requirement to publish the decision and it may be implemented immediately.

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<sup>16</sup> And those Local Choice Functions which are the responsibility of the Executive Board and have been delegated to the Director

<sup>17</sup> See glossary.

## Executive Functions –

### General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>1 Financial<sup>18</sup></b>			
a)	To incur expenditure and to generate and collect income in line with <a href="#">Financial Regulations</a> , <a href="#">Contracts Procedure Rules</a> and within approved revenue and capital estimates.	Chief Officer (Customer Access) Chief Officer (Communities) Chief Officer (Welfare and Benefits) Head of Elections, Licensing and Registration Head of Council Tax and Benefits	For matters within their remit
b)	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Deputy Chief Executive at the first opportunity.	Chief Officer (Customer Access) Chief Officer (Communities) Chief Officer (Welfare and Benefits) Head of Elections, Licensing and Registration	For matters within their remit

<sup>18</sup> See [Financial Regulations Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>2 Procurement<sup>19</sup></b>			
a)	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the <a href="#">Contracts Procedure Rules</a> .	Chief Officer (Customer Access) Chief Officer (Communities) Chief Officer (Welfare and Benefits) Head of Elections, Licensing and Registration	Such activity should be carried out in accordance with the Contracts Procedure Rules.
b)	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	Chief Officer (Customer Access) Chief Officer (Communities) Chief Officer (Welfare and Benefits) Head of Elections, Licensing and Registration	
c)	Subject to the approval of the City Solicitor and the Deputy Chief Executive, to sign certificates under the Local Governments (contracts) Act 1997 in relation to contracts.	NOT TO BE SUB-DELEGATED <sup>20</sup>	
<b>3 General</b>			
a)	Community Right to Challenge <sup>21</sup>  In consultation with the Chief Officer PPPU and Procurement, to make a decision on an expression of interest under community right to challenge.	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	

<sup>19</sup> See [Procurement and Category Management Toolkit](#)

<sup>20</sup> In the event of the absence of the Director the certificate must be signed by the Deputy Chief Executive or City Solicitor or in their absence one of the Statutory Chief Officers or Non-Statutory Chief Officers to whom authority is delegated under the Officer Delegation Scheme (Executive Functions) General Delegations paragraph 5.

	Function Delegated	Officer to whom delegated	Terms and Conditions
b)	Data Protection, Human Rights, Surveillance activities, and Freedom of Information <sup>22</sup>		
a)	To implement and ensure compliance with: <ul style="list-style-type: none"> <li>the rules on data protection, human rights, use of powers under RIPA (Regulation of Investigatory Powers Act), and freedom of information</li> <li>the council's policies on these matters</li> <li>guidance and advice from the SIRO and SRO on these matters.</li> </ul>	<ul style="list-style-type: none"> <li>Chief Officer (Customer Access)</li> <li>Chief Officer (Communities)</li> <li>Chief Officer (Welfare and Benefits)</li> <li>Head of Elections, Licensing and Registration</li> <li>Head of Council Tax and Benefits</li> </ul>	In relation to those areas within their remit.
i)	To designate officers with specific responsibilities for these matters.	<ul style="list-style-type: none"> <li>Chief Officer (Customer Access)</li> <li>Chief Officer (Communities)</li> <li>Chief Officer (Welfare and Benefits)</li> <li>Head of Elections, Licensing and Registration</li> <li>Head of Council Tax and Benefits</li> </ul>	In relation to those areas within their remit.

<sup>21</sup> Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

<sup>22</sup> See [Managing Information Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
	i) To advise the SIRO of any:- <ul style="list-style-type: none"> <li>• new types of data processed;</li> <li>• new ways of processing personal data; and</li> <li>• new persons or organisations to whom data is given.</li> </ul>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>• Head of Council Tax and Benefits</li> </ul>	In relation to those areas within their remit.
c)	Media <sup>23</sup>  To issue statements to the press and other news media about their delegated functions within the council's adopted budget and policy framework. <sup>24</sup>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.  And  Only following consultation with the Assistant Chief Executive (Citizens and Communities)

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<sup>23</sup> See [Dealing with the Media Toolkit](#)

<sup>24</sup> The Budget and Policy Framework is defined in Article 4 of the Constitution



	Function Delegated	Officer to whom delegated	Terms and Conditions
d)	<p>Authorising officers <sup>25</sup></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>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.
e)	<p>Corporate procedures<sup>26</sup></p> <p>To take any action remitted to him/her under corporate procedures.</p>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.
f)	Local Choice Functions (see Section 1, Part 3 of the Constitution)		

<sup>25</sup> This delegation gives the officer detailed power to grant authority for other officers to carry out certain statutory powers or duties (e.g. entering onto land or appearing in court). This part of the sub-delegation scheme does not detail those 'authorised officers' – Authorised officers are given separate evidence of their authority (e.g. an ID card or certificate), signed by the person named here who has the power to authorise them. Their details are kept in a separate list together with details of who authorised them, the date they were authorised and the functions for which they are authorised.

<sup>26</sup> This function refers to any powers delegated to the Director under the Procedure Rules set out at Part 4 of the Council's Constitution which are not specifically included elsewhere (for example functions under the Financial Regulations and the Contracts Procedure Rules which are delegated at Paragraphs 1 to 4 above)

	Function Delegated	Officer to whom delegated	Terms and Conditions
	i) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.
	ii) To obtain particulars of persons interested in land	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.
g)	<p>Budget and policy framework</p> <p>To canvas the views of local stakeholders, formulate and publish initial proposals within the budget and policy framework</p>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>4 Employment<sup>27</sup></b>			
a)	<p>Miscellaneous employment issues</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>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	In relation to those areas within their remit.
b)	<p>Changes to staff structure</p> <p>Decisions 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>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>• Head of Council Tax and Benefits</li> </ul>	<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>Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or appropriate committee.</p>
<b>5 Ways of Working</b>			

<sup>27</sup> See [Recruitment and Staffing Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
a)	<p>Partnerships</p> <p>i) To engage in partnerships with organisations in public, private, and voluntary sector</p> <p>ii) To promote and influence partnership working with organisations across the city</p>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>•</li> </ul>	
b)	<p>Functions on Behalf of an NHS Body</p> <p>i) To carry out functions exercisable on behalf of an NHS body under Section 75 National Health Service Act 2006 in relation to matters within their remit.</p>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> </ul>	
c)	<p>Provision of Statutory Returns</p> <p>To provide such statutory returns as are necessary within the Director's remit</p>	<ul style="list-style-type: none"> <li>• Chief Officer (Customer Access)</li> <li>• Chief Officer (Communities)</li> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Elections, Licensing and Registration</li> <li>• Head of Council Tax and Benefits</li> </ul>	

## Executive Functions –

### Specific Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
1 Integrated locality working and its associated citywide support and delivery functions including:-			
	a) Community Committees;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	b) Communities Teams;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	c) Neighbourhood Improvement Boards;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	d) Parish and Town Councils;	<ul style="list-style-type: none"> <li>Head of Elections, Licensing and Registration</li> <li>Chief Officer (Communities)</li> </ul>	
	e) Locally devolved functions;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	f) Multiagency working in neighbourhoods;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	g) Cohesion and integration;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	h) Community centres	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	

	Function Delegated	Officer to whom delegated	Terms and Conditions
	i) Administration of the well-being and youth activity fund budgets	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	This function to be used in the respect of delegations to community committees (as set out in the Community Committee Executive Delegation Scheme) to allow urgent decisions relating to the use of the annual capital and revenue allocation to any such committee, and subject to any conditions stipulated by the Executive or the relevant Community Committee.
	j) Migration;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	k) Volunteering;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	l) Consultation and engagement;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	m) Relationships with the Third Sector;	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	n) Commissioning of Third Sector infrastructure; and	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	
	o) Community Infrastructure Levy spending relating to the Neighbourhood Fund.	<ul style="list-style-type: none"> <li>Chief Officer (Communities)</li> </ul>	This function to be used in the respect of delegations to community committees (as set out in the Community Committee Executive Delegation Scheme) to allow urgent decisions relating to the use of the CIL Neighbourhood Fund allocated to any such committee, and subject to any conditions stipulated by the Executive or the relevant Community Committee.

2 Equalities			
3 The council's corporate customer services functions including:-			
(a)	a) The telephone contact centre; b) Digital access including the council's website and e-services; c) Community hubs covering provision of the Councils:- i) One Stop Centre Services; ii) Community based housing management and advice services; iii) Front line community library services and *mobile library services; and iv) Local job-shop provision; and d) Interpretation and translation services.	Chief Officer (Customer Access)  *Director of City Development/Chief Officer Culture and Sport/Head of Library and Information Service	Functions relating to mobile library services only
(b)	The promotion and improvement of economic, social and environmental well being <sup>28</sup>	Chief Officer (Communities) Area Leaders	
4 Registrars functions including:			
	a) Registration of births, deaths, marriages and civil partnerships; and b) Provision of civic weddings, civil partnerships and citizenship ceremonies.	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Register Office Section Head (Superintendent Registrar)</li> </ul>	
5 Licensing functions including:-			

<sup>28</sup> This function to be used in the respect of delegations to community committees (as set out in the Community Committee Executive Delegation Scheme) to allow urgent decisions relating to the use of the annual capital and revenue allocation to any such committee, and subject to any conditions stipulated by the Executive or the relevant Community Committee.

	<p>a) Taxi and Private hire licensing functions and related enforcement activities;</p> <p>b) The administration and enforcement of licences for entertainment, gambling and the sale of alcohol; and</p> <p>c) Miscellaneous licences.</p>	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Taxi and Private Hire Licensing Section Head</li> <li>• Entertainment Licensing Section Head</li> <li>• Principal Licensing Officers</li> <li>• Principal Liaison and Enforcement Officer</li> </ul>	
		<ul style="list-style-type: none"> <li>• Senior Liaison and Enforcement Officers</li> <li>• Licensing Officers</li> </ul>	<p>Except for the refusal of applications under the Scrap Metal Dealers Act 2013.</p>
<p>6 Local Land Charges functions including:-</p>			
	<p>a) Maintenance of the Local Land Charges Register; and</p> <p>b) Responsibility for processing local authority searches.</p>	<ul style="list-style-type: none"> <li>• Head of Elections, Licensing and Registration</li> <li>• Section Head Local Land Charges</li> </ul>	



7 Welfare and benefits services including:-			
	<ul style="list-style-type: none"> <li>a) Welfare rights;</li> <li>b) Housing benefit, including recoverability of overpayments, and education benefit services;</li> <li>c) Local Council Tax Support and recoverability of excess Council Tax Support payments;</li> <li>d) Local hardship schemes;</li> <li>e) Financial and social inclusion initiatives</li> <li>f) Commissioning of credit union and Leeds advice consortium services</li> </ul>	<ul style="list-style-type: none"> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Council Tax and Benefits*</li> </ul>	<p>*Except for : Welfare rights; Financial and social inclusion initiatives; Commissioning of credit union and Leeds advice consortium services</p>
8 Council tax processing and billing arrangements including:-			
	<ul style="list-style-type: none"> <li>a) Annual billing;</li> <li>b) Discount schemes including single person discounts;</li> <li>c) Administration of s13 decisions; and</li> <li>d) Empty property charges</li> </ul>	<ul style="list-style-type: none"> <li>• Chief Officer (Welfare and Benefits)</li> <li>• Head of Council Tax and Benefits*</li> </ul>	<p>*Except for: Administration of s13 decisions;</p>

# Miscellaneous Functions

The functions set out in this part of the Sub-delegation scheme are derived from:-

- Legislation which provides that a function should be the specific responsibility of the Director;
- Policies and Procedures which form part of the Constitution of Leeds City Council;
- Sub-delegations made by other Directors of Leeds City Council to whom those functions have been delegated; and
- Delegations which have been made to the Director by Full Council or the Executive for a period less than 6 months which are not therefore reflected in the Constitution

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Council Constitution Part 3 Section 2A	To act as Deputy Electoral Registration Officer for local government elections	Assistant Chief Executive	Shared with Head of Elections, Licensing and Registration

# Absence Provisions

The table below sets out details of responsibility for those functions which are not sub-delegated by the Director in the usual course of business. These sub-delegations may only be exercised in the absence of the Director on leave<sup>29</sup> or where the Director has confirmed in writing that he/she will be absent from the office and these provisions are to apply<sup>30</sup>.

Function sub-delegated by Director	Officer with authority to exercise function in absence of Director.	Terms and Conditions
All functions	Deputy Chief Executive	

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<sup>29</sup> Whether annual leave, sick leave or special leave

<sup>30</sup> It is recommended that a delegated decision form be used to record and publish this as a Significant Operational Decision.