

Director's Sub-Delegation Scheme

¹Director of Resources and Housing

Signed² Neil Evans *R.N. Evans*

Dated 24th April 2017

Review Date ³	Initial of reviewing officer

¹ Insert title of Director here

² 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.

³ 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.

Director of Resources and Housing

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Introduction

The⁴ Director of Resources and Housing 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 footnote⁵ 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.

⁴ Insert title of Director here.

⁵ 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);

An officer with sub-delegated authority may decide not to exercise that authority, or the Director may indicate that the authority should not 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 here . 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 here .
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 Executive Members Portfolios and Overview of Executive Member's Roles and Responsibilities .
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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
Chief Officers	<ul style="list-style-type: none"> • Chief Information Officer • Chief Officer Financial Services • Chief Officer Audit and Investment • Chief Officer Human Resources • Chief Officer Projects Programmes and Procurement • Chief Officer Strategy and Improvement • Chief Officer Civic Enterprise Leeds • Chief Officer Shared Services • Chief Officer Housing Management • Chief Officer Property and Contracts • Chief Officer Facilities and Fleet 	
Heads of Service	<ul style="list-style-type: none"> • Head of Housing Management x 3 • Head of Neighbourhood Services • Head of Maintenance Operations • Head of Strategy and Investment • Programme Manager Contracts and Investment • Head of Sustainable Energy and Climate Change • Programme Manager PFI Contracts • Head of Housing Support 	

Director of Resources and Housing

	<ul style="list-style-type: none"> • Head of Housing Partnerships • Head of Operational Delivery • Executive Programme Manager (FM and Transport) • Head of Housing Contracts 	
Team Managers	<ul style="list-style-type: none"> • Service Manager (Private Sector Housing) • Deputy Service Manager (Private Sector Housing) • Service Manager (Housing Options) • Principal Contracts Manager 	
Supervisors	<ul style="list-style-type: none"> • Principal Housing Officers (Private Sector Housing) • Principal Housing Officers (Housing Options) 	
Senior Technical Officers	<ul style="list-style-type: none"> • Senior Technical Officers • Senior Housing Officers (Private Sector Housing) 	
Technical Officers	<ul style="list-style-type: none"> • Technical Officers • Housing Officer (Private Sector Housing) 	

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	Chief Officers Heads of Service	Contracts of a value below £100,000 ⁶

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

Director of Resources and Housing

Specific Delegations⁷

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

Article 15 - Review and Revision of the Constitution

The authority to amend and review the following parts of the Constitution is delegated to the Director of Resources and Housing under Article 15 of the Constitution. The officer to whom this authority is sub-delegated may amend and review these documents.

Part of the Constitution	Title of Document	Officer to whom delegated	Terms and Conditions
Part 4 i	Contracts Procedure Rules	Chief Officer Projects Programmes and Procurement	
Part 4 k	Officer Employment Procedure Rules	Chief Officer Human Resources	
Part 5 b	Employee Code of Conduct	Chief Officer Human Resources	As a consequence of amendments to the employee terms and conditions
Part 5 f	Protocol for the Co-ordination of External Inspection Reports	Not Delegated	
Part 7	Management Structure	Not Delegated	

⁷ Specific Delegations are made under:-

- Article 12 to the Chief Executive as Head of Paid Service and Director of Resources and Housing as his deputy; the City Solicitor as Monitoring Officer and the Head of Governance and Scrutiny Support as her deputy; and the Chief Officer (Financial Services) as Chief Finance Officer and XXX as his deputy;
- Article 14 to the Chief Executive and the City Solicitor;
- Article 15 to the City Solicitor as Monitoring Officer;
- Article 16 to the City Solicitor as Monitoring Officer

Director of Resources and Housing

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)⁸ 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](#)⁹.

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.

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

⁹ 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
General			
(a)	To make payments or provide other benefits in cases of maladministration	Chief Officers	In accordance with guidance notes jointly prepared by the City Solicitor and the Director of Resources and Housing. In relation to matters within their remit.
(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	Chief Officers Heads of Service	In relation to matters within their remit.
Personnel			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	Chief Officers Heads of Service	In relation to matters within their remit.

	Function Delegated	Officer to whom delegated	Terms and Conditions
(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.	Chief Officers Heads of Service	<ol style="list-style-type: none"> 1. Subject to there being budgetary provision. 2. Such staff should be employed on terms set out in the guidance issued by the Director of Resources and Housing. 3. In relation to matters within their remit.
(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	Chief Officers Heads of Service	In relation to matters within their remit.
Byelaws			
(d)	The enforcement of byelaws	Chief Officers Heads of Service	In relation to matters within their remit.

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
Functions relating to Human Resources			
(a)	Functions relating to local government pensions etc (Regulations under section 7, 12 or 24 of the Superannuation Act 1972)	Chief Officer Human Resources Chief Officer Financial Services	
(b)	To make arrangements to consider and determine employee appeals in relation to grievance, grading and dismissal (Section 112 Local Government Act 1972)	Chief Officer Human Resources	Except in relation to those which are to be determined by the Employment Committee
(c)	To determine employee terms and conditions (Section 112 Local Government Act 1972)	Chief Officer Human Resources	The authority of the Chief Officer Human Resources extends to amending the Employee Code of Conduct within Part 5 of the Constitution as a consequence of amendments to the employee terms and conditions.

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	Function Delegated	Officer to whom delegated	Terms and Conditions
Functions relating to Standing Orders			
(a)	To make standing orders in relation to Officer Employment (Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972)	Chief Officer Human Resources	In relation to making Officer Employment Procedure Rules (Paragraph 42 of Schedule 12 to the Local Government Act 1972)
(b)	To make standing orders as to contracts (Section 135 of the Local Government Act 1972)	Chief Officer Projects Programmes and Procurement	

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)¹⁰ which have been delegated to the Director by the Leader of Council. If the Leader or relevant Executive Member¹¹ 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.

¹⁰ And those Local Choice Functions which are the responsibility of the Executive Board and have been delegated to the Director

¹¹ See glossary.

Executive Functions –

General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
1. Financial¹²			
a)	To incur expenditure and to generate and collect income in line with Financial Regulations , Contracts Procedure Rules and within approved revenue and capital estimates.	Chief Officers Heads of Service	
b)	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Chief Finance Officer at the first opportunity.	Chief Officers Heads of Service	
2. Procurement¹³			
a)	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Contracts Procedure Rules .	Chief Officers ¹⁴ Heads of Service	The Director of Resources and Housing must approve all procurements. However the contract award for procurements under £250k are delegated to the Chief Officer. All contracts awards over £250k remain the responsibility of the Director.

¹² See [Financial Regulations Toolkit](#)

¹³ See [Procurement and Category Management Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
b)	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	Chief Officers	In relation to matters within their remit.
c)	Subject to the approval of the City Solicitor and the Chief Finance Officer, to sign certificates under the 1997 Act in relation to contracts ¹⁵ .	NOT TO BE SUB-DELEGATED ¹⁶	
3. General			
a)	Community Right to Challenge ¹⁷ In consultation with the Chief Officer Projects Programmes and Procurement, to make a decision on an expression of interest under community right to challenge.	Chief Officers	
b)	Data Protection, Human Rights, Surveillance activities, and Freedom of Information ¹⁸		

¹⁴ For the avoidance of doubt, the responsibility for procurement in relation to corporate energy is sub-delegated to the Chief Officer Projects Programmes and Procurement under this delegation.

¹⁵ This function deals with signing a certificate to indicate that the authority has power to enter into a contract. Signing the contract itself is a separate action and authority to sign a contract is delegated under [Article 14](#) of the Council's Constitution and is sub-delegated under the part of this scheme which deals with authority under the Articles.

¹⁶ In the event of the absence of the Director the certificate must be signed by the Chief Finance Officer 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.

¹⁷ Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> • the rules on data protection, human rights, use of powers under RIPA (regulation of Investigatory Powers Act), and freedom of information¹⁹ • the council's policies on these matters • guidance and advice from the SIRO²⁰ and SRO on these matters. 	<p>Chief Officers Heads of Service</p>	<p>In relation to matters within their remit</p>
	<p>b) To designate officers with specific responsibilities for these matters.</p>	<p>Chief Officers Heads of Service</p>	<p>In relation to matters within their remit</p>
	<p>c) To advise the SIRO any new types of data processed, of new ways of processing personal data and of any new persons or organisations to whom data is given.</p>	<p>Chief Officers Heads of Service</p>	

¹⁸ See [Managing Information Toolkit](#)

¹⁹ Contained within the following: Data Protection Act 1998, Human Rights Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000 and subsidiary legislation

²⁰ The Council's SIRO (Senior Information Risk Owner) is the Director of Resources and Housing

Director of Resources and Housing

	Function Delegated	Officer to whom delegated	Terms and Conditions
c)	<p>Media²¹</p> <p>To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework²².</p>	<p>Chief Officers Heads of Service</p>	<p>In relation to matters within their remit</p>
d)	<p>Authorising officers ²³</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>	<p>Chief Officers Heads of Service</p>	

²¹ See [Dealing with the Media Toolkit](#)

²² The Budget and Policy Framework is defined in Article 4 of the Constitution

²³ 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.

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	Function Delegated	Officer to whom delegated	Terms and Conditions
e)	Corporate procedures ²⁴ To take any action remitted to the Director under corporate procedures.	Chief Officers Heads of Service	
f)	Local Choice Functions (see Section 1, Part 3 of the Constitution)		
	(a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000	Chief Officers Heads of Service	
	(b) To obtain particulars of persons interested in land	Chief Officers Heads of Service	
g)	Budget and policy framework To formulate initial proposals within the budget and policy framework	Chief Officers	In relation to matters within their remit

²⁴ 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)

Director of Resources and Housing

	Function Delegated	Officer to whom delegated	Terms and Conditions
4. Employment²⁵			
a)	Miscellaneous employment issues 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	Chief Officers Heads of Service	
b) i)	Changes to staffing structures Decisions in relation to restructures ²⁶ except where the decision: <ul style="list-style-type: none"> • involves changes to existing National or Local Agreements and policies; and/or • cannot be achieved within delegated powers in respect of budgets 	Chief Officer Human Resources	Decisions are subject to: <ul style="list-style-type: none"> i. appropriate professional advice being sought, ii. prior consultation with all appropriate parties affected by the decision including all officially recognised trade unions, and iii. appropriate consideration of pay and grading requirements

²⁵ See [Recruitment and Staffing Toolkit](#)

²⁶ Decisions in relation to restructures are subject to:-

- appropriate professional advice being sought;
- prior consultation with all appropriate parties affected by the decision, including all officially recognised trade unions; and
- appropriate consideration of pay and grading requirements.

	Function Delegated	Officer to whom delegated	Terms and Conditions
b) ii)	Decisions in respect of restructures which involve changes to existing agreements or policies (as referred to in 4(b)(i) bullet point one above) Decisions in respect of restructures which involve budgetary implications (as referred to in 4 (b)(i) bullet point two above)	Chief Officer Human Resources Chief Officer Financial Services	In each case, subject to consultation with the City Solicitor and other appropriate parties. In each case, 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.
c)	Workforce Development	Chief Officer Human Resources	
5. Ways of Working			
a)	Matching service to need i) To understand relevant information in relation to local population and communities and to identify emerging trends; ii) To identify and review provision and to ensure it is appropriately matched to current and anticipated level of need; iii) To engage with locality management teams to maximise value of local experience and engagement; and iv) To work appropriately with Community Committees to ensure local democratic engagement in needs analysis and service provision	Chief Officers	

	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; and</p> <p>iii) To work in partnership beyond the city boundaries to support and participate in regional and sub-regional arrangements.</p>	Chief Officers	In relation to matters within their remit
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>	Chief Officers	In relation to matters within their remit
c)	<p>Provision of Statutory Returns</p> <p>i) To provide such statutory returns as are necessary within the Director's remit.</p>	Chief Officers	In relation to matters within their remit

Executive Functions –

Specific Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
1)	Setting, supporting and monitoring the council's financial strategy.	Chief Officer Financial Services	
2)	Ensuring effective financial management and controls, including:		
a)	collecting council tax and business rates, and collecting other money that is owed to the council	Chief Officer Financial Services	
b)	administration of pensions	Chief Officer Financial Services	
c)	insurance for the council	Chief Officer Financial Services	
3)	Setting, supporting and monitoring the council's policies and procedures for managing:		
a)	budgets	Chief Officer Financial Services	In relation to matters within their remit
		Chief Officers	
b)	human resources (including health and safety)	Chief Officer Human Resources	
c)	information and communications technology	Chief Information Officer	

	Function Delegated	Officer to whom delegated	Terms and Conditions
d)	information governance	Chief Information Officer	With the exception of, and subject to, the functions of the Senior Information Risk Owner (SIRO) which have been specifically delegated to the Director of Resources and Housing from 1 st April 2017
e)	procurement and purchasing	Chief Officer Projects Programmes and Procurement	
f)	projects and programmes	Chief Officer Projects Programmes and Procurement	
g)	Joint Strategic Needs Analysis		
h)	performance and service improvement	Chief Officer Strategy and Improvement	
i)	risk and business continuity	Chief Officer Strategy and Improvement	
4)	Corporate communications services, including:		
a)	The council's communications strategy and policy	Chief Officer Strategy and Improvement	
b)	Internal and external communications	Chief Officer Strategy and Improvement	
c)	Press and media relations	Chief Officer Strategy and Improvement	
5)	International Relations	Chief Officer Strategy and Improvement International Relations Manager	
6)	The council's corporate planning and policy development services, including coordination of the Best Council Plan	Chief Officer Strategy and Improvement	

Director of Resources and Housing

	Function Delegated	Officer to whom delegated	Terms and Conditions
7)	The council's city-wide resilience and emergency planning functions	Chief Officer Strategy and Improvement	
8)	Civic Enterprise Leeds services including:		
a)	Business support, facilities management and similar services for the council and its civic and community buildings and office accommodation	Chief Officer Civic Enterprise Leeds	
b)	Trading the services referred to in 7) (a) above to schools and other external partners (including the approval of business cases as and when required for the exercise of trading powers) ²⁷	Chief Officer Civic Enterprise Leeds	
9)	Community Infrastructure Levy spending relating to Strategic Fund	Not delegated	
10)	Any function which has not been specifically delegated at paragraphs 10a or b below in relation to sustainable energy and carbon reduction , including the application for related funding and, the subsequent authorisation of claims for funding against successful bids and air quality improvements	<ul style="list-style-type: none"> • Head of Sustainable Energy & Climate Change • Executive Programme Manager (FM and Transport) 	
10a)	Formulation and implementation of sustainable energy and carbon reduction policies for the city and air quality improvement	<ul style="list-style-type: none"> • Head of Sustainable Energy & Climate Change • Executive Programme Manager (FM and Transport) 	

²⁷ Subject to consultation with the appropriate members

Director of Resources and Housing

	Function Delegated	Officer to whom delegated	Terms and Conditions
10b)	Engagement with communities in relation to climate change and air quality improvement		
11	Any function which has not been specifically delegated at paragraphs 11a i) to v) below in relation to Landlord Functions (funded by the Housing Revenue Account) in relation to the authority's role as housing authority excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority	<ul style="list-style-type: none"> • Chief Officer Housing Management • Chief Officer Property and Contracts 	
11a	Council Housing Management Including	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Management • Housing Managers 	
11a(i)	Tenant Involvement	<ul style="list-style-type: none"> • Head of Neighbourhood Services 	
	To approve tenant led environmental and community related funding	Head of Housing Management	<ul style="list-style-type: none"> • In line with Council policy and local Housing Advisory Panel priorities; and • following recommendation from relevant Housing Advisory Panel
11a(ii)	Lettings and Rent Collection	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Management • Housing Managers 	

	Function Delegated	Officer to whom delegated	Terms and Conditions
11a(iii)	Repairs and Maintenance	<ul style="list-style-type: none"> • Chief Officer Property and Contracts • Head of Leeds Building Services 	
11a(iv)	Housing Revenue Account Investment (to maintain existing and provide new council housing)	<ul style="list-style-type: none"> • Chief Officer Housing Management • Chief Officer Property and Contracts 	
11a(v)	Housing PFI Contracts	<ul style="list-style-type: none"> • Chief Officer Property and Contracts • Programme Manager PFI Contracts 	
12	Any function which has not been specifically delegated at paragraphs 12a to 12b below in relation to Housing Functions (funded by the General Fund) .	<ul style="list-style-type: none"> • 	
12a	Condition and Occupation of Housing including any function which has not been specifically delegated at 12a (i) to (iii) below.	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (private sector housing) • Deputy Service Managers (private sector housing) 	Schedules 1, 2 and 3 only.

	Function Delegated	Officer to whom delegated	Terms and Conditions
12a(i)	Private and voluntary sector rental housing (including enforcement and licensing)	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (private sector housing) • Deputy Service Managers (private sector housing) 	
12a(ii)	Empty Property Strategy and	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (private sector housing) • Deputy Service Managers (private sector housing) 	

	Function Delegated	Officer to whom delegated	Terms and Conditions
12a(iii)	Partnerships with Housing Associations and other key stakeholders	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (private sector housing) • Deputy Service Managers (private sector housing) 	
12b	Other Housing Services which have not been specifically delegated at 12b(i) to (vi) below including		
	<p>(a) To award Supporting People contracts.</p> <p>(b) To make efficiencies and generate savings in Supporting People contracts through negotiations with service provides, and to formalise these through contract variations.</p>	Interim Deputy Director, Integrated Commissioning Adult Social Care, Leeds City Council & NHS Leeds North Clinical Commissioning Group	Does not include key decisions. All significant operational commissioning decisions, contract variations and extensions below £100,000 per annum, as recommended by the Supporting People Commissioning Body.
12b(i)	Housing Advice	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) 	

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	Function Delegated	Officer to whom delegated	Terms and Conditions
12b(ii)	Homelessness	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) 	
12b(iii)	Gypsies and Travellers including	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) • Housing Safeguarding Manager 	

	Function Delegated	Officer to whom delegated	Terms and Conditions
12b(iia)	Caravan Sites	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) • Housing Safeguarding Manager 	In accordance with Schedules 1, 2 and 4 only
12b(iib)	Land occupied by travelling people	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) • Housing Safeguarding Manager 	With the exception of key and significant operational decisions.
12b(iv)	Emergency and temporary accommodation	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Housing Operations) 	

	Function Delegated	Officer to whom delegated	Terms and Conditions
12b(v)	Energy efficiency and fuel poverty	<ul style="list-style-type: none"> • Head of Sustainable Energy & Climate Change • Executive Programme Manager (FM and Transport) 	
12b(vi)	Adaptations	<ul style="list-style-type: none"> • Chief Officer Housing Management • Head of Housing Support • Service Manager (Health and Housing) 	

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
<p>Article 14.3 <i>Sub-delegated to the Director of Resources and Housing by the City Solicitor, with the power to sub-delegate</i></p>	<p>Legal proceedings To institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or any part of it or in any case where the City Solicitor considers that such action is necessary to protect the Council's interests.</p>	<p>Chief Officer Financial Services</p>	<p>To take any action which the City Solicitor can take BUT only in relation to the recovery of Council Tax and Business Rates</p>

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		<ul style="list-style-type: none"> • Head of Neighbourhood Services • Income Service Manager • Neighbourhood Services Officer (Paralegal) • Housing Manager (Income Improvement) • Team Leader (Income Recovery) • Senior Housing Advisor(Mortgage & Tenancy Advice) • Statutory Review Officer (LHO) • Operations Manager (LHO) • Principal Housing Advisor (Advice & Assessment) • Housing Advisor (Mortgage & Tenancy Advice) 	<p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> • the issuing of particulars of claim for rent arrears and warrant applications; and • the signing and completing of standard Shop Tenancy Agreements; • the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25; • the completion of Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / Investigations Agreements; and standard Garage Tenancy Agreements.

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		<ul style="list-style-type: none"> • Chief Officer Property & Contracts • Head of Maintenance Operations • Head of Asset Management • M&E Service Manager • Gas Services Manager • Programme Support Officer • Gas Senior Officer • Project Officer 	<p>To take any action which the City Solicitor can take BUT only with regard to:</p> <p>Applications for warrants under Paragraph 2 of Schedule 3 of the Environmental Protection Act 1990</p>
<p>Article 14.5 <i>Sub-delegated to the Director of Resources and Housing by the City Solicitor, with the power to sub-delegate</i></p>	<p>Authentication of documents for legal proceedings Where any document will be a necessary step in legal proceedings on behalf of the Council, it shall be signed by the City Solicitor or other person authorised by him/her unless any enactment otherwise requires or authorises, or the Council give necessary authority to some other person for the purpose of such proceedings.</p>	<p>Chief Officer Financial Services</p>	<p>To take any action which the City Solicitor can take BUT only with regard to the recovery of Council Tax and Business Rates.</p>

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		<ul style="list-style-type: none"> • Head of Neighbourhood Services • Income Service Manager • Neighbourhood Services Officer (Paralegal) • Housing Manager (Income Improvement) • Team Leader (Income Recovery) • Senior Housing Advisor (Mortgage & Tenancy Advice) • Statutory Review Officer (LHO) • Operations Manager (LHO) • Principal Housing Advisor (Advice & Assessment) • Housing Advisor (Mortgage & Tenancy Advice) 	<p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> • the issuing of particulars of claim for rent arrears and warrant applications; • the signing and completing of standard Shop Tenancy Agreements; • the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25; • the completion of Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / • Investigations Agreements; and standard Garage Tenancy Agreements.
		<ul style="list-style-type: none"> • Chief Officer Property & Contracts (to sub delegate) • Head of Maintenance Operations • Head of Asset Management • M&E Service Manager • Gas Services Manager 	<p>To take any action which the City Solicitor can take BUT only with regard to:</p> <p>Applications for warrants under Paragraph 2 of Schedule 3 of the Environmental Protection Act 1990</p>

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Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		<ul style="list-style-type: none"> • Programme Support Officer • Gas Senior Officer • Project Officer 	
<p>Officer Delegation Scheme (Executive Functions) delegated to the City Solicitor</p> <p><i>Sub-delegated to the Director of Resources and Housing by the City Solicitor, with the power to sub-delegate.</i></p>	<p>To take any action intended to give effect to a decision of the Executive or an officer including the commencement, defence, withdrawal or settlement of proceedings.</p>	<p>Chief Officer Financial Services</p>	<p>To take any action which the City Solicitor can take BUT only with regard to the recovery of Council Tax and Business Rates.</p>

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		<p>To be delegated to Chief Officers in accordance with the portfolios of the new structure)</p> <ul style="list-style-type: none"> • • Head of Neighbourhood Services • Income Service Manager • Neighbourhood Services Officer (Paralegal) • Housing Manager (income Improvement) • Team Leader (Income Recovery) • Senior Housing Advisor (Mortgage & Tenancy Advice) • Statutory Review Officer (LHO) • Operations Manager (LHO) • Principal Housing Advisor (Advice and Assessment) • Housing Advisor (Mortgage & Tenancy Advice) 	<p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> • the issuing of particulars of claim for rent arrears and warrant applications; and • the signing and completing of standard Shop Tenancy Agreements; • the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25; • the completion of Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / Investigations Agreements; and standard Garage Tenancy Agreements.

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
<p>Officer Delegation Scheme (Council Functions) delegated to the Director of Communities and Environment</p> <p><i>Sub-delegated to the Director of Resources and Housing by the Director of Communities and Environment, with the power to sub-delegate.</i></p>	<p>To issue licences authorising the use of land as a caravan site (“site licenses”) - Section 3(3) of the Caravan Sites and Control of Development Act 1960</p>	<ul style="list-style-type: none"> • Chief Officer Housing Management • Chief Officer Strategy and Commissioning • Head of Housing Support • Head of Housing Partnerships • Housing Policy Manager • Operations Manager • Housing Safeguarding Manager 	<p>Within their area of work after their competence has been confirmed by their line manager</p>
<p>Officer Delegation Scheme (Council Functions) delegated to the Director of Communities and Environment</p> <p><i>Sub-delegated to the Director of Resources and Housing by the Director of Communities and Environment, with the power to sub-delegate.</i></p>	<p>To license the use of movable dwellings and camping sites (Section 269(1) of the Public Health Act 1936)</p>	<ul style="list-style-type: none"> • Service Manager (Private Sector Housing) • Team Managers (EAS) 	<p>Within their area of work after their competence has been confirmed by their line manager</p>

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Officer Delegation Scheme (Executive Functions) delegated to the Director of City Development <i>Sub-delegated to the Director of Resources and Housing by the Director of City Development, with the power to sub-delegate.</i>	Routine property matters relating to the Environment and Housing commercial asset management portfolio, including rent reviews, lease renewals, assignments, consents, change of use, sub-lettings, surrenders, notices to review or terminate, temporary lettings, licences, and other routine property matters.	Chief Officer Property & Contracts Head Strategy & Investment	limited to property within the Environment and Housing commercial asset management portfolio
Information Governance Policy Framework	Undertake role of Senior Information Risk Owner (SIRO) ²⁸	Chief Information Officer	Where the SIRO is not available: have ultimate responsibility for the acceptance, or otherwise, of information risks for the council; responsible for approving, and ensuring implementation of, all policies and procedures relating to the Information Governance Framework;
Information Governance Policy Framework	To approve Information Governance (IG) policy exemptions	Chief Information Officer	Level 3 exemptions where it is anticipated there will be a high business impact. In consultation with Information Governance Management Board.

²⁸ The Director of Resources and Housing is designated as the SIRO .

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Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
		Corporate Information Compliance Manager and Directorate Information Compliance Officers in relation to matters within their remit	Level 1 and 2 exemptions where it is anticipated there will be a low or medium business impact. In consultation with key stakeholders.
Information Governance Policy Framework	To investigate information security breaches	Chief Information Officer Corporate Information Compliance Manager and Directorate Information Compliance Officers and Nominated Data Protection/ Freedom of Information Practitioners	In liaison with HR and other key stakeholders.
Information Governance Policy Framework	Approve Information Sharing Arrangements Agreements, Data Processing Agreements, Non-disclosure agreements when sharing information with third parties	Information Asset Owners (IAO)	For the information assets for which they have been identified as the responsible officer. This will include the formal sign-off of Information Sharing Agreements, Data Processing Agreements and Non-disclosure agreements.
		Directorate Information Compliance Officers in relation to matters within their remit	Where the relevant IAO is not available.

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Information Governance Policy Framework	Approve access to secure email accounts	Chief Information Officer Directorate Information Compliance Officer Corporate Information Compliance Manager	Following completion of the relevant documentation including the request form, self-declaration of criminal convictions form and the security operating procedures.

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 leave²⁹ or where the Director has confirmed in writing that he/she will be absent from the office and these provisions are to apply³⁰.

Function sub-delegated by Director	Officer with authority to exercise function in absence of Director.	Terms and Conditions
Functions relating to Financial Management and the Financial Regulations	Chief Officer Financial Services	
All functions relating to civic and community buildings, office accommodation and facilities management	Chief Officer Civic Enterprise Leeds and in his/her absence Heads of Service within Civic Enterprise Leeds	In relation to matters within their remit
All functions relating to Procurement	Chief Officer Projects Programmes and Procurement and in his/her absence Heads of Service within Projects Programmes and Procurement Unit	In relation to matters within their remit
All Functions relating to Community Infrastructure Levy spending relating to Strategic Fund	Head of Sustainable Energy & Climate Change Executive Programme Manager (FM and Transport)	

²⁹ Whether annual leave, sick leave or special leave

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

Function sub-delegated by Director	Officer with authority to exercise function in absence of Director.	Terms and Conditions
All functions which has not been specifically delegated at paragraphs 11a i) to v) below in relation to Landlord Functions (funded by the Housing Revenue Account) in relation to the authority's role as housing authority excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority	Chief Officer Housing Management Chief Officer Property and Contracts	
Any function which has not been specifically delegated at paragraphs 12a to 12b below in relation to Housing Functions (funded by the General Fund).	Chief Officer Housing Management Chief Officer Property and Contracts	

Schedules

For actions and legislation in the Schedules below, staff are authorised to sign documents within their area of work after their competence has been confirmed by their line manager.

Legislation specified includes all relevant amendments and subordinate statutory instruments made under those specified acts.

Relevant Function Resources and Housing	Schedule	Action
12,13	1	<ul style="list-style-type: none"> • The issuing of statutory notices (signing & service of) • The enforcement of statutory provisions (gathering evidence, witnessing a breach etc) • The approval of licences, permits and registrations, excluding those listed as a Council function which have other restrictions.
12,13	2	<ul style="list-style-type: none"> • The approval of prosecution files to facilitate legal proceedings. • The issuing of formal cautions.
12	3 (the condition and occupation of private housing)	<ul style="list-style-type: none"> • Building Act 1984 • Energy Act 2015 (Smoke and Carbon Monoxide Alarms (England) Regulations 2015) • Environmental Protection Act 1990 • European Communities Act 1972 • Highways Act 1980 • Home Energy Conservation Act 1995 • Housing Act 1985, 1996 and 2004 • Housing Grants, Construction and Regeneration Act 1996 • Local Government and Housing Act 1989 • Local Government (Miscellaneous Provisions) Act 1976 and 1982 • Local Government Act 2003 • Management of Houses in Multiple Occupation (England) Regulations 2006 • Noise Act 1996 • Prevention of Damage by Pests Act 1949 • Public Health Acts 1936 and 1961 • Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to

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Relevant Function Resources and Housing	Schedule	Action
		belong to a scheme etc) (England) Order 2014 <ul style="list-style-type: none"> • Investment Energy Act 2003 • Town and Country Planning Act 1990 (section 215 only)
13	4 (caravan sites)	<ul style="list-style-type: none"> • Caravan Sites and Control of Development Act 1960 • Caravan Sites Act 1968 • Environmental Protection Act 1990 • Local Government Act 2003