

Report of the Director of Public Health

Report to the Director of Adults and Health

Date: 23 May 2019

Subject: Director of Public Health's Sub-Delegation Scheme

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report sets out the current Sub-Delegation Scheme for the Director of Public Health. The scheme sets out how the Director of Public Health intends to exercise the powers delegated to him in accordance with the constitution. All Sub-Delegations made by the Director of Public Health within the scheme are sub-delegated to officers of suitable experience and seniority.

Recommendation

2. The Director of Adults and Health is asked to approve the Sub-Delegation Scheme set out at Appendix 1 to this report.

1 Purpose of this report

- 1.1 This report sets out the Sub-Delegation Scheme for the Director of Public Health. The Scheme sets out how the Director of Public Health intends to exercise the powers delegated to him in accordance with the Constitution.
- 1.2 The Scheme details the Sub-Delegation of those powers by setting out the officers to whom they are delegated and any terms or conditions applied to those Sub-Delegations. All Sub-Delegations set out within the Scheme are made to officers of suitable experience and seniority.

2 Background information

- 2.1 The Constitution of Leeds City Council sets out the Officer Delegation Scheme in respect of council functions and executive functions. The Officer Delegation Scheme includes the power for officers to delegate further any function which has been delegated to them under the scheme, to another officer or officers of suitable experience and seniority.
- 2.2 Each Director listed in Article 12 of the Constitution must prepare a Sub-Delegation Scheme which sets out which officers will be given authority to make decisions under the Director's delegated powers and subject to which terms and conditions. Sub-Delegation Schemes must be logged with the Head of Governance Services.
- 2.3 Whilst Directors may authorise other officers to take delegated decisions, the decision is still the personal responsibility of the Director.

3 Main issues

- 3.1 The Director of Public Health has functions delegated to him under the Officer Delegation Scheme (Council (non-executive) functions) and under the Officer Delegation Scheme (Executive Functions).
- 3.2 The proposed Scheme, attached at Appendix 1 to this report, sets out how the Director of Public Health intends to sub-delegate functions, including the details of the officers to whom they are sub-delegated and the terms and conditions which apply to those sub-delegations.
- 3.3 It is considered that the sub-delegations proposed by the Director of Public Health are all made to officers of suitable experience and seniority.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The decision to approve the Sub-Delegation Scheme did not require public consultation or engagement. However, the relevant officers named in the Sub Delegation Scheme will be made aware of the changes.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no implications for equality and diversity or cohesion and integration arising from this report.

4.3 Council policies and City Priorities

4.3.1 Updating the sub-delegation scheme is in accordance with Principle 2 of the Code of Corporate Governance (Part 5(j) of the Constitution), which states that the Council will have clear responsibilities and arrangements for accountability.

4.3.2 Climate Change

4.3.3 Climate change challenges will be understood and responded to in relation to discharge of functions within the Director's remit.

4.4 Resources and value for money

4.4.1 The Director of Public Health has considered the resources available in determining the sub-delegations to be made under this scheme.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The decision to approve this Sub-Delegation Scheme is not eligible for Call-In as it is not a Key decision.

4.5.2 The making or amendment of a sub-delegation scheme will be treated as a Significant Operational Decision and will therefore be recorded on a Delegated Decision Notification, and will be published on the Council's website.

4.5.3 In addition, the Head of Governance Services maintains a library of all Directors' Sub-Delegation Schemes which is available to the public.

4.6 Risk Management

4.6.1 Ensuring that the Director of Public Health's scheme is kept up to date reduces the risk of decisions being taken without the correct authority.

5 Conclusions

5.1 In accordance with Part 3 of the Council's Constitution, each Director named in Article 12 has the authority to sub-delegate any of their functions to officers of suitable experience and seniority. However, the officer to whom the delegation has been made in the Constitution remains responsible for any decision taken pursuant to such arrangements.

5.2 The approval of this sub-delegation scheme will ensure that it is documented and transparent.

6 Recommendations

6.1 The Director of Adults and Health is asked to approve the Sub-Delegation Scheme set out at Appendix 1 to this report.

7 Background documents¹

7.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.