

Report of Directorate Support Governance Manager

Report to Chief Executive

Date: 10th March 2020

Subject: Approval of the Chief Executive's Sub-delegation Scheme

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open 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

1. Main issues

- This report sets out the proposed sub-delegation scheme for the Chief Executive.
- The scheme sets out how the Chief Executive intends to exercise the powers delegated to him/her in accordance with the constitution.
- All sub-delegations made by the Chief Executive within the scheme are sub-delegated to officers of suitable experience and seniority.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- An up-to-date accurate Chief Executive sub-delegation scheme helps to meet the Best Council Plan by ensuring that decision making powers are sub-delegated to the appropriate officers, allowing the Council to operate efficiently and meet the needs of people living and working in the city.

3. Resource Implications

- There are no resource implications arising from this decision.

Recommendations

- a) The Chief Executive 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 seeks approval from the Post-holder of the attached sub-delegation scheme, setting out how the Chief Executive intends to exercise the powers delegated to him/her 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.

3. Main issues

- 3.1 The Chief Executive has functions delegated to him/her under the Officer Delegation Scheme (Council (non-executive) functions) and under the Officer Delegation Scheme (Executive Functions).
- 3.2 The proposed scheme, attached as Appendix 1 to this report, sets out how the post-holder intends to sub-delegate those functions, including the details of the officers to whom they are sub-delegated and the terms and conditions which apply to those sub-delegations. The changes proposed to the scheme are:
- Changes to the delegations around electoral functions, and the designation of the Chief Officer Elections & Regulatory and Head of Electoral Services have been designated as 'Deputy Returning Officer'.
 - There have been changes to the absence provisions.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The decision to approve the sub-delegation scheme does 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 this report.

4.3 Council policies and the Best Council Plan

- 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.

Climate Emergency

- 4.3.2 Whilst this decision has no immediate impact on the Climate Emergency, an accurate sub-delegation scheme helps to ensure that the decision making powers officers have are correct, improving decision making across the Council, including decisions related to the Climate Emergency.

4.4 Resources, procurement and value for money

- 4.4.1 The Chief Executive 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 an online library of all sub-delegation schemes which is available to the public.

4.6 Risk management

- 4.6.1 Ensuring that the post-holder'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 officer 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 Chief Executive 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.