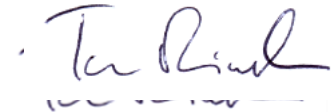


# Chief Executive's Sub-Delegation Scheme

Chief Executive

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Signed: 

Dated: 10/03/2001 / ~~07~~ / 19

Review Date	Initial of reviewing officer
<del>10/12/19</del> <u>09/09/19</u>	VS
<del>09/03/20</del> <u>10/12/19</u>	<del>SB</del> <u>VS</u>

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# Introduction

The Chief Executive 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.

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>1</sup> below). All officers are bound by the Employee Code of Conduct (which can be found in Part 5 of the Constitution) 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 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.

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<sup>1</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 £100,000 per 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);

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 in Part 3 Section 2A of the Constitution. 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 in Part 3 Section 1 of the Constitution.
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 Member Portfolios and the Executive Members Oversight of Officer Executive Delegations at Part 3 Section 3B of the Constitution. <sup>2</sup>

# 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
All Directors	<ul style="list-style-type: none"> <li>• Director of Resources and Housing</li> <li>• Chief Officer (Financial Services)</li> <li>• City Solicitor</li> <li>• Director of Communities and Environment</li> <li>• Director of City Development</li> <li>• Director of Children and Families</li> <li>• Director of Adults and Health</li> <li>• Director of Public Health</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	Not necessary to delegate	Contracts of a value below £100,000 <sup>2</sup>

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<sup>2</sup> Contracts above the value of £100,000 are signed in accordance with Article 14 and the sub-delegation scheme of the City Solicitor.

## Delegation of Functions Under Articles -

### Specific Delegations<sup>3</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.

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
12.1	The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out in Part 7 of the Constitution.	Director of Resources and Housing	
12.2	The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.	Not delegated	
12.2	The Head of Paid Service will grant and supervise exemptions from political restriction, in consultation with the Monitoring Officer.	Not delegated	In accordance with Section 3A of the Local Government and Housing Act 1989

<sup>3</sup> 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 Democratic Services 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

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
12.2	Following consultation with the Chair of the Standards and Conduct Committee, the Head of Paid Service will consider and determine written requests for dispensations.	Not delegated	In accordance with Section 33 of the Localism Act 2011
12.2	The Head of Paid Service will appoint or dismiss and hold to account the Chairs of the LSCB <sup>4</sup> and LSAB <sup>5</sup>	Not delegated	Following consultation with appropriate partners
14.5	The Chief Executive and the City Solicitor or other person authorised by each of them) shall each be authorised to sign as Agent for the Council all contracts agreed to be entered into by the Council, or any part of it.	Not delegated	
14.5	To sign any document which is a necessary step in legal proceedings on behalf of the Council	All Directors	Unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings.
16.3	To inform new Members that the Constitution and such statutory provisions as regulate the proceedings and business of the Council are available.	Head of Democratic Services	

<sup>4</sup> Regulation 4 LSCB Regulations 2006 and "Working Together to Safeguard Children" statutory guidance March 2015

<sup>5</sup> Care Act 2014 and "The Care and Support Statutory Guidance"

# 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>6</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>7</sup> which can be found in Part 4 of the Constitution.

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>6</sup> And those Local Choice Functions which are the responsibility of Full Council and have been delegated to the Director

<sup>7</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	Not delegated	In accordance with guidance notes jointly prepared by the City Solicitor and the Director of Resources and Housing
(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	Not delegated	
<b>Personnel</b>			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	Not delegated	
(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.	Not delegated	<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 Director of Resources and Housing.</li> </ol>

	Function Delegated	Officer to whom delegated	Terms and Conditions
(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	Not delegated	
<b>Byelaws</b>			
(d)	The enforcement of byelaws	Not delegated	

## 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
(a)	<u>To act as the Deputy Returning Officer</u>	<ul style="list-style-type: none"> <li>▪ <u>Chief Officer Elections &amp; Regulatory</u></li> <li>▪ <u>Head of Electoral Services</u></li> </ul>	
(a)(b)	To assign officers in relation to requisitions of the registration officer in accordance with Section 52(4) of the Representation of the People Act 1983	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>City Solicitor</del></li> <li>▪ <del>Electoral Services Manager</del><u>Head of Electoral Services</u></li> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul>	

	Function Delegated	Officer to whom delegated	Terms and Conditions
(b)(c)	To provide assistance at European Parliamentary elections in accordance with Section 6(7) and (8) of the European Parliamentary Elections Act 2002	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>• <del>Electoral Services Manager</del> <u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
(e)(d)	To divide constituency into polling districts in accordance with Section 18A to 18E and Schedule A1 of the Representation of the People Act 1983	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>• <del>Electoral Services Manager</del> <u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
(d)(e)	To divide electoral divisions into polling districts at local government elections in accordance with Section 31 of the Representation of the People Act 1983	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>• <del>Electoral Services Manager</del> <u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
(e)(f)	Powers in respect of holding of elections in accordance with Section 39(4) of the Representation of the People Act 1983	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>• <del>Electoral Services Manager</del> <u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	



	Function Delegated	Officer to whom delegated	Terms and Conditions
<del>(f)</del> (g)	To pay expenses properly incurred by electoral registration officer in accordance with Section 54 of the Representation of the People Act 1983	<ul style="list-style-type: none"> <li>*—Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>*—<del>Electoral Services Manager</del><u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
<del>(g)</del> (h)	To fill vacancies in the event of insufficient nominations in accordance with Section 21 of the Representation of the People Act 1985	Not delegated	
<del>(h)</del> (i)	To declare vacancy in office in certain cases in accordance with Section 86 of the Local Government Act 1972	<ul style="list-style-type: none"> <li>*—Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>*—<del>Electoral Services Manager</del><u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
<del>(i)</del> (j)	To give public notice of a casual vacancy in accordance with Section 87 of the Local Government Act 1972	<ul style="list-style-type: none"> <li>*—Chief Officer Elections and Regulatory <ul style="list-style-type: none"> <li>▪ <del>City Solicitor</del></li> </ul> </li> <li>*—<del>Electoral Services Manager</del><u>Head of Electoral Services</u> <ul style="list-style-type: none"> <li>▪ <del>Principal Electoral Services Managers</del></li> </ul> </li> </ul>	
<del>(j)</del> (k)	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000 in accordance with Section 10 of the Representation of the People Act 2000.	Not delegated	
<del>(k)</del> (l)	Functions relating to community governance		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	i) Duties relating to community governance reviews in accordance with Section 79 of the Local Government and Public Involvement in Health Act 2007.	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del><a href="#">Head of Electoral Services</a></li> </ul>	
	ii) Functions relating to community governance petitions in accordance with Sections 80 and 83 to 85 of the Local Government and Public Involvement in Health Act 2007.		
	iii) Functions relating to terms of reference of review in accordance with Sections 81(4) to 81(6) of the Local Government and Public Involvement in Health Act 2007		
	iv) Power to undertake a community governance review in accordance with Section 82 Of the Local Government and Public Involvement in Health Act 2007		
	v) Duties when undertaking review in accordance with Sections 93-95 of the Local Government and Public Involvement in Health Act 2007		
	vi) Duty to publicise outcome of review in accordance with Section 96 Of the Local Government and Public Involvement in Health Act 2007		
	vii) Duty to send two copies of order to Secretary of State and Electoral Commission in accordance with Section 98(1) Of the Local Government and Public Involvement in Health Act 2007		
<a href="#">(m)</a>	Functions relating to consultation and notification processes in relation to changing the name of an electoral area <sup>8</sup> in accordance with Section 59 of the Local Government and Public Involvement in Health Act 2007	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del><a href="#">Head of Electoral Services</a></li> </ul>	Consultation processes only

<sup>8</sup> The function of passing a resolution to change the name of an electoral area under s59(1) of the Local Government and Public Involvement in Health Act 2007 is reserved to full Council.

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>Functions in relation to parishes and parish councils</b>			
<del>(m)</del> (n)	To dissolve small parish councils in accordance with Section 10 of the Local Government Act 1972	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del><u>Head of Electoral Services</u></li> </ul>	Consultation processes and publication of statutory notices only
<del>(n)</del> (o)	To make orders for grouping parishes, dissolving groups and separating parishes from groups in accordance with Section 11 of the Local Government Act 1972	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del><u>Head of Electoral Services</u></li> </ul>	Consultation processes and publication of statutory notices only
<del>(e)</del> (p)	To make temporary appointments to Parish Councils in accordance with Section 91 of the Local Government Act 1972	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del><u>Head of Electoral Services</u></li> </ul>	Consultation processes only
<b>Functions Relating to Changing Governance Arrangements</b>			
(a)	To secure that copies of a document setting out new governance arrangements are available for public inspection, and to publish a notice about the change in accordance with Section 9KC of the Local Government Act 2000	<ul style="list-style-type: none"> <li>▪ Head of Democratic Services</li> </ul>	
(b)	To take any step, subject to timely consultation with General Purposes Committee in advance of any action being taken, under or for the purposes of complying with any order from the Secretary of State in accordance with Section 9N of the Local Government Act 2000	Not delegated	



# 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>9</sup> which have been delegated to the Director by the Leader of Council. If the Leader or relevant Executive Member<sup>10</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 which can be found in Part 4 of the Constitution.

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>9</sup> And those Local Choice Functions which are the responsibility of the Executive Board and have been delegated to the Director

<sup>10</sup> See glossary.

## Executive Functions –

### General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>1) Financial<sup>11</sup></b>			
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.	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory</li> <li>• <del>Electoral Services</del> <del>Manager/Head of Electoral Services</del></li> <li>• <del>Principal Electoral Services Managers</del></li> <li>• <del>Head of Democratic Services</del></li> <li>•</li> </ul>	For matters only within their remit.
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.	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory</li> <li>• <del>Electoral Services</del> <del>Manager/Head of Electoral Services</del></li> <li>• <del>Principal Electoral Services Managers</del></li> <li>• <del>Head of Democratic Services</del></li> <li>•</li> </ul>	For matters only within their remit

<sup>11</sup> See Financial Regulations Toolkit

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>2) Procurement<sup>12</sup></b>			
a)	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Contracts Procedure Rules.	<ul style="list-style-type: none"> <li>• Chief Officer Elections and Regulatory</li> <li>• <del>Electoral Services Manager</del> <u>Head of Electoral Services</u></li> <li>• <del>Principal Electoral Services Managers</del></li> <li>• Head of Democratic Services</li> </ul>	For matters only within their remit
b)	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	Not delegated	
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.	NOT TO BE SUB-DELEGATED <sup>13</sup>	

<sup>12</sup> See Procurement and Category Management Toolkit

<sup>13</sup> 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.

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>3) General</b>			
a)	Community Right to Challenge <sup>14</sup>  In consultation with the Chief Officer (Financial Service) <sup>15</sup> , to make a decision on an expression of interest under community right to challenge.	Not delegated	
b)	Data Protection, Human Rights, Surveillance activities, and Freedom of Information <sup>16</sup>		
	i) To implement and ensure compliance with: <ul style="list-style-type: none"> <li>the legal rules on data protection, human rights, surveillance activities, and freedom of information</li> <li>the council's policies and procedures on these matters</li> <li>guidance and advice from the SIRO<sup>17</sup> and from the SRO and the DPO<sup>18</sup> on these matters.</li> </ul>	Not delegated	
	ii) To designate officers with specific responsibilities for these matters.	Not delegated	

<sup>14</sup> Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

<sup>15</sup> Or the officer to whom the Chief Officer (Financial Services) has sub-delegated this function.

<sup>16</sup> See Managing Information Toolkit

<sup>17</sup> The Council's SIRO (Senior Information Risk Owner) is the Director of Resources and Housing

<sup>18</sup> The Head of Information Management and Governance has been designated as the Council's DPO (Data Protection Officer)



	Function Delegated	Officer to whom delegated	Terms and Conditions
	iii) 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>	Not delegated	
c)	Media <sup>19</sup>  i) To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework.	Not delegated	
d)	Authorising officers <sup>20</sup>  i) To authorise or appoint 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.	Not delegated	

<sup>19</sup> See Dealing with the Media Toolkit

<sup>20</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.

	Function Delegated	Officer to whom delegated	Terms and Conditions
e)	<p>Corporate procedures<sup>21</sup></p> <p>i) To take any action remitted to the Chief Executive under corporate procedures.</p> <p>ii) As the relevant officer designated as Gold or Silver under the Council's Emergency Management Plan to take any action necessary for:</p> <p>a. Responding to an emergency; and / or</p> <p>b. Facilitating the recovery following such an emergency</p>	Not delegated	
f)	<p>Local Choice Functions (see Section 1, Part 3 of the Constitution)</p> <p>i) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000</p>	Not delegated	
	ii) To obtain particulars of persons interested in land	Not delegated	
g)	<p>Budget and policy framework</p> <p>i) To canvas views of local stakeholders, formulate initial proposals within the budget and policy framework</p>	Not delegated	

<sup>21</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
<b>4) Employment<sup>22</sup></b>			
a)	Miscellaneous employment issues  i) 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	<ul style="list-style-type: none"> <li>▪ Director of Resources and Housing</li> <li>▪ Chief Officer Human Resources</li> </ul>	
b)	Changes to staff structure Decisions in relation to restructures except where the decision: (i) involves changes to existing National or Local Agreements and policies; and/or  (ii) cannot be achieved within delegated powers in respect of budgets	Not delegated	<p>Decisions are subject to:</p> <ul style="list-style-type: none"> <li>i. appropriate professional advice being sought,</li> <li>ii. prior consultation with all appropriate parties affected by the decision including all officially recognised trade unions, and</li> <li>iii. appropriate consideration of pay and grading requirements</li> </ul> <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>
c)	Workforce Development	<ul style="list-style-type: none"> <li>▪ Director of Resources and Housing</li> <li>▪ Chief Officer Human Resources</li> </ul>	
<b>5) Ways of Working</b>			

<sup>22</sup> See Recruitment and Staffing Toolkit

	Function Delegated	Officer to whom delegated	Terms and Conditions
a)	<p>Matching service to need</p> <ul style="list-style-type: none"> <li>i) To understand relevant information in relation to local population and communities and to identify emerging trends;</li> <li>ii) To identify and review provision and to ensure it is appropriately matched to current and anticipated level of need;</li> <li>iii) To engage with locality management teams to maximise value of local experience and engagement; and</li> <li>iv) To work appropriately with Community Committees to ensure local democratic engagement in needs analysis and service provision</li> </ul>	All Directors	
b)	<p>Climate Change</p> <ul style="list-style-type: none"> <li>i) To understand and respond to climate change challenges arising in relation to discharge of functions within the Director's remit.</li> </ul>	Not delegated	
c)	<p>Partnerships</p> <ul style="list-style-type: none"> <li>i) To engage in partnerships with organisations in public, private, and voluntary sector;</li> <li>ii) To promote and influence partnership working with organisations across the city; and</li> <li>iii) To work in partnership beyond the city boundaries to support and participate in regional and sub-regional arrangements.</li> </ul>	Not delegated	

	Function Delegated	Officer to whom delegated	Terms and Conditions
d)	Functions on behalf of an NHS Body 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 the Director's remit.	Not delegated	
e)	Provision of Statutory Returns i) To provide such statutory returns as are necessary within the Director's remit.	Not delegated	

## Executive Functions –

### Specific Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
	Any function of the Executive not otherwise delegated to a Director in relation to:		
(1)	Any function not otherwise delegated at paragraphs 1a to 1d below in relation to elections.	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> </ul>	
1a	The registration of electors	<ul style="list-style-type: none"> <li>▪ Chief Officer Elections and Regulatory</li> <li>▪ <del>Electoral Services Manager</del> <u>Head of Electoral Services</u></li> </ul>	
<u>1b</u>	<u>Elections and referenda in relation to local matters, including:-</u> <u>reviews of polling districts, places and stations</u>	<ul style="list-style-type: none"> <li>▪ <u>Chief Officer Elections and Regulatory</u></li> <li>▪ <u>Head of Electoral Services</u></li> </ul>	
<u>1c1b</u>	<u>Assisting with and responding to consultation in relation to boundary reviews of all types, including:-</u> <ul style="list-style-type: none"> <li>i) <u>parliamentary constituency reviews;</u></li> <li>ii) <u>electoral reviews;</u></li> <li>iii) <u>principal area boundary reviews;</u></li> <li><del>iv) <u>structural reviews</u></del> <u>Elections and referenda in relation to local matters, including:-</u></li> <li><del>v) <u>reviews of polling districts, places and stations</u></del></li> </ul>	<ul style="list-style-type: none"> <li>▪ <u>Chief Officer Elections and Regulatory</u></li> <li>▪ <u>Head of Electoral Services</u></li> <li><del>▪ Chief Officer Elections and Regulatory</del></li> <li><del>▪ Electoral Services Manager</del></li> </ul>	

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	Function Delegated	Officer to whom delegated	Terms and Conditions
<del>1d1e</del>	<del>Community governance reviewsAssisting with and responding to consultation in relation to boundary reviews of all types, including:- i) <del>parliamentary constituency reviews;</del> ii) <del>electoral reviews;</del> iii) <del>principal area boundary reviews;</del> iv) <del>structural reviews</del></del>	<del>▪ <u>Chief Officer Elections and Regulatory</u> ▪ <u>Head of Electoral Services</u> ▪ <del>Chief Officer Elections and Regulatory</del> ▪ <del>Electoral Services Manager</del></del>	
<del>21d</del>	<del>Any function not otherwise delegated at paragraphs 2a to 2c below in relation to civic and ceremonial functions of the CouncilCommunity governance reviews</del>	<del>▪ <u>Head of Democratic Services</u>Chief Officer Elections and Regulatory ▪ <del>Electoral Services Manager</del></del>	
<del>2a2</del>	<del>Provision of support to the Lord MayorAny function not otherwise delegated at paragraphs 2a to 2c below in relation to civic and ceremonial functions of the Council</del>	<del>▪ <u>Head of Democratic Services</u>Head of Democratic Services</del>	
<del>2b2a</del>	<del>Ceremonial occasionsProvision of support to the Lord Mayor</del>	<del>▪ <u>Head of Democratic Services</u> ▪ <u>Lord Mayor's Secretary</u> Head of Democratic Services</del>	
<del>2c2b</del>	<del>Authorisation of use of Council's CrestCeremonial occasions</del>	<del>▪ <u>Head of Democratic Services</u>Head of Democratic ServicesLord Mayor's Secretary</del>	
<del>32c</del>	<del>Any function not otherwise delegated at paragraphs 3a to 3b below in relation to devolution and local freedomsAuthorisation of use of Council's Crest</del>	<del>▪ <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u>Head of Democratic Services</del>	
<del>3a3</del>	<del>Delivery of devolved powers and freedoms, including those received through the city deal and growth deal, in conjunction with the LEPAny function not otherwise delegated at paragraphs 3a to 3b below in relation to devolution and local freedoms</del>	<del>▪ <u>Director of City Development</u> ▪ <del>Chief Officer (Economic Development)</del>Director of City Development ▪ <u>Chief Officer (Economic Development)</u></del>	

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	Function Delegated	Officer to whom delegated	Terms and Conditions
<del>3b3a</del>	<del>Liaison with:- i) <u>West Yorkshire Combined Authority and Leeds City Region bodies;</u> ii) <u>Central government departments; and</u> iii) <u>Core Cities</u> <u>Delivery of devolved powers and freedoms, including those received through the city deal and growth deal, in conjunction with the LEP</u></del>	<del>▪ <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u> <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u></del>	
<del>43b</del>	<del>Any function not otherwise delegated at paragraphs 4a below in relation to the city region. Liaison with:- i) <u>West Yorkshire Combined Authority and Leeds City Region bodies;</u> ii) <u>Central government departments; and</u> iii) <u>Core Cities</u></del>	<del>▪ <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u> <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u></del>	
<del>4a4</del>	<del>The Council's interface with Leeds City Region partners, the Local Enterprise Partnership and other city regions Any function not otherwise delegated at paragraphs 4a below in relation to the city region.</del>	<del>▪ <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u> <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u></del>	
<del>4a</del>	<del>the Council's interface with Leeds City Region partners, the Local Enterprise Partnership and other city regions</del>	<del>▪ <u>Director of City Development</u> ▪ <u>Chief Officer (Economic Development)</u></del>	

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## 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
1	Sections 40/41 of the Anti-Social Behaviour Act 2003	Functions in respect of the closure of noisy premises	<ul style="list-style-type: none"> <li>▪ Environmental Health Officers within the Environmental Action Service</li> </ul>	
2	The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009	To act as responsible person	<ul style="list-style-type: none"> <li>▪ Director of Children and Families</li> <li>▪ Director of Adults and Health</li> </ul>	For matters within their remit
		To act as complaints manager	<ul style="list-style-type: none"> <li>▪ Director of Children and Families</li> <li>▪ Director of Adults and Health</li> </ul>	For matters within their remit With authority to further sub-delegate to officers of suitable experience and seniority

## 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>23</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>24</sup>.

Function sub-delegated by Director	Officer with authority to exercise function in absence of Director.	Terms and Conditions
All those functions which are delegated to the Chief Executive, save for those mentioned specifically below	<ul style="list-style-type: none"> <li>Director of Resources and Housing</li> </ul>	
	<ul style="list-style-type: none"> <li>Director of <del>City Development</del> <u>Communities and Environment</u></li> </ul>	In the absence of the Chief Executive and the Director of Resources and Housing.
	<ul style="list-style-type: none"> <li><del>City Solicitor</del></li> <li><del>City Solicitor</del></li> </ul>	<del>In the absence of the Chief Executive, the Director of Resources and Housing and the Director of City Development, In the absence of the Chief Executive, the Director of Resources and Housing and the Director of Communities and Environment.</del>
	<ul style="list-style-type: none"> <li><u>Director of Communities and Environment</u></li> </ul>	<del>In the absence of the Chief Executive, the Director of Resources and Housing, the Director of City Development and the City Solicitor.</del>
	<ul style="list-style-type: none"> <li>All Directors</li> <li>Chief Planning Officer</li> </ul>	In the absence of the Chief Executive, the Director of Resources and Housing, the Director of <del>City Development, the City Solicitor and the Director of Communities &amp; Environment, Communities and Environment and City Solicitor</del> for matters within their remit

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<sup>23</sup> Whether annual leave, sick leave or special leave

<sup>24</sup> 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
To appoint or dismiss and hold to account the Chair of the LSCB <sup>25</sup> .	<ul style="list-style-type: none"> <li>▪ Director of Resources and Housing</li> </ul>	Following consultation with appropriate partners
	<ul style="list-style-type: none"> <li>▪ Director of Children and Families</li> </ul>	Only in absence of both Chief Executive and Director of Resources and Housing and following consultation with appropriate partners
To appoint or dismiss and hold to account the Chair of the LSAB <sup>26</sup>	<ul style="list-style-type: none"> <li>▪ Director of Resources and Housing</li> </ul>	Following consultation with appropriate partners
	<ul style="list-style-type: none"> <li>▪ Director of Adults and Health</li> </ul>	Only in absence of both Chief Executive and Director of Resources and Housing and following consultation with appropriate partners

<sup>25</sup> Regulation 4 LSCB Regulations 2006 and “Working Together to Safeguard Children” statutory guidance March 2015

<sup>26</sup> Care Act 2014 and “The Care and Support Statutory Guidance”