Leeds CITY COUNCIL

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Report of Deputy Head of Democratic Services

Report to All Directors

Date: 13th March 2020

Subject: Emergency arrangements for sub-delegation of functions in time of large scale officer absence

Are specific electoral wards affected? If yes, name(s) of ward(s):	☐ Yes	☒ No
Has consultation been carried out?	☒ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Will the decision be open for call-in?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	☐ Yes	☒ No

Summary

1. Main issues

- This report recommends amendments to Director sub-delegation schemes to enable business continuity in the event of mass staff absence.

2. Best Council Plan Implications (see the latest version of the Best Council Plan)

- This amendment will provide transparent arrangements in line with the Council's value of being open, honest and trusted.

3. Resource Implications

- This amendment will enable business continuity in the event that the council or directorate's human resources are significantly compromised.

Recommendations

a) It is recommended that Directors add to the absence provisions set out and approve their scheme of sub-delegation as attached at Appendix A to this report.

1. Purpose of this report

1.1 This report recommends amendments to Director sub-delegation schemes to enable business continuity in the event of mass staff absence.

2. Background information

2.1 Directors have delegated responsibility in relation to council and executive functions set out in the Constitution. In turn they sub-delegate those functions through the provisions of their sub-delegation scheme.

2.2 In the event of the absence of all relevant officers with sub-delegated authority in relation to a matter, responsibility for discharge of that function reverts to the relevant Director.

2.3 In the event that authority in relation to a function is reserved to, or reverts to a Director, then the sub-delegation scheme sets out absence provisions for decision making in the event of the Director's absence on leave (whether annual leave, special leave, or sick leave) or where the Director has confirmed in writing that he/she will be absent from the office and these provisions are to apply.

3. Main issues

3.1 Consideration has been given to business continuity arrangements in face of the anticipated impact of the Coronavirus. It is possible that the virus will lead to significant staff absence, and that the absence provisions set out in Directors' sub-delegation schemes may become inoperable.

3.2 It is therefore recommended that each Director adds the following provision to the end of the absence provisions set out in their scheme:-

"Strictly in exceptional circumstances, such as a global pandemic, where officers with the requisite delegations are incapacitated or absent, functions may be exercised by any officer within the council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided."

3.3 The Director's amended sub-delegation scheme is attached at Appendix A to this report.

3.4 In the event of decisions being taken by officers not otherwise authorised under a relevant sub-delegation scheme, the report supporting the necessary decision should explain the circumstances and make clear that the officer is acting under this provision, that they have been appropriately briefed, and that they do have sufficient understanding of the matter to be able to take the decision.

3.5 The Director is advised to ensure that a record is maintained in relation to any decisions taken under this urgency delegation. Use of the powers will then be reported to Corporate Governance and Audit Committee through the annual assurance report in relation to decision making.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 The Leader of Council, cabinet and leaders of opposition groups have been consulted and accept that the proposal is pragmatic in the circumstances.

4.2 Equality and diversity / cohesion and integration

4.2.1 There are no implications

4.3 Council policies and the Best Council Plan

4.3.1 This amendment will provide transparent arrangements in line with the Council's value of being open, honest and trusted.

Climate Emergency

4.3.2 There are no implications

4.4 Resources, procurement and value for money

4.4.1 This amendment will enable business continuity in the event that the council or directorate's human resources are significantly compromised.

4.5 Legal implications, access to information, and call-in

4.5.1 This decision will be treated as a significant operational decision for reasons of openness and transparency. The decision is not eligible for call in.

4.6 Risk management

4.6.1 The proposal set out addresses the risk to business continuity posed by large scale staff absence.

5. Recommendations

5.1 It is recommended that Directors add to the absence provisions set out and approve their scheme of sub-delegation as attached at Appendix A to this report.

6. Background documents[1]

6.1 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.