

# Director's Sub-Delegation Scheme

## <sup>1</sup>Chief Officer (Financial Services)

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Signed<sup>2</sup>

V. f. Bradshaw

Dated 15/06/20

Review Date <sup>3</sup>	Initial of reviewing officer

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<sup>1</sup> Insert title of Director here

<sup>2</sup> 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.

<sup>3</sup> 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.

Chief Officer (Financial Services)

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# Introduction

The<sup>4</sup> Chief Officer (Financial Services) 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 footnote<sup>5</sup> 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.

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<sup>4</sup> Insert title of Director here.

<sup>5</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 £100,000per 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 <a href="#">here</a> . 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 <a href="#">here</a> .
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 <a href="#">Executive Members Portfolios</a> and <a href="#">Overview of Executive Member's Roles and Responsibilities</a> .

## 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		
Deputy Section 151 Officer	Head of Finance – Financial Management	
Heads of Service	Business Rate Manager Heads of Finance Recovery & Exchequer Services Manager Head of Audit Head of Commercial (Legal) Head of Commercial (Finance)	



# 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	Head of Finance – Financial Management	Contracts of a value below £100,000 <sup>6</sup>

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

### Specific Delegations<sup>7</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
12.4	<b>Functions of the Chief Finance Officer</b>		
12.4	Ensuring lawfulness and financial prudence of decision making	Not delegated	
12.4	Administration of financial affairs	Heads of Service	Excludes making arrangements for the proper administration of the authority's financial affairs which are reserved to the Chief Officer (Financial Services) as s151 officer (under the Local Government Act 1972 as amended)  In relation to matters within their remit.
12.4	Contributing to corporate management	Not delegated	

<sup>7</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 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

Chief Officer (Financial Services)

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
12.4	Providing advice to councillors and officers	Heads of Service	In relation to matters within their remit.
12.4	Give financial information to the media, members of the public and the community	Heads of Service	In relation to matters within their remit.

**Article 15 - Review and Revision of the Constitution**

The authority to amend and review the following parts of the Constitution is delegated to the Chief Finance Officer 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 j	Financial Regulations	Not delegated	

# 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>8</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>9</sup>.

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

<sup>9</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	Head of Finance – Financial Management	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	Heads of Service	In relation to matters within their remit.

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>Personnel</b>			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	Heads of Service	In relation to matters within their remit.
(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.	Heads of Service	<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> <li>3. In relation to matters within their remit.</li> </ol>
(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	Heads of Service	In relation to matters within their remit.
<b>Byelaws</b>			
(d)	The enforcement of byelaws	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
<b>Functions relating to Standing Orders</b>			
(a)	To make standing orders in relation to Finance (Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972)	Not delegated	In relation to making Financial Regulations (Paragraph 42 of Schedule 12 to the Local Government Act 1972)



# 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>10</sup> which have been delegated to the Director by the Leader of Council. If the Leader or relevant Executive Member<sup>11</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](#).

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.

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

<sup>11</sup> See glossary.

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.

## Executive Functions –

### General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>1. Financial<sup>12</sup></b>			
1	To incur expenditure and to generate and collect income in line with <a href="#">Financial Regulations</a> , <a href="#">Contracts Procedure Rules</a> and within approved revenue and capital estimates.	Heads of Service	In relation to matters within their remit.
2	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.	Heads of Service	In relation to matters within their remit.

<sup>12</sup> See [Financial Regulations Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
<b>2. Procurement<sup>13</sup></b>			
3	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the <a href="#">Contracts Procedure Rules</a> .	Head of Finance – Financial Management	In relation to matters within their remit.
4	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	Head of Finance – Financial Management	In relation to matters within their remit.
5	<b>Signature of Certificates for Contracts – Local Government (Contracts) Act 1997 ('the 1991 Act')<sup>14</sup></b>  Subject to the approval of the City Solicitor and the Deputy Chief Executive, to sign certificates under the 1997 Act in relation to contracts.	NOT TO BE SUB-DELEGATED <sup>15</sup>	

<sup>13</sup> See [Procurement and Category Management Toolkit](#)

<sup>14</sup>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.

<sup>15</sup> In the event of the absence of the Director the certificate must be signed by the 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>			
6	Community Right to Challenge <sup>16</sup>  In consultation with the Chief Officer (Financial Services) <sup>17</sup> , to make a decision on an expression of interest under community right to challenge.	Heads of Service	In relation to matters within their remit.
7	Data Protection, Human Rights, Surveillance activities, and Freedom of Information <sup>18</sup>	Heads of Service	In relation to matters within their remit.

<sup>16</sup> Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

<sup>17</sup> or the officer to whom the Chief Officer (Financial Services) has sub-delegated this function

<sup>18</sup> See [Managing Information Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> <li>the legal rules on data protection, human rights, use of powers under RIPA (regulation of Investigatory Powers Act), and freedom of information<sup>19</sup></li> <li>the council's policies and procedures on these matters</li> <li>guidance and advice from the SIRO<sup>20</sup> and SRO<sup>21</sup> and from the DPO<sup>22</sup> on these matters.</li> </ul>	Heads of Service	In relation to matters within their remit
	<p>b) To designate officers with specific responsibilities for these matters.</p>	Heads of Service	In relation to matters within their remit
	<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>	Heads of Service	In relation to matters within their remit.

<sup>19</sup> 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

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

<sup>21</sup> The Council's SRO (Senior Responsible Officer) in relation to the use of powers under RIPA, is the City Solicitor

<sup>22</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
8	<p>Media<sup>23</sup></p> <p>To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework<sup>24</sup>.</p>	Heads of Service	In relation to matters within their remit
9	<p>Authorising officers<sup>25</sup></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>	Heads of Service	In relation to matters within their remit.

<sup>23</sup> See [Dealing with the Media Toolkit](#)

<sup>24</sup> The Budget and Policy Framework is defined in Article 4 of the Constitution

<sup>25</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
10	<p>Corporate procedures<sup>26</sup></p> <p>i) To take any action remitted to the Director 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>	Heads of Service	In relation to matters within their remit.
11	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	NOT TO BE SUB-DELEGATED	

<sup>26</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) To obtain particulars of persons interested in land	Heads of Service	In relation to matters within their remit.
12	Budget and policy framework  To formulate initial proposals within the budget and policy framework	Heads of Service	In relation to matters within their remit.
<b>4. Personnel<sup>27</sup></b>			
13	<b>Miscellaneous employment issues</b> 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	Heads of Service	In relation to matters within their remit and seek advice / guidance from the Chief Officer Human Resources

<sup>27</sup> See [Recruitment and Staffing Toolkit](#)

	Function Delegated	Officer to whom delegated	Terms and Conditions
14	<p><b>Changes to staffing structures</b> Decisions in relation to restructures<sup>28</sup> except where the decision:</p> <ul style="list-style-type: none"> <li>• involves changes to existing National or Local Agreements and policies; and/or</li> <li>• cannot be achieved within delegated powers in respect of budgets</li> </ul>	NOT TO BE SUB-DELEGATED	Decisions are subject to: <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>
b) ii)	<p>Decisions in respect of restructures which involve changes to existing agreements or policies (as referred to in 4(b)(i) bullet point one above)</p> <p>Decisions in respect of restructures which involve budgetary implications (as referred to in 4 (b)(i) bullet point two above)</p>	<p>NOT TO BE SUB-DELEGATED</p> <p>NOT TO BE SUB-DELEGATED</p>	<p>In each case, subject to consultation with the City Solicitor and other appropriate parties.</p> <p>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.</p>

<sup>28</sup> 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
c)	<b>Workforce Development</b>	Heads of Service	In relation to matters within their remit and seek advice / guidance from the Chief Officer Human Resources
<b>5. Ways of Working</b>			
15	<b>Matching service to need</b> 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	Heads of Service	In relation to matters within their remit
16	<b>Climate Change</b> i) To understand and respond to climate change challenges arising in relation to discharge of functions within the Director's remit		

	Function Delegated	Officer to whom delegated	Terms and Conditions
17	<p><b>Partnerships</b></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>	Heads of Service	In relation to matters within their remit.
18	<p><b>Functions on Behalf of an NHS Body</b></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>	Heads of Service	In relation to matters within their remit.
c)	<p><b>Provision of Statutory Returns</b></p> <p>i) To provide such statutory returns as are necessary within the Director's remit.</p>	Heads of Service	In relation to matters within their remit.

## Executive Functions –

### Specific Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
	Setting, supporting and monitoring the council's financial strategy	NOT TO BE SUB-DELEGATED	
1)	<b>Ensuring effective financial management and controls<sup>29</sup>, including:</b>		
a)	Reporting on the robustness of the Council's financial plans	NOT TO BE SUB-DELEGATED	
b)	managing the Council's borrowing and investment requirements	NOT TO BE SUB-DELEGATED	
c)	managing and monitoring the Council's revenue budget and capital programme	NOT TO BE SUB-DELEGATED	
d)	preparation and closure of the Council's financial accounts	NOT TO BE SUB-DELEGATED	
e)	managing the Council's tax affairs	NOT TO BE SUB-DELEGATED	
f)	internal audit	NOT TO BE SUB-DELEGATED	
2)	<b>Authorisation for writing off uncollectable debts</b>		
a)	Authorising write offs for uncollectable debts in respect of Council Tax, Business Rates and Sundry Income	Head of Finance (Technical, Resources and Housing)	For accounts up to an outstanding balance of £25,000

<sup>29</sup> The Chief Officer (Financial Services) has responsibility for these arrangements as Section 151 Officer

	Function Delegated	Officer to whom delegated	Terms and Conditions
b)	Authorising write offs for uncollectable debts in respect of Business Rates	Business Rates Manager	For Business Rates accounts up to an outstanding balance of £25,000
c)	Authorising write offs for uncollectable debts in respect of Business Rates	Recovery and Exchequer Services Manager	For Council Tax and Sundry Income accounts up to an outstanding balance of £25,000

# 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
Financial Regulations	<p><b>General</b></p> <p>a) To be responsible for the preparation, review and amendment of these Regulations and</p> <p>b) To settle any ambiguity from the interpretation of these Regulations</p>	NOT TO BE SUB-DELEGATED	
Financial Regulations	<p><b>Regulation 1: Purchase and Payment</b></p> <p>To agree a variation to the procedures.</p>	Head of Finance – Financial Management	
Financial Regulations	<p><b>Regulation 2: Income</b></p> <p>To agree a variation to the procedures.</p>	Head of Finance - Financial Management	

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Financial Regulations	<p><b>Regulation 5: Grants and Contributions Receivable</b></p> <p>To sign all grant claims; To ensure all grant monies claimed are received.</p>	Head of Finance – Financial Management	
Financial Regulations	<p><b>Regulation 7: Budget Management</b></p> <p>To approve areas where budget monitoring can be undertaken outside the Council’s Financial Management System (FMS).</p>	Head of Finance - Financial Management	
Financial Regulations	<p><b>Regulation 9: Capital expenditure</b></p> <p>To provide management information to enable Directors to manage their respective capital programmes.</p>	<p>Head of Finance – Technical</p> <p>Head of Finance - Financial Management</p>	





Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Financial Regulations	<p><b>Regulation 12: Bank Accounts</b></p> <p>To approve:</p> <ul style="list-style-type: none"> <li>a) the opening or closing of any bank account operated on behalf of the council.</li> <li>b) all methods of payment.</li> <li>c) overdraft facilities or other borrowing arrangements</li> </ul>	NOT TO BE SUB-DELEGATED	
Financial Regulations	<p><b>Regulation 15: Insurance</b></p> <p>To determine the extent of insurance cover</p> <p>To arrange all insurance.</p>	<p>Head of Finance – Financial Management</p> <p>Head of Finance – Technical</p>	

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Financial Regulations	<p><b>Regulation 16: Treasurer, Accountable Body and other similar financial arrangements</b></p> <p>To agree:</p> <ul style="list-style-type: none"> <li>a) to undertake the financial responsibilities for such arrangements;</li> <li>b) where accounting records and budgets <b>do not</b> need to be maintained on the Council's Financial Management System (FMS);</li> <li>c) where Financial Regulations <b>are not</b> applicable to a particular financial arrangement.</li> </ul>	NOT TO BE SUB-DELEGATED	

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
Financial Regulations	<p><b>Regulation 17: Bequests, Trusts and Client Monies</b></p> <p>To approve:</p> <p>a) where accounting records and budgets <b>do not</b> need to be maintained on the Council's Financial Management System (FMS).</p> <p>b) all investment decisions where the arrangement is administered by the Council.</p>	NOT TO BE SUB-DELEGATED	
Financial Regulations	<p><b>Regulation 19: Internal Audit</b></p> <p>To ensure that the council has an effective Internal Audit function</p>	NOT TO BE SUB-DELEGATED	
Financial Regulations	<p><b>Regulation 20: Treasury Management</b></p>	Head of Finance – Technical	
<p><b>Article 14.3</b>  <i>Sub-delegated to the Director of Resources and Housing by the City Solicitor, with the power to sub-delegate to the Chief Officer Financial Services</i></p>	<p><b>Legal proceedings</b>  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</p>	<p><b>Business rates:</b>  Business Rate Manager  Assistant Business Rate Manager  <b>Council tax:</b>  Recovery &amp; Exchequer Services Manager  Assistant Recovery Managers  Principal Recovery Officer</p>	To take any action which the City Solicitor can take BUT only in relation to the recovery of Council Tax and Business Rates

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
	that such action is necessary to protect the Council's interests.		
<p><b>Article 14.5</b>  <i>Sub-delegated to the Director of Resources and Housing by the City Solicitor, with the power to sub-delegate to the Chief Officer Financial Services</i></p>	<p><b>Authentication of documents for legal proceedings</b>  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><b>Business rates:</b>  Business Rate Manager  Assistant Business Rate Manager  <b>Council tax/Sundry Income:</b>  Recovery &amp; Exchequer Services Manager  Assistant Recovery Managers  Principal Recovery Officer</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>
<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 to the Chief Officer Financial Services</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><b>Business rates:</b>  Business Rate Manager  Assistant Business Rate Manager  <b>Council tax/Sundry Income:</b>  Recovery &amp; Exchequer Services Manager  Assistant Recovery Managers  Principal Recovery Officer</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>

# 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>30</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>31</sup>.

Function sub-delegated by Director	Officer with authority to exercise function in absence of Director.	Terms and Conditions
Section 151 responsibilities (in accordance with the Local Government Act 1972 as amended, including by the Local Government Finance Act 1988)	Head of Finance – Financial Management	
Functions of the Chief Finance Officer (in accordance with Article 12)	Head of Finance – Financial Management	
Functions relating to Financial Management and the Financial Regulations	Head of Finance – Financial Management	

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<sup>30</sup> Whether annual leave, sick leave or special leave

<sup>31</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
<p>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.</p>		<p>In the event of decisions being taken by officers not otherwise authorised under a relevant sub-delegation scheme, a 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.</p>