

# Director's Sub-Delegation Scheme

# Appendix 1

<sup>1</sup>Director of Public Health

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Signed<sup>2</sup>



Victoria Eaton

Dated: 9/4/2021

| Review Date <sup>3</sup> | Initial of reviewing officer |
|--------------------------|------------------------------|
| May 2022                 | VE/LH/BG                     |

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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.

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# Introduction

The<sup>4</sup> Director of Public Health 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. An officer with sub-delegated authority may decide not to exercise that authority, or the Director may indicate that the authority should not

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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);

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 [Executive Members Portfolios](#) and [Overview of Executive Member's Roles and Responsibilities](#).

## 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   | <p>Chief Officer - Consultant in Public Health (Healthy Living and Health Improvement)</p> <p>Chief Officer - Consultant in Public Health FFPH Older people, Long Term Conditions and Cancer</p> <p>Acting Chief Officer – Health Protection and Sexual Health</p> <p>Chief Officer – Consultant in Public Health, Children &amp; Families/CCG Strategic Commissioning</p> <p>Chief Officer – Consultant in Public Health, Public Mental Health/NHS Population Planning</p> |                         |
| Heads of Service | <p>Head of Public Health (Public Health Localities &amp; Primary Care)</p> <p>Head of Public Health (Long Term Conditions)</p> <p>Head of Public Health (Older People)</p>  |                         |



|  |  |  |
|--|--|--|
|  | <p>Head of Public Health (Children &amp; Families)</p> <p>Head of Public Health (Healthy Living and Health Improvement)</p> <p>Head of Public Health (Health Protection)</p> <p>Head of Commissioning (Adults &amp; Health)</p> <p>Head of Public Health – Public Mental Health &amp; Communities of Interest</p> <p>Public Health Manager</p> |  |
|--|--|--|

# 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 | Chief Officers<br>Heads of Service<br>Public Health Manager | Contracts of a value below £100,000 <sup>6</sup><br>To consult with Director regarding any key decisions |

## 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 |
|---------|---|---------------------------|----------------------|
| 12.5    | Writing the annual report on the health of the local population | Not delegated             |                      |

<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.

<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

# 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  | 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 | Chief Officers  |  |
| <b>Personnel</b> |   |   |  |
| (c)(i)           | To appoint staff within the approved establishment in accordance with the Council’s Recruitment and Selection Procedure   | Chief Officers<br>Heads of Service<br>Public Health Manager | To take into consideration the HR policies and procedures regarding terms set out by Director of Resources and Housing |

|                | Function Delegated  | Officer to whom delegated | Terms and Conditions   |
|----------------|---|---------------------------|--|
| (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.  | Chief Officers            | <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> |
| (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 | Chief Officers            |  |
| <b>Byelaws</b> |   |                           |  |
| (d)            | The enforcement of byelaws  | Not applicable            |  |

## 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 |
|--|--|---------------------------|----------------------|
|  | Not applicable as there are no functions delegated specifically to the Director of Public Health | Not applicable            | Not applicable       |

# 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.

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>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.

## Executive Functions –

### General Delegations

|                                    | Function Delegated  | Officer to whom delegated               | Terms and Conditions |
|------------------------------------|---|---|----------------------|
| <b>1) Financial<sup>12</sup></b>   |   |   |                      |
| a)                                 | 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. | Chief Officers<br>Public Health Manager |                      |
| 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.                                       | Chief Officers<br>Public Health Manager |                      |
| <b>2) Procurement<sup>13</sup></b> |   |   |                      |
| a)                                 | 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> .                           | Chief Officers<br>Public Health Manager |                      |

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

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



|                   | Function Delegated  | Officer to whom delegated                                   | Terms and Conditions   |
|-------------------|---|---|--|
| b)                | To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.  | NOT TO BE SUB-DELEGATED                                     |  |
| c)                | Subject to the approval of the City Solicitor and the Chief Finance Officer, to sign certificates under the <b>Local Government (Contracts) Act 1997</b> in relation to contracts.                                  | NOT TO BE SUB-DELEGATED <sup>14</sup>                       |  |
| d)                | Procurement of digital software or equipment should only be undertaken in consultation with Chief Digital and Information Officer.  | Chief Officers<br>Heads of Service<br>Public Health Manager | <u>Deputy Directors and Chief Officers:</u><br>Key decisions and Significant Operational Decisions should be in consultation with the Director of Adults and Health<br><u>Heads of Services:</u><br>Decisions up to £100k in relation to those areas within their remit and in consultation with their Chief Officer |
| <b>3) General</b> |   |   |  |
| a)                | Community Right to Challenge <sup>[1]</sup><br><br>In consultation with the Chief Officer (Financial Services) <sup>[2]</sup> , to make a decision on an expression of interest under community right to challenge. | Chief Officers  |  |

<sup>14</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.

<sup>[1]</sup> Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

<sup>[2]</sup> Or the officer to whom the Chief Officer (Financial Services) has sub-delegated this function.

|    | Function Delegated   | Officer to whom delegated   | Terms and Conditions  |
|----|--|---|---|
| b) | Data Protection, Human Rights, Surveillance activities, and Freedom of Information <sup>[3]</sup>  | Chief Officers  |   |
|    | a) 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>[4]</sup> and from the SRO<sup>[5]</sup> and from the DPO<sup>[6]</sup> on these matters.</li> </ul> | Chief Officers<br>Heads of Service  | Discharge via Head of Information Management and Technology |
|    | b) To designate officers with specific responsibilities for these matters.   | Chief Officers<br>Head of Information Management & Technology<br>Adults & Health, Clinical Commissioning Groups and GP IT/DIS |   |

<sup>[3]</sup> See Managing Information Toolkit

<sup>[4]</sup> The Council's SIRO (Senior Information Risk Owner) is the Director of Resources and Housing

<sup>[5]</sup> The Council's SRO (Senior Responsible Officer) in relation to the use of powers under RIPA, is the City Solicitor

<sup>[6]</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   |
|----|---|---|--|
|    | c) 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>   | Chief Officers<br>Head of Information Management & Technology<br>Adults & Health, Clinical Commissioning Groups and GP IT/DIS |  |
| c) | Media <sup>15</sup><br><br>To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework   | Chief Officers  | The Executive Member for Health, Wellbeing and Adults must be made aware of all press and other news media statements<br><br><u>Heads of Services:</u><br>In relation to those areas within their remit and with the awareness of Chief Officers |
| d) | Authorising officers <sup>16</sup><br><br>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. | Chief Officers  |  |

<sup>15</sup> See [Dealing with the Media Toolkit](#)

<sup>16</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

|    | Function Delegated  | Officer to whom delegated | Terms and Conditions |
|----|---|---------------------------|----------------------|
| e) | <p>Corporate procedures<sup>17</sup></p> <p>i) To take any action remitted to him/her 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> <ol style="list-style-type: none"> <li>1) responding to an emergency; and/or</li> <li>2) facilitating the recovery following such an emergency</li> </ol> | Chief Officers            |                      |
| f) | 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 applicable            |                      |
|    | (b) To obtain particulars of persons interested in land.  | Not applicable            |                      |

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.

<sup>17</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 |
|------------------------------------|---|---------------------------|----------------------|
| g)                                 | <p>Budget and policy framework</p> <p>To canvas the views of local stakeholders, formulate and publish initial proposals within the budget and policy framework.</p>  | Chief Officers            |                      |
| <b>4) EMPLOYMENT <sup>18</sup></b> |   |                           |                      |
| a)                                 | <p>Miscellaneous employment issues</p> <p>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</p> | Chief Officers            |                      |

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<sup>18</sup> See [Recruitment and Staffing Toolkit](#)

|    | Function Delegated  | Officer to whom delegated | Terms and Conditions  |
|----|---|---------------------------|---|
| b) | <p>Changes to staff structure<br/>Decisions in relation to restructures except where the decision:</p> <p>(i) involves changes to existing National or Local Agreements and policies; and/or</p> <p>(ii) cannot be achieved within delegated powers in respect of budgets</p> <p>Decisions in respect of restructures which involve changes to existing agreements or policies and/or which have budgetary implications as set out in 4(b) (i) above are delegated to the Deputy Chief Executive and are subject to consultation with the City Solicitor and other appropriate parties.</p> | Not sub-delegated         | <p>Decisions are subject to:</p> <p>i. appropriate professional advice being sought,<br/>ii. prior consultation with all appropriate parties affected by the decision including all officially recognised trade unions, and<br/>iii. appropriate consideration of pay and grading requirements.</p> <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   | Not sub-delegated         |   |

|                           | Function Delegated   | Officer to whom delegated          | Terms and Conditions |
|---------------------------|--|------------------------------------|----------------------|
| <b>5) WAYS OF WORKING</b> |  |                                    |                      |
| a)                        | <p><b>Matching service to need</b></p> <p>i) To understand relevant information in relation to local population and communities and to identify emerging trends;</p> <p>ii) To identify and review provision and to ensure it is appropriately matched to current and anticipated level of need;</p> <p>iii) To engage with locality management teams to maximise value of local experience and engagement; and</p> <p>iv) To work appropriately with Community Committees to ensure local democratic engagement in needs analysis and service provision</p> | Chief Officers                     |                      |
| b)                        | <p><b>Climate Change</b></p> <p>i) To understand and respond to climate change challenges arising in relation to discharge of functions within the Director's remit.</p>   | Chief Officers<br>Heads of Service |                      |

|    | Function Delegated   | Officer to whom delegated | Terms and Conditions |
|----|--|---------------------------|----------------------|
| c) | <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> | Chief Officers            |                      |
| d) | <p>Functions on Behalf of an NHS Body</p> <p>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.</p>   | Chief Officers            |                      |
| e) | <p>Provision of Statutory Returns</p> <p>To provide such statutory returns as are necessary within the Director's remit.</p>   | Chief Officers            |                      |



## Executive Functions –

### Specific Delegations

|       | Function Delegated   | Officer to whom delegated                                | Terms and Conditions   |
|-------|--|--|--|
| 1     | Health improvement functions not otherwise delegated at 1a to 1f below                     | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1a    | Ensuring rigorous appreciation of public health need                                       | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1b    | Contributing to the joint strategic needs assessment                                       | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1c    | Contributing to the joint health and wellbeing strategy                                    | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1d    | Providing health improvement advice  | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1e    | Providing day to day management of the council's ring fenced public health budget          | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 1f    | Reducing health inequalities   | Chief Officers for matters within their remit            | To consult with the Director regarding any Key and Significant Operational Decisions |
| 2     | Health protection functions not otherwise delegated at 2a to 2f below                      | Chief Officers   | To consult with the Director regarding any Key and Significant Operational Decisions |
| 2a    | Preparing, monitoring and providing advice in relation to health protection plans          | Acting Chief Officer – Health Protection & Sexual Health | To consult with the Director regarding any Key and Significant Operational Decisions |
| 2b    | Ensuring public health emergency resilience not otherwise delegated at 2b(i) or (ii) below | Acting Chief Officer – Health Protection & Sexual Health | To consult with the Director regarding any Key and Significant Operational Decisions |
| 2b(i) | Emergency planning resilience  | Acting Chief Officer – Health Protection & Sexual Health | To consult with the Director regarding any Key and Significant Operational Decisions |

|        | Function Delegated   | Officer to whom delegated   | Terms and Conditions  |
|--------|--|---|---|
| 2b(ii) | Response to environmental hazards which include:-<br>i) Air quality; and<br>ii) Severe weather       | Acting Chief Officer – Health Protection & Sexual Health                            | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 2c     | Providing the lead in responding to public health incidents  | Acting Chief Officer – Health Protection & Sexual Health                            | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 2d     | Communicable and infectious disease control  | Acting Chief Officer – Health Protection & Sexual Health                            | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 2e     | Vaccination and immunisation programmes  | Acting Chief Officer – Health Protection & Sexual Health                            | As NHS England is authorised to discharge vaccination and immunisation programmes, the Director of Public Health has an oversight responsibility in relation to this function |
| 2f     | Oversight of national screening programmes   | Acting Chief Officer – Health Protection & Sexual Health                            | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 3      | Functions relating to the commissioning of public health services not otherwise delegated at 3 below | Chief Officers for matters within their remit                                       | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 3a     | Fostering joint commissioning  | Chief Officers for matters within their remit                                       | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 3b     | Ensuring providers have robust clinical governance arrangements in place                             | Chief Officers for matters within their remit                                       | To consult with the Director regarding any Key and Significant Operational Decisions  |
| 3c     | Commissioning services in relation to:-  |   |   |
| 3c(i)  | Smoking cessation services   | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement) | To consult with the Director regarding any Key and Significant Operational Decisions  |

|         | Function Delegated               | Officer to whom delegated  | Terms and Conditions   |
|---------|----------------------------------|--|--|
| 3c(ii)  | Weight management services       | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement)<br><br>Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning) | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(iii) | Mental health services           | Chief Officer – Consultant in Public Health, Public Mental Health/NHS Population Planning  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(iv)  | Alcohol and drug misuse services | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement)  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(v)   | Healthy child services 0-19      | Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning)  | To consult with the Director regarding any Key and Significant Operational Decisions |

|          | Function Delegated  | Officer to whom delegated  | Terms and Conditions   |
|----------|---|--|--|
| 3c(vi)   | Nutrition   | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement)<br><br>Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning) | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(vii)  | Physical activity   | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement)<br><br>Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning) | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(viii) | Oral Health Promotion   | Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning)  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 3c(ix)   | Accident and injury prevention  | Not delegated  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4        | Provision of statutory and mandated functions not otherwise delegated at 4a to 4g below |  |  |

|       | Function Delegated   | Officer to whom delegated  | Terms and Conditions   |
|-------|--|--|--|
| 4a    | Providing public health advice to NHS commissioners not otherwise delegated at 4a(i) below | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4a(i) | Provision of advice to the three Leeds clinical commissioning groups                       | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4b    | Sexual Health Services   | Acting Chief Officer – Health Protection and Sexual Health                                     | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4c    | NHS Health check assessments   | Chief Officer - Consultant in Public Health FFPH Older people, Long Term Conditions and Cancer | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4d    | National child measurement programme   | Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning)  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4e    | Health visiting<br>(Including the five core mandatory contacts)                            | Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning)  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4f    | Joint working with the prison service to secure and maintain the health of prisoners       | Not delegated  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 4g    | Assessment of risks posed by violent and sexual offenders                                  | Not delegated  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 5     | Functions of responsible authority not otherwise delegated at 5a to 5c below               | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |

|    | Function Delegated  | Officer to whom delegated   | Terms and Conditions   |
|----|---|---|--|
| 5a | Responses under the Licensing Act 2003, e.g. making representations about licensing applications  | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement) | To consult with the Director regarding any Key and Significant Operational Decisions |
| 5b | Any public health function of the Secretary of State (or functions exercisable in connection with those functions) <ul style="list-style-type: none"> <li>• which the authority is required by regulations to exercise; or</li> </ul> in respect of which arrangements have been made <sup>19</sup> . | Chief Officers  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 5c | Any other function prescribed by the Secretary of State as the responsibility of the Director of Public Health  | Chief Officers  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 6  | Production and publication of the annual report on the health of the local population   | Not delegated   |  |

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<sup>19</sup> Under Section 7A of the 2006 Act

# 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   |
|----|---|---|--|--|
|    | Director of Adults and Health Sub-Delegation Scheme | Development and integration of programmes and campaigns to promote health and well-being not otherwise delegated at 7(a) to 7(i). | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7a | Director of Adults and Health Sub-Delegation Scheme | Cancer and long term conditions prevention  | Chief Officer - Consultant in Public Health FFPH Older people, Long Term Conditions and Cancer | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7b | Director of Adults and Health Sub-Delegation Scheme | Accidental injury prevention  | Not delegated  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7c | Director of Adults and Health Sub-Delegation Scheme | Workplace health  | Chief Officer – Consultant in Public Health (Healthy Living and Health Improvement)            | To consult with the Director regarding any Key and Significant Operational Decisions |

|    | Place from where function derived                   | Function Delegated             | Officer to whom delegated  | Terms and Conditions   |
|----|---|--------------------------------|--|--|
| 7d | Director of Adults and Health Sub-Delegation Scheme | Seasonal mortality             | Chief Officer - Consultant in Public Health FFPH Older people, Long Term Conditions and Cancer | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7e | Director of Adults and Health Sub-Delegation Scheme | Seasonal exclusion             | Chief Officer - Consultant in Public Health FFPH Older people, Long Term Conditions and Cancer | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7f | Director of Adults and Health Sub-Delegation Scheme | Best Start                     | Chief Officer – Consultant in Public Health (Children & Families/CCG Strategic Commissioning)  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7g | Director of Adults and Health Sub-Delegation Scheme | Emotional Health and Wellbeing | Chief Officer – Consultant in Public Health, Public Mental Health/NHS Population Planning      | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7h | Director of Adults and Health Sub-Delegation Scheme | Behaviours and lifestyles      | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |
| 7i | Director of Adults and Health Sub-Delegation Scheme | Wider determinants of health   | Chief Officers for matters within their remit  | To consult with the Director regarding any Key and Significant Operational Decisions |



|  | Place from where function derived  | Function Delegated  | Officer to whom delegated                                  | Terms and Conditions   |
|--|--|---|--|--|
| 8  | Local Authority Circular(2002)2 Implementing the Caldicott Standard into Social Care | To act as Caldicott Guardian for Public Health  | Director of Public Health                                  | For matters relating to Public Health and to sub-delegate as necessary               |
| <b>PUBLIC HEALTH SERVICES FOR THE WHOLE POPULATION (SERVICES RELATE TO BOTH CHILDREN AND ADULTS)</b> |  |   |  |  |
| 9a   | Director of Adults and Health Sub-Delegation Scheme                                  | Ensure the council meets its duties to improve public health                              | Chief Officers for matters within their remit              | To consult with the Director regarding any Key and Significant Operational Decisions |
| 9b   | Director of Adults and Health Sub-Delegation Scheme                                  | Ensure the delivery of public health protections and health improvement responsibilities  | Chief Officers for matters within their remit              | To consult with the Director regarding any Key and Significant Operational Decisions |
| 9c   | Director of Adults and Health Sub-Delegation Scheme                                  | Ensure the council plans and responds to emergencies that present a risk to public health | Acting Chief Officer – Health Protection and Sexual Health | To consult with the Director regarding any Key and Significant Operational Decisions |
| 9d   | Director of Adults and Health Sub-Delegation Scheme                                  | Ensure the council meets other local government public health responsibilities            | Chief Officers for matters within their remit              | To consult with the Director regarding any Key and Significant Operational Decisions |

# 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>20</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>21</sup>.

| Function sub-delegated by Director  | Officer with authority to exercise function in absence of Director. | Terms and Conditions  |
|---|---|---|
| All functions   | Chief Officers  |   |
| 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. | All Officers  | With suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided. |

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<sup>20</sup> Whether annual leave, sick leave or special leave

<sup>21</sup> It is recommended that a delegated decision form be used to record and publish this as a Significant Operational Decision.