



Report of the Chief Democratic Services Officer

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Monitoring of Key and Major Decisions

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

- 1.1 This report provides an update, as requested by Members at its meeting in June 2009, in respect of the monitoring of Key and Major delegated decisions. The report provides an assurance to the Corporate Governance and Audit Committee with regard to the administration of Key and Major decisions notified to Democratic Services during the period 1st April 2009 to 30th November 2009.
- 1.2 The report considers:
- the number of Key and Major delegated decisions notified during the period and the reasons given by Directors where decisions have been designated as exempt from the Call-In process; and
 - the number of Key Delegated Decisions notified during the period that were not in the Forward Plan of Key Decisions and the reasons provided by Directors.
- 1.3 The report also, within the context of the findings of the Internal Audit into Key and Major decisions taken by officers, outlines improvements in the administration of decisions for 2009/10. Officers intend to bring a report to the committee on these matters on an annual basis.
- 1.4 The report also provides comment in respect of the decision making process in respect of payments made over £100,000 in 2008/09.

2.0 Background Information

- 2.1 At its meeting on the 22nd October 2008, Members raised a concern regarding the risks associated with unconstitutional decision making, at that time members provided some examples of decisions which may have been implemented prior to the conclusion of the call-in period.
- 2.2 Further to this Internal Audit undertook a review of a sample of decisions and reported their findings to Corporate Governance and Audit Committee in May 2009. At that time the Committee raised concerns, as, the audit found that, a number of decisions tested had not been registered with Governance Services, did not appear on the Forward Plan, and had been implemented prior to the conclusion of the call-in period. A further report on progress, setting out an action plan to address the issues raised by the Audit, was received in June.
- 2.3 In June 2009 the committee requested a further report to provide progress to date.
- 2.4 This report therefore updates Members on;
- Call-In Exemptions between April and November 2009
 - Key Decisions Taken under Special Urgency provisions
 - The Forward Plan of Key Decisions
 - Improvements in Monitoring Delegated Decisions
 - Further Assurances sought with respect to Key and Major Decisions
- 2.5 In addition Appendix 1 to this report provides an update on the action plan agreed following the Internal Audit report.
- 3.0 Call-in Exemptions April 2009 – November 2009**

Key Decisions

- 3.1 In the period under review there were 79 delegated Key Decisions taken by officers which were notified to Democratic Services. One of these was exempt from Call-In procedures, this was because in order to achieve the deadlines imposed by an external body, the decision was urgent. Further, any delay in implementing the decision would have prejudiced the Council's interest. This decision was taken in accordance with the constitution and necessitated a discussion with the relevant Scrutiny Board Chair.
- 3.2 During the same period 72 Key Decisions were taken by the Executive Board of which one was exempt from Call-In the reason being that any delay in concluding such legal agreements may result in the parties to the agreements seeking to negotiate the terms of such agreements and, as such, could increase the cost to the Council of developing the arena.
- 3.3 The Head of Governance Services is of the view that notification to Governance Services was compliant with the provisions of the Constitution.

Major Decisions

- 3.4 In the period under review there were 87 delegated Major Decisions taken by officers and 3 of these were exempt from call-In procedures. The reasons provided were in respect of urgency to allow the schemes to progress as a matter of urgency.
- 3.5 The Head of Governance Services is of the view that broadly the reasons for exemption which were provided were, at the time the decision was required reasonable and compliant with the provisions of the Constitution. In the case of officer delegated decisions, the Head of Governance Services has written to those responsible for the decision and outlined opportunities for improvement in the management of the decision making process which may have allowed the decisions to have been available for Call-In.
- 3.6 The Head of Governance Services will continue, on a monthly basis, to inform the relevant Director of instances where delegated Key or Major Decisions have been taken which have been exempted from the Call-In process and raise any issues of concern.
- 3.7 The Head of Governance Services also brings Corporate Governance and Audit Committee's attention to a performance indicator which has been introduced dealing specifically with the availability of decisions for Call In. The target for 2009/10 for the percentage of decisions available for Call In is 95%. For the period under review in the performance of the Council was 97%, i.e. better than the target.

4.0 Key Decisions Taken Under Special Urgency Provisions

- 4.1 In the period under review there were no decision taken under the 'Special Urgency' provisions contained in the Constitution.

5.0 Forward Plan of Key Decisions

- 5.1 The Leader of Council is required to produce each month a Forward Plan of Key Decisions detailing those Key Decisions which are to be taken by the Executive Board and by Officers (under delegated powers).
- 5.2 The Forward Plan is prepared on a monthly basis and contains details of the Key Decisions to be made for the four month period following its publication. This document provides details of the date on which the Decision is due to be taken and who is going to be consulted.
- 5.3 If a Key decision is not on the Forward Plan then the reason and the need for the decision to be taken must be detailed either in the report to the Executive Board or on the delegated decision notification before it is processed within the Governance Services Unit.
- 5.4 In the period April 2009 to November 2009 there were 79 delegated Key Decisions taken by officers of which 12 were not included within the Forward Plan of Key Decisions.
- 5.5 Reasons were given for all the decisions taken that were not in the Forward Plan and the generic reasons advanced are detailed below:
- There were 7 occasions when decisions were taken that had appeared in the Forward Plan in the previous month(s) and there were subsequent delays with the consequence that the decision did not appear in the Forward Plan.

- There were 3 occasions where grant aid, a loan and a compensation payment was required to be paid urgently to organisations; these decisions did not appear in the Forward Plan.
- There were 2 occasions where structural changes were required and these did not appear in the Forward Plan.

- 5.6 During the same period 72 Key Decisions were taken by the Executive Board of which 8 were not on the Forward Plan. Currently no reasons are given within reports considered by the Executive Board explaining why they did not appear in the Forward Plan.
- 5.7 Whilst the Head of Governance Services is of the view that those Key Decisions (which were not pre notified on the Forward Plan), were taken in accordance with the provisions of the Constitution, there still remains scope within directorates for more timely management of decisions. This will enable more decisions to be pre notified on the Forward Plan and in doing so this will improve the openness and transparency of the Council's most significant decisions.
- 5.8 The Council Business Plan has a performance indicator dealing with those Key Decisions which did not appear in the Forward Plan.
- 5.9 For 2009/10 the target for the percentage of decisions which did not appear on the Forward Plan was 13%(15% in 2008/09). The performance of the Council in the period April 2009 to November 2009 was 12%¹(16% in 2008/09).
- 5.10 Having reviewed the performance in some detail it is apparent that 15% (27% in 2008/09) of Key decisions taken by Officers had not been pre notified on the Forward Plan. This is an important area for continued improvement for 2009/10 and to help support directorates the Head of Governance Services, has on a monthly basis, informed Directors of instances where delegated Key Decisions have been taken which were not entered in the Forward Plan of Key Decisions and raised any issues of concern.

6.0 Monitoring of Decisions

- 6.1 The Internal Audit report recommended that the Head of Governance Services be empowered with appropriate escalation procedures where there are concerns regarding compliance with the Constitution.
- 6.2 In accordance with recommendations of the Internal Audit report the Head of Governance Services has on a monthly basis identified and escalated concerns to Directors as required in relation to decisions that have been exempted from the Call-In procedures or on occasions where Key Decisions have not been notified in the Forward Plan of Key Decisions. In addition to these arrangements any ongoing concerns have been and will continue to be raised with the Monitoring Officer.
- 6.3 Additionally during the period under review the Head of Governance Services continued with the additional processes referred to in the report to this Committee in June 2009 in respect of delegated Key Decisions in an attempt to ensure that as many decisions as possible were included within the Forward Plan of Key Decisions.

¹ This figure includes Key Decisions taken by both Executive Board and by Officers under their delegated authority.

- 6.4 Governance Services identify each month decisions within the Forward Plan that have not been taken and ask the decision maker whether the decision is to be taken that month or whether it requires 'slipping' to the following month if the decision is not to be taken in the month originally notified.
- 6.5 This report does not consider Licensing or Planning decisions taken by officers under delegated authority or by Council Committees. Committee at its meeting in June, resolved that annual reports in respect of these decisions be submitted for consideration and will be subject of a separate report to a future meeting.
- 6.6 The Internal Audit report identified a gap, whereby not all decisions were correctly defined within directorates and subsequently taken in accordance with the Council's Constitution. A further issue identified within the Internal Audit report was that no formal lists of authorised signatories were held by Governance Services to evidence that delegated decisions had been appropriately authorised.
- 6.7 The Head of Governance Services has, since the meeting of this Committee in June, arranged training for Chief Officers Resources and Strategy(CORS) and key Directorate support staff on the Council's decision making processes.
- 6.8 The training focussed upon a competency framework for decision makers within the Authority and was targeted at those officers across the Authority with responsibilities in respect of decision making and has been designed to:
- Raise awareness of the importance of ensuring consistency and transparency in decision making;
 - Identify strengths, weaknesses and improvement areas of those officers with delegated and sub delegated decision making authority;
 - Assist decision takers to perform better in their roles and achieve better results;
 - Assess the extent to which decision making awareness and skills exist across the Council; and
 - Ensure decision takers are aware of relevant statutory and regulatory responsibilities relating to decision making.
- 6.9 The training was specifically designed to ensure that Officers were aware of who had delegated authority to make decisions and how decisions were classified and recorded. It is planned that the training will be rolled out by the CORS within each Directorate for relevant staff and arrangements are in the process of being made for this to happen. In addition Governance Services will be providing further training sessions on any emerging areas requiring further clarification. This has been initially scheduled for April 2010.
- 6.10 Directorates have also completed sub-delegation schemes. These documents provide details of the decision making authority of officers in directorates and any terms and conditions which might apply to that authority. All of these sub delegations are now available on the Intranet and all Members were informed of this by email in October and again, in November, in that month's issue of Governance Matters.
- 6.11 The Head of Governance Services has amended the delegated decision notification form (which is required for all delegated decisions) in order that the decision maker, and their authority, is more explicitly identified.

- 6.12 In addition to this the Head of Governance Services has introduced additional checking processes within Governance Services that ensure compliance with constitutional requirements. Prior to the publication of decisions officers within Governance Services ensure that the Decision Maker has the necessary constitutional authority, the appropriate reference to the Scheme of Delegation is made, details of exempt/confidential information is referred to on the delegated decision notification, the signatory has the appropriate constitutional authority to take the decision and that each delegated decision notification is accompanied by a report.
- 6.13 The Head of Governance Services can confirm that the standard of delegated decisions notified is improving and is an area that will continue to be monitored.
- 6.14 In addition to the above it is the intention of the Head of Governance Services to revisit the Corporate Report Writing Guidance during the Municipal Year to reflect comments that were made within the Internal Audit report. This work is contingent on other work being completed to better align Financial Procedures Rules and Contracts Procedure Rules with the Council's decision making framework (see paragraph 7.5 below).

7.0 Additional Assurances Sought

- 7.1 A key finding of the Internal Audit review was that there were a substantial number of decisions which are taken which are not notified in accordance with the Constitution. In order to seek to establish this Internal Audit recommended undertaking periodic data-matching exercises to provide assurance that all relevant decisions have been approved through the appropriate process i.e capital programme schemes could be matched to the database of registered decisions.
- 7.2 All financial commitments over £100,000 in 2008/09 have been reviewed. The review identified that, for expenditure of a value equivalent to a Key Decision, in the main an appropriate delegated or Executive Board decision, was available to support expenditure.
- 7.3 However the review did identify that some payments were made where;
- a formal decision was not identifiable;
 - reference to supporting decisions were made which were not pertinent (for example making payments by reference to a decision to waive contract procedure rules rather than a decision to award a contract to a particular company);
 - delegated decisions notices had been completed, but the accompanying reports (which are required to provide the background, option appraisal and justification for a decision) are of poor quality or are not provided at all.
- 7.4 Further work is being led by the Assistant Chief Executive (Corporate Governance) (in conjunction with the Director of Resources) to review the controls which are in place and establish how they can be better aligned and give improved clarity, particularly in relation to those decisions which have a financial commitment in excess of £100,000.

8.0 Implications For Council Policy And Governance

- 8.1 The Council's Constitution sets out the legal framework to decision making and establishes a system to document decisions taken under delegated authority.
- 8.2 The Council's Constitution also sets out which decisions are eligible for call-in and how a Director can identify a decision as being exempt from call-in where they consider the decision to be urgent and any delay in implementing the decision would seriously prejudice the Council's or public interest.
- 8.3 The Council's Constitution also sets out the requirement to enter details of Key Decisions in the Forward Plan of Key Decisions.
- 8.4 Following the Internal Audit report concerning the taking of Key and Major Decisions by officers, the Head of Internal Audit's opinion was as follows.

Head of Internal Audit Opinion as at May 2009

| | |
|----------------------------|---------------------------|
| Control Environment | LIMITED ASSURANCE |
| Compliance | MODERATE ASSURANCE |

- 8.5 Following the improvements identified in this report the Head of Governance Services is of the view that improved assurance can be provided with regard to the Control Environment, with Moderate now being a more appropriate level of assurance.

Head of Governance Services Opinion as at November 2009

| | |
|----------------------------|---------------------------|
| Control Environment | MODERATE ASSURANCE |
| Compliance | MODERATE ASSURANCE |

- 8.6 However whilst significant improvements have been made in both the reporting and monitoring of decisions there remains further scope for improvement.

9.0 Conclusions

- 9.1 In conclusion during the period under review there were 166 delegated decisions classified as either Key or Major and would therefore be eligible for call-in of these decisions 4 were designated as exempt from call-in and in each case a reason was given on the decision documentation as to why the decision should be designated as exempt from the call-in process.
- 9.2 There were 79 Key Delegated Decisions that were eligible for inclusion in the Forward Plan of Key Decisions of these 12 were not included in the Forward Plan of Key Decisions and each delegated decision reasons were provided for the non inclusion of the decisions within the Plan.
- 9.3 There were no decisions taken under Special Urgency Provisions

- 9.4 Chief Officers Resources and Strategy and key Directorate support staff have been trained on the Council's decision making processes and this training will be rolled out within Departments for relevant staff.
- 9.5 Improved monitoring arrangements in respect of notified delegated decisions are now in place.
- 9.6 A report will be submitted in respect of Licensing and Planning decisions taken by officers under delegated authority or by Council Committees as requested by Committee at its meeting in June.
- 9.7 Further work is being progressed by the Assistant Chief Executive (Corporate Governance) to review the controls which are in place and establish how they can be better aligned and give improved clarity, particularly in relation to those decisions which have a financial commitment in excess of £100,000.

10.0 Recommendations

10.1 Members of the Committee are asked to:

- note the number of delegated decisions taken during the period 1 April 2009 and 30 November 2009 and the number of those that were exempt from call-in and the reasons why;
- note the number of delegated Key Decisions that did not appear in the Forward Plan of Key Decisions in the period 1 April 2009 and 30 November 2009 ;
- note the training of Chief Officers Resources and Strategy and key Directorate support staff in respect of the Council's decision making processes.
- note the improved monitoring arrangements introduced by the Head of Governance Services in respect of notified delegated decisions.
- note the work undertaken to date in respect of undertaking an analysis to establish that all payments over £100,000 are been notified in accordance with constitutional requirements.

Background Documents

Report to Corporate Governance and Audit Committee – 30 June 2009

Guidance Notes on Delegated Decision Making

Access to Information Procedure Rules

Internal Audit Report – Key and Major Decisions taken by officers under delegated or sub-delegated authority 2008/09

Appendix 1



Key and Major Decisions taken by Officers under delegated or sub-delegated authority 2008/09

Update on Action Plan in Response to Internal Audit Recommendations- December 2009

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|-----|--|--|--|--------------------------------------|
| | Stage 1: Constitution is Fit For Purpose | | | |
| 1.1 | Satisfactory controls are already in place to ensure that the Constitution is set in accordance with legislative requirements. Recommendations made below in stage 5 will facilitate improvements in the Constitution that will address the local agenda and drive the culture and risk appetite of the organisation. | <p>Controls at a Corporate level work well and there are documented procedures for review and update.</p> <p>Further dialogue will take place with the Head of Internal Audit with a view to schedule an independent Internal Audit review of those processes.</p> | Head of Governance Services/Head of Internal Audit | March 2010 |
| | Stage 2: Communication and Training of Key Staff | | | |
| 2.1 | Completion of the sub-delegation review should be prioritised and communicated to all stakeholders. This is necessary to ensure officers are aware of the extent of their decision making responsibilities and that decisions are appropriately challenged and approved. This will also result in a comprehensive and current central list of all decision makers across the organisation that can be used to target training resources. | The responsibility for the review, upkeep and communication of sub delegation schemes rests with Directors and Chief Officers with concurrent delegations. These documents are a key governance control document. | All Directors and Chief Officers with concurrent delegations | All Sub Delegation schemes completed |
| | | Directors and relevant Chief Officers are to be required to give an assurance each year that sub delegation schemes within their area of responsibility have been reviewed, are fit for purpose and have been communicated appropriately. | Monitored by Head of Governance Services | March 2010 |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|--|---|--|--|---|
| 2.2 | A programme of formal training and refresher sessions for all officers involved in the decision making process should be developed and progress against delivery monitored and reported to the Corporate Governance Board. This will ensure that individual responsibilities are understood and the requirements of the Constitution are complied with. Feedback from these sessions will be useful in ensuring the Constitution is clearly written and readily understood by all appropriate stakeholders. | <p>The Head of Governance Services has limited resources to support a comprehensive training programme for all decision makers within the organisation.</p> <p>A report will be taken to CLT to increase Directors awareness of the constitutional requirements re decision making.</p> <p>Core decision making competencies have been identified and are to be used as a basis for training. To complement this Governance Services will develop a training pack that can then be used by each directorate to cascade the training</p> <p>Chief Officers (Resources and Strategy) within each Directorate to cascade this training.</p> | <p>Head of Governance Services</p> <p>Head of Governance Services</p> <p>Chief Officers (Resources and Strategy)</p> | <p>Completed</p> <p>Completed</p> <p>Target December 2009</p> |
| Stage 3: Monitoring of Compliance | | | | |
| 3.1 | Directorate understanding of and compliance with the Constitution would be enhanced by identifying and appropriately training a designated officer to co-ordinate the process. This officer would ensure that, for example, messages are disseminated promptly to relevant officers, training is delivered where necessary and the requirements of the Constitution are being applied. This officer would be able to drive improvements with the decision making process within his/her directorate and give the Director the necessary assurances. | It is proposed that the designated Officer in each directorate be the Chief Officer (Resources and Strategy). | Directors | Completed – further training to be provided to Central and Corporate functions by December 2009 |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|-----|---|---|--|---|
| 3.2 | <p>Each directorate must have procedures in place to ensure that the requirements of the Constitution are effectively communicated. The Director should seek assurances (from an appropriate officer/s) that these requirements are being complied with in practice. The Head of Governance Services should also be satisfied that directorate arrangements are appropriate and draw an independent opinion as to the compliance with the Constitution in practice across the organisation (see recommendation 3.4 below). These evidence based assurances should underpin the Annual Governance Statement.</p> <p>The directorate governance arrangements should be underpinned by:</p> <ul style="list-style-type: none"> ➤ Sub-delegation system; ➤ Training and development for relevant officers; ➤ Designated officer within each directorate (who is responsible for the co-ordination of the decision making process); ➤ Monitoring and feedback controls. <p>These arrangements will provide Directors with assurance that decision making within the directorate is fully in accordance with the requirements of the Constitution. For example:</p> | <p>The Assistant Chief Executive (Corporate Governance) will lead the introduction of more formal assurance arrangements both from Directors and by designated corporate governance lead officers within the council. This will not only incorporate decision making but will extend to all facets of the Council's governance arrangements.</p> <p>When implemented these arrangements will provide a documented framework from which the necessary assurances can be drawn in order to underpin the Council's Annual Governance Statement</p> | The Assistant Chief Executive (Corporate Governance) | Initially anticipated for October 2009, delayed to January 2010 |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|-----|--|---------------------|---------------------|-----------------------------|
| | <ul style="list-style-type: none"> <li data-bbox="331 240 875 408">➤ All details included within constitutional decision reports are factually correct and contain sufficient information prior to submitting the report to the decision maker; <li data-bbox="331 443 875 576">➤ Exempt or Confidential information is correctly classified in accordance with the Access to Information Procedure Rules <li data-bbox="331 611 875 711">➤ All related decisions are included/referred to as background papers within supporting reports. <li data-bbox="331 746 875 847">➤ Legal advice has been sought where appropriate to support all relevant decisions and such advice retained. <li data-bbox="331 882 875 1015">➤ All Council Policy and Governance implications have been included within the reports on which decisions are based. <li data-bbox="331 1050 875 1251">➤ Where awareness gaps are identified, relevant training will be provided by the relevant Chief Officer (Resources and Strategy) and systems updated to ensure continued compliance with the Constitution. | | | |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|-----|--|---|---|--|
| 3.3 | Reports supporting the decision should detail the challenge processes that have been undertaken and include all necessary information upon which the decision is to be based. | A review of the Constitutional requirements with respect to the decision making will be undertaken. This will include a review of the guidance provided to those responsible for writing reports which underpin delegated decisions and reports to Council committees | Head of Governance Services | Originally anticipated for October 2009 – delayed pending outcome of 3.4 below |
| | To support the Annual Governance Statement, in addition to directorate assurances, the Head of Governance Services should centrally monitor the extent of compliance with the Constitution. For example, activities could include: | A key finding of the Internal Audit report was that a number of decisions have been taken which have not been correctly notified in accordance with the Constitution. It is proposed that, in conjunction with the Director of Resources, a further decision making control be introduced in relation to Key and Major Decisions. This would require confirmation that appropriate delegated decision notifications had been made prior to processing financial commitments in excess of £100,000. | The Assistant Chief Executive (Corporate Governance) Director of Resources | Originally anticipated for October 2009 – delayed until January 2010 |
| 3.4 | <ul style="list-style-type: none"> ➤ Undertaking periodic data-matching exercises to provide assurance that all relevant decisions have been approved through the appropriate process i.e capital programme schemes could be matched to the database of registered decisions. ➤ Collating data on the Key and Major decisions registered per directorate / service area to provide assurance that the number of decisions registered appears reasonable. ➤ Centrally reviewing agenda items for Executive Board to ensure that all relevant proposed decisions are appropriately recorded in the Forward Plan | <p>Data is collated on Key and Major decisions by the Head of Governance Services. This will be provided to Directors each quarter so that directors can assess the reasonableness of the number of decisions notified.</p> <p>All Executive Board Decisions are reviewed on a monthly basis to ensure that relevant decisions have been recorded on the Forward Plan.</p> <p>The draft versions of the Forward Plan are provided to Departments on a regular basis to allow amendments as appropriate.</p> | Head of Governance Services | Originally identified for July 2009 but Completed in November 2009 |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|--|--|---|-----------------------------|---|
| Stage 4: Non-Compliance Issues | | | | |
| 4.1 | The Head of Governance Services should be empowered with appropriate escalation procedures in the case of serious or consistent non-compliance within the organisation. Obviously, the initial response would be to improve communication and deliver targeted training, but should these proactive measures fail, more formal action must be taken. | <p>From May 2009 escalation processes have been introduced (on a monthly basis) to Directors.</p> <p>Serious or consistent non-compliance will, as previously, be referred to the Assistant Chief Executive (Corporate Governance).</p> <p>Performance on decision making will be reported as part of the Directors appraisal scheme.</p> | Head of Governance Services | Completed May 2009 |
| Stage 5: Learning and Improvement | | | | |
| 5.1 | The outcomes from the controls dictated by the Constitution should be regularly reviewed against the objectives of those controls and anticipated benefits. Efficiency and effectiveness improvements should be incorporated within the Constitution as part of the iterative review process. | <p>The constitution is, by nature, a fairly technical document.</p> <p>A plain English summary of the constitution will be prepared and glossary of terms produced to aid understanding of the requirements.</p> | Head of Governance Services | Originally scheduled for October 2009 now planned as a Plain English guide to Decision Taking in Leeds City Council due to be available in January 2010 |
| 5.2 | <p>The current reporting template should be reviewed and updated and contained as an appendix in the Constitution. Areas where clearer advice would be useful include:</p> <ul style="list-style-type: none"> ➤ Guidance for the author in terms of the amount and quality of information presented, for example, pop up boxes which provide examples or guidance when interpretation of the Constitution is necessary. | A review the Constitutional requirements with respect the decision making will be undertaken. This will include a review of the guidance provided to those responsible for writing reports which underpin delegated decisions and reports to Council committees | Head of Governance Services | Originally anticipated for October 2009 – delayed pending outcome of 3.4 above |

| Ref | Recommendation | Management Response | Responsible Officer | Anticipated Completion Date |
|-----|--|---------------------|---------------------|-----------------------------|
| | <ul style="list-style-type: none"> ➤ Encourage the author to include those challenge and assurance processes within the report. This would enable the decision maker to place reliance on previous challenge and debate, avoid duplication of effort and highlight any decisions that may require additional scrutiny if they have not been subject to earlier challenge and review. ➤ A requirement that the report clearly details whether any expenditure resulting from the decision is discretionary or statutory. This would be particularly useful for the decision maker where the financial climate is difficult. ➤ Explicit reference to any future approval that may be required in order to progress the decision. For example, the delegated decision process may currently be used to obtain approval to award contracts only and may not in themselves have any financial approval implications for the Authority. | | | |