

**Scheme of Delegation**  
**Officers with delegated authority for matters within the portfolio of**  
**Chief Executive**

**December 2012**

Date Last Reviewed:	12 <sup>th</sup> December 2011 and 5 <sup>th</sup> July 2012
Approved by:	Cabinet and Full Council
Date Approved:	Full Council 12 <sup>th</sup> December 2011 and Cabinet 5 <sup>th</sup> July 2012
Version Number	2
Review Date:	December 2013
Document Owner:	Helen Sidwell
Post Holder:	Director Legal, People & Change
EQIA Assessed:	N/A

## Purpose

To set out the delegations from the Council's Executive and Council bodies to Chief and Deputy Chief officers within the Chief Executive Service.

## Related Policies and Documents

All parts of the Officers scheme of delegation  
Chief Executive Service Schemes of Authorisations

## Who is governed by this policy?

The scheme of delegations will apply to all permanent, contract and temporary staff working for the Council.

## Executive Summary

All delegations are subject to compliance with the law, the Council's Constitution, its Procurement Code, Financial Regulations and other relevant policies and procedures. All delegations may be exercised by the Chief Executive as well as those posts set out in this Scheme of Delegation.

This section sets out the powers which are conferred on the Council and its Executive which are exercisable by Officers and is the list maintained pursuant to Section 100 (G) (2) of the Local Government Act 1972. Under the provisions of the Local Government and Housing Act 1989 (S2) as amended by the Provisions of S202 of the Local Government and Public Involvement in Health Act 2007 and S30 of the Local Democracy Economic Development and Construction Act 2009 the post holders in this Scheme of Delegation hold politically restricted posts.

Pursuant to Paragraph 3.4.2 of Part 3 of the constitution the officers listed in this scheme of delegation may authorise officers to carry out the functions listed on their behalf. A list of all officers so authorised shall be maintained in accordance with paragraph 3.4.2.

Although these powers have been delegated to officers, there is a requirement to consult local ward councillors and community lead councillors if the decision you are making has a direct impact on a local community. Please consult Democratic Services for advice. In addition, please be aware that at the very least local ward councillors should be kept aware of any decision made and implemented under delegated powers that affects members of the community in their ward and this would normally be through the ward based bulletin.

Executive decisions will require publication once made (unless publication would not be expected for example decisions affecting individuals or low value – see general principles and interpretation for full guidance) and all Key decisions will need to be in the forward plan, made on a report published at least 5 clear days before the decision.

**POWER TO DEPUTISE**

No.	Function	Delegated Officer
	Authority to act and exercise any of the powers delegated to the Chief Executive in his/her absence or in the event of an emergency.	The relevant Executive Director designated as Deputy Chief Executive or the relevant Executive Director with the appropriate portfolio responsibility as set out in Article 12 of the constitution.

**GENERAL DELEGATIONS**

No.	Function	Delegated Officer
<b>RETURNING OFFICER DUTIES</b>		
CE1.	Dividing the constituency units into polling districts under Section 18 of the Representation of the People Act 1983. Final proposals to be subject to Full Council approval.	Chief Executive
CE2.	Dividing electoral divisions into polling districts at local government elections under Section 31 of the RPA 1983. Final proposals to be subject to Full Council approval.	Chief Executive
CE3.	Determining fees and conditions for supply of copies of, or extracts from, election documents under Rule 48(3) of the Local Elections (Financial Areas) Rules 1986	Chief Executive
CE4.	Submitting proposals to the Secretary of State for an Order under Section 10 of the RPA 2000 (Pilot Schemes for Local Elections)	Chief Executive
<b>EMERGENCIES</b>		
CE5.	Incurring any expenditure and making grants and loans where an emergency or disaster involves danger to life or property or is imminent and to incur expenditure for the purposes for contingency planning.	Chief Executive
<b>CRIME AND DISORDER</b>		
CE6.	Closure of noisy premises not exceeding 24 hrs. under section 40 Anti Social Behaviour Act	Chief Executive

No.	Function	Delegated Officer
	2003	
CE7.	Determining which areas of the borough should be subject to an order under Section 15 of the Criminal Justice & Police Act 2001 to control drinking in public	Chief Executive
CE8.	Consent to the making of an authorisation under S30 of the Anti-Social Behaviour Act 2003, in relation to powers to disperse groups and remove persons under 16 to a place of residence.	Chief Executive
<b>HEAD OF PAID SERVICE</b>		
CE9.	Keep under review provision of staff resources, the terms and conditions on which staff are appointed/employed and align staff resources to meet service needs of the Community and the Council's functions and responsibilities	Chief Executive
CE10.	Agreeing policies and procedures for recruitment, retention, change/reorganisation, redundancy, redeployment, capability, conduct and dismissal of staff under Section 112 of the Local Government Act 1972 in consultation with SLG/CMT and Director for HR or Deputy Director for HR (See also ED Resources and Commercial Development Scheme of Delegations)	Chief Executive Director for HR Deputy Director for HR
CE11.	Approval of staffing related corporate policies and procedures not otherwise referred to in delegation CE10 where those are not specifically reserved to the Mayor in his Scheme of Delegation or would be a non-executive matter not falling in the Terms of Reference of Council or any Committee or Council. Delegation to be exercised in consultation with NEB and/or Director for HR or Deputy Director for HR as appropriate (see also ED Resources and Commercial Development Scheme of Delegations.)	Chief Executive Director for HR Deputy Director for HR
CE12.	Giving effect to a governing body's decision in respect of the remuneration and other terms of employment of school teachers and any pay and condition orders made by the Secretary of State in accordance with any guidance issued under Education Act 2002, Sections 10, 122 and 127 and to enter into contracts of employment as provided for in Section 35. (See also ED Resources Scheme of Delegations and CYPS scheme of delegation)	Chief Executive Executive Director of Operations Executive Director of Resources and Commercial Development

No.	Function	Delegated Officer
CE13.	Ensure that all appointments are made on merit.	Chief Executive
<b>CIVIC MATTERS</b>		
CE14.	Spending a reasonable sum for the purposes of presenting an address or casket to a person on whom the title of honorary alderman or freeman has been conferred (see also ED Resources Scheme of Delegation).	Chief Executive Executive Director Resources and Commercial Development
CE15.	Authorising payment of subscription to any local government association or body of which the Council is in membership.	Chief Executive
CE16.	Approving the attendance of a Member or Members at any conference where attendance is in the interests of the Council (See also the general scheme of delegations Part 2 and ED Executive Director of Resources delegations).	Chief Executive Executive Directors
CE17.	Approving travelling and subsistence claims of Members in accordance with the agreed (See also the general scheme of delegations Part 2 and ED Executive Director of Resources delegations).	Chief Executive Executive Directors Directors
CE18.	Approving expenditure for Members' library and other resources and development, as necessary to enable them to carry out their office and the functions of the Authority (See also the general scheme of delegations Part 2).	Chief Executive Executive Directors Directors
CE19.	Production of Mayors annual report	Chief Executive
CE20.	To grant use of the Newham coat of arms and agree the purchase of badges for holders of civic office.	Chief Executive
CE21.	To provide and furnish halls, offices and other buildings for the use of public meetings (See also the general scheme of delegations Part 2).	Chief Executive Executive Directors Director Business Systems, Property and Commercial

No.	Function	Delegated Officer
CE22.	Approving proposals for Members or officers to make foreign visits and receive foreign visitors where the cost is to be met in whole or part by the Council subject to any protocol in this regard that may apply from time to time. This delegation does not apply to any officer attending an essential conference or course abroad which shall be approved by the relevant Executive Director.	Chief Executive Executive Directors
CE23.	Approving corporate publicity on the amenities and advantages of the Borough and functions discharged by the Council and to incur reasonable expenditure in doing so within officers' limits under the Code of Procurement including holding public events for these purposes	Chief Executive
CE24.	Approving press releases and official statements to press enquiries on behalf of the Authority	Chief Executive
<b>PENSIONS</b>		
CE25.	Determining any appeal against determinations as set out in the Superannuation Regulations 1972 [see also ED Resources Scheme of Delegation]	Chief Executive Executive Director of Resources and Commercial Development
CE26.	Approving early retirements, ill-health retirement and release of frozen benefits (subject to any procedural consultation requirements). (See also the general scheme of delegations Part 2).	Chief Executive Executive Director of Resources and Commercial Development Executive Directors ( where the early retirement is by virtue of operation of the voluntary redundancy scheme)
CE27.	To make payments of remuneration or pension payable to an officer or pensioner of the Council, specified dependants or release permitted sums under the Local Government Act 1972 Sections 118 or 119. (See also ED Resources Scheme of Delegations).	Chief Executives Executive Director of Resources and Commercial Development
CE28.	Approval of any discretionary payments permitted by the Superannuation Act 1972. (See also ED Resources Scheme of Delegations).	Chief Executive Executive Director of Resources and Commercial Development

<b>No.</b>	<b>Function</b>	<b>Delegated Officer</b>
CE29.	Administration of Discretionary Pension Powers. (See also ED Resources Scheme of Delegations).	Chief Executive Executive Director of Resources and Commercial Development
CE30.	Approving any gratuity scheme for part-time workers who were not eligible to join superannuation scheme in consultation with Head of HR and NEB. (See also ED Resources Scheme of Delegations).	Chief Executive Executive Director of Resources and Commercial Development
CE31.	Apply to Secretary of State for a forfeiture certificate under S111 of the Local Government Pension Scheme Regulations (as amended) (See also ED Resources Scheme of Delegations).	Chief Executive Executive Director of Resources and Commercial Development
CE32.	To exercise and perform any powers and duties under the Welfare Reform and Pensions Act 1999 which fall to be exercised or performed by the Council by virtue of its being an employer (powers and duties relating to stakeholder pensions) (See also ED Resources Scheme of Delegations).	Chief Executive Executive Director of Resources and Commercial Development
<b><u>MEETINGS OF THE COUNCIL, COMMITTEES, SUB-COMMITTEES, THE EXECUTIVE, ETC.</u></b>		
CE33.	Making arrangements in respect of all meetings of the Council, Committees, Sub-Committees, and the Executive including the administration of school appeals for exclusions (See also ED Resources Scheme of Delegations).	Chief Executive Director for Legal Services
<b><u>POLICY</u></b>		
CE34.	Carry out relevant research and surveys including necessary expenditure in relation to such research and surveys as are appropriate to help facilitate the Council's functions	Chief Executive
CE35.	Facilitate the formulation, review, and implementation of the Council's Strategies and Policy Strategy Development guidance.	Chief Executive Executive Directors Directors
CE36.	Co-ordinate the formulation of any Corporate plan and/or business plan for the Council and keep such plans under review.	Chief Executive

<b>No.</b>	<b>Function</b>	<b>Delegated Officer</b>
CE37.	Prepare annual report for the Council's performance and budget outcomes	Chief Executive Director Resources and Commercial Development