

## Chapter 2 – Part 5

### Responsibility for Functions – Officer Delegations

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#### *Scheme of Delegation*

1. This part of the Constitution sets out the ways in which the officers of the Council can make decisions and which decisions they have the power to make to deliver the services they are responsible for. It is called the 'Scheme of Delegation.' The Scheme of Delegation is set out as follows:

#### **2. Introduction**

This sets out what this Part of the Constitution (the 'Scheme of Delegation') covers and relevant definitions. This part contains a diagram of the Corporate Leadership Team structure at the Council.

3. The Scheme of Delegation then consists of 4 parts as follows:

#### **3.1. General Principles**

This sets out the general principles which apply to all decision making by officers.

#### **3.2. General Delegations to all *Directors***

This sets out the delegations which apply to all officers called '*Directors*' but also includes Statutory Officers and all members of the Corporate Leadership Team.

#### **3.3. Specific Delegations to members of the Corporate Leadership Team**

This sets out the delegations which apply to the following officers:

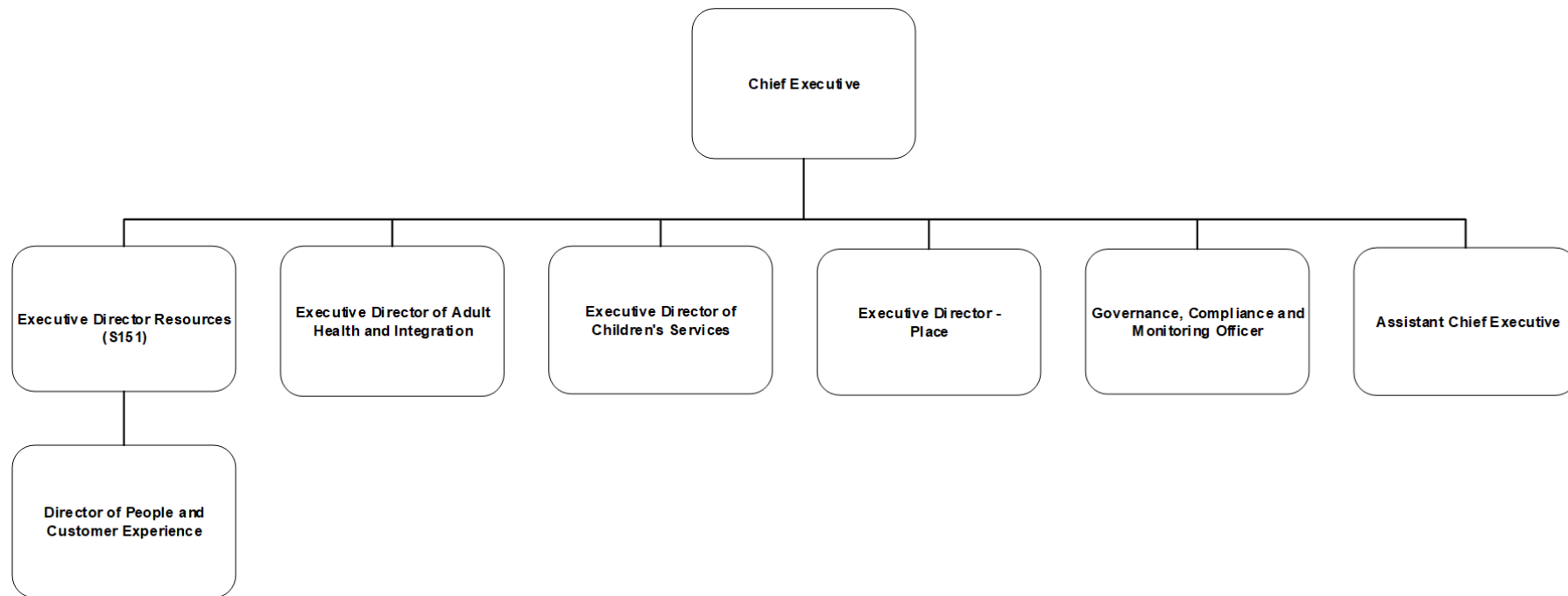
- Chief Executive/Head of Paid Service
- Assistant Chief Executive
- Executive Director of Adults, Health and Integration
- Executive Director of Children's Services
- Executive Director of Place
- Executive Director of Resources and s151 Officer
- Governance, Compliance and Monitoring Officer
- Director of People and Customer Experience (these delegations sit within the Executive Director of Resources and s151 Officer Scheme of Delegation.)

#### **3.4. Arrangements for Statutory and Proper Officer functions**

This sets out the legal requirements for statutory and ‘proper officers.’

4. ‘**Officers**’ is the term used to refer to the people employed, retained or appointed by the Council to advise and support **Councillors** and implement their decisions. The term “officers” in this Constitution includes all the people who operate in this capacity including contractors, consultants, agency staff and volunteers.
5. The Council operates a ‘cascade’ principle of delegation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. This means that the vast majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its officers.
6. In order to ensure the smooth functioning of the Council and the efficient delivery of services, **full Council** and the Committees and Sub-Committees have delegated to officers all of the powers that they need to perform their roles.
7. Certain officers have specific legal duties to ensure that the Council acts within the law, uses its resources wisely and exercises its powers properly. These officers are known as “Statutory” or “Proper” Officers and some have specific legal titles in addition to their job titles. These roles are explained below.
8. The way the Council structures its services and its officer arrangements changes from time to time to reflect changes in service delivery and best practice. The current arrangements include a **Chief Executive/Head of Paid Service** (as the most senior officer of the Council) supported by other senior roles as the [Corporate Leadership Team](#).
9. Any references to the Chief Executive shall also be interpreted as reference to the Head of Paid Service.
10. The **Head of Paid Service**, the **Chief Finance Officer** and the **Monitoring Officer** are also called "Statutory Officers" (because every Council is required by statute – the law – to have these posts). These are the highest profile statutory officers also referred to as the ‘golden triangle.’ There are also other officers with statutory responsibilities as referred to in table at paragraph 69.
11. There are also a number of formal functions which the Council has to allocate to named officers called "Proper Officers". There is a [Proper Officer Register](#) which sets out these details.
12. See the current [organisational structure](#) of the Council, showing more detail about the roles and responsibilities of the *Directors* and the officers supporting them to deliver all the Council's services.

# CHESHIRE EAST COUNCIL COPORATE LEADERSHIP TEAM



## General Principles Relating to Officer Delegation

13. This scheme gives the power for the Directors, Statutory Officers and members of the Corporate Leadership Team to take decisions in relation to all the functions in their areas of responsibility except where:
  - 13.1 a matter is prohibited by law from being delegated to an **officer**, and
  - 13.2 a matter has been specifically excluded from delegation by this scheme, by a decision of the **full Council**, a Committee or Sub-Committee.

Directors, Statutory Officers and members of the Corporate Leadership Team may not take decisions unless specifically provided for within the constitution or specifically delegated by a Committee or Sub-Committee.

They may within their scheme of delegation delegate their functions to another less senior officer.

Where more than one officer is listed as the responsible officer the most senior officer will be responsible in the order of seniority.

14. The cascade principle under which this scheme operates means that any officer given powers under this scheme can further delegate those powers to other officers through a Local Scheme of Delegation which sits under this scheme (setting out all the standing delegations given to specific officers in defined areas of the Council's service areas). This is a [full list](#) of the Local Schemes of Delegation and you can look at any of the schemes in detail. Officer decisions must be evidenced in writing using the agreed standard form, dated and signed by the officer exercising the delegated authority.
15. All Local Schemes of Delegation (and any changes to them) must be agreed by the relevant Executive Director, Statutory Officer or member of the Corporate Leadership Team and the Monitoring Officer.
16. Where a function has been delegated to an **officer** (including where sub-delegated through the cascade principle), the person or body making the delegation may at any time take back responsibility for the function and may therefore exercise the function (make the decision) despite the delegation.
17. In some circumstances the **officer** to whom a power has been delegated may consider a matter to be of such importance or sensitivity that their delegated authority should not be exercised. In these circumstances he or she may refer the matter back to the delegator for determination.
18. Any power delegated or cascaded under this Scheme can be exercised by the relevant Director, or Statutory Officer or member of the Corporate Leadership Team and in all cases by the Chief Executive personally,

with the exception of those statutory functions delegated exclusively to the Council's **Chief Finance Officer** or the **Monitoring Officer**.

19. The powers of this Scheme are delegated to the officers referred to by title within this Scheme of Delegation. So the delegations apply to whoever holds that post title at any time – not to the individual person. The powers are automatically transferred to any successor officer, to whom the functions are allocated following any reorganisation of the Council's management arrangements, irrespective of a change in the title/name of the officer post. Nominated Deputies are able to exercise all functions of the person delegating the functions.
20. Delegations relate to all provisions for the time being in force under any applicable legislation and cover functions of the Council and all powers and duties incidental to that legislation.
21. Any delegation must be exercised:
  - 21.1 In compliance with the **Budget and Policy Framework**, all the Council's Procedure Rules, the Pay Policy Statement approved annually and the Officer Code of Conduct
  - 21.2 In accordance with the decision-making requirements set out in the Constitution, including requirements for decision-records and access to information
  - 21.3 Having identified and managed appropriate strategic and operational risks within the officer's area of responsibility
  - 21.4 Within the approved **Budget and Policy Framework** approved by the Council (or separate approval must be sought)
  - 21.5 Following any appropriate legislative, regulatory, consultation, equalities or procedural requirements that may be required.
22. An **officer**, in exercising delegated powers may consult the relevant Committee Chair if he/she considers it appropriate to do so and shall consult other appropriate officers for professional advice including legal, financial and technical officers and shall have regard to any views and advice received.
23. Whenever legislation is amended or replaced by new provisions, then the relevant delegated authority in this scheme applies to those new provisions. Whenever new legislation relevant or related to the functions exercised by the Director is introduced, that officer will have the delegated authority to exercise powers or otherwise take action under that legislation until such time as the **full Council**, a Committee or the **Chief Executive** decides to whom to allocate responsibility for the new legislation.
24. Directors may appoint another officer as their deputy and such deputy shall have all the powers of the Director as set out in this Constitution. A deputy may be appointed in relation to all the areas of service delegated to the Director under this Constitution or in relation to a particular area of

service only. A deputy may be appointed for a specific period of time (for example to cover the absence of a Chief Officer) or without time limitation. The appointment of a deputy shall not prevent the exercise by the Director of any delegation set out in this Constitution and shall not be deemed as creating a new post.

25. If there is any dispute or lack of clarity as to which Director has power to make decisions on specific areas of service, the Chief Executive in consultation with the Governance, Compliance and Monitoring Officer shall have power to determine where the delegation should be exercised.

### **General Delegations to all Directors**

26. The following delegations shall apply to all Directors (and to any appointed deputies) except for paragraph 35.1 which shall only apply to those officers with roles identified as Executive Directors.

#### *Urgent action*

27. To act on behalf of the Council in cases of urgency in the discharge of any function of the Council for which his/her Directorate or Service has responsibility, other than those functions which by law can be discharged only by the Council or a specific Committee. A decision will be urgent where any delay would seriously prejudice the legal or financial position of the Council or the interests of the residents of Cheshire East. This delegation is subject to the conditions that any urgent action:

27.1 shall be reported to the appropriate committee;

27.2 shall take account of advice of the **Monitoring Officer** and the **Chief Finance Officer**; and

27.3 shall be exercised in consultation with the chair of the appropriate committee.

#### *Implementation of decisions*

28. To take all necessary actions (including the letting of contracts, undertaking statutory processes and incurring expenditure) to implement decisions of Council a Committee or Sub-Committee, or an Officer.

#### *General operational*

29. To have overall responsibility for the operational management of the relevant area of service and for bringing forward such strategic plans and policies, and implementing all decisions, including the allocation of resources within approved estimates, as are necessary to exercise the functions for which the service is responsible.

#### *Consultation*

30. To undertake and consider the outcome of statutory and non-statutory consultations on service provision.

31. To respond to Government Consultations and consultations from other bodies, in consultation with the relevant Committee Chair.
32. To undertake all steps required to complete Government Statistical Returns.

#### *Finance*

33. To manage the finance of their departments to ensure value for money and the development of budget policy options with a detailed assessment of financial implications.
34. To enter into contracts and incur expenditure.
35. To determine a Pricing Strategy that articulates the level of fees or charges payable in respect of any goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery.
36. To submit applications for grant funding that align with the Council **Budget and Policy Framework**, in accordance with the approvals required under the Financial Procedure Rules.

#### *Information Governance*

37. All functions must be exercised in accordance with the Council's Constitution, information governance policies and procedures and the council's related policies and procedures. All functions set out in the table below ('IG Functions') section should be in consultation with the Data Protection Officer and, where deemed necessary by the decision maker, the Senior Information Risk Owner and/or the Caldicott Guardian (if request relates to social care or health.)

**Table: IG Functions**

Type of activity	Specific function or decision-making	Officer responsible for that function
FOI, EIR Requests	a. Respond to requests made under the Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIR). <i>(Note: See the Miscellaneous Proper Officer scheme of delegation in Chapter 5 Part 2 in relation to determination of exemptions for FOIs.)</i>	Service Director ROSA(Relevant Operational Service Area), Head of Service ROSA, other officer. Support to be provided by the Information Rights Team (IRT). All initial responses to be logged by IRT (some departments may handle initial responses direct).

		Any responses regarding refusals, exemptions etc to be sent by IRT. All internal reviews are conducted by the IRT.
DPA Requests (including subject access requests (SARs) and any other individual rights under the UK GDPR)	b. Respond to requests made under the Data Protection Act (DPA) 2018 and UK General Data Protection Regulation	Service Director ROSA, Head of Service ROSA. Support and advice to be provided by the Information Rights Team (Contact the Information Rights team to ensure the request is logged and identity/authority is verified – <a href="mailto:informationrequests@cheshireeast.gov.uk">informationrequests@cheshireeast.gov.uk</a> )
Other requests for disclosure by third parties.	c. Respond to other requests for disclosure of information made by third parties.	Service Director ROSA, Head of Service ROSA, other officer. Depends on nature of request – some information may be released as business as usual. If request is made under DPA/GDPR, it will be treated as per DPA requests above. As a third party disclosure request, consultation would be with Information Rights Team and/or Caldicott Guardian (if request relates to social care or health.) DPO may also be consulted depending on nature of request and any dispute over right of access.

### Staffing

38. The general delegations to officers in relation to Human Resources (HR) functions and decisions are set out in the table below ('HR Functions') in the following link and are part of the constitution. These include delegations not only to Directors but officers that sit under that role as set out below:



**Table: HR Functions**

Type of activity	Specific function or decision-making	Officer responsible for that function
<b>Human Resources(HR)-Management of Staff</b>		
<p><b>General note:</b> Functions must be exercised in accordance with the Constitution, the Employee Code of Conduct, the Officer Employment Procedure Rules and the Council's other related approved policies and procedures. Any new role evaluated where the salary will exceed £100,000, in accordance with the current pay policy statement, as well as statutory officers, must be recommended by the Corporate Policy Committee to Full Council.</p>		
	<p>a. To deal with the full range of employment and staff management issues, below Director level including but not limited to terms and conditions, (other than those negotiated nationally and locally) shifts, working hours, leave, training, discipline, dismissal, performance, progression, promotion, grievance, grading, emoluments, allowances and equal opportunities.</p>	<p>Head of Service–relevant to the operational service area (ROSA) – and in line with employment legislation, policy and process.</p> <p>Head of Service HR where advice outside policy and process is needed. Escalated to Director of People and Customer Experience in exceptional circumstances.</p>

	b. Increasing a pay rate of an agency worker above the grade for the role.	Director and through emergency governance approvals process in consultation with the Director of People and Customer Experience.
	c. Authorise Timesheets e.g. contractor / agency worker timesheets (or equivalent claims) (CNET5 timesheet approvers.)	<p>As agreed by Head of Service ROSA or relevant Senior Officer ROSA.</p> <p>Approvers must be at least 1 grade above claimant.</p> <p>(NB Agency and Contractors are not permitted to use Comensura. Please see guidance on Centranet for further, more detailed information.)_</p>
	d. Authorising recruitment of temporary or permanent staff (including terms and conditions other than those negotiated nationally). Agree advertisement and appointments to vacant posts at the same level or lower than the delegated officer.	<p>Director</p> <p>Must be within budget and signed off through the Council's Recruitment Approval process. Must be in line with any exceptional budget directives.</p> <p>Officers to have authority to recruit up to one level below current position.</p> <p>The Manager two tiers above ('grandparent manager') shall be part of the interview panel. With Director's agreement, in exceptional circumstances, interviews can take place without grandparent manager but no decision can be made</p>

		<p>without consultation with the grandparent manager or preferred candidate being called back for a second interview.</p> <p>Ongoing expenditure in relation to approved recruitment forms part of a manager's budgetary and management responsibilities in consultation with the grandparent manager, for example, extension of an agency worker's assignment.</p> <p>Assignments outside IR35 require formal HMRC assessment tools to be completed and the agreement of the HRBP or escalated to Head of HR/Director of People and Customer Experience.</p>
	e. Expenses payments.	As per Unit4 Authorisation Level.
	f. Authorising overtime.	<p>Director.</p> <p>With the exception of Care4CE.</p>
	g. Change to contractual hours, within the budgeted establishment.	Head of Service ROSA (with the exception of Care4CE.)
	h. Authorising an employee's participation in any salary sacrifice scheme.	Head of Service ROSA for purchase of annual leave and cars, all other matters - Human Resources Business Partners HRBP or escalation to Head of HR as needed.
	i. Authorising acting-up payments and honoraria.	Director
	j. Approval of special leave and unpaid leave.	Head of Service ROSA
	k. Approval of extension of sick pay.	Head of HR and relevant Director.

	l. Approval of carry over and buy-out of annual leave.	Director ROSA for up to 5 days, above this Director ROSA.
	m. Approval of unpaid career break applications.	Director ROSA, Head of HR
	n. Approval of applications for other employment separate to council role.	Head of Service ROSA and HR Business Partners(HRBP)  Escalation to Head of HR and/or Director of People and Customer Experience if needed.
	o. Service structure. Initiate and undertake an organisational review. To implement changes to staffing structures-see adjacent note. *	Director, Head of Service ROSA can propose upon presentation of a business case within budget. All organisational reviews/ restructures must be agreed at Departmental Leadership Team (DLT) before being initiated and must have had HR Business Partner input. Outcomes of organisational reviews/ restructures must be agreed at DMT before being communicated and implemented.  Within the remit of operational responsibility and in accordance with the Organisational Change Policy.  Head of HR input on S188 agreements under the Trade Union and Labour Relations (Consolidation) Act 1992 (proposal to dismiss 20 or more employees.)  All changes to Jobs or new Job Descriptions must be agreed by HR.

		<p>*Subject to prior consultation with all appropriate parties affected by the decision, including any Trades Union and consultation with the chair and vice-chair of the relevant service committee, except where the restructure:</p> <ul style="list-style-type: none"> <li>- involves the overall loss of 10 posts or more not currently vacant; or</li> <li>-involves re-grading of posts or the grading of new posts with a salary of £100,000 or more; or</li> <li>-results in the total cost of the change to the staffing structure being £500,000 or more; or</li> <li>-results in a major change to the service provision received by residents; or</li> <li>-involves changes to existing National or Local Agreements and policies; or</li> <li>-cannot be achieved within the delegated powers in respect of budgets.</li> </ul> <p>If it is not within this criteria, changes would need to be approved by Corporate Policy Committee (CPC) or the relevant service committee.</p>
	p. To make variations in establishment using approved grades and to determine all other matters relating to the employment of staff, within approved budgets and in accordance with the HR policies and procedures of the Council – if being undertaken outside a restructure (item 15).	<p>Director</p> <p>With input from HR colleagues where any additional time bound arrangements are in place (e.g. Transformation Programme)</p>
	q. Approval of changed and new job descriptions.	<p>Director following appropriate evaluation and to ensure that HR colleagues have evaluated new job descriptions.</p>

	<p>r. To approve, in consultation with the Chair of the Corporate Policy Committee:</p> <ul style="list-style-type: none"> <li>• Voluntary and compulsory redundancies in line with Corporate Policy <ul style="list-style-type: none"> <li>• Any special severance payments proposed in line with the Statutory Guidance on Special Severance Payments (May 2022)</li> </ul> </li> <li>• Employee requested – Early retirement (where there is a pension strain cost)</li> <li>• Employer requested – Early retirement on grounds of ‘Efficiency of the Service’ retirement</li> <li>• Employee requested – Early retirement on compassionate grounds</li> <li>• Ill health retirement</li> <li>• Buy-out of hours</li> <li>• Flexible retirement</li> </ul>	<p>Chief Executive and/or Director of People and Customer Experience</p>
	<p>s. Dismissal</p>	<p>To be in accordance with the Disciplinary policy/Leaving the Council policy.</p> <p>To be agreed with HRBP, Head of HR or Director of People and Customer Experience as necessary.</p>
	<p>t. Issue notices of termination – redundancy &amp; retirement.</p>	<p>Termination and Redundancy Director Retirement Head of Service ROSA, Head of HR.</p>

		To be in accordance with the Disciplinary policy/ Leaving the Council policy and any other relevant policies.
	u. To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee and in line with Statutory Guidance on Special Severance Payments (May 2022).	Executive Director.  Director People and Customer Experience.  Director of Resources, S151 Officer  Chief Executive if over this amount.
	v. Authorising the appointment of consultants.	Executive Director, Head of HR
	w. Appointing apprentices.	Head of Service ROSA, Head of HR in consultation with Service Director. (Decision will be based on how the roles are being funded and how they sit within the establishment.)
	x. To enter into reciprocal arrangements for the authorisation and appointment of officers to facilitate cross-border co-operation in the discharge of delegated functions with any other council or enforcement authority.	Service Director Head of HR or Director of People and Customer Experience.
	y. To take all necessary action to ensure the health and safety of their staff (and to include staff safeguarding/risk assessment).	Service Director, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)  Head of HR and Head of Internal Audit to ensure that risk assessments are completed properly, particularly where there are

### *Land and assets*

39. To manage land, premises, vehicles, plant, equipment, machinery, stock, stores, supplies, materials, furniture appliances and uniforms necessary for the provision of services.
40. To administer the supply of goods and services to other public authorities and bodies under the Local Authorities (Goods and Services) Act 1970 and all other enabling legislation.
41. To make application for planning permission and any other necessary applications for other consents required for the development of land.

### *Legal authorisation and enforcement*

42. To act as 'duly authorised officers' (for the purposes of all relevant legislation) and to enforce/administer the requirements of all relevant regulatory legislation which shall (for the avoidance of doubt) include (but not be limited to) taking the following action (and all actions reasonably necessary, expedient or ancillary in order to facilitate or enable the same):
  - 42.1 Applying for warrants, carrying out investigations, inspections or surveys, entering land and premises, taking samples and seizing property
  - 42.2 issuing (or declining to issue) licenses, certificates or certified copies of documents, approvals, permissions, consents, notices, orders, directions or requisitions for information
43. With the approval of the **Monitoring Officer**, to authorise the institution, defense or participation in civil and criminal proceedings and quasi-proceedings (which for the avoidance of doubt shall include but not be limited to all court hearings, tribunal, inquiry and appeal processes), administer cautions and/or take any other action considered necessary to protect the interests of the Council.
44. To exercise the role of authorising officer and designated person under the Regulation of Investigatory Powers Act 2000. (The **Monitoring Officer** is excluded from this provision as he/she has the formal 'reviewer' role.)

### *Safeguarding children and vulnerable adults*

45. To ensure that arrangements are in place to discharge the responsibilities of the Council within their functional responsibilities in respect of the need to safeguard and promote the welfare of children and of vulnerable adults.



## Delegations to the Chief Executive/Head of Paid Service

46. The **Chief Executive** is the most senior officer in the Council. It is his/her role to support the Councillors and to provide **leadership** for the Council.
47. The **Chief Executive** is empowered to operate all the services of the Council and except where powers, duties and functions are delegated to a Councillor decision-making body, to exercise all powers, duties and functions of the Council, including those delegated to other **officers** with the exception of those statutory functions delegated exclusively to the Council's **Chief Finance Officer** or the **Monitoring Officer**.
48. Every Council has to, by law, appoint one of its officers as the Head of Paid Service. The Chief Executive is also the Council's **Head of Paid Service**. His/her responsibility in this role is to make proposals to the Council about the manner in which the discharge of the Council's functions is co-ordinated and the numbers, grades and organisation of staff required and the proper management of those staff.
49. The **Chief Executive** is given delegated power to undertake the following roles and responsibilities and to take the following decisions subject to the terms of this Constitution:
  - 49.1 To be the Council's principal officer representative and to promote its good image and reputation
  - 49.2 To lead and direct the strategic management of the Council
  - 49.3 To appoint other officers as **Proper Officers** for the purposes of any specific Council service area or function
  - 49.4 Unless another officer is appointed as Proper Officer, to act as Proper Officer for the Council for the purposes of all Council service areas and functions
  - 49.5 To maintain an up to date **Proper Officer** Register showing who is appointed to act as the Proper Officer for all Council service areas and functions
  - 48.6 To discharge emergency planning and civil contingency protection functions;
  - 48.7 To take such steps (including the incurring of expenditure where necessary) as may be required in the event of any national or local emergency requiring immediate action by the Council.
  - 48.8 To approve, in consultation with the Chair of the Corporate Policy Committee:
    - Voluntary and compulsory redundancies (with or without the early release of pension where the total cost is £95,000 or less)
    - Employee requested – Early retirement (where there is a pension strain cost)

- Employer requested – Early retirement on grounds of ‘Efficiency of the Service’ retirement
  - Employee requested – Early retirement on compassionate grounds
  - Ill health retirement
  - Buy-out of hours
  - Flexible retirement
- 48.9 To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee and in line with the Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England (May 2022) for settlements of £30,000 and above (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave).
- 48.10 To approve the pay, terms and conditions of service and training of any employee except where approval would be contrary to the provisions of the annual Pay Policy Statement which is reserved to full Council or where an approval falls within the responsibilities of the Corporate Policy Committee or would be contrary to the employment policies of the Council
- 48.11 To make decisions affecting the remuneration of any existing post where the remuneration is (or could become) £100,000 p.a. or more in consultation with the **Leader** as Chair of the Corporate Policy Committee, provided the remuneration for the post remains within the Council approved Pay Policy Statement.
- 48.12 To undertake the communications, marketing and media functions of the Council with regard to policy and strategic direction (operational responsibility rests with the Executive Director of Resources and S151 Officer).

### **Delegations to the Assistant Chief Executive**

50. The Assistant Chief Executive is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:
- Engagement and Communications
  - Strategy Policy and Performance
  - Transformation
50. The Assistant Chief Executive Scheme of Delegation which is part of this constitution can be viewed on the following link:

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## **Delegations to the Executive Director of Adults, Health & Integration**

51. The Executive Director of Adults, Health & Integration holds the statutory role for the Council of the Director of Adult Social Services (required by Section 6 of the Local Authority Social Services Act 1970 as amended by the Children Act 2004.)
52. The Executive Director (Adults, Health & Integration) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

### **Public Health**

- Health Improvement
- Health Protection and and Healthcare Public Health
- Health Intelligence and Children and Families
- Wider Determinants of Health

### **Adult Social Care Operations**

- Adult Safeguarding (including Community Safety)
- Mental Health and Learning Disability
- Care4CE
- Improvement, Assurance and Development and Principal Social Worker
- South and East Community Teams and Community Care

### **Adult and Children Commissioning**

- Integrated commissioning
- New Models of Care
- Integrated commissioning - Children's Families and Adults with Complex Needs
- Integrated commissioning (People)
- Integrated Urgent Care

53. The Executive Directors Adults, Health and Integration Officer Scheme of Delegation which is part of this constitution can be viewed on the following link:

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### **Delegations to the Executive Director of Children's Services**

54. The Executive Director (Children's Services) holds the statutory role for the Council of the Director of Children's Services (required by Section 18 of the Children Act 2004).
55. The Executive Director (Children's Services) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

#### **Family Help and Children's Social Care**

- Children in Need and Child Protection
- Provider Services
- Cared for Children and Care Leavers
- Family Help and Prevention

#### **Education Strong Start and Integration**

- Send and Inclusion
- Education Participation and Pupil Support
- Inclusion
- Education
- Education Psychology
- Early Years, Family Help & Prevention

#### **Children's Services and Improvement**

- Children's Safeguarding and Quality
- Children's development and partnerships
- Principal Social Worker

56. The Executive Director of Children's Scheme of Delegation which is part of this constitution can be viewed on the following link:

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## **Delegations to the Executive Director of Place**

57. The Executive Director (Place) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution.

### **Growth and Enterprise**

- Housing
- Economic Development
- Rural and Cultural Economy
- Estates

### **Planning and Environment**

- Neighbourhood Services
- Environmental Services
- Regulatory Services
- Planning

### **Transport and Infrastructure**

- Strategic Transport and Parking
- Rail and Transport Integration
- Strategic Infrastructure
- Highways

### **Client Commissioning (Alternative Service Delivery Vehicles (ASDV) / ESAR)**

- Transport Service Solutions
- Everybody Sport and Recreation
- Tatton Park Enterprises Limited

58. The Executive Director of Place Scheme of Delegation which is part of this constitution can be viewed on the following link:  
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### **Delegations to the Executive Director of Resources and S151 Officer (also known as the Chief Finance Officer)**

59. The Executive Director of Resources and S151 Officer is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

#### **People and Customer Experience**

- Human Resources (HR)
- Organisational Development and Culture
- Customer Experience

#### **Finance and Deputy s151 Officer**

- Procurement
- Revenues and Benefits
- Finance Business Support
- Finance (Adults & Children's Services)
- Finance (Place & Corporate Services)
- Finance (Strategic Finance & Accounting)

#### **Digital (SIRO 'Senior Information Risk Owner')**

60. The Executive Director of Resources, Section 151 Scheme of Delegation which is part of this constitution can be viewed on the following link:

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### **Delegations to the Governance, Compliance and Monitoring Officer (also known as the Monitoring Officer)**

61. The Governance Compliance and Monitoring Officer is given delegated power to take any decisions in relation to the following areas of the council's operations and services, subject to the terms of this Constitution.
- Legal Services
  - Audit, Risk and Assurance
  - Democratic Services

62. The Governance Compliance and Monitoring Officer Scheme of Delegation which is part of this constitution can be viewed on the following link:

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### **Arrangements for Statutory and Proper Officer functions**

63. Many legislative provisions require the appointment of a **Statutory Officer** or **Proper Officer** to undertake formal responsibilities on behalf of the Council.
64. The **Chief Executive/Head of Paid Service** shall be the Proper Officer of the Council for the purposes of the Local Government Act 1972, the Local Government Act 2000 and for all other statutory purposes unless:
- 64.1 such designation is given by the Council to any other officer, or
- 64.2 the Chief Executive/Head of Paid Service, exercising the powers given to him/her by this Constitution, appoints another officer of the Council to be the Proper Officer for a specific service area or function.
65. The Scheme of Delegation to Officers and tables below outline the designated Statutory Officer and Proper Officer functions for the Council and those officers (or where necessary, their substitute) shall undertake the specific responsibilities entailed. The roles of Returning Officer and Electoral Registration Officer will be appointed to by full Council and the statutory requirements and related functions/duties are detailed in a separate table below.
66. Statutory provisions and regulations are from time to time amended, replaced or re-enacted. When a statutory provision or regulation is amended, replaced or re-enacted, the appointments in the table below shall be effective in relation to the corresponding new provision.
67. Substitutes are identified to act where the **Proper Officer** is absent or otherwise unable to act.
68. In the event of any officer (and their substitute) identified in the Scheme of Delegation to Officers or in the table below being for any reason absent or unable to act and the officer/substitute has not made any other arrangements for the exercise of the relevant duties, the Governance and Monitoring Officer shall nominate an officer to act in their stead.

### **RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

69. The following functions are allocated to the Chief Executive/Head of Paid Service.

STATUTORY REQUIREMENT/PROVISION	FUNCTION/DUTY	SUBSTITUTE
Representation of the People Act 1983 Section 8	Electoral Registration Officer	Head of Democratic Services Electoral Services Manager
Representation of the People Act 1983 Section 9	Maintain Electoral Register	As above
Representation of the People Act 1983 Section 28	Acting Returning Officer (Parliamentary)	As above
Representation of the People Act 1983 Section 35	Returning Officer (Local Elections)	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 4 and 5	Verification number (5% of local government electors for validating petitions) and publication of the number	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 7	Steps to be taken in relation to post announcement and post direction petitions.	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 8	Amalgamation of petitions	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 11	Procedure on receipt of a petition	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 13	Publicity for valid petitions	As above



Local Authorities (Conduct of Referendums) (England) Regulations 2012	Proper Officer functions in relation to referendums	As above
Representation of the People Act 1983 S67	Receipt of notice of appointment of election agent	As above
Representation of the People Act 1983 S82 and S89	Receipt and retention of election expense declarations and returns	As above
Representation of the People Act 1983 S131	Provision of accommodation for election count	As above

### **STATUTORY OFFICERS**

STATUTORY REQUIREMENT	ALLOCATED TO	SUBSTITUTE
Local Government and Housing Act 1989 Section 4 Head of Paid Service	Chief Executive	Relevant Executive Director
Local Government Act 1972 Section 151 Chief Finance Officer	Executive Director of Resources and S151 Officer (Chief Finance Officer)	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government and Housing Act 1989 Section 5 Monitoring Officer	Governance, Compliance and Monitoring Officer	Head of Legal Services (as Deputy Monitoring Officer)
Local Authority Social Services Act 1970 Section 6(as amended) Director of Adult Social Services	Executive Director Adults, Health & Integration	Director Adult Social Care Operations
Children Act 2004 Section 18	Executive Director Children's Services	All Service Directors

Director of Children's Services		
Children Act 1989 Section 22	Executive Director Children's Services (DCS)	All Service Directors
Children Act 1989 23ZZA Virtual School Headteacher	Head of Service Inclusion	Deputy Virtual School Headteacher
National Health Service Act 2006 Section 73A	Director of Public Health	Public Health Consultants
Weights and Measures Act 1985 Section 72 Chief Inspector of Weights and Measures	Trading Standards and Community Protection Manager	Senior Enforcement Officer, Trading Standards
Local Government Act 2000 Section 9FB Scrutiny Officer	Head of Democratic Services	Democratic Services Manager

## **PROPER OFFICERS**

### **Chief Executive**

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION/DUTY	SUBSTITUTE
Any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or any instrument made before 26 October 1972	Reference to Town Clerk or Clerk to the Council is to be construed as reference to the Proper Officer of the Council	Executive Director of Resources and S151 Officer

Local Government Act 1972 S13(3)	Formation of 'the Parish Trustees' with the chairman of parish meeting when no separate parish council	Head of Democratic Services
Local Government Act 1972 S88(2)	Convening a Council meeting to fill casual vacancy in office of chairman	Head of Democratic Services
Local Government Act 1972 S210(6) and (7)	Exercise of certain residual functions relating to charities	Executive Director of Resources and S151 Officer
Local Government Act 1972 S248	Keeping roll of persons admitted to the freedom of a city or town.	Head of Democratic Services
Local Government Act 1972 S99 & Schedule 12 para 4	Signature of summons to Council meetings and receipt of notices regarding address to which summons to meeting is to be sent	Head of Democratic Services
Local Government Finance Act 1988 S116(1)	Notifying the external auditor of arrangements for a meeting to consider a report of the Chief Finance Officer	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S2	Receipt of list of politically restricted posts.	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S3A	Determine applications for exemption from the list of politically restricted posts	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S15	Duty to allocate seats to political groups.	Head of Democratic Services
Local Government and Housing Act 1989 S16	Duty to give effect to allocation of seats to political groups.	Head of Democratic Services

The Local Authorities (Members' Allowances) (England) Regulations 2003 Regulation 13	Receipt of notice in writing that a Councillor wishes to forego any part of entitlement to an allowance	Head of Democratic Services
Local Government (Committee & Political Groups) Regulations 1990	Receipt of notice of formation and membership of a political group	Head of Democratic Services
Local Elections (Principal Areas) (England and Wales) Rules 2006 Schedules 2 and 3, Rule 50	Receipt from Returning Officer of the names of persons elected to the Council	Governance, Compliance and Monitoring Officer
Terrorism Act 2000 Part 3	Nominated officer to receive disclosures on suspected terrorist property	Executive Director of Adults, Health and Integration

### **Executive Director of Resources and S151 Officer (Chief Finance Officer)**

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or any instrument made before 26 October 1972	Reference to the Treasurer is to be construed as reference to the Chief Finance Officer of the Council	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S115(2)	Receipt of monies due from officers	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S146(1)(a) and (b)	Declarations and certificates relating to securities to enable transfer	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S228(3)	Making accounts available to inspection by Members of the Authority	Director of Finance and Deputy S151

		Officer (Deputy Chief Finance Officer)
Local Government Finance Act 1988 S114, S114A, S115	Responsibility for Chief Finance Officer Reports	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Proceeds of Crime Act 2002 Part 7	Nominated officer to receive disclosures of suspected money laundering	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)

### **Executive Director of Place**

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Local Land Charges Act 1975  Land Registration Act 2002	Local Registrar within the meaning of the Acts who shall register any matters specified by these Acts affecting land situated within the district	Head of Planning
Rent Act 1977 S63	Appointment of Rent Officers under a scheme	Head of Estates
Rent Act 1977 Sched 15, Part IV, para 7	Certification of provision of suitable alternative accommodation	Head of Estates
Housing Act 2004 3(1) & 3(2) S4	A local housing authority must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken under the provisions of the act.	Head of Housing
Housing Act 1996 as amended by the Homelessness Act 2002 Homelessness (Priority Need for Accommodation) (England) Order 2002	To fulfil the statutory homelessness duties	Head of Housing

and the Homelessness Reduction Act 2017		
Housing Act 1996(Part 6) as amended by the Localism Act 2011	To fulfil the statutory duty to have an Allocations Policy to set out how social housing will be allocated within the Local Authority area	Head of Housing
Housing Grants, Construction and Regeneration Act 1996	To provide facilities for disabled persons in dwellings	Head of Housing
Homelessness Act 2002 Homelessness Reduction Act 2017	Duty to formulate a Homelessness and Rough Sleeping Strategy	Head of Housing
Housing Act 2004	Mandatory Licensing of Houses in Multiple Occupation.	Head of Housing
Home Energy and Conservation Act 1995	Requires all local authorities (LAs) in England to submit reports to the Secretary of State of the Department for Energy Security and Net Zero (DESNZ) demonstrating what energy conservation measures they have adopted to improve the energy performance of residential accommodation within that LA's area.	Head of Housing
Localism Act 2011	Places a duty on all Local Authorities to produce a Tenancy Strategy.	Head of Housing
Food Safety Act 1990 S5	“Authorised Officer” to act in matters arising under the Act	Head of Regulatory Services
Agriculture Act 1970 S67	Appointment of agricultural inspectors and an agricultural analyst (and, if they think fit, one or more deputy agricultural analyst.)	Head of Regulatory Services

Highways Act 1980 S37(5)	Receipt of certificates approving dedication of highways to be maintainable at public expense and making certificates available for inspection	Head of Highways
Highways Act 1980 S38	Power to adopt the highway by agreement	Head of Infrastructure
Highways Act 1980 S205(3) and (5)	Duties in relation to street works in private streets	Head of Strategic Infrastructure
Highways Act 1980 S210(2)	Certification of document giving details of any amendments to estimate of costs and provisional apportionment of costs of street works in private streets	Head of Strategic Infrastructure
Highways Act 1980 S211(1), 212(4), 216(2) and (3)	Making a final apportionment of costs of street works under the private street works code	Head of Strategic Infrastructure
Highways Act 1980 S278	Agreements for the execution of works	Head of Strategic Infrastructure
Highways Act 1980 S295	Issuing of notice to require owners to remove materials from streets in which works are due to take place	Head of Highways
Highways Act 1980 S321	Signature and authentication of notices, consents, approvals, orders, demands, licences, certificates or other documents	Head of Highways
Local Government (Miscellaneous Provisions) Act 1982	Entertainments, licensing control of sex shops	Head of Regulatory Services
Licensing Act 2003  Gambling Act 2005	Licensing and gambling functions	Head of Regulatory Services
Local Government Act 1972 S191(2)	Receipt of applications under section 1 Ordnance Survey Act 1841	Head of Planning

Building Act 1984 S61	Receive notification of, and having free access to, repairs of drains	Head of Planning
Building Act 1984 and Building Regulations	Authentication of Documents and issue of notices	Head of Planning
Building Act 1984	<p>(a) Various purposes with regard to drainage, water supply, sanitary accommodation.</p> <p>(b) Purposes relating to building control other than those comprised in (a) above</p> <p>(c) authorise action in relation to dangerous structures under Section 78</p>	Head of Planning
Planning (Consequential Provisions) Act 1990 Schedule 3, para 3	Receipt of deposit of list of protected buildings – S54(4) Town & Country Planning Act 1971	Head of Planning
Countryside and Rights of Way Act 2000	Access to the Countryside	Head of Rural and Cultural Economy
Food Safety Act 1990 S5	“Authorised Officer” to act in matters arising under the Act	Head of Regulatory Services
Food Safety Act 1990 S27	Appointment of Public Analyst	Head of Regulatory Services
Food Safety Act 1990 S49	Signature of any document authorised or required by or under the Act	Head of Regulatory Services



Environmental Protection Act 1990 S149 - 151	Discharging the functions in this section for dealing with stray dogs	Head of Neighbourhood Services
Public Health Acts 1936 and 1961 Control of Pollution Act 1974 Housing Acts 1957 and 1988 Local Government Act 1989 Local Government (Miscellaneous provisions) Act 1976 Prevention of Damage by Pests Act 1948 Environmental Protection Act 1990	Authentication of Documents and issue of notices	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S48	Certification that it would be a health risk to retain a body in any place	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S61	Powers to enter premises for certain purposes under the Act	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S62	Supplementary provisions in relation to entry of premises	Head of Regulatory Services

### **Director of Public Health**

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Public Health (Control of Disease) Act 1984 S59	Signature and authentication of notices, orders or other documents	Lead for Health Protection and the Wider Determinants of Health

Health Protection (Notification) Regulations 2010 Regulation 2	Receipt of notice from medical practitioner of suspected disease, infection or contamination in patients	Lead for Health Protection and the Wider Determinants of Health
Health Protection (Notification) Regulations 2010 Regulation 3	Receipt of notice from medical practitioner of suspected disease, infection or contamination in dead persons	Lead for Health Protection and the Wider Determinants of Health
Health Protection (Notification) Regulations 2010 Regulation 6	Duty to disclose (when notification received under regulation 2 or 3) information to Public Health England and others	Lead for Health Protection and the Wider Determinants of Health

### **Governance, Compliance and Monitoring Officer**

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Local Government Act 1972 S83	Receipt of declaration of acceptance of office by chairman, vice-chairman or Councillor	Head of Democratic Services
Local Government Act 1972 S84(1)	Receipt of notice of member resignation of office	Head of Democratic Services
Local Government Act 1972 S86	Declare any vacancy in member's office	Head of Democratic Services
Local Government Act 1972 S89  Local Elections (Parishes and Communities) (England and Wales) Rules 2006/3305	Receipt of notice of casual vacancy of Councillor (Also for Parish and Community Councils)	Head of Democratic Services
Local Government Act 1972 S100B(2)	Exclusion of whole or part of reports from public inspection	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy

		Monitoring Officer(s)
Local Government Act 1972 S100B(7)(c)	Supply of documents to the press	Governance, Compliance and Monitoring Officer, Head of Legal Deputy Monitoring Officer(s)
Local Government Act 1972 S100C(2)	Written summary of proceedings where minutes would disclose exempt information	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S100D(5)(a)	Identification of background papers	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S100F(2)	Exclusion from production to Members of the Authority documents disclosing exempt information	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S223(1) Also S60 County Courts Act 1984	Authorisation of any member or officer of the Authority to conduct, prosecute, defend or appear in proceedings before a magistrates court. Also County Court for possession of a house belonging to the authority and /or recovery of any rent etc or other sum relating to occupation of such a house.	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)

Local Government Act 1972 S225	Receipt and retention of documents deposited with the Authority	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S229(5)	Certification of photographic copies of documents	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government Act 1972 S234 (1) and (2)	Authentication of documents- signature of any notice, order or other document on behalf of the Authority, any document purporting to bear the signature of the proper officer shall be deemed as duly given, made or issued by the Authority.	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government Act 1972 S236 (9)	Sending copies of byelaws to parish councils or parish meetings	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S236 (10)	To send copies of byelaws to the County Council	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S238	Certification of copy of byelaws	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)

Local Government Act 1972 Schedule 14, para 25(7)	Certification of resolutions	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government (Miscellaneous Provisions) Act 1976 S41	Certification of copies of resolutions, orders, reports and minutes and other documents	Governance, Compliance and Monitoring Officer and their authorised signatories.
Freedom of Information Act 2000 – S36(2) & (5)	Decision of whether information is exempt from disclosure to the public arising from the prejudice to the conduct of public affairs	Governance, Compliance and Monitoring Officer/Executive Director Resources and S151 Officer
Localism Act 2011 S29	Establish and maintain a register of member's and co-opted members' interests	Deputy Monitoring Officer
Localism Act 2011 S31	Receipt of notice of members' disclosable pecuniary interests and entering such interests in the Authority's register	Head of Democratic Services
Localism Act 2011 S32	Consideration whether a member's interest is a sensitive interest	Deputy Monitoring Officer
Localism Act 2011 S33	Determination of written requests from members for dispensations where they have a pecuniary interest	Deputy Monitoring Officer
Local Government Act 1974 S30(5)	Notice of Local Commissioner (Ombudsman) reports	Deputy Monitoring Officer
Regulation of Investigatory Powers Act 2000(RIPA)	Senior Responsible Officer for RIPA	Governance Compliance and Monitoring Officer
	RIPA Co-ordinator	Information Rights Manager

## Head of Democratic Services

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Registration Service Act 1953 S9 (1) and (2)	Appointment of interim superintendent registrars and registrars	Civic and Registration Services Manager
Registration Service Act 1953 S13 (2)(h) and (3)(b)	Powers under the local scheme of organisation	Civic and Registration Services Manager
Registration Service Act 1953 S20	Proper Officer to be subject to regulations made by the Registrar General	Civic and Registration Services Manager
Marriage Act 1949 Marriage Act 1994 Civil Partnership Act 2004 The Marriages and Civil Partnerships (Approved Premises) Regulations 2005	Determination of applications for approval of premises, exercise of registration functions	Civic and Registration Services Manager
Local Authorities Cemeteries Order 1977 Article 12	Responsibility for storage and charge of cemetery records	Civic and Registration Services Manager
Local Authorities Cemeteries Order 1977 Schedule 2	Responsibility for the signature of grants and granting of permission for various matters	Civic and Registration Services Manager

## Miscellaneous

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	PROPER OFFICER	SUBSTITUTE
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Local Government Act 1972 S100D(1)(a)	Compilation of lists of background papers, identification of background papers	In the case of any report the name of the Officer at Corporate Leadership Team level who has responsibility for the subject matter of the report and in the case of the joint report the first named Officer	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Local Government (Miscellaneous Provisions) Act 1976 S16	Service of notices requiring details of any interests in land.	Chief Executive or other Officer at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Regulation of Investigatory Powers Act 2000 S27, 28 and 29	Authorising Officer & Designated person for the use of surveillance and the acquisition and disclosure of communications data	Chief Executive or other Officer at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Freedom of Information Act 2000 S36	Determination of exemptions apart from those relating to s.36 prejudice to conduct of public affairs	All Officers at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Anti-Social Behaviour Act 2003 and Anti-Social Behaviour Crime and Policing Act 2014	Proper Officer functions anti-social behaviour and community protection	Relevant Director	Relevant Head of Service
Data Protection Act 2018	Data Protection Officer (DPO)	Information Rights Manager	Deputy Data Protection Officer

Any	Any other provisions for which arrangements are not made above or in the scheme of delegation to officers (whether made before or after this last was last updated) requiring a proper officer or authorised officer from time to time - either to nominate a proper officer or to exercise the functions.	Chief Executive	Relevant Director
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