

Appendix 1 – Scheme of Delegation to Officers

Responsibilities of the Chief Executive and Chief Officers

1. The Chief Executive

1.1 The Chief Executive shall:

- (a) be the Head of the Paid Service in accordance with the Local Government and Housing Act 1989.
- (b) have authority over all other officers so far as is necessary for the efficient management and execution of the Council's affairs, functions or services except:
 - (i) where officers are exercising specific responsibilities imposed on them under statute;
 - (ii) that where the professional judgment or expertise of a Chief Officer is involved the officer shall have full opportunity to explain their views.
- (c) Exercise overall corporate management and operational responsibility, including overall management responsibility for all officers.
- (d) Provide professional advice to all parties in the decision-making process.
- (e) Have responsibility, together with the Monitoring Officer, for a system of record keeping for all the Council's decisions.
- (f) Represent the Council on partnership and external bodies (as required by statute or the Council).
- (g) Manage the Chief Executive's Office.
- (h) Discharge the functions of Electoral Registration Officer and be responsible for elections.
- (i) make decisions on employee terms and conditions, (including procedures for dismissal).
- (j) discharge those functions under Section 138 (1) of the Local Government Act 1972, (powers of principal Councils with respect to emergencies or disasters) as Head of Paid Service (Gold Command) appointed by the London Borough Councils from time to time to respond to an incident requiring a "Level 2" response (single site or wide-area disruptive challenge requiring a co-ordinated response by relevant agencies on behalf of the Councils).
- (h) be responsible for the Council's responsibilities as an employer under Health and Safety legislation.

1.2 The areas of responsibility of the Chief Executive shall include the following departments and functions (in which day-to-day responsibility shall normally be delegated to the appropriate Chief Officer):

- (a) Finance department

- (b) Social Care department
- (c) Children's Services department
- (d) Resources department
- (e) The Environment department
- (f) The Economy department

2. The Director of Finance

2.1 The Director of Finance shall:

- (a) act as the statutory Chief Financial Officer, under section 151 of the Local Government Act 1972.
- (b) be responsible for effective financial administration throughout the Council.
- (c) be responsible for all arrangements concerning financial planning, financial control, banking, accounts, income, insurances, investments, bonds, loans, leasing, borrowing (including methods of borrowing), trust and pension funds (within the scope of the Council's pension fund investment policies that are approved by the Superannuation Committee), the payment of creditors and the payment of salaries, wages, pension scheme benefits and gratuities.
- (d) Provide leadership, advice and support to Members, SLT Directors, Assistant Directors, and managers across the authority on all procurement, contract management and other commercial matters.
- (e) be responsible for the provisions of the Accounts and Audit Regulations 2003 (as amended) in respect of the need to maintain an adequate and effective system of internal audit of the Council's accounting records and of its system of internal control in accordance with proper internal audit practices.
- (f) to be responsible for the calculation of Council tax levels as part of Budget setting.
- (g) be the Proper Officer of the Council in relation to the following statutory provisions:

Local Government Act 1972

- (1) Section 115(2) - the officer to whom all money due from every officer employed by the Council shall be paid.
- (2) Section 146 - the officer to make any statutory declaration in connection with the transfer of securities.

Local Government (Miscellaneous Provisions) Act 1976

- (3) Section 30 - the officer to write off overpayment of salary, allowances or pensions which occur as a result of the death of an employee or pensioner.

Local Government Finance Act 1988

- (4) Section 114-115 - the officer responsible for reporting on unlawful expenditure decisions or where expenditure exceeds the resources available.

2.2 The services and the areas of responsibility of the Director of Finance shall include: Finance, Contract Management and Procurement, Audit, Fraud, Risk management, Insurance, Treasury management, Pensions, Finance systems, BI and PMO, Facilities Management and Zero-Based Budgets.

5. Strategic Director of Social Care

5.1 The Strategic Director of Social Care shall:

- (a) exercise the functions of the Council and act as the statutory officer for adult social services as set out in section 6(A1) of the Local Authority Social Services Act 1970 as amended by section 18(1) of the Children Act 2004.
- (b) exercise the functions of the Council with regard to, powers and duties of an Adult Services Authority under all relevant legislation including, but not limited to social services, safeguarding adults, Mental Health services including the deprivation of liberty and Health functions in particular building and leading the arrangements for inter-agency co-operation.
- (c) arrange for the effective operation of the Council's responsibilities for the assessment, purchase and provision of social care services for adults including people with disabilities, older people, people with mental health needs, people with substance misuse problems, adults with learning disabilities (including people with autistic spectrum disorder and a dual diagnosis incorporating mental health needs and learning disability) and people with HIV/AIDS.
- (d) Be the lead commissioner responsible for relationships with health and social care across the Council with the aim of transforming the current model.
- (e) Provide leadership, advice and support to Members, Executive Directors, Directors and managers across the authority on all commissioning matters.
- (f) Produce Joint Strategic Needs Assessments in conjunction with the Director of Children's Services and the Director of Public Health.
- (g) Promote health improvement in the borough and participate as a member of the Health and Wellbeing Board for the Borough.
- (h) To lead and oversee Public Health and support the Director of Public Health.

5.2 The services and the areas of responsibility of the Strategic Director of Social Care shall include: Adult Social Care Operations, Commissioning for adults and

children, Public Health, Provider Services and Mental Health Partnership,
Finance and Resources

6. Director of Children's Services

6.1 The Director of Children's Services shall:

- (a) act as the statutory officer under section 18(1) of the Children's Act 2004.
- (b) be responsible for the Council's functions as set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation.
- (c) be responsible for children in need, child protection, adoption, fostering, education and special educational needs.
- (d) exercise powers of intervention for those schools which are subject to a formal warning, which have serious weaknesses, or require special measures.
- (e) administer the arrangements for admission and exclusion appeals.
- (f) promote the educational achievement of looked after children.
- (g) be responsible together with the Strategic Director of Social Care transition service for disabled children.

6.2 The services and the areas of responsibility of the Director of Children's Services shall include: Family Services, Schools, Schools' Funding and Capital Programme, Safeguarding Children, Local Safeguarding Children's Board, Care Leavers and Finance and Resources.

7. The Strategic Director of Economy

7.1 The Strategic Director of Economy shall:

- (a) Deliver the Council's vision and strategic objectives and have overall responsibility for all matters relating to the delivery of housing in the borough.
- (b) Arrange for the effective operation of the Council's responsibilities for housing, including the recommending of strategies for all aspects of housing related activity, relationships with other public sector organisations, social landlords and with the private sector.
- (c) Approve applications for housing and allocate properties in accordance with the Council's established allocations policy.
- (d) Be responsible for commissioning services relating to the management and maintenance of the Council's housing stock and administer the HomeBuy Scheme as defined under Housing Act 1985 (as amended).
- (e) Be responsible for the delivery of compliance against health and safety in relation to the council's role as a landlord to its housing stock.
- (f) Make arrangements to provide housing advice and support to prevent homelessness and process statutory homelessness applications.

- (g) Approve the allocation of funds to individual projects to be supported through regeneration programmes.
- (h) Be responsible for new affordable housing, through direct delivery, in partnership and through the creation and management of Council housing companies and other delivery vehicles.
- (i) exercise Planning and conservation powers in accordance with the relevant legislation. Delegation includes powers to determine applications for planning permission, advertisement consent, Conservation Area Consent, Listed Building Consent, Certificates of Lawfulness and Prior Approval, application for the Council's own development and Hazardous Substances consent, to take planning enforcement action, and respond to appeals, except where otherwise directed by the relevant legislation.
- (j) Preparation and review of Planning policy documents, meeting our Duty to Cooperate and Neighbourhood Planning responsibilities, responding to National and Regional planning policy, and maintaining statutory registers.
- (k) Preparation and review of the H&F Community Infrastructure Levy (CIL) charging schedule.
- (l) Entering into or varying S106 Legal Agreements and ongoing monitoring of s.106 agreement.
- (m) Deliver the Council's vision and strategic objectives and have overall responsibility for all matters relating to the delivery of regeneration in the borough.
- (n) Be responsible for Council initiatives relating to the economic development and skills and adult and community learning.
- (o) Deliver economic growth projects and programmes.
- (p) Deliver the arts and culture strategy, and associated projects and programmes.
- (q) Be responsible for Building and Property Management.
- (r) Be responsible for the Council's Building control and regulation, control over demolition functions and also its roles for dangerous structures.
- (s) Take action and operate all legislative and administrative procedures in relation to the regulation of street trading.

7.2 The services and the areas of responsibility of the Strategic Director of Economy shall include:

- (a) Housing Services (includes resident involvement; tenancy management; estate caretaking).
- (b) Housing Options, (includes policy development in relation to housing allocations) homelessness assessment.
- (c) Asset Management and Property Services (includes repairs and maintenance; health and safety; physical regeneration).

- (d) Finance planning and strategy in relation to the Housing Revenue Account (including income collection, reserves and debt management) and supporting functions such as IT.
- (e) Regeneration.
- (f) Economic Development and skills.
- (g) Planning Policy and implementation through Regeneration and Development Management.
- (h) Building and Property Management including its role to undertake asset valuations for the Council under CIPFA guidelines and also to ensure decisions on assets are in accordance with the Local Government Act 1972 (s123) and its general consents.
- (i) Building control.
- (j) Adult and Community Learning.
- (k) New housing and commercial development and Council housing companies and other delivery vehicles.

8. The Strategic Director of Environment

8.1 The Strategic Director of Environment shall:

- (a) arrange for the effective operation of the Council's responsibilities for the regulation of waste management and cleansing of streets.
- (b) be responsible for the borough's parks and cemeteries.
- (c) be responsible for all matters relating to the Council's functions relating to crime and disorder.
- (d) exercise the functions of the Council under the Crime and Disorder Act 1998, save for the secondment of officers to the Youth Offending Team as required by section 39(5).
- (e) be responsible for emergency planning and business continuity and undertake executive powers where necessary in the event of a civil emergency.
- (f) take action and operate all legislative and administrative procedures in relation to highways, transportation, road traffic, town and country planning and building control. This includes exercising the functions of the Council as highways, transportation and road traffic authority and the taking of all enforcement action in relation to transportation and highways.
- (g) operate the Council's on street and parking enforcement services.
- (h) exercise all licensing functions and other matters an officer is empowered to discharge under the Licensing Act 2003, the Gambling Act 2005 or any Regulations issued in relation to those Acts and any regulations amending, consolidating or replacing them.
- (i) exercise the functions of the Council relating to environmental health. This includes powers relating to: food safety, health and safety, noise and other nuisances, air quality, contaminated land and private water supplies,

and housing and private land where enforcement is the responsibility of the Council. Manage the contact services – revenues, benefits, corporate and out of hours contact centres, reception, complaints (dealing with stage 1, 2 and Ombudsman complaints, ASC and CHS statutory complaints, councillor and MP enquiries, FOI, SARs and GDPR), pay & park and accessible transport (dealing with blue badges, taxi cards, parking permits and cash payments)

- (j) manage the revenue service - administration and collection of Council Tax and National Non- Domestic Rates (Business Rates) and collection of corporate debt
- (k) manage the benefits service - administration and payment of Housing Benefit and Council Tax Support including free school meals and clothing grants
- (l) develop and implement a Council customer services strategy including business transformation and channel shift (contact channel improvement programme)
- (m) procure a corporate solution to enable customers to self-serve (Integrated Management Systems – Self Service)
- (n) be responsible for the Prevent Channel Panel – In compliance with the statutory requirements set out under sections 36 – 41 of the Counter Terrorism and Security Act 2015, H&F has a Channel panel in place for its area, and has regard to the Channel duty guidance 2020. The designated Channel chair/deputy chair functions are fulfilled by Assistant Director, Adult Safeguarding. The Channel panel function in H&F is discharged through a joint panel with RBKC.

8.2 The services and the areas of responsibility of the Strategic Director of Environment shall include:

- (a) Community Safety and Emergency Planning
- (b) Commercial Management and Operations
- (c) Cleaner, Greener and Cultural Services
- (d) Customer and Business Development
- (e) Finance and Resources
- (f) Environmental Health (including but not limited to food safety and standards, health & safety, health protection and infectious disease, animal health and public health)
- (g) Transportation and Highways
- (h) Licensing
- (i) Trading Standards
- (j) Contact Services
- (k) Revenue and Benefits Services
- (l) Council Customer Services Strategy

9. The Director of Resources

9.1 The Director of Resources shall:

- (a) act as the authority's Monitoring Officer under the Local Government and Housing Act 1989.
- (b) make appointments to outside bodies in accordance with the nominations made by the Party Whips.
- (c) be the proper officer in respect of matters relating to the Council's Constitution where not otherwise stated.
- (d) Manage the democratic services functions in order to ensure the efficient management of the Council's decision-making processes including arrangements for all meetings of the Council and its committees, and electoral registration and elections.

9.2 The services and the areas of responsibility of the Director of Resources shall include:

- (a) Digital Services
- (b) Elections
- (c) Governance and Scrutiny
- (d) Leader's Office
- (e) Legal Services
- (f) Mortuary Services
- (g) Opposition Office
- (h) Policy and Communications
- (i) Registration and Mayor's Office
- (j) West London Coroner's Court
- (k) Transformation, Talent and Inclusion