

## **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) Discharge the functions of Electoral Registration Officer and be responsible for elections.
- (h) make decisions on employee terms and conditions, (including procedures for dismissal).
- (i) 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).
- (j) be responsible for the Council's responsibilities as an employer under Health and Safety legislation.

### **2. The Executive Director of Finance and Corporate Services 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) manage the revenue service - administration and collection of Council Tax and National Non- Domestic Rates (Business Rates) and collection of corporate debt
- (h) manage the benefits service - administration and payment of Housing Benefit and Council Tax Support including free school meals and clothing grants
- (i) develop and implement a Council customer services strategy including business transformation and channel shift (contact channel improvement programme)
- (j) 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.
- (k) Deliver the Council's vision and strategic objectives and have overall responsibility for all matters relating to the delivery of housing in the borough.
- (l) 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.
- (m) Approve applications for housing and allocate properties in accordance with the Council's established allocations policy.
- (n) 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).
- (o) 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.

- (p) Make arrangements to provide housing advice and support to prevent homelessness and process statutory homelessness applications.
- (q) 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).
- (r) 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.

**3. The Executive Director of People 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, Youth Justice, cared for children, care experienced young people, 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 Director of Independent Living (DASS) transition service for disabled children.

- (h) 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.
- (i) 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.
- (j) arrange for the effective operation of the Council's responsibilities for the assessment, purchase and provision of social care services for adults including Disabled people, 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.
- (k) Manage commissioning across Children's, Social Care and Public Health.
- (l) Provide leadership, advice and support to Members, Executive Directors, Directors, and managers across the authority on all commissioning matters.
- (m) Promote health improvement in the borough and participate as a member of the Health and Wellbeing Board for the Borough.
- (n) To lead and oversee Public Health and support the Director of Public Health.

#### **4. The Executive Director of Place 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.
- (j) 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.
- (k) Approve the allocation of funds to individual projects to be supported through regeneration programmes.
- (l) 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
- (m) 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.
- (n) 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
- (o) Preparation and review of the H&F Community Infrastructure Levy (CIL) charging schedule
- (p) Entering into or varying S106 Legal Agreements and ongoing monitoring of s.106 agreement.
- (q) Deliver the Council's vision and strategic objectives and have overall responsibility for all matters relating to the delivery of regeneration in the borough.
- (r) Be responsible for Council initiatives relating to the economic development and skills and adult and community learning
- (s) Deliver economic growth projects and programmes
- (t) Deliver the arts and culture strategy, and associated projects and programmes

- (u) Be responsible for Building and Property Management.
- (v) Be responsible for the Council's Building control and regulation, control over demolition functions and also its roles for dangerous structures
- (w) Take action and operate all legislative and administrative procedures in relation to the regulation of street trading.
- (x) Be responsible for Leisure services.
- (y) Be responsible for Library services and comply with the statutory duty for provision of this service.
- (z) Manage policy relating to events in public spaces.
- (aa) Be the Senior Responsible Officer (SRO) for the Regulatory Investigation Powers Act 2000 to ensure compliance with legislation and use across the Local Authority.

### **Other Officers**

#### **5. The Director for Legal Services shall**

- (a) take any action to implement any decision taken by or on behalf of the authority, including the signature or service of statutory and other notices and any document.
- (b) institute, defend, or participate in any legal proceedings in any case where such action is necessary, in the view of the Assistant Director, Legal Services, to give effect to decisions of the authority or in any case where the Assistant Director, Legal Services considers that such action is necessary to protect the authority's interests.
- (c) with the agreement of the relevant Chief Officer, to settle or compromise legal proceedings (including threatened proceedings, arbitrations, adjudications, public inquiries and potential Employment Tribunal matters) brought by or against the Council, including entering pleas of guilty in criminal proceedings on such terms as they consider appropriate.
- (d) with the agreement of the Monitoring Officer, instruct counsel, solicitors or other experts for legal proceedings, public inquiries, or other matters involving the authority.
- (e) enter objections to any proposal affecting the authority, the authority's area or the inhabitants of the authority's area.
- (f) lodge appeals against any adverse finding against the Council in any tribunal or court.
- (g) sign any document necessary to give effect to any resolution of the Council, the Cabinet, a Cabinet Member or any Committee or Sub-Committee or Strategic Leadership Team member acting within delegated power.
- (h) Shall be signatory of settlement agreements for employment matters subject to consultation with the Assistant Director People and Talent,

except for Chief Officer's settlements which shall also require consultation with the Head of Paid Service and Strategic Director of Finance.

- (s) make appointments to outside bodies in accordance with the nominations made by the Party Whips.

### **Director of Public Health**

- 6. The Director of Public Health shall be responsible for the Council's functions relating to Public Health Services, as follows:
  - a. To be authorised to agree expenditure on relevant public health budgets subject to the Council's constitution. Such authority can be delegated in writing to others.
  - b. To lead on personnel decisions, including recruitment, appraisal and disciplinary decisions.
  - c. To report to the Chief Executive and the relevant Cabinet members and Policy and Accountability Committee on public health matters.
  - d. To exercise the statutory functions of the Director of Public Health. These responsibilities may be delegated in writing to named public health consultants.
  - e. To report to the Council's Executive Director of People on the performance of the function and to support the accountability of the Chief Executive for grant expenditure.
  - f. To ensure that the Council has up-to-date plans, meeting statutory requirements and the demands of good practice.
  - g. To be the officer responsible for leadership, expertise and formal advice on all aspects of the Public Health Service.
  - h. To provide advice to the public in any period where local health protection advice is likely to be necessary or appropriate, in conjunction with the Council's communications team.
  - i. To promote action across the life course, working together with Council colleagues and the NHS.
  - j. To work through local resilience fora to ensure effective and tested plans are in place for the wider health sector to protect the local population from risks to public health.
  - k. To work with local criminal justice partners and Police and Crime Commissioners to promote safer communities.
  - l. To work with the wider civil society to engage local partners in fostering improved health and wellbeing.
  - m. To be an active member of the Health and Wellbeing Board, advising on and contributing to the development of joint strategic needs assessments and joint health and wellbeing strategies, and commissioning appropriate services accordingly.
  - n. To take responsibility for the management of the Council's public health services, with professional responsibility and accountability for their effectiveness, availability and value for money.
  - o. To play a full part in the Council's action to meet the needs of vulnerable children, for example by linking effectively with the Local Safeguarding Children Board.

- p. To contribute to and influence the work of NHS Commissioners, ensuring a whole system approach across the public sector.