

# Agenda Item 74.

<b>TITLE</b>	<b>Officer Scheme of Delegation</b>
<b>FOR CONSIDERATION BY</b>	The Executive on 29 October 2015
<b>WARD</b>	None specific
<b>LEAD OFFICER</b>	Andrew Moulton, Head of Governance and Improvement Services
<b>LEAD MEMBER</b>	Keith Baker, Leader of Council

## **OUTCOME / BENEFITS TO THE COMMUNITY**

The provision of an up to date Officer Scheme of Delegation will provide greater clarity on areas of responsibility.

## **RECOMMENDATION**

That the Executive agree the revised Sections 11.2 and 11.3 of the Constitution, as set out in Appendix A to the report, and recommend that Council adopt the revisions for inclusion in the Constitution.

## **SUMMARY OF REPORT**

Chapter 1.1.4 of the Council's Constitution states that the Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect.

The report contains a revised Scheme of Delegation which has been formulated in consultation with the Council's Corporate Leadership Team and other senior Officers. The revisions reflect the changes to the Council's management structure.

The Executive is being asked to review Chapters 11.2 Responsibility for Local Choice Functions and 11.3 Scheme of Delegation to Officers, which are part of the Council's Constitution and recommend their adoption to Council.

The Constitution Review Working Group considered and agreed the revised Sections 11.1-11.3 at their meeting on 15 September 2015.

## **Background**

### **Section 11 - Officers**

#### **1. Chapters 11.2-11.3**

Apart from minor amendments these chapters, which include the Officer Scheme of Delegation, have not been updated since 2010. Since this date there has been a major change in the Council's management structure which has resulted in some amalgamation of departments and changes in responsibility for different areas making the current version out of date.

Due to the requirement for widespread changes to the document it would be difficult to update it in its current format. Therefore the opportunity has been taken to review the document and look at other ways that the information could be presented that would articulate Officers' responsibilities without the need to keep amending the document every time there was a change in the organisation eg job title or post or amendments to legislation.

From reviewing other local authorities' Scheme of Delegations, and from discussions with CLT, it was agreed that a more streamlined version would be preferable with greater clarity over responsibility and the ability for Directors to further delegate functions as necessary.

The proposed version, attached at Appendix A, contains amendments to Chapter 11.2 and a completely rewritten Chapter 11.3 – Scheme of Delegation to Officers. Chapter 11.3 was previously based on delegating specific actions to specific roles. The revised version is primarily based on the delegation of functions, powers or duties relating to specific areas of responsibility to the relevant Director who can then delegate these to other Officers as appropriate.

The various Acts/Regulations which were previously spread through the document often only related to specific sections of a relevant Act which meant that sometimes an Officer did not have the appropriate delegation. As a result all Acts/Regulations have been included in an Appendix at the back of the document which should ensure that all Directors have the necessary delegation to act on any of the sections in a particular piece of legislation.

None of the amendments proposed delegates to Officers any of the functions which are currently matters which are reserved to Council, the Executive or any committee/sub-committee of the Council.

Because these Chapters relate primarily to matters which are functions of the Executive, that are being delegated to Officers to undertake, it is best practice that the Executive should be approving these delegations prior to full Council adoption for inclusion in the Constitution.

The Constitution Review Working Group has considered and agreed the proposed changes for adoption by Council and any comments made by the Working Group have been incorporated into the Chapters attached at Appendix A. The CRWG also considered and agreed a revised Chapter 11.1 – Officers General Principles but because this chapter does not include any Executive functions it does not need to be

considered by the Executive and therefore will be forwarded to Council for final adoption.

The Executive is therefore asked to consider the revised sections and recommend them to Council for adoption and inclusion in the Constitution.

### **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0		
Next Financial Year (Year 2)	£0		
Following Financial Year (Year 3)	£0		

#### **Other financial information relevant to the Recommendation/Decision**

There are no financial implications arising directly from this report.

#### **Cross-Council Implications**

The Chief Executive and all Directors have been consulted on the revised Officer Scheme of Delegation.

#### **List of Background Papers**

The Council's Constitution

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