



**Appendix 4**

**Extract of Part 3D - SCHEME OF DELEGATION TO OFFICERS**

**1. Introduction**

This section describes the extent and nature of the authority delegated to officers to undertake functions on behalf of Cambridgeshire County Council. The delegations are made by either the Full Council or one of its committees.

**2. General Principles**

The Chief Executive and the Chief Officers, where they consider it necessary and expedient, may authorise officers within their respective service Directorates to undertake functions on their behalf. If such authorisations are made, the relevant Chief Officer shall prepare and maintain a written schedule of authorisations to be available for inspection by the Monitoring Officer and published on the Council's website.

Where an officer listed in this Scheme of Delegation is absent for any period, the Chief Executive may nominate in writing another officer to act in his/her place during their absence and shall make a record of all such nominations.

The Chairman/woman of the relevant committee may request an officer not to exercise their delegated power in any particular case and, if so, a report will be taken to the next available meeting of this committee for consideration.

Chief Officers shall agree with the Chairman/woman and Vice-Chairman/woman of the relevant committee the nature and level of information the committee requires regarding the exercise of officers' delegated powers.

Chief Officers shall exercise their delegated powers in accordance with any requirements of the Chief Executive.

**General Delegation**

The Chief Executive and Chief Officers/Directors are authorised to discharge all the functions of the authority within their areas of responsibility as defined below and subject to the General Conditions and Limitations set out below.

**Conditions Relating to the Exercise of Delegated Authority**

The exercise of functions delegated to officers under this scheme must comply with:

- i) any legal requirement or restriction
- ii) any relevant provision in the Council's Constitution
- iii) the Council's policy framework and any other plans and strategies approved by the Council
- iv) the relevant in-year budget
- v) the relevant officers' code of conduct
- vi) the Council's Financial and Contract Procedure Rules
- vii) the requirements of the Openness of Local Government Bodies Regulations 2014 and any supporting guidance
- viii) all other relevant policies, procedures, protocols and provisions.



## **Limitations to the Exercise of Delegated Powers**

Officers in the exercise of functions delegated by this scheme may not:

- i) make Key Decisions as defined in the relevant Council's Constitution unless it is specifically delegated to the officer. An officer making a Key Decision specifically delegated to him/her shall first consult with the Chairman/woman and Vice-Chairman/woman of the relevant committee before exercising such delegation.
- ii) change or contravene policies or strategies approved by the Council or its committees or joint committees in the absence of specific delegated authority to do so
- iii) create or approve new policies or strategies, in the absence of specific delegated authority to do so
- iv) take decisions to withdraw public services, in the absence of specific delegated authority to do so
- v) take decisions to significantly modify public services without consulting the appropriate committee chairman/woman and vice-chairman/woman before exercising the delegated power.

## **Consultation**

Where an officer takes a decision under delegated authority on a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate committee chairman/woman and vice-chairman/woman before exercising the delegated powers.

When exercising delegated powers, officers shall ensure that local Members are kept informed of matters affecting their divisions.

## **3. Specific Delegations**

### **CHIEF EXECUTIVE:**

To act as Head of Paid Service for the purposes of the Local Government and Housing Act 1989.

To exercise in cases of urgency, those functions delegated to the Executive Directors, Corporate/Service Directors or Heads of Service and in cases of emergency all powers of the Council.

To act as controller in war and to exercise all the powers of local government in the event of circumstances arising in which the County Council, or the committee to which emergency powers have been delegated, is unable to act.

To take all operational decisions necessary to secure the provision of services and/or the discharge of statutory functions, including the power to enter into contracts, in accordance with approved policies and Financial Regulations across the County Council.



**CHIEF EXECUTIVE:**

In accordance with the Procedure for taking urgent decisions contained in Part 4.4(a) of the Constitution to make any decision normally reserved to committee or another officer. To hold to account Executive and Corporate Directors for the performance of their departments.

To place items of business on agendas for formal member meetings.

Authority for the approval of pay, terms and conditions of service and training of employees except for approving the annual Senior Officer Pay Policy Statement which is reserved to the Full Council.

Authority to determine the number, grade, title and nature of staff employed within the County Council.

**ALL EXECUTIVE DIRECTORS AND DIRECTORS INCLUDING THE CHIEF FINANCE OFFICER / SECTION 151 OFFICER:**

1. To make applications for planning permission in pursuance of Regulation 3 of the Town and Country Planning General Regulations 1992.
2. To incur expenditure in emergencies under Section 138 of the Local Government Act 1972.
3. To make all staff appointments below the level of Service or Corporate Director and to determine the remuneration and conditions of service of each post within any guidance or instructions issued by the LGSS: Director of HR and OD.
4. To dispense with any provision of the Contract Regulations, but only in accordance with the detailed requirements for Exemptions set out in the Procurement Rules and/or Scheme of Financial Management up to a fixed sum (A7 below) or up to the EU threshold, and in consultation with the relevant committee Chairman/woman and Vice-Chairman/woman.
5. To approve, with the agreement of the Chief Finance Officer, new revenue or capital schemes by Trading Units at no net cost to the Council.
6. To exercise corresponding powers and duties as already delegated to officers of the Council within the Scheme of Delegation where these or similar powers and duties are included in revised Acts, Orders or Regulations.
7. To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in accordance with approved policies and Financial Regulations or the purpose of this Scheme of Delegation, this shall include the power to authorise the sealing of contract documents including plans and schedules in the absence of specific committee authority.



**ALL EXECUTIVE DIRECTORS AND DIRECTORS INCLUDING THE CHIEF FINANCE OFFICER / SECTION 151 OFFICER:**

8. Authority to determine the number, grade, title and nature of staff within their Directorate and all other terms and conditions.

Subject to budget and in consultation with the Director of HR.

9. To hold officers to account for the performance of their service areas

10. The following table identifies the finance limits of delegated powers that Full Council has issued to all Executive and Corporate Directors for specific finance-related decisions.

	£
A1 Capital virement	250,000
A2 Revenue virement (including operational savings)	160,000
A3 Debt write-off	5,000
A4 Loans to other persons or organisations	5,000
A5 Property transaction - capital value	500,000
A6 Property transaction - annual rental	150,000
A7 Loans and expenditure from Funds	300,000

**CHIEF FINANCE OFFICER / SECTION 151 OFFICER**

	<b>Delegation</b>	<b>Condition</b>
1.	Authority to approve any changes to the Scheme of Financial Management as may be necessary from time to time to reflect and take account of changes in legislation, guidance, Council policy, decisions of the Council and any drafting changes or improvements. This shall not include any changes of substance.	In consultation with the Chairman/ woman of the General Purposes Committee (GPC). Not to be exercised if the Chairman/woman of the GPC objects to the proposed change.
2.	The management of trust funds on behalf of CCC.	
3.	The Treasury Management function including the management of debt and the borrowing and investment of money (excluding the Superannuation Fund).	
4.	Approval of CCC's banking facilities; arrangements for the signing and security of cheques, etc.	
5.	Capital financing determinations under the Local Government and Housing Act 1989 where these may be made by an officer.	



	<b>Delegation</b>	<b>Condition</b>
6.	Approval of supplementary estimates of expenditure under Section 138 of the Local Government Act 1972 (emergencies or disasters affecting.	
7.	To approve any detailed schemes of local financial management.	
8.	To approve the implementation of local financial systems.	
9.	Responsibility for the proper administration of the Pensions Service to safeguard the financial position of the Pension Fund (LGPS) in consultation with the Chairman (or Vice-Chairman if the Chairman is not available) of the Pension Fund Committee where possible.	
10.	To write off bad or irrecoverable debts or deficiencies relating to stores or property up to a maximum amount set out in the Council's constitution or unlimited if the debtor is bankrupt/insolvent; unable to be traced; in prison and has no means to pay; or there is no, or uncertain liability.	
11.	To make loans in furtherance of service objectives to other persons or organisations up to a maximum amount set out in the Council's constitution.	
12.	To approve loans and expenditure financed from the Invest to Transform Fund, Partnership Fund, Capital Financing Fund and Environmental Fund subject to certain financial limits set out in the Council's constitution.	
13.	To determine requests for CCC to act as co-guarantor for leases held by voluntary organisations and charities, in consultation with the appropriate Committee Chairman/ woman (or in his/her absence the Vice-Chairman/woman).	
14.	To authorise, in consultation with the Executive Director: People and Communities, schools to plan for a deficit budget to finance exceptional purchases/ projects.	
15.	To review and increase financial limits on an annual basis, taking account of inflation, subject to consultation with the appropriate Committee Chairman/woman (or in his/her absence the Vice-Chairman/woman).	
16.	To sign off grant claims.	



## **EXECUTIVE DIRECTOR: PEOPLE AND COMMUNITIES**

The exercise of the responsibilities set out below is delegated by the County Council:

- (a) To be the designated Director of Children Services in accordance with Section 18(1) of the Children's Act 2004
- (b) Taking all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in accordance with the approved policies and Financial Procedure Rules in relation to the following areas:

### Adult Social Care

- Safeguarding
- Mental Health
- Disability
- Older People
- Residential services
- Day Services
- IT systems
- Partnership and Planning

### Children's Social Care

- Education
- Special educational needs and disability
- Safeguarding and protection
- Children's social care
- Youth services
- Early Years
- IT systems
- Partnership and Planning

- (c) Approving school governor appointments for which the Council has responsibility and reporting these decisions quarterly to the Children and Young People's Committee
- (d) Holding officers to account for the performance of their service areas



## **EXECUTIVE DIRECTOR: PLACE AND ECONOMY**

The exercise of the responsibilities set out below is delegated by the County Council:

- (a) Taking all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in accordance with the approved policies and Financial Procedure Rules in relation to the following areas:

- Major infrastructure Delivery
- Waste Disposal
- Growth and Economy
- Transport and infrastructure Policy and Funding
- Highway
- Assets and Commissioning
- Traffic and Road Safety
- Policy Co-ordination
- Trading Standards
- Archaeology and Conservation
- Strategic Planning
- Libraries, Archives and Information
- Registration and Coroners Services
- Planning
- Cultural and Parking Services

- (b) Holding officers to account for the performance of their service areas

## **DIRECTOR OF PUBLIC HEALTH**

The exercise of the responsibilities set out below is delegated by the County Council:

<b>Public Health Services</b>	<b>Delegated to:</b>
Responsible person for ensuring that the Council complies with statutory requirements relating to complaints made to the Council about its public health functions and, where necessary, action is taken in light of the outcome of such complaints.  Part 4, Regulation 22(1)(a), The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.	Chief Executive
Responsibility for preparing an annual report on the health of the people of Cambridgeshire under Section 31, Health and Social Care Act 2012.	Director of Public Health



<b>Public Health Services</b>	<b>Delegated to:</b>
Responsibility for preparing an annual health protection report to the Health and Wellbeing Board to cover a summary of relevant activity and the multi-agency health protection plans in place, establish how the various health protection responsibilities are discharged, and identify their relationship to the Joint Strategic Needs Assessment and Health and Wellbeing Strategy priorities.	Director of Public Health
Responsibility for exercising the Council's powers and duties to improve the health of the people in the Council's area under Section 30, Health and Social Care Act 2012 and Section 2B, NHS Act 2006. In exercising this duty, the steps that may be taken include: a) providing information and advice; b) providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way); c) providing services or facilities for the prevention, diagnosis or treatment of illness; d) providing financial incentives to encourage individuals to adopt healthier lifestyles; e) providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment; f) providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and g) making available the services of any person or any facilities.	Director of Public Health
Responsibility for exercising the Council's powers and duties that relate to planning for, or responding to, emergencies involving a risk to public health. Under Section 30, Health and Social Care Act 2012 and Section 73A, NHS Act 2006.	Director of Public Health
Responsibility for exercising the Council's powers and duties that relate to arrangements for assessing etc risks posed by certain offenders.  (Section 30, Health and Social Care Act 2012. Section 325, Criminal Justice Act 2003)	Director of Public Health
Power to conduct, commission or assist the conduct of research for any purpose connected with the exercise of the Council's functions in relation to the health service and to obtain data, information or advice from persons with professional expertise pursuant to conducting such research.  (Section 17, Health and Social Care Act 2012. Section 5, NHS Act 2006.)	Director of Public Health





Public Health Services	Delegated to:
<p>Power to discharge those functions of the Council arising from the requirement that a licensing authority, when determining and publishing a licensing statement pursuant to section 5(3)(bb) (statement of licensing policy) of the Licensing Act 2003, must consult an authority with responsibility for public health.</p> <p>(Section 5(3)(bb) (statement of licensing policy) of the Licensing Act 2003,)</p>	<p>Director of Public Health</p>
<p>In relation to the Licensing Act 2003:</p> <ul style="list-style-type: none"><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the determination of an application for, or a variation or minor variation of, a premises licence.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the determination of an application for a provisional statement.</li><li>• authority to make an application or representations on behalf of the Council to a licensing authority for and/or in relation to the review of a premises licence.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the summary review of a premises licence.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the determination of an application for, or a variation or minor variation of, a club premises certificate.</li><li>• authority to make an application or representations on behalf of the Council to a licensing authority for and/or in relation to the review of a club premises certificate.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the inspection of premises prior to the grant of a club premises certificate.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the review of a club premises licence following a closure order.</li><li>• authority to make representations on behalf of the Council to a licensing authority in relation to the determination of an application for an early morning alcohol restriction order.</li></ul> <p>(Sections 18, 35 and 41B and Sections 31, 51, 52, 53, 53C, 72, 85, 86B, 87(d), 88, 89, 96, 167(e) and 172B(f) of the Licensing Act 2003)</p>	<p>Director of Public Health</p>



<b>Public Health Services</b>	<b>Delegated to:</b>
<p>Responsibility for exercising the Council's powers and duties to provide, or secure the provision of, oral health promotion programmes to the extent that the Council considers appropriate.</p> <p>Responsibility for exercising the Council's powers and duties to provide, or secure the provision of oral health surveys to facilitate:</p> <ul style="list-style-type: none"><li>• The assessment and monitoring of oral health needs;</li><li>• The planning and evaluation of oral health promotion programmes;</li><li>• The planning and evaluation of the arrangements for the provision of dental services as part of the health services; and</li><li>• Where there are water fluoridation programmes affecting Cambridgeshire, the monitoring and reporting of the effect of water fluoridation programmes.</li></ul> <p>(The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 and Section 87 (1) of the Water Industry Act 1991.)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties to respond to oral health surveys conducted or commissioned by the Secretary of State under paragraph 13(1) of Schedule 1 to the National Health Service Act 2006 where the survey is conducted within Cambridgeshire.</p> <p>(The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties relating to the making of, and consultation on, water fluoridation proposals to the Secretary of State.</p> <p>(Section 36, Health and Social Care Act 2012 and Section 88B, Water Industry Act 1988)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection at appropriate intervals of pupils in attendance at schools maintained by the Council as local education authority and for the medical treatment of such pupils.</p>	
<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection or treatment of:</p> <ol style="list-style-type: none"><li>a) senior pupils in attendance at any educational establishment, other than a school, which is maintained by the Council and at which full-time further education is provided (subject to the prior agreement of the governing body of the establishment); or</li><li>b) any child or young person who, in pursuance of section 19 or 319 of the Education Act 1996 (c. 56), is receiving primary or secondary education otherwise than at a school.</li></ol>	



<b>Public Health Services</b>	<b>Delegated to:</b>
<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection or treatment of pupils in attendance at any educational establishment which is not maintained by a local education authority by arrangement with the proprietor of that establishment.</p> <p>(Section 17, Health and Social Care Act 2012 and Section 5, NHS Act 2006.)</p>	
<p>Responsibility for exercising the Council's powers and duties to provide for the weighing and measuring of pupils in attendance at any school which is maintained by the authority and, by arrangement with the proprietor, at any school which is not maintained by the Council.</p> <p>(Section 17, Health and Social Care Act 2012, Section 5, NHS Act 2006. Part 2, Regulation 3 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, health checks to eligible persons within the Council's area, pursuant to the requirements set out in the legislation below.</p> <p>(Section 2B, National Health Service Act 2006. Part 2, Regulations 4 and 5 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, open access sexual health services within the Council's area, including:</p> <ul style="list-style-type: none"><li>a) contraceptive services; and</li><li>b) services related to the prevention and treatment of sexually transmitted infections.</li></ul> <p>pursuant to the requirements set out in the legislation referred to below</p> <p>(Section 2B and Schedule 1 (para. 8), National Health Service Act 2006. Part 2, Regulation 6 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health



<b>Public Health Services</b>	<b>Delegated to:</b>
<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, a public health advice service to any clinical commissioning group whose area falls wholly or partly within the Council's area.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 7 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health
<p>Responsibility for reviewing the range of matters to be covered by any such public health advice service, having had regard to the needs of the people in the Council's area and in agreement with the clinical commissioning group(s) to which the service is provided.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 7 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties relating to independent mental health advocate services.</p> <p>(Section 130, Mental Health Act 1983 and Section 43, Health and Social Care Act 2012.)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties relating to the provision of direct payments for healthcare.</p> <p>(Section 12A, NHS Act 2006 and Schedule 4, Part 1, Health and Social Care Act 2012.)</p>	Director of Public Health
<p>Responsibility for exercising the Council's powers and duties relating to independent mental capacity advocates.</p> <p>(Section 35, Mental Capacity Act 2005 and Schedule 4, Part 1, Health and Social Care Act 2012.)</p>	Director of Public Health



Public Health Services	Delegated to:
<p><b>Statutory functions of the Director of Public Health relating to protecting the health of the local population</b></p> <p>Responsibility for exercising the Council's powers and duties to provide information and advice to responsible persons and relevant bodies within, or which exercise functions relating to, the Council's area, with a view to promoting the preparation of appropriate local health protection arrangements.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 8 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	Director of Public Health
<p><b>Statutory functions of the Director of Public Health relating to charges in respect of the Council's functions under Section 2B of the NHS Act 2006</b></p> <p>Responsibility for exercising the Council's powers and duties to make and recover charges in respect of:</p> <ul style="list-style-type: none"><li>a) providing information and advice;</li><li>b) providing services and facilities designed to promote healthy living;</li><li>c) providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and</li><li>d) making available the services of any person or facilities.</li></ul> <p>Subject to the restrictions set out in the legislation referred to below</p> <p>(Section 2B, National Health Service Act 2006 and Part 3, Regulation 9 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).</p>	Director of Public Health
<p><b>Statutory functions relating to joint working with the prison service under Section 249 of the NHS Act 2006.</b></p> <p>Responsibility for exercising the Council's powers and duties to enter into prescribed arrangements with the prison service insofar as those arrangements relate to securing and maintaining the health of prisoners.</p> <p>(Section 249, National Health Service Act 2006 and Section 29, Health and Social Care Act 2012.)</p>	Director of Public Health



## **DIRECTOR: CORPORATE AND CUSTOMER SERVICES**

The exercise of the responsibilities set out below is delegated by the County Council:

(a) Taking all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in accordance with the approved policies and Financial Procedure Rules in relation to the following areas:

- Chief Executive's Support team, including support for Lord Lieutenant, Chairman/woman and Director
- Communications and Information, including press and media, council-wide campaigns, council brand and website
- Customer Services, including the Contact Centre and corporate reception sites
- IT and Digital Service, including council-wide strategy and support for all business systems
- Emergency and Business Continuity Planning
- Business Intelligence, including Information Governance, Information Management, Records Management, Research, and Management & Performance Information

(b) Holding officers to account for the performance of their service areas

## **DIRECTOR OF GOVERNANCE AND LEGAL SERVICES**

The exercise of the responsibilities set out below is delegated by the County Council:

### **Monitoring Officer - Cambridgeshire County Council**

<b>Power or Duty</b>	<b>Condition</b>
<b>To make such amendments to the CCC Constitution and related Documents, as may from time to time become necessary to reflect and take account of changes in legislation, guidance, Council Policy, decisions of the Council and any drafting changes or improvements. This shall not include any changes of substance.</b>	<b>In consultation with Group Leaders. Not to be exercised if any Group Leader objects to the proposed change.</b>
<b>The Monitoring Officer will maintain an up-to- date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.</b>	



<b>In order to ensure lawfulness and fairness of decision-making and after consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the Council if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.</b>	
<b>To act as the Solicitor to the Council and in consultation with the Head of Paid Service and the Chief Finance Officer, to provide advice on the scope of powers and authority for the Council to take decisions, maladministration, probity and governance issues, to all Councillors and to support and advise Councillors and officers in their respective roles.</b>	
<b>To act as the Proper Officer for the purposes of the Local Government Act 2000 and regulations made there under, except where legislation or the Scheme of Delegation names another officer.</b>	
<b>In cases of dispute, to decide upon a Member's "need to know".</b>	
<b>The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution and Ethics Committee. This will include making arrangements for the hearing of allegations against Members concerning breaches of the Code of Conduct.</b>  <b>The Monitoring Officer shall also support the Constitution and Ethics Committee in ensuring the Council's Constitution is fit for purpose and in this role, shall keep it under review and make recommendations as to how it might be amended to better achieve the purposes set out in Article 1 or in response to changes in law.</b>	
<b>In the case of allegations that a Councillor has breached the Members' Code of Conduct, the Monitoring Officer and the Council's Independent Person shall conduct an initial assessment of complaint and make a decision as to whether the complaint warrants investigation or any other action.</b>	
<b>Where allegations of breaches of the Members' Code of Conduct are referred for investigation, the Monitoring Officer shall make arrangements for the conduct of such investigations and report the findings to the Constitution and Ethics Committee.</b>	
<b>The Monitoring Officer shall act as the Proper Officer for Access to Information and shall ensure that decisions of the Council and its committees, together with the reasons for those decisions, and</b>	



<b>relevant officer reports and background papers are made publicly available as soon as possible.</b>	
<b>The Monitoring Officer will advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.</b>	
<b>The Monitoring Officer shall provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.</b>	
<b>The Monitoring Officer shall determine whether information should be exempt from disclosure under the provisions of Section 36 of the Freedom of Information Act 2000.</b>	
<b>To agree procedures for the conduct of all appeals heard by the Council's Service Appeals Sub-Committee.</b>	
<b>To agree procedures for the conduct of Council's Education Admission and Exclusion Appeals and the selection and appointment of members to Council's appeals panels.</b>	