

## 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 their place during their absence and shall make a record of all such nominations.

The Chair 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 Chair and Vice-Chair 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 them shall first consult with the Chair and Vice-Chair 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 Chair and Vice-Chair 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 Chair and Vice-Chair before exercising the delegated powers.

If the committee chair and vice-chair do not agree with the proposed officer decision, the decision will be taken to the next meeting of the committee for consideration.

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

If consultation involves a Local Member who does not agree with the proposed officer decision, the officer taking the decision will then consult the chair of the relevant committee to see if agreement can be reached. If agreement cannot be reached, the decision will be taken to the next meeting of the committee for consideration.

### 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, 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.

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 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 Director and to determine the remuneration and conditions of service of each post within any guidance or instructions issued by the Assistant Director, HR Services.

All Executive Directors and Directors including the Chief Finance Officer/Section 151 Officer:

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 Chair and Vice-Chair.
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.
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 Directors for specific finance-related decisions.

		£
A1	Capital virement	250,000
A2	Revenue virement (including operational savings)	175,000
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

	Delegation	Condition
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 Chair of the Strategy and Resources Committee. Not to be exercised if the

	Delegation	Condition
		Chair of the Strategy and Resources Committee 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.	
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 Chair (or Vice-Chair if the Chair 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 determine requests for CCC to act as co-guarantor for leases held by voluntary organisations and charities, in consultation with the appropriate Committee Chair (or in their absence the Vice-Chair).	

	Delegation	Condition
13.	To authorise, in consultation with the Executive Director: People and Communities, schools to plan for a deficit budget to finance exceptional purchases/ projects.	
14.	To review and increase financial limits on an annual basis, taking account of inflation, subject to consultation with the appropriate Committee Chair (or in their absence the Vice-Chair).	
15.	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
- Social and Education Transport

### Community and Safety

- Libraries
- Archives
- Registration Services
- Cultural Services
- Coroners Services
- Community Safety, including Domestic Abuse and Sexual Violence
- Community Development and Resilience
- Prevent and Hate Crime
- Youth Offending
- Adult Skills
- Homelessness Prevention

(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

### Service Director: Adults and Safeguarding

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

- (a) To be the designated Director of Adult Services and to exercise the Social Services functions of the Council as set out in Schedule 1 of the Local Authority Social Services Act 1970.
- (b) Authority to discharge the guardianship provisions under the Mental Health Act 1983

### 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
- Environment and Climate Change
- Waste Disposal
- Growth and Economy
- Transport and infrastructure Policy and Funding
- Highway
- Assets and Commissioning
- Traffic and Road Safety
- Digital Infrastructure

- Historic Environment
- Strategic Planning
- Planning

(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:

Public Health Services	Delegated to:
<p>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.</p> <p>Part 4, Regulation 22(1)(a), The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.</p>	Chief Executive
<p>Responsibility for preparing an annual report on the health of the people of Cambridgeshire under Section 31, Health and Social Care Act 2012.</p>	Director of Public Health
<p>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.</p>	Director of Public Health
<p>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:</p> <ol style="list-style-type: none"> <li>providing information and advice;</li> <li>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);</li> <li>providing services or facilities for the prevention, diagnosis or treatment of illness;</li> <li>providing financial incentives to encourage individuals to adopt healthier lifestyles;</li> <li>providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment;</li> <li>providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and</li> <li>making available the services of any person or any facilities.</li> </ol>	Director of Public Health



Public Health Services	Delegated to:
<p>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.</p>	<p>Director of Public Health</p>
<p>Responsibility for exercising the Council's powers and duties that relate to arrangements for assessing etc risks posed by certain offenders.</p> <p>(Section 30, Health and Social Care Act 2012. Section 325, Criminal Justice Act 2003)</p>	<p>Director of Public Health</p>
<p>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.</p> <p>(Section 17, Health and Social Care Act 2012. Section 5, NHS Act 2006.)</p>	<p>Director of Public Health</p>
<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</li> </ul>	<p>Director of Public Health</p>

Public Health Services	Delegated to:
<p>for, or a variation or minor variation of, a club premises certificate.</p> <ul style="list-style-type: none"> <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>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

Public Health Services	Delegated to:
<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>	<p>Director of Public Health</p>
<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> <ul 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> </ul>	
<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>	<p>Director of Public Health</p>

Public Health Services	Delegated to:
<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>	<p>Director of Public Health</p>
<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> <p>a) contraceptive services; and b) services related to the prevention and treatment of sexually transmitted infections.</p> <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>	<p>Director of Public Health</p>
<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>	<p>Director of Public Health</p>
<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>	<p>Director of Public Health</p>

Public Health Services	Delegated to:
<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>	<p>Director of Public Health</p>
<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>	<p>Director of Public Health</p>
<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>	<p>Director of Public Health</p>
<p>Statutory functions of the Director of Public Health relating to protecting the health of the local population -</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>	<p>Director of Public Health</p>

Public Health Services	Delegated to:
<p>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 -</p> <p>Responsibility for exercising the Council’s powers and duties to make and recover charges in respect of:</p> <p>a) providing information and advice; b) providing services and facilities designed to promote healthy living; c) providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and d) making available the services of any person or facilities.</p> <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>	<p>Director of Public Health</p>
<p>Statutory functions relating to joint working with the prison service under Section 249 of the NHS Act 2006 -</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>	<p>Director of Public Health</p>

## Director: Business Improvement and Development

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:
- Business Improvement and Development, including strategy and policy development and oversight of all strategic change programmes.
  - Transformation and Business Change, including Transformation Team, Programme Management Office, Service Design, Innovation Unit, and Transformation Fund and monitoring and reporting.
  - Shared Services, including Shared Services Governance and Programme

Delivery Team.

- Commercial Services, including Acquisitions and Investment, Contract Management, Fees, Charges and Trading policy and Asset Strategy.
- 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: Customer and Digital 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, Chair 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

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

## Director of Law and Governance and Monitoring Officer

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

Monitoring Officer - Cambridgeshire County Council

Power or Duty	Condition
To make such amendments to the 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.	In consultation with Group Leaders. Not to be exercised if any Group Leader objects

	to the proposed change.
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.	
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 they 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.	
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.	
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.	
In cases of dispute, to decide upon a Member's "need to know".	
<p>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.</p> <p>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.</p>	
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.	
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.	



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 relevant officer reports and background papers are made publicly available as soon as possible.	
The Monitoring Officer will advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.	
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.	
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.	
To agree procedures for the conduct of all appeals heard by the Council's Service Appeals Sub-Committee.	
To agree procedures for the conduct of Council's Education Admission Appeals and Exclusion Reviews and the selection and appointment of members to Council's appeals panels.	
To make applications for the grant of Letters of Administration for the use and benefit of children in the care of CCC.	
To determine whether an application for planning permission is required for CCC Matters (Minerals and Waste); and to determine whether planning permission is required in respect of development to be carried out by CCC.	
Authority for management of Democratic & Members' Services.	
Authority for management of Legal Services.	
Obtaining information or serving statutory notices to ascertain the legal interest of any person in land.	
To authorise the institution, defence, withdrawal, compromise or any other action relating to claims or legal proceedings at common law or under any enactment, statutory instrument, order or bylaw conferring functions upon the authorities or in respect of functions undertaken by the authorities.	
To authorise officers to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 223 of the Local Government Act 1972.	

To affix the common seal to all documents necessary to bring into effect decisions of the Councils or any committee, sub-committee or officer in pursuance of powers delegated by or on behalf of the Council.	
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## Shared Services and Delegated Functions

### 1. The Shared Services

#### 1.1

- Audit and Risk;
- Insurance;
- Business Systems;
- Performance and Governance Service;
- HR Transactions and Payroll;
- Accounts Payable and Finance Helpdesk
- Debt and Income (for CCC and NCC only)
- Pensions (for CCC and NCC only)

#### 1.2 Client Authorities:

- See section 4.

### 2. Delegation of Functions and Responsibilities

#### General Principles

- 2.1 The councils each agree that the Shared Services listed above will be provided by the designated Lead Authority for each of the Shared Services which shall be responsible for the provision of the Shared Service under delegated authority from the other Council(s) to the Lead Authority, as set out below. These delegations are subject to the conditions, limitations and the specific reservations, set out below.
- 2.2 In order to facilitate the efficient and effective conduct of the Shared Services, the relevant Lead Authority shall delegate certain functions and responsibilities to their Section 151 Officer. The Section 151 Officers, where they consider it necessary, may sub-delegate to officers within their respective Council. Such delegations must be made in writing and must be available for inspection by the Monitoring Officers and Section 151 Officers of the councils.
- 2.3 Where an officer listed in this scheme of Delegation is absent for any period, the Lead Authority may nominate in writing another officer to act in their place during their absence and shall make a record of all such nominations. Without prejudice to the generality of the above and to any specific delegation listed below, the officers listed in this section are authorised to exercise the following functions of the Council, the Leader and the Head of Paid Service, which relate to their area of responsibility.

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

- 2.4 The exercise of functions delegated to officers under this scheme must comply with:
- i) any legal requirement or restriction;

- ii) the relevant council's Constitution;
- iii) the relevant Council's policy framework and any other plans and strategies approved by the relevant Cabinet or Full Council/relevant committee;
- iv) the relevant in-year budget;
- v) the relevant officers code of conduct;
- vi) relevant Procurement standing orders and financial regulations;
- vii) all other relevant policies, procedures, protocols and provisions.

## Limitations to the Exercise of Delegated Powers

2.5 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 where specifically provided for by that council's constitution;
- ii) change or contravene policies or strategies approved by the Council/Committee (in the case of CCC) or the Council/Cabinet (in the case of MKC or NCC) 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 Cabinet Member (in the case of MKC and NCC) or Full Council/committee Chair (in the case of CCC) before exercising the delegated power.

## Consultation

2.6 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 Cabinet (MKC or NCC) or Committee Chair (or in their absence the Vice-Chair) before exercising the delegated powers. When exercising delegated powers, officers shall ensure that local Members are kept informed of matters affecting their divisions or wards.

## 3. Specific Delegations

The delegations are listed as in Section 5 below.

## 4. Powers and Duties delegated by client authorities

4.1 The Lead Authority shall be responsible for the provision of shared services under the Partnership and Delegation Agreements in place between the client authorities and Cambridgeshire County Council, North Northamptonshire Council, West Northamptonshire Council and Milton Keynes Council. The nature of services provided and the conditions, limitations and the specific reservations which apply are set out below.

4.2 Under the auspices of the Partnership and Delegation Agreements in place between the client authorities and Cambridgeshire County Council, North

Northamptonshire Council, West Northamptonshire Council and Milton Keynes Council, and by virtue of Sections 101, 112 and 113 of the Local Government Act 1972, officers of the aforementioned authorities are authorised to undertake any and all of the specified functions on behalf of the client authorities.

## 5. Delegations from all councils to their respective Section 151 Officer

Delegation General	Delegation to Officer	Condition
To have overall responsibility for the provision, to the Councils, of the Shared Service.	Section 151 Officer	In accordance with all relevant financial, accounting, constitutional and legal requirements
To consider and negotiate the Shared Services Plan and make recommendations to the councils as to the provision of financial and other resources.	Section 151 Officer	

Delegation to Lead Authority – General	Delegation to Officer	Condition
Section 151 Officer has responsibility for the operational management of the Shared Service, including authority to determine the number, grade, title and nature of staff deployed and all other terms and conditions, in addition to ensuring their proper management within the remit of those services for which they are allocated responsibility by the Lead Authority.	Section 151 Officer	Subject to budget and in accordance with the relevant council's policies and procedures and in accordance with the relevant council's HR policies and procedures.
To arrange for and undertake the recruitment and appointment of all relevant employees.	Section 151 Officer	In accordance with the relevant council's HR policies and procedures.
In respect of Relevant Employees, to: <ul style="list-style-type: none"> <li>a) instigate disciplinary and capability investigations and proceedings and to take action up to and including dismissal, and</li> <li>b) implement all other relevant HR policies and exercise any associated decision-making powers.</li> </ul>	Section 151 Officer	In consultation with the Director responsible for Human Resources or their nominee and in accordance with the relevant council's HR policies and procedures.

In consultation with the relevant Chief Officer, to approve the early retirement of staff who are subject to the Local Government Superannuation Regulations.	Section 151 Officer	Subject to approval by the Lead Authority Board
To invite tenders and to enter into contracts in respect of goods or services directly relating to the provision of the Shared Services.	Section 151 Officer	In accordance with relevant procurement standing orders and any financial limits in place.
To enter into agreements with new client authorities for the provision of Shared Services.	Section 151 Officer	Subject to the prior agreement of the Lead Authority Board

Delegation to Lead Authority (MKC) by CCC and NCC – Internal Audit and Risk Management	Delegation to Officer	Condition
Authority for management of Internal Audit and Risk Management Services.	Section 151 Officer	In accordance with the Audit and Accounts Regulations 2003 or any successor legislation. Subject to budget and in accordance with the relevant council's policies and procedures.
To maintain an adequate and effective system of internal audit of the accounting records and control systems in accordance with proper internal audit practices and be authorised to visit all establishments and have access to all documents, other records, computer systems and property and to require relevant information or explanation from any officer in connection with the above.	Section 151 Officer	
To commission investigations and reports, where appropriate, in support of NCC's or CCC's Anti-Fraud Policy and financial governance arrangements.	Section 151 Officer	

### Specific Reservations

The delegated functions relating to Internal Audit and Risk Management do not include the following Reserved Functions:

- Approval of each authority's Annual Governance Statement

Delegation to Lead Authority (CCC) by MKC and NCC – Insurance	Delegation to Officer	Condition
Authority for management of Insurance Services.	Section 151 Officer	Subject to budget and in accordance with the relevant council's policies and procedures and any relevant legislation.

### Specific Reservations

The delegated functions relating to Insurance do not include the following reserved functions:

- Policy and strategy decisions on Insurance and decisions which fall outside of the principles of decision making set out in Article 12 (CCC) and Article 14 (MKC and NCC) of the relevant authority's constitution.

Delegation to Lead Authority (NCC) by CCC and MKC – Business Systems	Delegation to Officer	Condition
Authority for management and development of Business Systems for ERP Services.	Section 151 Officer	Any investment subject to a business case approved by the Lead Authority Board

Delegation to Lead Authority (NCC) by CCC and MKC – Performance and Governance Service	Delegation to Officer	Condition
Management of the performance and governance service in support of the Lead Authority Board	Section 151 Officer	

Delegation to Lead Authority (NCC) by CCC and MKC – Human Resources Transactions and Payroll	Delegation to Officer	Condition

Delegation to Lead Authority (NCC) by CCC and MKC – Human Resources Transactions and Payroll	Delegation to Officer	Condition
Authority for management of Human Resources Transactions and Payroll.	Section 151 Officer	Subject to budget and in accordance with the relevant council's policies and procedures.
To implement national and local pay awards and increase payments under the Pension Increase Acts.	Section 151 Officer	Subject to approval by the employing Council.

Delegation to the Lead Authority (CCC) by NCC and MKC – Accounts Payable and Finance Helpdesk	Delegation to Officer	Condition
To ensure payment to NCC and MKC creditors in line with agreed policies.	Section 151 Officer	

### 5.1 Delegations from NCC to CCC (the Lead Authority) only

Delegation to the Lead Authority (CCC) by NCC – Debt and Income	Delegation to Officer	Condition
To ensure NCC debt recovery is carried out in line with agreed policies.	Section 151 Officer	

### 5.2 Delegations from CCC to NCC (the Lead Authority) only

Delegation to Lead Authority (NCC) by CCC – Pensions	Delegation to Officer	Condition
Authority for management of Pensions Services.	Section 151 Officer	Subject to budget and in accordance with the relevant Council's policies and procedures.
Detailed implementation of the investment strategy as determined by the Pension Fund Board and the issuing of any instructions to	Section 151 Officer	



Delegation to Lead Authority (NCC) by CCC – Pensions	Delegation to Officer	Condition
investment managers consistent with the strategy or required as a matter of urgency to safeguard CCC's position.		