

Officer scheme of delegation for Dorset Council – April 2019

Introduction

1. Local authority decisions are made by elected members but in order for the Council to be able to function on a day to day basis the law enables the Leader (in relation to executive functions) and the Council (in relation to other matters) to delegate its functions to Officers to exercise on behalf of the Leader and the Council. In addition, there are some functions which the law says must be exercised by specific officers.
2. This part of the Constitution sets out the ways in which the officers of the Council can make decisions and which decisions they have the power to make. It is called the "Scheme of Delegation."
3. This Scheme of Delegation is set out as follows:

Title	Contents
Introduction	Sets out what this Part of the Constitution (the "Scheme of Delegation") covers, conditions, limitations and indemnity and relevant definitions.
General Delegations to all Officers	Sets out the delegations which apply to all "Officers"
Delegations to Chief Executive/Head of Paid Service	Sets out the delegations which apply to this officer
General Delegations to all Chief Officers	Sets out the delegations which apply to all "Chief Officers"
Delegations to the s151 Officer	Sets out the delegations which apply to this officer
Delegations to the Executive Director Corporate Development	Sets out the delegations which apply to this officer
Delegations to the Corporate Director, Legal and Democratic (Monitoring Officer)	Sets out the delegations which apply to this officer
Delegations to the Executive Director Place	Sets out the delegations which apply to this officer
Delegations to the Executive Director, People – Adult Services (DASS)	Sets out the delegations which apply to this officer
Delegations to the Executive Director People – Children's Services (DCS)	Sets out the delegations which apply to this officer
Delegations to the Shared Director of Public Health	Sets out the delegations which apply to this officer
Appendix 1 Authorisations for Regulation of Investigatory Powers Act 2000 (RIPA)	
Appendix 2 Principles for Officer Delegation and Decision Making for People Management and Manager Self Service	Sets out the principles which apply to all decision making by officers at different levels of seniority.
Appendix 3 Principles for general Officer Delegation, Nomination and Decision Making	Sets out the principles which apply to all decision making by officers at different levels of seniority.

Appendix 4 Arrangements for Proper Officer functions	Sets out the legal requirements for "proper officers", what this means and a link to the Statutory and Proper Officer Register
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4. "Officers" is the term used to refer to the people employed, retained or appointed by the Council to advise and support Councillors and implement their decisions. The term "officers" in this Constitution includes all the people who operate in this capacity including contractors, consultants, agency staff and volunteers.
5. The Council operates a cascade principle of delegation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. This means that the vast majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its officers.
6. In order to ensure the smooth functioning of the Council and the efficient delivery of services, Full Council, the Leader and the Executive have delegated to Chief Officers (and other named Officer)] all of the powers that they and their Officers need to perform their roles.
7. Certain officers have specific legal duties to ensure that the Council acts within the law, uses its resources wisely and exercises its powers properly. These officers are known as "Statutory" or "Proper" Officers and some have specific legal titles in addition to their job titles.
8. The way the Council structures its services and its officer arrangements may change from time to time to reflect changes in service delivery and best practice. The current arrangements include a **Chief Executive/Head of Paid Service** (as the most senior officer of the Council) supported by six other senior roles which are set out below and which together are referred to as the "**Chief Officers**":
 - Chief Executive/Head of Paid Service
 - Executive Director Corporate Development/s151 Officer
 - Corporate Director Legal and Democratic/Monitoring Officer
 - Executive Director Place
 - Executive Director, People – Adult Services
 - Executive Director, People – Children's Services
 - Shared Director of Public Health
9. The Head of Paid Service, the Section 151 Officer and the Monitoring Officer are also called "Statutory Officers" (because every Council is required by statute – the law – to have these posts).
10. It is possible (subject to any legal restrictions) for the roles of the Section 151 officer and/or the Monitoring Officer to be combined with another of the Chief Officer posts (or with other officer posts in the Council) so the roles in paragraph 8 might be delivered by a different number of officers, depending on the arrangements in place at any time.
11. There are also a number of formal functions which the Council has to allocate to named officers called "Proper Officers". There is a Proper Officer Register which sets out these details.

12. The cascade principle under which this scheme operates means that any Chief Officer given powers under this scheme can further delegate those powers to other nominated officers either:
- naming them as “Authorised Officers” in this scheme;
 - through a Local Scheme of Delegation (which sets out all the standing delegations given to specific officers in defined areas of the Council's service areas); or
 - through a Specific Delegation in relation to an individual decision which must be evidenced in writing, dated and signed by the officer delegating the power with a copy supplied to the Officer responsible for Democratic Services. A Specific Delegation does not need to be given where an officer is given delegated powers to action a particular decision by Council, the Executive or a Committee or Sub Committee.
13. Where a function has been delegated to an officer (including delegations to nominated officers through the Cascade principle), the person or body making the delegation may at any time take back responsibility for the function and may therefore exercise the function (make the decision) despite the delegation.

Conditions on the exercise of delegated authority by officers

14. Any power delegated or cascaded under this Scheme can be exercised by the relevant Chief Officer or Statutory Officer and in all cases by the Chief Executive personally.
15. The powers of this Scheme are delegated to the officers referred to by title within this Scheme of Delegation. So the delegations apply to whoever holds that post title at any time – not to the individual person. The powers are automatically transferred to any successor officer, to whom the functions are allocated following any reorganisation of the Council's management arrangements, irrespective of a change in the title/name of the officer post.
16. These conditions apply not only to named Officers but also to anyone else authorised or nominated by them to exercise delegated authority on their behalf. In authorising others to act on their behalf attention must be drawn to the requirements of these conditions and limitations and through line management ensure that they are complied with.
17. Any action by Officers under delegated powers must be exercised in accordance with:-
- the principles for making delegations, nominations, and for decision making:
 - For general matters, in Appendix 1;
 - For people management under Manager Self-Service matters, in Appendix 2.
 - the overall policies approved by the Council, the Executive or a sub-committee of the Executive;
 - the Council's Procedure and Financial Rules;
 - the officer Code of Conduct;
 - the decision-making requirements set out in the Constitution including requirements for decision-records and access to information
 - identification and appropriate management of strategic and operational risks within the officer's area of responsibility

- the approved budget and policy framework approved by the Council and approved budget for the service (or separate approval must be sought)
- any appropriate legislative, regulatory, consultation, equalities or procedural requirements that may be required.
- the need to take and follow legal and other appropriate professional advice when required.

Limitations on the exercise of delegated authority by officers

18. Officers may not take decisions:

- where a matter is prohibited by law from being delegated to an officer;
- where a matter has been specifically excluded from delegation by this scheme, by a decision of the Council, the Cabinet/Executive or a Committee or Sub-Committee
- to create new or change approved policies which require Member approval
- to increase the totality of the service budget, or the Council's approved revenue or capital budgets.

19. Officers may not take Key Decisions unless specifically provided for within the constitution or specifically delegated by Cabinet, a committee of Cabinet or a Portfolio Holder.

Consultation

20. In exercising delegated powers Officers shall consult other Officers as appropriate and shall have regard to any advice given.

21. Before exercising any delegated power staff must consider whether the decision to be made is of such a nature, sensitivity or significance that a Chief Officer, Executive Member or local Member should be consulted before any decision is made. Similarly consideration must be given to the need in appropriate cases to refer a matter for decision by the Executive or a Committee, with prior consultation with the chairman.

22. The Council acts as lead authority or host for a number of partnerships involving the joint exercise of executive functions. Before exercising any delegated power to act in relation to partnership activity Officers must consider the appropriate consultation to be undertaken with Members. If necessary, this will involve consulting with the appropriate Chairman or lead member for the partnership in place of, or in addition to, consultation with the appropriate Executive Member.

23. Where a proposed exercise of delegated authority is such that the Leader should be consulted and the Leader is absent or otherwise unavailable then the Deputy Leader is to be consulted. Similarly, in the absence of the Chairman of a Committee the Vice-Chairman is to be consulted. In the absence of an Executive Member the Leader should be consulted.

General Indemnity

24. All elected Members and Officers involved in decision making on behalf of the Council are protected by a "general indemnity" which protects each of them from personal liability for the consequences of action taken in good faith on behalf of

the Council. This indemnity includes the provision of financial support for Members and Officers to enable them to:-

- resist criminal proceedings
- resist defamation proceedings.

25. The Council undertakes not to sue (or join others in an action as co-defendant versus) a Member or an Officer of the Council in respect of any neglect, error or omission by him/her in the course of his/her role as a Member or as an employee, but subject to the same exceptions below.
26. This indemnity and undertaking apply retrospectively to any neglect, act, error or omission which may have occurred before this date; and after the retirement or resignation of the Member or Officer concerned, as well as during their term of office or employment with the Council.
27. The above indemnity and undertaking shall be without prejudice to the right of the Council: -
 - (i) through the Audit and Governance Committee to take action in respect of a locally referred allegation of a breach of the Code of Conduct for Members or the breach of a local protocol, or
 - (ii) to take disciplinary action against an employee in respect of any neglect, act, error or omission.
28. The indemnity will not extend to loss or damage directly or indirectly caused by or arising from:-
 - (i) fraud, dishonesty or criminal offence committed by the Member or Officer;
 - (ii) any neglect, act, error or omission by the Member or Officer otherwise than in the course of his/her employment; and
 - (iii) the indemnity will not apply if a Member or Officer, without the express permission of the authority, admits liability or negotiates or attempts to negotiate a settlement of any claim falling within the scope of this resolution.

Advice and interpretation

29. The intention is that this Scheme should be readily understood by all. It is though a legal document and any questions about its interpretation should be referred to the Council's legal service.
30. Where necessary a final decision on the meaning and interpretation of this document (which is part of the Council's Constitution) will be made by the Monitoring Officer.

Delegations to All Officers	
Ref	Delegation
1	To act as a witness: (a) on behalf of the Council in any proceedings in which the Council is directly involved; and/or (b) where so directed by a court, tribunal, hearing or other inquiry with power so to do; and/or (c) in any other circumstance with the prior written approval of the Monitoring Officer.
2	To undertake all action relevant to that Officer that is required by or identified in Financial Regulations and/or Contract Procedural Rules as applicable to that Officer.
3	To undertake all action relevant to any matter to which an Officer is given a role, power or activity pursuant to any provision set out in the Constitution, ensuring compliance with Appendix 1 and 2.

Delegations to the Chief Executive/Head of Paid Service		
Ref	Delegation	
	Statutory Power	Section and Summary Function
	Section 4(1) of the Local Government and Housing Act 1989	To be the Statutory Officer, Head of Paid Service
Governance		
	To summon a meeting of the Council provided that the circumstances necessitating the calling of the meeting are identified on the summons/agenda for that meeting.	
	Localism Act 2011	To decide on individual cases for Officer exemptions from political restriction.
		To determine whether to grant a dispensation: (a) under the Localism Act 2011 and/or any Member code of conduct adopted by the Council; and/or (b) in relation to any actual or perceived conflict of interest.
	To agree changes to appointments to outside bodies arising from changes in the Executive, Members or group nominations.	
	To approve Member attendance at any conference and the payment of any expense or allowance in accordance with the adopted scheme of member allowances as set out in this Constitution.	
	To consider and undertake any investigation into a complaint against a Member and/or a town/parish councillor, including determining: (a) the extent and nature of any initial information gathering; (b) whether to proceed with a formal investigation; (c) the format that any investigation should take; (d) who should undertake any initial information gathering and investigation; (e) the consultation to undertake for any investigation; (f) whether there has been any breach of any Council policy; (g) whether to adopt any different process to that normally followed; and/or (h) action in relation to the outcome of any investigation or determination that a breach exists.	
	s31(2) Anti Social Behaviour Act 2003	Following consultation with the Leader, give the necessary consent to the Police to authorise the designation of areas of the Council within which the powers under s 30 and 36 of the Act are to be exercised.
	To undertake all action in connection with the arrangement of civic and ceremonial functions.	
Officer Designations		
	To designate Officers as authorised Officers to exercise the Council's powers under any statutory provisions.	
Emergency and Urgency		
	In an emergency, power to authorise, incurring expenditure, in consultation with the Executive Director for Corporate Development, even if there is no specific provision in the budget of the Council or Executive for this to be done. In the event of this power being exercised, the decision shall be	

	reported as soon as reasonable to the Strategic Body that the Chief Executive considers most appropriate
	In cases of urgency, power to incur expenditure, acquire or dispose of land or any other step or transaction (not limited to land and property matters) which is considered to be in the best interests of the Council, (which shall include making Key Decisions) after consultation with the Chairman and Vice-Chairman of the Executive and after taking advice from the s151 Officer and the Monitoring Officer. Any decision made shall be reported to the Strategic Body that the Chief Executive considers most appropriate.
Operational Decisions	
	The Chief Executive is empowered to operate all the services of the Council and except where powers, duties and functions are delegated to a Councillor decision-making body or Cabinet Member, to exercise all powers, duties and functions of the Council, including those delegated to other officers.
	The Chief Executive may take steps to secure compliance with any decision of Council, Executive, a Committee or Panel.
	To exercise the delegated power of any Officer and/or group of Officers (whether set out in this Scheme or otherwise) provided that this does not include exercising the statutory powers of the Monitoring Officer and the Section 151 Officer.
	The Chief Executive may (except where matters are reserved by statute for other individual Officers) exercise any powers delegated under this scheme to any Chief Officer.
	Any power exercisable by the Chief Executive in this Scheme will be exercisable in the absence of the Chief Executive by any other Chief Officer designated as his/her Deputy.
	If considering the exercise of a delegated power which would normally be exercised by one of the other Chief Officers, the Chief Executive shall consult with the Chief Officer if available and the Chairman, Executive or the relevant Portfolio Holder concerned if available.
	To the extent it is not covered by this Scheme or the Constitution, to be the Proper Officer and the person authorised to carry out any function or action described in: (a) any regulations relating to referendums, petitions and/or directions; (b) the Criminal Procedure and Investigations Act 1996 relating to the appointment of Disclosure Officers; (c) any other legislative provision; and/or (d) the Constitution not otherwise specifically delegated to another Officer, including if the law allows, the power to appoint or nominate (as the case may be) any other Officer to act.
	To sign any Council document not otherwise covered by this Scheme.
	To determine the content and be responsible for any publication scheme (including determining any charges) under freedom of information and/or data protection legislation.
	To issue any licences or control any registration of persons or premises on behalf of the Council under any legislation except where this is specifically delegated by this Scheme or reserved by law to a Chief Officer or other named Officer.
	To publish notices as required on behalf of the Council under any legislation except where this is specifically delegated by this Scheme or reserved by law to a Chief Officer or other named Officer.
	With the Corporate Director, Legal and Democratic Services inspect and

	take copies of any books, documents, papers or records of whatever description, wherever held and in whatever form.
	Subject to prior consultation with at least one Executive Member, to determine whether to close any of the Council offices for reasons of efficiency around the Christmas and New Year bank holiday period.
Seal documents	
	To affix and attest the seal to any order, deed or other document to give effect to a decision of the Council, Executive, Committee, sub-committee or Officer acting under delegated powers and authorize and nominate any other Officer to do so.
People Management	
	To deal with all matters relating to the paid employment of Council officers.
	To determine any change to the whole or any part of the employee / Officer establishment / structure of the Council including power to incur expenditure subject to prior consultation with the Section 151 Officer.
	To approve the grading and regrading of posts (subject to NJC to Local Government Services, Soulbury and Youth and Community Worker Conditions of Service) where the proposed maximum grade is G17 or above (or equivalent).
	To approve the original grading of individual posts, (subject to JNC Chief Officer Conditions) and regradings of such posts providing that the proposed grading is no more than one grade higher (or lower) than the current grade.
	To approve the composition of Appeal Panels convened by the Officer responsible for Human Resources to deal with disciplinary, grading or other issues.

Delegations to all Chief Officers		
Ref	Delegation	
	Statutory Power	Section and Summary Function
		To take steps to implement any decisions taken by Council, Executive or any of its Committees or under delegations.
Emergency and Urgency		
	Civil Contingencies Act	<p>In a declared emergency or major incident, the Chief Officers (when acting in a decision making capacity at the Local Resilience Forum Strategic Command Group or at the Council's own Gold emergency group) are authorised for the purposes of the declared emergency to commit the appropriate resources (regardless of whether the value would equate to a Key Decision) and to suspend aspects of business as usual to comply with the Council's duties in the Act.</p> <p>Owing to the nature of such decision making at a time of a declared emergency or major incident, all decisions will be made on best advice available to the decision maker at the time and on the basis that the decision is a reasonable one in the circumstances. Notification to the Chairman and Vice Chairman of the Executive, the relevant service portfolio holder and Chief Officers will be given as soon as is practicably possible in the context of the emergency or major incident. A schedule of decisions taken under the delegation will be reported to the next meeting of the Executive as is appropriate in the circumstances of the emergency.</p>
	Urgency	<p>To act on behalf of the Council in cases of urgency, to discharge any function and deliver any service within the Chief Officers responsibility, other than those functions which can only be discharged by the Council or a specific Committee. This delegation is subject to the conditions that any urgent action:</p> <ul style="list-style-type: none"> • shall be reported to the Executive, the appropriate Executive Member or the appropriate Committee; • shall take account of advice of the Monitoring Officer and the Section 151 Officer; and, • shall be exercised in consultation with the appropriate Executive Member or the Chairman of the appropriate Committee.
Operational Decision Making		
	Local Authority Social Services Act 1970	These delegations enable the Executive Directors of People (Children's and Adult Services), and Shared Director, Public Health to act under these powers in respect of all Health, Education and Social Services matters as defined within the.
	To have overall responsibility for the operational management of the relevant area of service and for bringing forward such strategic plans and policies, and implementing all decisions, including the allocation of resources within approved estimates, as are necessary to exercise the	

	functions for which the service is responsible.
	To determine whether and how to respond on behalf of the Council to any local, county, sub-regional, regional or national consultation on matters affecting the Council subject: (a) to prior consultation with an appropriate Member; and (b) to prior consultation with an Overview and Scrutiny Committee.
	To enter into contracts and incur expenditure.
	To determine the level of fees or charges payable in respect of any goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery.
Local Authorities (Goods and Services) Act 1970	To administer the supply of goods and services to other public authorities and bodies.
	To enforce of the terms of any agreement, contract, licence, lease or any other legal instrument to which the Council is a party provided that the subject matter relates wholly or partly to the work undertaken by the Chief Officers Service.
	To enter into an agreement with any voluntary agency, charity or public sector organisation, where the Council has or is proposing to offer financial and/or other assistance to that body, provided that no agreement shall commit the Council to utilise resources that have not been authorised for this purpose and there is relevant insurance provision in place.
	To appoint private consultants of any profession within the Chief Officer's service areas, where there are insufficient staff or there is a need for particular specialist assistance. In making any appointments the Chief Officer must comply with Contract Procedure Rules and may not engage professional services where that discipline or profession is within the responsibility of another Chief Officer.
	To authorise the acquisition of assets or services necessary for the day to day performance of the Council's business or fulfilment of any matter authorised by the Executive for which a budget has been approved.
	To manage land, premises, vehicles, plant, equipment, machinery, stock, stores, supplies, materials, furniture appliances and uniforms necessary for the provision of services.
	To make applications for planning permission, after consultation with the Executive Director, Corporate Development as s151 Officer, the Monitoring Officer and the Executive Director, Place.
	To undertake any inspection of land and/or buildings and/or exercise any related powers of entry for the Chief Officer's Service area(s) with the power to undertake action as a consequence the inspection (excluding authorising the initiation of any formal court proceedings).
	For fixed penalty notices: (a) to determine any relevant content; and/or (b) to determine whether or not to issue a notice; provided that the fixed penalty notice relates wholly or partly to a Chief Officer's Service area (excluding authorising the initiation of any formal court proceedings).
	To set any fee, charge and/or any method of charge for any matter relating wholly and/or partly to the Chief Officer's Service area(s) provided that: (a) the Council has not already formally determined the fee and/or charge for that work for the proposed period of time to be covered; and (b) the amount of the fee and/or charge is not expressly set by legislation.

		To authorise and take action to secure a warrant in relation to any work being undertaken by the Chief Officer's Service area.
		To authorise any Officer with the appropriate qualifications and prior training: <ul style="list-style-type: none"> (a) to carry out any Inspection and/or examination; (b) to carry out any action arising during and/or out of any Inspection and/or examination (including analysis, certification, checking, destruction, detention, measurement, purchasing, sampling, seizure and/or, testing); (c) to exercise any power of entry available to the Council; (d) to issue any document relating to an Inspection and/or examination including any notice; (e) to serve any document; (f) to undertake any work in default and/or supervision or management; (g) to undertake any enforcement activity; and/or (h) to seek a warrant; provided that in all cases: <ul style="list-style-type: none"> (i) the authorisation relates wholly to a service or delegated power of the Chief Officer; and (j) the Chief Officer believes that any cost associated with the authorisation can be met from within their existing budget and/or the prior approval of the Section 151 Officer is obtained.
		To investigate and/or enforce: <ul style="list-style-type: none"> (a) any actual, perceived or potential breach of any statutory provision; and/or (b) any consent, authorisation, permit, registration, certificate, license, notice, order or other document of a similar nature (including any condition, obligation, restriction, limitation or any other provision) given, issued or made by the Council, provided that the subject matter of that statutory provision and/or document relates wholly or partly to the work undertaken by any Service for which s/he has any responsibility.
	Localism Act 2011	To determine any review or appeal arising in connection with the Council's powers and duties in relation to assets of community value.
		To take action in relation to any blight notice including: <ul style="list-style-type: none"> (a) determine whether to issue a counter notice; and/or (b) incur expenditure from working balances and/or reserves subject to prior consultation with the Section 151 Officer.
	Localism Act 2011	To take action in connection with the receipt of any expression of interest in relation to the community right to challenge. This power includes the power to receive and validate any expression of interest, provided that: <ul style="list-style-type: none"> (a) in making a decision whether to accept or reject an expression of interest there has been prior consultation with appropriate Members; and (b) the expression of interest is reported to the appropriate Strategic Body within three months of receipt.
		To determine whether to authorise the release of information or other documentation to the press, any member of the public or external body.
Signing Documents		

	To sign any documentation in order to give effect to any decision of the Council, Executive, Committee, Sub-Committee or of an officer acting under delegated powers and authorize and nominate any other Officer to do so.
Financial	
	To manage the finance of their departments to ensure value for money and the development of budget policy options with a detailed assessment of financial implications.
	To submit applications for external funding in support of Council priorities subject to the Council's contribution being less than the threshold for a Key Decision, funding being included within an approved budget and where a change of the Council's policy is not required.
	To determine whether to write off any debt of up to £10,000 or any higher sum identified in the Financial Regulations subject to the prior approval of the Section 151 Officer.
People Management	
	To appoint staff (excluding the posts of Chief Executive, Monitoring Officer, Section 151 Officer, and Directors) within structures and budgets approved by the Council and the Executive where Procedure Rules allow and to exercise control and discipline in accordance with the Council's agreed policies and personnel procedures and this Scheme.
	To exercise day to day management of those services, staff and resources placed under the control of the Chief Officer in accordance with the principles for people management in Appendix 2.
	To implement, in the areas for which they are responsible, corporate personnel policies and nationally and locally determined conditions of service adopted by the Council.
s113 Local Government Act 1972.	With advice from the Officer responsible for Human Resources to make agreements with other local authorities to place staff at the disposal of those authorities.
	To approve changes to the number and distribution of posts (subject to NJC for Local Government Services, Soulbury and Youth and Community Worker Conditions of Service) for which they are responsible subject to financial provision for the current and future years being available. Where changes are proposed to the Chief Officer structure a report to the Chief Executive will be required before any such changes are implemented. All other changes to structures remain delegated to Chief Officers.
	To approve changes to the grading of posts (subject to NJC for Local Government Services, Soulbury and Youth and Community Worker Conditions of Service), taking account of job evaluation outcomes for posts covered by these schemes and subject to financial provision for the current and future years being available; and the proposed maximum grade being below G17 (or equivalent).
	To make decisions about making individual posts redundant, or agreeing to an individual's early retirement, subject to prior consultation with Executive Director, Corporate Director in respect of the award of discretionary payments in cases which involve the early introduction of pension benefit.
	To authorise the issue of and/or sign the identity card of any Officer.
Complaints	
	To resolve a complaint, including the approval of compensation in respect of: (a) any complaint made through the Council's complaint procedure; and/or (b) any finding of maladministration by the Local Government and Social

	Care Ombudsman, including the power to incur expenditure from working balances and /or reserves subject to prior consultation with the Section 151 Officer.	
Governance		
	To sign off and/ or approve a report or item to go to any body of the Council and/or any other body of which the Council is part.	
Communications		
	To take any action in response to a request for radio, television and/or other coverage or recording of any meeting of the Council.	
RIPA		
	Regulation of Investigatory Powers Act 2000	To exercise the role of authorising officer and designated person as set out in Appendix 1.

Delegations to the s151 Officer		
Ref	Delegation	
	Statutory Power	Section and Summary Function
	Local Government Act 1972, as amended	To be Proper Officer in relation to the following provisions of the:- (a) Section 115(2) - the officer who shall receive all money due from every officer employed by the Council; (b) Section 146(1) - the officer in relation to transfers of securities on alteration of area, etc.; (c) Section 151 - responsible for the proper administration of the Council's financial affairs.
	Section 6 of the Local Government and Housing Act 1989, as amended	To be Chief Financial Officer.
Audit		
	Accounts and Audit Regulations 2003, as amended	To be responsible for Internal Audit.
	To consider and make any recommendation in respect of the strategic and annual audit plans.	
Financial Management and Accounting		
	To determine financial management and accounting procedures and the form and extent of financial records.	
	To operate the Council's banking arrangements.	
	To pay all sums properly authorised as due.	
	To pay salaries and allowances.	
Income		
	To collect all income due to the Council, including appropriate interest and costs, including: (i) the recovery of unpaid income due to the Council by the issue of summonses or otherwise, including proceedings in tribunals and inferior courts. (ii) the issue and recovery of penalties (or their waiver and writing off) under the Third Schedule to the Local Government Finance Act 1988 and the Third Schedule to the Local Government Finance Act 1992.	
	To remit income in the following classes:- (a) arrears of contributions in respect of children and young persons in care; (b) charges to residents in homes, hostels and boarding establishments.	
Expenditure		
	Section 31 of the Local Government Act 2003	To agree to grant terms and conditions for and on behalf of the Council.
	To authorise sponsorship and advertisement arrangements for any Council	

	property.
Investment	
	To exercise (so far as may be lawful) the powers of the Council to borrow and invest and to lend and to determine rates of interest and terms of repayment on such loans as may be required or prudent from time to time.
Council Tax, non-Domestic rates and Benefits	
	To determine and undertake all calculations necessary for the purposes of determining the council tax base for the Council for any year.
	To: (a) determine and undertake all calculations necessary to determine any amounts which a Secretary of State requires to be notified to him in relation to non-domestic rating income; (b) determine and undertake all calculations necessary to determine any other amounts which s/he at his absolute discretion considers to be related to any such requirements of any Secretary of State as are identified in (a) above which for the avoidance of doubt but without prejudice to the generality of the foregoing includes the amount of authorities' shares calculated for purposes related to shale oil and gas; and/or (c) complete any related form and provide appropriate notification to the relevant Secretary of State and any other parties required to be notified.
	To write-off of court costs in respect of national non-domestic rates and council tax.
	Make requests to the Executive Director, Place to revise valuation lists by e.g. the inclusion of newly completed properties and appeals against valuations of Council property.
	Determine on-costs and rates of interest in respect of any sums due where such on-cost or interest is properly chargeable.
	To determine all claims, administer and collect payment in relation to Council Tax, National Non-Domestic Rates and Housing Benefits (including the exercise of all discretions conferred upon the Council by the relevant schemes).
	To deal with all insurances against loss to or liability of the Council including the areas of cover, the extent of cover, the negotiation and acceptance of conditions of cover, and settlement of claims against the insurer or by a claimant (so far as permitted by the insurer).
Overspends/borrowing	
	To authorise the overspend of any approved Service budget up to a maximum of £150,000 (one hundred and fifty thousand pounds) in any one instance (including the use of expenditure from reserves or working balances) provided that: (a) the authorization is reported to the next available meeting of the appropriate Strategic Body and/or Executive Member; and (b) the total amount of any approved overspend across the Council pursuant to this delegation does not exceed £150,000 in any one financial year without there having been prior consultation with the Executive Member responsible for finance and/or other appropriate Member(s).
	To incur overdraft on the Council's bank accounts, the net pooled balance not to exceed £10M overdrawn at any one time.
	To undertake all action in connection with an application for the Council to grant a mortgage subject to prior consultation with the Executive Member responsible for finance.
Virements	

	Subject to prior consultation with the Executive Member responsible for finance, to approve any virement within the capital programme of up to £10,000 in any one transaction or any higher sum in accordance with the Financial Regulations.
	To authorise any virement following any consultation required in this Scheme provided the virement is not financially imprudent regarding the Council's overall financial circumstances or there are exceptional circumstances which warrant such action.
	To authorise any virement: <ul style="list-style-type: none"> (a) between any one or more budget lines within the same Service [Unit]; (b) between any one or more budget lines (excluding reserves) of different Services [Units] of up to £30,000 in any one transaction; and/or (c) where urgent up to £10,000 from reserves in one transaction, subject to prior consultation with the Executive Member with responsible for finance.
	To: <ul style="list-style-type: none"> (a) act as a co-signatory for any cheque drawn on the Council's accounts; and/or (b) sign any amendment to any cheque drawn on the Council's accounts.
General	
	To determine whether to write off any debt provided that it is in accordance with the Financial Regulations.
	The payment of sums properly payable from the Collection Fund .
Pensions	
	To make investment decisions for the Dorset Council Pension Fund in accordance with a strategy agreed by the Pension Fund Investment Committee.
	Superannuation <ul style="list-style-type: none"> - admission to the Scheme - application of interchange rules - surrender of allowances - re-introduction of child's pension
	(a) To make awards in accordance with the Superannuation Regulations (Injury Allowances) equal of 50% of:- <ul style="list-style-type: none"> (i) the pension the employee would have received but lost completely because at the time of their enforced early retirement they did not have sufficient qualifying service for a pension; (ii) the additional pension the employee would have received but for the enforced early retirement; (iii) the additional pension the employee would have earned had they not had to take lower paid employment (involving a lower rate of pay and/or reduced hours) because of the injury. (b) In all cases such allowances, together with any State Injury Award, must not exceed the total pension the employee could have earned. (c) Where in any particular case and for whatever reasons, an allowance within these guidelines is considered inappropriate then the Chief Officer shall consult with the Executive Member responsible for Finance before making a determination.
Regulation E5(6)(b) of the Superannuation Regulations	To approve applications under where the second marriage is dissolved or the husband dies subject to the wife not being materially better off by reason of her second marriage.

	1986	
General		
	To act, make all determinations and sign proxies on behalf the Council in respect of bankruptcies, liquidations and/or receiverships.	
	To authorise and make any payment to any parish and/or town council who provide support to customers in relation to any Council matter.	
Governance		
	To maintain the Council's Financial Rules.	
	Where urgent, to waive any provision within the Financial Regulations provided that a written record is kept of such a decision.	
	In conjunction with the Monitoring Officer, maintain the Council's Contract Procedure Rules.	

Delegations to the Executive Director, Corporate Development

To be the Executive Director, Corporate Development and to exercise the functions and responsibilities below:

1. Taking all operational and people management decisions necessary, within approved budgets, to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies.

2. Holding officers to account for performance of their service areas.

- Finance
- Human Resources and Organisational Development
- Pension Fund Administration
- Audit
- Revenues and Benefits
- Data and Intelligence
- Procurement
- Commissioning And Performance
- Communications
- Customer Services
- Digital and ICT
- Project Management Office
- Business Support
- Risk Management
- Fraud
- Emergency Planning
- Corporate Health and Safety
- Policy Development

13. Delegations to the Corporate Director, Legal and Democratic (Monitoring Officer)

To be the Corporate Director, Legal and Democratic and the Monitoring Officer and to exercise the functions and responsibilities below.

1. Taking all operational and people management decisions, within approved budgets, necessary to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies in relation to the following areas.

2. To authorize, institute, defend, appear in and settle legal proceedings or disputes in contemplation of legal proceedings (including any appeal, review of similar proceedings against any action or proceedings in any tribunal, inquiry, hearing or other forum of legal proceedings) by or on behalf of the Council, together with preliminary or further work as appropriate, including engaging Counsel.

3. Taking all operational decisions regarding the level and nature of support services for Councillors including ICT provision.

4. Holding officers to account for performance of their service areas.

- Monitoring Officer
- Legal
- Democracy and Governance
- Data Protection
- Freedom of Information
- Electoral Services
- Information Governance
- Land Charges

Ref	Delegation		
	Statutory Power	Section and Summary Function	Authorised Officer
	Section 5 of the Local Government and Housing Act 1989, and the Local Government Act 2000	To act as "Monitoring Officer".	
		To act as solicitor for the Council and to instruct other Solicitors or Barristers to represent the Council.	
		To authorise steps or take any legal proceedings, to secure compliance with any notice served or injunction granted.	
		Subject to consultation with the Executive Director, Place to take action in respect of any trespass on Council owned land including action to secure the cessation of trespass and/or to seek to prevent its recurrence.	
		To investigate and take action (including drafting relevant documentation), to enforce any actual or perceived breach of	

	<p>any legislative provision, license, authorisation, consent, approval, notice, order or other document (including any condition, restriction, limitation, obligation or other requirement) given, issued or made by or on behalf of the Council including, any issue about:</p> <p>(a) any Food Provisions; and/or</p> <p>(b) any Town and Country Planning Legislation.</p>	
	<p>To investigate and take action (including drafting documentation) to enforce the terms of any agreement, contract, lease and/or any other legal instrument to which the Council is a party (including any condition, restriction, limitation, obligation or other requirements), including taking proceedings in any court, tribunal or other body.</p>	
	<p>To take action to prepare and issue any:</p> <p>(a) licence, lease, transfer, conveyance concerned with the acquisition and/or disposal of any interest in land or property (including rental levels and fees); and/or</p> <p>(b) easement and/or wayleave.</p>	
	<p>In connection with any actual or perceived proceeds of crime and under the Proceed of Crime Act 2002 or otherwise:</p> <p>(a) subject to appropriate consultation with a Member, to determine whether or not to pursue any application on behalf of the Council; and</p> <p>(b) power to undertake all action including necessary preliminary and subsequent action to secure and then progress the outcome of any determination.</p>	
	<p>In consultation with appropriate Chief Officers (if any) to determine whether to accept or reject (and whether or not subject to conditions) any purchase notice served on the Council pursuant to any Town and Country Planning Legislation if a decision is required before the next normal meeting of the relevant Committee.</p>	
	<p>To consider and determine whether to seek to secure a closure order pursuant to the Scrap Metal Dealers Act 2013.</p>	
	<p>To determine the terms/content, prepare and issue any contract, notice, order, permit, certificate, requisition or other document including any:</p> <p>(a) byelaw;</p> <p>(b) contract relating to the supply of any good and/or service;</p> <p>(c) order for the control of drinking in public places and/or a public spaces protection order;</p> <p>(d) notices and/or order relating to any vehicle;</p> <p>(e) stop notice;</p> <p>(f) temporary stop notice;</p> <p>(g) road closure; and</p> <p>(h) application for late night shopping,</p> <p>provided that there has been approval to progress the matter via the exercise of a delegated power under this Scheme or otherwise.</p>	
	<p>To determine whether to issue or withhold any consent or approval under the terms of any lease, conveyance or other document including power to determine whether or not to issue any certificate or other document in relation to the provisions of any planning obligation together with power to undertake all actions to give effect to and as a consequence of any</p>	

	determination.	
	To take appropriate steps to enable or effect compliance with any Council, Executive or Committee resolution.	
	To authorise Trading Standards Officers to institute legal proceedings, lay informations and make complaints, and appear on behalf of the Council before any Court of Summary Jurisdiction.	
	To act as the person specified by the Council as administering authority, to consider disputes in respect of the Local Government Pension Scheme referred under the Local Government Pension Scheme (Amendment) Regulations 2004, for Stage two reconsideration (deputising to be undertaken by the Deputy Monitoring Officer).	
	Local Government (Contracts) Act 1997	To issue on behalf of the Council certificates and report the issue of certificates to the next meeting of the Executive.
	To determine applications to amend the register of common land and town and village greens (except applications to register or de-register land as common land and town and village greens).	
	After consultations with the Chairman of the Committee responsible for Roads and Rights of Way matters, to make public path diversion, extinguishment and creation orders where pre-order consultations relating to proposals give rise to no indication of opposition (in cases not involving Council properties)	
	To confirm published public path orders to which no objections have been received (in cases not involving Council properties).	
	To make payment or provide other benefits in cases of maladministration etc, as set out in Schedule 1 to the Functions Regulations.	
	To determine applications for the apportionments of rights of common in the Register of Common Land.	
	s16 Local Government (Miscellaneous) Provisions Act 1976	To serve notices requiring particulars of ownership.
	Seal Documents	
	To affix and attest the seal to any order, deed or other document to give effect to a decision of the Council, Executive, Committee, sub-committee or Officer acting under delegated powers and authorize and nominate any other Officer to do so.	
	Governance	
	Maintain the Contract Procedure Rules with the s151 Officer.	
	To act as the Council's Electoral Registration Officer and Returning Officer for Local and European Parliamentary elections and Acting Returning Officer for national Parliamentary elections, referenda and all other elections.	
	In accordance with any Council scheme and/or policy (if any) to determine whether to authorise Member allowances and expenses and administration payment including to determine any increase to Member travel and subsistence allowances.	

	Subject to consultation with Member(s) as appropriate (if any) to determine whether to approve any expenditure on civic hospitality.	
	To action Member attendance at any conference, session and workshop provided that attendance could be of benefit to a Member.	
	Subject to prior consultation with Member(s) as appropriate (if any) to organise and conduct a review of any principal area internal ward, polling area boundary, polling place and/or any parish electoral arrangement including, undertaking any consultation and formulating any draft proposal.	
	Subject to such prior consultation with any Chairman as appropriate, to make arrangements for any site visit for Members.	
	To make arrangements for (including the holding of) any referendum.	
	To determine any changes to the Constitution with consultation set out in the Article 15 of the Constitution relating to Review and Revision to the Constitution (if any).	
	To authorise officers of the Council to appear in courts or tribunals where permitted by law.	
	Where employees are physically assaulted by the public whilst undertaking official duties, or in circumstances associated with those duties, and the police have reason not to prosecute, in appropriate cases, to instruct outside solicitors to pursue prosecutions against the individual(s) concerned and to apply to the County Court for injunctions to safeguard employees in appropriate circumstances.	
	Member Complaints	
	To investigate, report and determine any complaint against a Member, parish or town councillor including: <ul style="list-style-type: none"> (a) the extent and nature of any initial information gathering; (b) whether to proceed with a formal investigation; (c) who should undertake any initial information gathering and investigation; (d) the format that any investigation should take; (e) any consultation required in relation to any investigation; and/or (f) whether to adopt any different process to that normally followed. 	

14. Delegations to the Director, Place

To be the Executive Director, Place and to exercise the functions and responsibilities below:

1. Taking all operational and people management decisions, within approved budgets, necessary to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies in relation to the following areas.

2. Holding officers to account for performance of their service areas.

- Economy (economic development)
- Commercial
- Culture and Leisure
- Transport and Infrastructure
- Highways
- Property and Facilities
- Localities
- Housing Demand, Supply and Maintenance
- Planning and Policy
- Gypsy and Travellers
- Parking
- Waste and Recycling
- Environmental Health
- Trading Standards
- Health and Safety enforcement
- Community Protection
- Food Authority
- Animal health and welfare
- Flood Management
- Prevention and Reduction of crime and disorder
- Libraries
- Country parks

15. Delegations to the Executive Director, People - Adult Services

To be the statutory director of adult services and to exercise the functions and responsibilities below.

1. Taking all operational and people management decisions, within approved budgets, necessary to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies in relation to the following areas.
2. Holding officers to account for performance of their service areas.

Adult Care

- Learning and Organisational Development
- Acute Hospital Teams
- Locality Teams

Early Help and Community Services

- Registration Service
- Dorset History Centre
- Safeguarding Quality and Improvement
- Safeguarding,
- Quality,
- mental capacity assessment,
- deprivation of liberty
- community safety
- Disability
- Older people
- Residential services
- Day services
- Housing (allocation)
- Adult Social Care Commission Services
- Health

Delegations to the Executive Director People - Children's Services

1. To be the statutory director of children's services and to exercise the functions designated in section 18 of the Children Act 2004 and associated regulations
2. To exercise the functions and responsibilities below.
3. Taking all operational and people management decisions, within approved budgets, necessary to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies in relation to the following areas.
4. Approving school governor appointments for which the Council has responsibility and reporting these quarterly to the relevant Committee.
5. Holding officers to account for performance of their service areas.

Care and Protection

- Care and Support (0-12) (13-25)
- Safeguarding
- Family Assessment Specialist Team (FAST)
- Family Focus Team
- Fostering
- Help and Protection
- Independent Reviewing Services (LAC)
- Looked After Children Health Team (LACHT)
- Multi Agency Safeguarding Hub (MASH)
- Permanency Service

Commissioning and Partnerships

- Family Information Service
- Family Partnership Zones
- Outdoor Education
- Workforce Development

Schools and Learning

- Children who are disabled
- Education Psychology
- Dorset Music Service
- Early Years and Childcare
- Governor Services
- Physical and Medical Needs Service
- SAFSO
- SEN
- Sufficiency and Funding
- Vision Support Service
- Youth Offending service (Jointly with Bournemouth, Christchurch and Poole Council)

Delegations to the Shared Director for Public Health

1. To be the Shared Director, Public Health for Dorset, in accordance with the MOU agreed by Bournemouth, Dorset and Poole Councils which applies to Dorset Council and Bournemouth Christchurch and Poole Council, and to exercise public health functions and responsibilities.
2. Taking all operational and people management decisions, within approved budgets, necessary to secure the provision of services and/or discharge of statutory functions, including power to enter into contract in accordance with the Constitution and approved policies in relation to the Public Health services.
3. Holding officers to account for performance of their service areas.

Appendix 1

Regulation of Investigatory Powers Act 2000 (RIPA)

The officers listed below are authorised under the Regulation of Investigatory Powers Act to permit surveillance for the purposes listed. The authorising officer must satisfy him or herself that the statutory tests for the authorisation of directed surveillance, the acquisition of communications data or the use of a covert human intelligence source have been met and that the use of the technique is necessary and proportionate. However, no such techniques may be used without the additional authorisation of a Justice of the Peace. The Director for Corporate Resources has delegated authority in relation to legal proceedings and has authorised certain officers in legal services and the trading standards service to make applications to a Justice of the Peace where one of the authorising officers listed below has permitted this.

Note: the Authority of the Chief Officers to authorise surveillance is legislative and cannot be delegated to other officers to exercise on their behalf.

<u>Post</u>	<u>Purpose of Authorisation</u>
Chief Executive	All purposes (including where there is a likelihood of acquiring confidential information)
Monitoring Officer	All purposes (including but only in the absence of the Chief Executive where there is a likelihood of acquiring confidential information)
Executive Director, Corporate Development (s151 Officer)	All purposes for Corporate Development (and including where there is a likelihood of acquiring confidential information but only in the absence of both the Chief Executive and the Monitoring Officer)
Executive Director, People – Adult Services	All purposes for Adult Services (but excluding where there is a likelihood of acquiring confidential information)
Executive Director, People - Children's Services	All purposes for Children's Services (but excluding where there is a likelihood of acquiring confidential information)
Executive Director Place	All purposes for Environment Services (but excluding where there is a likelihood of acquiring confidential information)
Officer responsible for Planning Services	All purposes for Development Control (but excluding where there is a likelihood of acquiring confidential information)

Appendix 2

Principles of Delegation and Decision Making for People Management and Manager Self-Service

Delegations are to be exercised only within the framework of guidance and controls currently in operation. In particular, any exercise of authority under this scheme must be in accordance with guidance and procedures published on Insite (the corporate information framework) and take account of any supplementary advice provided by the Officers responsible for Human Resources and Financial Services and his/her staff.

Management Level for MSS		Proposed Delegation (all to be used in line with any relevant guidance on Sharepoint)
0	Chief Executive and Chief Officers	(a) Early retirement recommendation.
1	Officers reporting direct to Level 0 (normally Heads of Service)	(a) Lease Cars – agreement to early termination of contract. (b) Redundancy recommendation. (c) Suspension and dismissal of all employees up to and including second tier (i.e. those not employed on the conditions of service for Directors). (d) Overpayments – recommendation for write off. (e) Approval of giving lectures by employees at courses during office hours and retention of any fees received.
2	Officers reporting to Level 1 (typically service managers)	(a) Approval of Removal and Disturbance Allowances (including the exercise of discretion in respect of extensions etc.). (b) Premature retirement on grounds of permanent ill health recommendation. (c) Flexible retirement recommendation. (d) Payment of honoraria (paragraphs 35(b)(i) and (ii)).
3	Officers reporting to Level 2 (typically team managers)	(a) Accelerated incremental progression in exceptional cases/merit increments. (b) Creation of new post within existing budget (subject to establishment control). (c) Creation of new post from new funding (subject to establishment control). (d) Changes to post (subject to establishment control).
4	Officers reporting to Level 3 (typically assistant team managers)	(a) Recruitment and appointment of all employees up to and including second tier, including placing an advertisement, appointment (internal and external), commencing salary within service/competence increments of position. (b) The payment of 'planned overtime'/additional hours to employees to whom they have line management responsibility for. (c) Granting of special leave of absence with/without

		<p>pay.</p> <p>(d) Granting of approval for employees to undertake private work (outside of office hours).</p> <p>(e) Ex gratia payments.</p> <p>(f) Acting up arrangements.</p> <p>(g) Move to a different position within the establishment.</p> <p>(h) Review of discrete post of job evaluation request.</p> <p>(i) Labour market increments request.</p> <p>(j) Annual Leave carry forward.</p> <p>(k) Occupational Health referral.</p> <p>(l) Travel status authorisation.</p> <p>(m) Maternity leave approval.</p> <p>(n) Paternity leave approval.</p> <p>and</p>
5	Officers reporting to Level 4 (typically team leaders)	<p>(a) Incremental progression - approval of competency increments through the salary grade.</p> <p>(b) Approval to attend training courses (external courses are subject to Procurement approval at the appropriate level).</p> <p>(c) Sick leave (including return to work and trigger point interviews etc.)</p> <p>(d) Annual leave approval.</p> <p>(e) Change to employment within current position.</p> <p>(f) Performance and Development Review completion.</p> <p>(g) Notification of staff leaving.</p> <p>(h) Exit interviews.</p> <p>(i) Probation sign off.</p> <p>(j) Flexible working – approval of change to working patterns.</p> <p>(k) Travel expenses claim authorisation.</p>
<p>Specific delegations to the Officer responsible for Human Resources Financial Services</p> <p>(a) Extension to full and half sick pay</p> <p>(b) Approval of injury allowance payments</p> <p>(c) Redundancy payments for teachers</p>		

Appendix 3

Principles for general Delegations, Nominations and Decision-Making

Officer Role	Management Level	Proposed Delegation (to be used in accordance with Contract Procedure Rules and Financial Regulations and relevant Guidance)
Signing contract documents		
Corporate Director for Legal and Democratic as Monitoring Officer		(a) Signing of contracts under seal of any value. (b) Signing of contracts valued in excess of £500,000. (c) Signing of inter authority, collaboration, partnering and framework agreements. (d) Approval to terminate contracts early with a value in excess of £500,000. (e) Approval to extend contracts where the original contract value exceeds £500,000 and within the original terms and advertised scope of the contract. (f) Authorisation and signing of letters of intent committing the Council to expenditure in excess of £500,000.
Chief Executive, and Chief Officers	0	(a) Signing of contracts (not under seal) up to but not exceeding £500,000 and signing of contracts for urgent special educational needs or urgent social care. (b) Approval to terminate contracts early with a value not exceeding £500,000. (c) Approval to extend contracts where the original contract value does not exceed £500,000 and within the original terms and advertised scope of the contract. (d) Authorisation and signing of letters of intent committing the Council to expenditure not in excess of £500,000.
Senior managers reporting direct to Level 0 (normally Heads of Service)	1	(a) Signing of contracts (not under seal) up to but not exceeding £500,000 and signing of contracts for urgent special educational needs or urgent social care. (b) Approval to terminate contracts early with a value not exceeding £500,000. (c) Approval to extend contracts where the original contract value does not exceed £500,000 and within the original terms and advertised scope of the contract. (d) Authorisation and signing of letters of intent committing the Council to expenditure not in excess of £500,000.
Expenditure		
Executive Director, Corporate Development as s.151 Officer		Authorisation of expenditure over £500,000 in conjunction only with the exercise of the Chief Executive's delegated authority in cases of urgency.
Senior managers reporting direct to Level 0 (normally	1	Approval of expenditure over £100,000 and not exceeding £500,000.

Heads of Service)		
Officers reporting to Level 1 (typically service managers)	2	Approval of expenditure over £50,000 and not exceeding £100,000.
Officers reporting to Level 2 (typically team managers)	3	Approval of expenditure over £1,000 and not exceeding £50,000.
Officers reporting to Level 3 & 4 (typically assistant team managers)	4&5	Approval of expenditure not exceeding £1,000.
Exemptions		
Corporate Director, Legal and Democratic as Monitoring Officer Executive Director, Corporate Development as s.151 Officer		Approval of requests for exemption to the Contract Procedure Rules for contracts valued over £100,000 but not exceeding EU procurement thresholds.
Senior managers reporting direct to Level 0 (normally Heads of Service)	1	Approval of requests for exemptions to the Contract Procedure Rules for contracts with a value not in excess of £100,000.
Procurement Tender Evaluation Models		
Officer responsible for Procurement		Authorisation of procurement tender evaluation models for contracts with a value in excess of £100,000.
Senior managers reporting direct to Level 0 (normally Heads of Service)	1	Authorisation of procurement tender evaluation models for contracts with a value not exceeding £100,000.
Specific Officer Delegations		
Delegations to the Executive Director, Corporate Development as Section 151 Officer		
Approval of finance appraisals for all supplier tenders for procurements contracts valued over £150,000.		
Approval of financing routes.		
Approval of finance lease agreements.		
Approval of disposal of assets not otherwise covered in the scheme not exceeding £500,000 in value.		
Delegations to the Corporate Director, Legal and Democratic as Monitoring Officer		
Responsibility for safe custody of the Council's seal and the execution of documents under seal.		
Delegations to the Officer responsible for Procurement		
Approval of EU procurement routes for over EU threshold procurement.		
Delegated to the Officer responsible for Fleet		
Approval of acquisition and disposal of all vehicles with a value not exceeding £500,000.		
Delegated to the Officer responsible for Property		
Approval for the acquisition and disposal of interests in land and buildings with a		

value not exceeding

Note

All staff must respect the lead advisor role of any senior manager responsible for a particular service area and must not commission advice or services other than through the service in question. By way of illustration legal advice and support is only to be provided by or commissioned through the Corporate Director, Legal and Democratic Services and the same applies to other professional disciplines.

Proper Officer Provisions

The following Officers have been appointed as 'Proper Officers' for the purposes of the legal provisions set out in the table below and any future changes. Where the legislation refers to the need to make proper arrangements the Officer identified shall have primary responsibility for seeking to secure such arrangements. Where more than one Officer is identified in relation to any particular provision the intention is that the first named Officer will have primary responsibility to act as the relevant Proper Officer but the further named Officers may still act for and on behalf of that person and in particular shall be regarded as having primary responsibility in the event of the first Officer being unavailable or absent.

The Chief Executive shall be the Proper Officer for all purposes not listed below as provided for in the delegations to the Chief Executive above.

In the event of the exercise of any nomination rights pursuant to this Officer Scheme of Delegations that relate to the exercise of any power of a Proper Officer then any Officer so nominated shall also be deemed to be appointed a Proper Officer subject as may be provided for in any such nomination.

[the highlighted items below are still under discussion to identify the most appropriate role in Dorset council to be the Proper Officer]

Corporate Director, Legal and Democratic (Monitoring Officer)

Marriage Act 1949

Section of Act	Proper Officer's functions
Sections 9, 13 & 20	Registration of Births, Deaths and Marriage
Section 57(4)	Reimbursement of fees

Registration Service Act 1953

Section of Act	Proper Officer's functions
Sections 6(1), 6(3) 10(1) and 14(1)	Dealings with registration officers

Local Government Act 1972

Schedule 16 (Section Para. 28 54(4) of the Town and Country Planning Act, 1971)	Receipt on deposit of lists of protected buildings
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Local Government Act 1974

Section of Act	Proper Officer's functions
Section 30 (In the event of his/her being absent or otherwise unable to act, the Chief Executive is appointed Proper Officer)	Receipt of Ombudsman Reports

Local Government and Housing Act 1989

Section of Act	Proper Officer's functions
Section 15	Calculation of Political Balance on Committees

Regulation of Investigatory Powers Act 2000

Section of Act	Proper Officer's functions
Sections 28 and 29	To maintain and keep under review a central register of authorisations issued under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.

Crematorium Regulations 1930

Section of Act	Proper Officer's functions
17	Registrar to the Crematorium

S151 Officer

Building Act, 1984

Section of Act
78 Proper Officer's functions
Giving of notice, and taking such steps as are necessary to remove danger, in respect of dangerous building or structure.

Public Health Act, 1961

Section of Act
37 Proper Officer's functions
Disinfection or destruction of verminous article.

Housing Act, 1985

Section of Act
606(1) Proper Officer's functions
Report to Council as to unfitness of a house or as to a clearance area.
606(2) Complaint by a Justice of the Peace or a Parish Council as to unfitness of a house or as to a clearance area.

Local Government and Housing Act 1989

Section of Act
204(3) Proper Officer's functions
Receipt of Applications for licences under Schedule 2 of the Licensing Act, 1964.

Local Government and Housing Act 1989

Section of Act
179 Proper Officer's functions
To exercise power of entry by an authorisation within the meaning of Parts 3 and 4 of the Act and within the meaning of Section 108(5).

Legislative Provision	Function	Proper Officer
Public Health Act 1936		
All	For all proper officer purposes identified in the legislation	Officers responsible for Community Protection, Housing and environmental health functions;
National Assistance Act 1948		
s.47	Persons in need of care and attention	Executive Director, People – Adult Services
National Assistance (Amendment) Act 1951		
s.1	Persons in need of care and attention	Executive Director, People – Adult Services
Public Health (Control of Disease) Act 1984		
All	For all proper officer purposes identified in the legislation	Officers responsible for Community Protection and environmental health functions;
Local Government Act 1972		
S13	Parish Meeting	Chief Executive

S.83	Witness and receipt of Declaration of Acceptance of Office	Chief Executive; Corporate Director, Legal and Democratic
S.84	Receipt of notice of resignation of elected member	Corporate Director, Legal and Democratic
S.88	Arranging a Council meeting to appoint the Mayor	Chief Executive;
S.89	Notice of casual vacancy in office of councillor	Chief Executive Corporate Director, Legal and Democratic
S.100(B)(2)	Designation of reports 'not for publication' to the press and public	Chief Executive and Chief Officers
S.100(B)(7)	Supply of copies of documents	Corporate Director, Legal and Democratic
S.100(C)	Written summary of the proceedings at Committees and sub-Committees	Corporate Director, Legal and Democratic
S.100(D)	Background papers	Chief Executive and Chief Officers
S100(F)	Exempt information	Chief Executive and Chief Officers
S.100(G)(1)	Register of Elected Members	Corporate Director, Legal and Democratic
S.100(G)(2)	List of delegated powers of Officers	Corporate Director, Legal and Democratic
S.100(G)(3)	Written summary of rights to attend meetings and to inspect and copy documents	Corporate Director, Legal and Democratic
s. 101	To enter into a Service Level Agreement on behalf of the Council with another appropriate local weights and measures authority to enable this Council to meet and discharge its metrological functions under Sections 4 and 5 of Weights and Measures Act 1985 relating to Local and Working Standards respectively on terms to be finalised in consultation with the Director (Law and Democratic Services	Executive Director, Place
S.115)	Receipt of money due from Officers	Executive Director, Corporate Development
S137A	Deposit of accounts	Executive Director, Corporate Development
s.138	Emergency disaster powers	Chief Executive
S.146	Declarations and certificates with regard to transfer of securities	Executive Director, Corporate Development

s.151	Proper administration of the Council's financial affairs	Executive Director, Corporate Development
S.191	Officer to whom an application under S.1 of the Ordnance Survey Act 1841 will be sent	Chief Executive
S.210	Charities	Chief Executive
S.224	Custodian of documents	Chief Executive and Chief Officers
S.225	Deposit of documents	Chief Executive and Chief Officers
S.229	Certification of photographic copies of documents	Corporate Director, Legal and Democratic and Chief Officers
S.234	Signing /authentication of documents	Chief Officers
S236	Sending of copies of byelaws to the Council	Corporate Manager, Legal and Democratic
S.238	Certification of byelaws	Corporate Director, Legal and Democratic
S.248	The Roll of Freemen	Chief Executive; Corporate Director, Legal and Democratic
Schedule 12	Signing of summons to Council meeting	Chief Executive; Corporate Director, Legal and Democratic; any other person identified for such purpose in the procedural rule of the Constitution
Schedule 14	Certification of resolution for legal proceedings.	Corporate Director, Legal and Democratic
Local Government and Housing Act 1989		
S. 2	Deposit list of politically restricted posts with Proper Officer	Officers responsible for Human Resources and Organisational Development
s.4	Head of paid service	Chief Executive
s.5	Monitoring Officer	Corporate Director, Legal and Democratic
S. 37	Statement of accounts from a voluntary body	Executive Director Corporate Development
Local Government (Miscellaneous Provisions) Act 1976		
S.41(1)	Certify copies of evidence of resolutions and minutes of proceedings	Corporate Director, Legal and Democratic
Representation of the People Act 1983		
All	For all proper officer purposes identified in the legislation	Chief Executive;
Weights and Measures Act 1985		
S73	Chief Inspector of Weights and Measures	Officer holding the required certificate of qualification (Officer responsible for Trading Standards)
Local Government (Committees and Political Groups) Regulations 1990		
All	For all proper officer purposes identified in the regulations	Chief Executive; Officers responsible for Democratic and Electoral Services
Local Government Finance Act 1992		
s.38(2)	Giving notice in the press of the amounts of Council Tax that have been set; and the maintenance of the	Executive Director, Corporate Development

	Loans Register and signing of certificates issued under the provisions of the Local Authority (Stocks and Bonds) Regulations, 1974.	
Local Government Act 2000		
All	For all proper officer purposes identified in the legislation and all subordinate legislation	Chief Executive;
Local Authorities (Standing Orders) (England) Regulations 2001		
All	For all proper officer purposes identified in the regulations	Chief Executive; Officers responsible for Human Resources and Organisational Development;
Local (Principal Area) (England and Wales) Rules 2006		
Schedule 2 Rule 54	Retention Officer - public Inspection of documents after an election	Chief Executive; Officers responsible for Democratic and Electoral Services
Local Democracy, Economic Development and Construction Act 2009		
s.31	Statutory Scrutiny Officer	Officer Responsible for Audit
Localism Act 2011		
All	For all proper officer purposes identified in the legislation	Chief Executive