



**CHIEF EXECUTIVE AND SENIOR LEADERSHIP
TEAM'S SCHEME OF DELEGATION TO OFFICERS
January 2018**

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Introduction

This Scheme of Delegation is the framework within which officer's exercise delegated decision making powers. Any officer taking decisions must comply with this Scheme and failure to do so should result in appropriate management action. This Scheme deals with **non-key** officer decisions. **Any proposed officer key decisions require early liaison with the Democratic Services Group to ensure compliance with procedures that are not fully reflected in this Scheme.** The Council's definition of a key and a non-key decision are set out in Article 9 of the Constitution.

General roles and responsibilities of Members and Officers

County Councillors (also known as 'members') set the Council's policy priorities, strategies and budget. The Chief Executive, Senior Leadership Team (see Appendix A) and officers have responsibility for implementing these strategies and policies through managing the Council's day to day operations, within the policy and budgetary framework agreed by members.

Both Full Council and the Leader / Cabinet have specific responsibilities and the majority of these functions can be delegated to committees or officers. Likewise, a committee can delegate its functions to an officer. Only the Leader can delegate responsibilities to an individual member and that must be a member of the Cabinet.

Council Functions: The functions delegated to officers in relation to Council functions are set out in the Part 3 of the Council's Constitution. These functions include the powers for determination of planning applications in certain circumstances.

Leader / Cabinet Functions: The functions and areas of responsibility for the Leader and the members of the Cabinet are set out in the Council's Constitution. These functions and responsibilities are subject to approval by the Leader of the Council and can be varied at any time. These functions relate to the Council's day to day functions.

Where a function has been delegated to an officer, the body or person delegating the function can override the delegation at any time and exercise the function directly. Similarly, where the Leader has delegated a function to the Cabinet or a Cabinet member, the Leader can override the delegation at any time and exercise the function directly

Please note that this Scheme of Delegation is for officers of the Council.

Consultants, service providers, partners or agents of the Council cannot be empowered to take decisions on behalf of the Council.

Purpose of Scheme of Delegation

The Council's Constitution sets out the Cabinet and Council Schemes of Delegation. These include general and specific delegations to the Chief Executive and Senior Leadership Team officers (see Appendix B). The general delegations provide

flexibility to deal with changes in legislation and case law and empower the Chief Executive and Senior Leadership Team officers to take operational decisions.

This Scheme of Delegation empowers officers of the Council to take decisions on behalf of the Senior Leadership Team to ensure the delivery of the Council's services. It includes:

- a general delegation to all officers of the Council to take day to day operational decisions in the delivery of Council services (see Appendix A);
- functions and powers delegated to individual Senior Leadership Team officers (see Appendix B);
- functions and powers delegated to all Senior Leadership Team officers (see Appendix C);
- substitution arrangements where a Senior Leadership Team officer is unable to exercise a delegation for any reason (see Appendix D); and

Whilst the intention of the Scheme is to set out the empowerment of officers to take types of decisions, in certain circumstances e.g. officer absence or decisions where there are significant objections, the officer with the delegated power may elect to escalate the proposed decision to their line manager to consider the decision instead.

In addition, the Chief Executive and the Senior Leadership Team may, in writing, add additional delegations to officers concerning functions and activities within a given area of responsibility as they consider appropriate (see Appendix E for an example).

It is essential that officers understand their responsibilities under the Scheme and the authority (including financial) limits within which they must operate. That said, this Officer Scheme of Delegation should be regarded as empowering rather than constraining. Appendix F sets out details of what is meant by 'good governance'.

The Chief Executive and the Senior Leadership Team are responsible for the general management of their respective functions including:

- a. management of staff resources;
- b. the effectiveness and efficiency of service delivery;
- c. budget management;
- d. contract tendering and management; and
- e. ensuring all staff are aware of and comply with the council's policies and procedures.

Key principles for decision-making in Somerset County Council (SCC) are:

- (a) Proportionality (such as, the action must be proportionate to the desired outcome).
- (b) Due consultation and having regard to professional advice from officers.
- (c) Respect for human rights.
- (d) A presumption in favour of openness.
- (e) Consideration and management of risks.

- (f) Explanation of the options considered and recording of the reasons for the decision.
- (g) Clarity of aims and desired outcomes.

Details of the Scheme of Delegation to officers of the Council

This Scheme of Delegation sets out all significant functions where delegated authority rests with officers and which are of a statutory, financial or managerial nature, rather than those of a purely operational nature. This Scheme does not define how those decisions should be taken nor does it attempt to list all the matters which are incidental to the exercise of those powers and which are part of the everyday management functions of officers. Nevertheless, it is the responsibility of Senior Leadership Team officers to ensure that they and officers in their areas of responsibility comply with the Council's governance arrangements.

This Scheme of Delegation provides a broad range of delegations to empower officers to meet business needs and the roles specified in their job descriptions, without being explicit on all the powers available by legislation to the Council. Officers must be able to demonstrate, if challenged, that they have the decision making authority to undertake certain duties / decisions.

Officers involved in commissioning, procurement, purchasing and spending decisions should also make reference as necessary to the Council's Contract Standing Orders and Financial Regulations.

Substitution for Senior Leadership officer

Appendix D sets out details of officers who have full delegated authority to substitute for Senior Leadership Team officers in their absence or where they are unable to act. This includes authority to take decisions up to the relevant financial threshold and delegation levels applicable to the Senior Leadership Team officer.

Specific delegations to officers on behalf of a Senior Leadership Team officer

All Senior Leadership Team officers will establish a list of authorised council officers for the functions / services / budgets that they manage on behalf of the council.

Appendix E includes an example of a letter that authorised officers may wish to produce individually for officers that details the legislation under which they are working when they undertake their duties. The Service Manager-Governance, Democratic Services needs to be informed of any officers authorised under this provision.

Where any authorised officer is absent for any period, their immediate line manager or Senior Leadership Team officer with management responsibility for that officer may nominate in writing another officer to act in his or her place and shall make a record of all such nominations with the Service Manager-Governance, Democratic Services (on behalf of the Monitoring Officer). Alternatively, the line manager for an

authorised officer who has overall responsibility for that function may take the decision.

Financial thresholds for Officer decision making

Authority for all Officer decision making is limited according to the financial thresholds below (unless otherwise stated in the specific delegations):

- **Decisions involving total expenditure or delivering savings over £25,000 of SCC capital or revenue resources** * – Only Directors within the Senior Leadership Team
- **Decisions involving total expenditure or delivering savings up to £25,000 of SCC capital or revenue resources** * – All officers at Scale 8 or above
- **Decisions involving total expenditure or delivering savings up to £10,000 of SCC capital or revenue resources** * – All officers at Scale 11 or above
- **Up to £500 of SCC capital or revenue resources** * – All council officers.

* There is the option for the relevant authorised officer to refer the decision up to another relevant senior officer from where their delegated powers are derived, the relevant Cabinet Member, the Leader of the Council or to Cabinet to take the decision.

Important note:

- These threshold figures will relate to total costs or savings and not annual figures. All decisions should be in accordance with contract standing orders, financial regulations and corporate procedures - see the Somerset County Council Constitution. *Any spending decision over £10,000 via a contract must have the support of Richard Williams, Director of Commercial and Business Services, and Kevin Nacey, Director of Finance, Legal and Governance*

General limitations on officer decision making

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

- any legal requirements or restrictions;
- the Council's Constitution;
- the Council's policy framework and any other plans and strategies approved by the Cabinet;
- the Council's approved budget;
- the Standards of Conduct for Staff, the Fairness & Dignity At Work Procedure, the Equalities Policy Statement, the Health & Safety Policy and any other Code issued by the County Council from time to time;
- any Employee Code issued under the Local Government Act 2000;
- the County Council's Human Resources (HR) policies and procedures including those relating to employment;
- the Code of Recommended Practice on Local Authority Publicity;

- the requirements to achieve Best Value; and
- Contract Standing Orders and Financial Regulations.

Any failure to comply with the Scheme or Council procedures can be a disciplinary matter.

Prior to an officer taking a non-key decision, the exercise of any delegated power shall be subject to (where applicable):

- Consultation with the relevant Cabinet Member(s) and Junior Cabinet Member(s). Where the Cabinet Member is consulted then the relevant Opposition Spokesperson and the Chairman of Scrutiny Committee must be informed prior to the decision being taken.**
- Consultation with the relevant Senior Leadership Team officer / Group Manager**
- Ensuring that any local County Councillor whose area is significantly affected is consulted before the decision is taken and is informed of any subsequent action / outcome.**
- Consultation with the Section 151 Officer, Monitoring Officer and Human Resources where there are likely to be financial, legal or HR implications.**

Note - SLT have agreed an exception to all of the above consultation requirements in respect of decisions relating to service delivery to an individual person. In these instances, officers are not required to undertake the stated preliminary consultation providing the decision is in accordance with Council policies and budget provision exists and the Council has the necessary legal powers. Officers must still ensure they retain appropriate decision records.

An officer, in exercising delegated powers, shall have regard to any advice received.

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

- change or contravene policies or strategies approved by the Council or the Cabinet;
- create or approve new policies and strategies;
- take decisions to withdraw public services – unless specifically delegated by the Leader, Cabinet or a Cabinet Member;
- take decisions to significantly modify public services without consultation with the appropriate Cabinet Member before exercising the delegated power; and
- take decisions using significant new powers or duties arising from new legislation before the new powers or duties have been reported to the Council or the Cabinet as appropriate (except in cases of urgency and in consultation with the appropriate Cabinet Member or Committee Chairman).

Management of the Officer Scheme of Delegation

The Service Manager-Governance (Scott Wooldridge), Democratic Services, is responsible for maintaining the Scheme of Delegation, for managing all key decisions taken by members or officers and for supporting Cabinet decision making. In addition, the Democratic Services Group issue guidance, provide training, and manage systems to record officer decisions on behalf of the Chief Executive.

This Scheme of Delegation will be reviewed annually by the Service Manager-Governance in consultation with the Monitoring Officer, the Section 151 Officer and the Chief Executive.

Officers are responsible for maintaining their own records for any decisions taken and ensuring they can demonstrate that they have complied with procedures.

This Scheme of Delegation is subject to approval by the Chief Executive and can be altered at any time by the Chief Executive. Democratic Services will maintain and publicise the latest version of the Scheme of Delegation. Specific delegation is given to the Monitoring Officer and Service Manager-Governance to authorise technical adjustments/amendments to this Scheme of Delegation such as changes arising from legislation or to authorised officers due to vacancies/staff turnover, etc.

Records of officer decisions

- 1) Decisions over £500k AND / OR where they have a significant effect on communities living or working in two or more County Councillor divisions

These decisions qualify as key decisions and officers must liaise with the Democratic Services team at the earliest opportunity in order to comply with the necessary pre-publication and consultation requirements ahead of a key decision being taken by an officer, a Cabinet Member or Cabinet/Somerset Waste Board.

Specific guidance notes and report templates are available for key decisions on the intranet and from Democratic Services. Democratic Services retain decision records and background papers for at least 6 years.

- 2) Decisions involving between £25k and £499k SCC spend / savings, going out to tender (all contract values over £25k), declaring assets/property surplus to requirements (all assets over £25k in value) and consultation responses

Where officer decisions result in expenditure or savings of between £25k and £250k (Capital or Revenue) then officers are required to complete the necessary decision record for approval by an authorised officer. The authorised officer signs the record to give their approval. A copy of the completed and signed decision record must be given to the Democratic Services Group. In all other circumstances, the service will be required to retain a copy of the decision record / evidence of compliance with the Scheme of Delegation and the council's decision making requirements.

Specific guidance notes and the decision record template for these decisions are available on the intranet and from Democratic Services. Democratic Services will retain the decision records for at least 6 years, as should report authors.

3) Decisions involving less than £25k SCC spend / savings

Where officer decisions result in expenditure or savings of less than £25k (Capital or Revenue) then officers are required to produce and keep their own decision records, supporting information and background papers for at least 6 years. Report authors can choose to use the template for decisions between £25k and £499k if they so wish, but a copy does not have to be sent to the Democratic Services Group.

The only exceptions to the above arrangements are :

- Provision of SEN services to individuals
- Provision of Safeguarding and Care services to individuals
- Agreed inflationary increases on contracts within Safeguarding and Care
- The purchase of service packs for Protocol
- Decisions relating to services to individual people

In these cases the respective SLT officers are responsible for ensuring appropriate decision records and systems are in place.

Management of lists of authorised officers

Decisions - Service Manager-Governance (Scott Wooldridge) following consultation with Human Resources will maintain the register of posts/officers that have delegated powers under this Scheme of Delegation.

Payments - Strategic Manager-Finance Policy & Place (Martin Gerrish) will maintain the register of posts/officers authorised for the Council's SAP system and Financial Regulations.

Contracts - Head of Commercial & Procurement (Donna Fitzgerald) will maintain the register of posts/officers authorised to open tenders and undertake procurement activities and officers authorised to award contracts.

Publicity of officer decisions

All officer key decisions and those decisions which have been taken following a specific delegation from a Cabinet or Waste Board meeting or from individual Cabinet Members will be published on the Council's website and to members. All officer key decisions will be preceded by advance publication to elected members and on the Council's website in the Cabinet Forward Plan along with the publication of a notification report setting out the proposals and recommendations at least 5 working days before a decision is due to be taken. For further assistance view the guidance notes on the Council's intranet pages or contact the Democratic Services team.

All other officer non-key decisions not meeting the above criteria would not normally be published on the Council's website. Officers will need to consider any appropriate communication following decisions in order to inform relevant elected members, service users, partners and the public.

Further details / guidance

Guidance Notes and report templates for member and officer key / non-key decisions can be found on the Democratic Services intranet pages at <http://intranet.somerset.gov.uk/community-governance/decision-making-and-templates/>

Training is available for officers on the Council's governance framework and decision making arrangements via the Democratic Services team.

For enquiries about the Scheme of Delegation, report templates, general guidance, decision making procedures and maintaining the list of officers authorised to take decisions on behalf of SCC then please contact:

- Scott Wooldridge, Michael Bryant, Julia Jones, Lindsey Tawse or Neil Milne in Democratic Services team – 01823 357628

For guidance regarding reputational risks and communicating with members, the general public and press on decisions, contact the Communications Team on 01823 355018.

I hereby confirm that this document and appendices represent the current Somerset County Council Officer Scheme of Delegation and duly authorise the delegation arrangements identified in this Scheme and empower officers to undertake all necessary actions as specified:

Signed:

PATRICK FLAHERTY

Designation: Chief Executive, Somerset County Council

Date: 16 January 2018

Appendix A - General delegation to all officers

Authority to act on behalf of the Chief Executive and / or a Senior Leadership Team officer to deliver the services for which they are individually responsible (as defined by the Constitution, Schemes of Delegation, Organisational Structures and / or Job Descriptions) and for all related decisions which are **not 'key or non-key member decisions'** (although there may be occasions when decisions are delegated to an officer by the Leader, Cabinet or Cabinet Members).

Authority to do anything that they consider appropriate and reasonable to safeguard, protect and to promote the interests of the Council.

Where a specific delegation is available then it overrides this general delegation and should be used. Where the power is also included in the Cabinet Member delegations, the officer cannot make a decision without the agreement of the relevant Cabinet Member.

Any such authority may be exercised by another officer duly authorised in writing to act on their behalf in their absence or at other times, in accordance with any general directions of the Senior Leadership Team officer. Copies of specific delegations to officers not set out in this scheme need to be provided to Governance Manager, Democratic Services (officers should use the specific delegation proforma in Appendix E).

Deemed delegations

Where in respect of a given function or activity, no delegation is in effect and an officer has a management responsibility in relation to the exercise of that function or activity, the exercise of any delegated authority necessary to carry out the function or activity effectively shall be deemed to have been delegated to that postholder.

Appendix B – Specific functions, areas of responsibility, authority and powers delegated to Senior Leadership Team Officers (and to include the Monitoring Officer)

This appendix defines the specific functions, areas of responsibility (including authority to do anything necessary to deliver services, deliver savings and commit expenditure), authority to manage services and take decisions for each of the Senior Leadership Team Officers. Delegations and authority to act are to the posts stated below, recognising that post-holders may change or interim arrangements may be put in place for a post.

There are conditions relating to the exercise of some of these functions in the Council's Constitution and reference must be made to these.

Chief Executive only functions (Pat Flaherty)

To exercise the statutory functions on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members:

- 1) Organisational structures and management structures to meet business needs.
- 2) All functions and powers under legislation and the Council's Constitution as the Head of Paid Service.
- 3) Senior Leadership Team dismissals and appointments
- 4) Subject to no objection being raised by the Leader, Cabinet Member or Committee of the Council, the Chief Executive is authorised to discharge any function of the Council, Leader, Cabinet and Cabinet Members not otherwise delegated to a member of the Senior Leadership Team, including elections, and civic and ceremonial functions of the Council.
- 5) Emergency powers including in the case of an emergency to undertake all necessary actions and to deploy resources as being necessary to provide an appropriate County Council response to that emergency (subject to the conditions set out in the Constitution).
- 6) Authority to make Proper Officer appointments in accordance with the Council's Constitution and legislation.
- 7) To direct and manage the planning, delivery and review of a range of services which continue to be delivered by the County Council and the contract management of those services delivered by partnerships and / or external organisations in collaboration with the contract management functions delivered by the Commissioning Leads.
- 8) To ensure that each of the Council managed services adopt and manage robust service planning, quality and performance management processes, customer and service reviews to ensure alignment with the priorities of the County Plan and that operations are managed in accordance with the Council's Operating Model.
- 9) Lead operational responsibility for the decommissioning of a service where the Council decide that the service is of poor quality, out-of-date, not cost effective or does not meet the priority needs of the County Plan.

Director of Commissioning and Lead Director Economic and Community Infrastructure (Paula Hewitt)

To exercise the statutory functions on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the management of services in relation to:

- 1) Overall responsibility for ECI commissioning and operations functions
- 2) Overall responsibility for the Council's commissioning functions
- 3) Overall responsibility for Somerset Waste Partnership, Hinkley C major development and National Grid, Somerset Rivers Authority, Connecting Devon and Somerset, Heart of the South West Local Enterprise Partnership
- 4) Overall responsibility for needs analysis for the Council
- 5) Overall Strategy and policy development.
- 6) Strategy, policy development and commissioning for waste, Flood Management
- 7) Facilitate Commissioning Strategy implementation.
- 8) Superfast Broadband.
- 9) Hinkley C & National Grid / Energy.
- 10) Monitor strategy and outcomes.

Commissioning Director for Economic and Community Infrastructure (Michele Cusack)

To exercise the statutory functions on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members, and to direct and / or ensure the effective management of a range of services as specified by the Director of Commissioning, the management of services in relation to:

- 1) Needs analysis for ECI services.
- 2) Overall Strategy and policy development for ECI services.
- 3) Strategy, policy development and commissioning for – passenger transport, registration services, libraries, heritage, leisure, countryside, transport, trading standards, economic development and highways (including Rights of Way), strategic and local planning, Planning Control Services, minerals and waste policy and strategic transport planning
- 4) Emergency planning, business continuity and civil contingencies. Including the appointment of emergency planning officers and other support officers as are required to undertake the various functions and duties to meet the needs of the County Council
- 5) Areas Of Outstanding Natural Beauty

Economic & Community Infrastructure Operations Director (Alyn Jones)

To exercise the statutory functions and management of services on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members, and to direct and / or ensure the effective management of a range of services as specified by the Director of Commissioning and/or the Commissioner Director for Economic and Community Infrastructure, and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party. The statutory functions and management of the following services:

- 1) Scientific Services
- 2) Network Management
- 3) Highways Maintenance and Management (including Rights of Way)
- 4) Authority's role as highways authority and road traffic authority including authority:
 - to determine applications for traffic regulation orders determined in accordance with criteria of the Department of Transport and County Council policy.
 - to determine applications for the stopping up of a highway and/or its diversion (except in relation to rights of way).
- 5) Road Safety
- 6) Civil Parking Enforcement
- 7) Libraries Operations
- 8) Passenger Transport and Fleet Management
- 9) Infrastructure development and delivery
- 10) Registration Services (and Proper Officer)
- 11) Any other services commissioned by the Director of Commissioning or the Commissioning Director for Economic and Communities Infrastructure.

Lead Commissioner Adults & Health (Stephen Chandler)

To exercise the statutory functions and social services functions (Director of Adult Social Services statutory role) of the authority (where these are executive functions), other than those for which the Lead Commissioner Children & Learning (Director of Children's Services statutory role) is responsible under section 18 of the Children Act 2004.

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the management of services in relation to:

- 1) Needs analysis.
- 2) Strategy and policy development.
- 3) Commissioning.
- 4) Facilitate Commissioning Strategy implementation.
- 5) Safeguarding adults.
- 6) Personalisation and direct payments.
- 7) Functions exercisable on behalf of an NHS body, so far as those functions relate to adults.

- 8) Arrangements to protect and promote the welfare of vulnerable adults, including vulnerable young people moving into adulthood.
- 9) Monitor strategy and outcomes.
- 10) Supporting People.
- 11) Voluntary Sector Support.
- 12) Learning & Disability services commissioning

Adults & Health Operations Director (Mel Lock)

To exercise the statutory functions and management of services on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members, and to direct and / or ensure the effective management of a range of services as specified by the Lead Commissioner Adults and Health, and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party. The services include:

- 1) Adult Assessment and Care Management.
- 2) Occupational Therapy.
- 3) Active Living.
- 4) Council's Caldicott Guardian responsibilities (in respect of Adults)
- 5) Any other services commissioned by the Adults and Health Commissioner.

Director of Children's Services (Julian Wooster)

To exercise the statutory functions and social services functions (Director of Children's Services statutory role) of the authority under section 18 of the Children Act 2004 (where these are executive functions). This function is being undertaken solely by the Chief Executive whilst the post is vacant.

To provide strategic leadership in the delivery of services to individuals and families including safeguarding and harm reduction services for children, support to those with special educational needs, learning and physical disabilities, sensory impairment and mental health problems and the strategic leadership of schools and learning services.

Responsible for the strategic direction, operational commissioning, policy and practice of the Council in relation to the safety and protection of individual children and young people at risk of abuse; developing preventative and early intervention approaches working across agencies and professional groups while maintaining and developing robust joint agency partnership arrangements. Responsible also for regulated services provided by the council for children and young people including placement services and fostering and adoption services ensuring that services provided are safe, efficient and effective to meet required regulatory standards and working with commissioners to prepare services for future delivery models

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the statutory functions and management of services in relation to:

- 1) The authority's role as local education authority.
- 2) Needs analysis.
- 3) Strategy and policy development.
- 4) Facilitate Commissioning Strategy implementation.
- 5) Connexions.
- 6) Troubled Families.
- 7) Children & Young People's Plan.
- 8) Academy conversions.
- 9) School Admissions.
- 10) Investment in and construction of schools.
- 11) Building Schools for the Future.
- 12) Somerset Compact.
- 13) Children's safeguarding policy and statutory duties (as defined in statute or guidance in relation to the role of Director of Children's Services).
- 14) Commission services to meet the needs of children and young people (0-19 year olds).
- 15) Special Educational Needs services
- 16) School Transport services
- 17) School Improvement services
- 18) Monitor strategy and outcomes.

Deputy Director for Children & Families (Claire Winter)

To exercise the management of services on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members, and to direct and / or ensure the effective management of a range of services as specified by the Lead Commissioner Children & Learning, and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party.

Responsible for the strategic direction, operational commissioning, policy and practice of the Council in relation to the safety and protection of individual children and young people at risk of abuse; developing preventative and early intervention approaches working across agencies and professional groups while maintaining and developing robust joint agency partnership arrangements. Responsible also for regulated services provided by the council for children and young people including placement services and fostering and adoption services ensuring that services provided are safe, efficient and effective to meet required regulatory standards and working with commissioners to prepare services for future delivery models

To exercise statutory functions and responsibility for managing the following services:

- 1) Social Work Assessment and child protection.
- 2) Emergency Duty Team.
- 3) Young Carers.
- 4) Fostering.

- 5) Adoption.
- 6) Children Looked After.
- 7) Children with disabilities.
- 8) Leaving Care Service.
- 9) Team 8.
- 10) PROMISE Mentoring & Advocacy Service.
- 11) Youth Offending Team.
- 12) Targeted Youth Work.
- 13) Council's Caldicott Guardian responsibilities (in respect of Children)
- 14) Any other services commissioned by the Children and Learning Commissioner.

Deputy Director for Education

To exercise the management of services on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members, and to direct and / or ensure the effective management of a range of services as specified by the Director of Childrens Services, and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party.

Responsible for the Council's functions in relation to schools including partnership and new provision, admissions, school meal eligibility, School Quality & Improvement and commissioning for special needs and alternative education provision, educational outcomes for children in care and under achieving groups ensuring the delivery of efficient, effective and safe learning services that represent best value. Direct and manage the commissioning of School Improvement and Inclusion Services

To exercise statutory functions and responsibility for managing the following services:

- 1) The authority's role as local education authority.
- 2) Needs analysis.
- 3) Strategy and policy development.
- 4) Facilitate Commissioning Strategy implementation.
- 5) Connexions.
- 6) Academy conversions.
- 7) School Admissions and School Admission Appeals.
- 8) Investment in and construction of schools.
- 9) Building Schools for the Future.
- 10) Somerset Compact.
- 11) Commission services to meet the needs of children and young people (0-19 year olds).
- 12) Special Educational Needs services
- 13) School Transport services and School Transport Appeals
- 14) School Improvement services
- 15) Electively Home Educated.
- 16) Gypsy, Romany and Traveller.
- 17) Pupil Referral Units.
- 18) SEN Services.

- 19) Education Psychology Services.
- 20) Home To School Transport (SEN).
- 21) Autism Service.
- 22) Physical Impairment Service.
- 23) Hearing Impairment Service.
- 24) Visual Impairment Service.
- 25) Speech and Language Service.
- 26) Education Attendance.
- 27) Emotional Health Services.
- 28) Community Services 0-19.

Public Health Director (Trudi Grant)

This is a joint appointment with the Secretary of State to:

- 1) Act as an Independent advocate for the health and wellbeing of the local population and reduce the inequalities experienced.
- 2) Monitor and publish an independent Annual Report of the Director of Public Health
- 3) Provide system leadership and assurance that robust arrangements are in place to protect the health and wellbeing of the local population
- 4) In the case of an outbreak or emergency to ensure all necessary public health actions are in place to protect the health of the population.
- 5) Provide leadership across partners to influence and develop strategy and policy to improve health and wellbeing.
- 6) Act as the principal advisor to the Health & Wellbeing Board and development of the Health and Wellbeing Strategy
- 7) Undertake the Joint Strategic Needs Assessment and Pharmaceutical Needs Assessment
- 8) Undertake the public health statutory duties on behalf of the Council
- 9) Commissioning of public health services including sexual health, Public Health Nursing, substance misuse, lifestyle and public mental health services.
- 10) Commissioning of Community Safety and Domestic Abuse Services
- 11) Provide specialist public health analytical support to ensure NHS commissioning of healthcare is in line with the needs of the local population.
- 12) Monitor strategy and outcomes in relation to the population's public health.

Director of Finance, Legal and Governance and Section 151 Officer (Kevin Nacey)

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the statutory functions and management of services in relation to:

- 1) The exercise of the proper administration of the Council's financial affairs under section 151 of the Local Government Act 1972 and section 114 of the Local Government Finance Act 1988.
- 2) To be the Proper Officer under section 115 of the Local Government Act 1972.
- 3) To have responsibility for borrowing and lending within limits approved by the authority.
- 4) To accept external funds and grants to the Council.

- 5) Maintain, manage, provide advice and guidance, put in place systems and resources to deliver the Council's Governance Framework – including the Annual Governance Statement and Strategic Risk Management.
- 6) To authorise grants and funding from the Council.
- 7) Development and oversee the implementation of the Council's Medium Term Financial Plan and Annual Budget.
- 8) Maintain and manage Financial Regulations - including advice and implement systems for compliance.
- 9) Management of Financial Services.
- 10) Management of corporate loans, investments and cash.
- 11) To have responsibility for the overall management of the internal audit function in accordance with the Accounts and Audit Regulations 2003 (or any amending or substituted legislation, or legislation with a similar purpose or made for similar purposes).
- 12) Risk management.
- 13) Council's legal services.
- 14) Democratic, elected member support and governance services.
- 15) Corporate Governance.
- 19) Management of SAP systems and authorised officer lists

Director of Corporate Affairs (Simon Clifford)

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the statutory functions and management of services in relation to:

- 1) Customer strategy.
- 2) Customer Insight and Intelligence.
- 3) Community Development – including Stronger Communities, Volunteering and Armed Forces Covenant
- 4) Customer Experience, Consultation & Feedback.
- 5) Customer services and customer access – including Contact Centre.
- 6) Development of the County Vision
- 7) Corporate equality and diversity activities.
- 8) Internal and External Communications
- 9) Marketing, events and campaigns
- 10) Digital services and transformation
- 11) Service Planning and Performance

Commercial and Business Services Director (Richard Williams)

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the statutory functions and management of services in relation to:

- 1) Programme management.
- 2) Change and Transformation management (Core Council Programme).
- 3) SMART office.
- 4) Property and Assets including Carbon Management and Health and safety.
- 5) The management of the Council's Property Portfolio (subject to consent of Monitoring Officer and Sec 151 officer) including:

- (a) where either the capital payment does not exceed £500,000 or the annual rental does not exceed £100,000:
 - (i) authority to declare land and property surplus to the Council's requirements; and
 - (ii) authority to dispose of land and grant, or vary, leases, licenses, dedications of or over any land. In the case of the grant of tenancies of small-holdings, these delegated powers shall be exercised in consultation with the relevant Cabinet member.
 - (b) authority to sell land or property at an undervalue not exceeding £100,000 (expressed as a capitalised figure) or 20% of the unrestricted value, whichever is the lower.
 - (c) authority to issue and sign documents in relation to the Right to Buy provisions of the Housing Act 1985.
 - (d) the function of Authorising Officer under the Regulation of Investigatory Powers Act 2000 and to designate such other Authorising Officers (as defined in the Act) as he/she considers to be necessary and competent for the purposes of the Act.
- 6) Information and Communications Technology and Innovation.
 - 7) Service improvement and transformation.
 - 8) Business support.
 - 9) Strategic Procurement
 - 10) Information Governance
 - 11) Maintain, manage, provide advice and guidance, put in place systems and resources to manage and implement the Council's responsibilities under Freedom of Information and Data Protection legislation
 - 12) Human Resources and Organisational Development (line management of HR and OD Director)
 - 14) In relation to commercial and procurement activities:
 - 1 Commissioning and procurement strategies in consultation with Lead Commissioners
 - 2 Lead responsibility for ensuring integrated and coherent business relationships between the Council, partner agencies, their suppliers and the market as a whole and contract management
 - 3 Strategic and service based procurement and purchasing activities
 - 4 Management of the Council's Contract Standing Orders and the register of authorised officers for commissioning, procurement and contract awards

Human Resources and Organisational Development Director (Chris Squire)

To exercise on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members the statutory functions and management of services in relation to:

- 13) Structure, people and performance frameworks in place and operated to secure the effective implementation and operation of the New Operating Model.
- 14) Industrial relations and employment matters.
- 15) Organisational and employee development and training.
- 16) Leadership and management development
- 17) Media, internal and external communications.
- 18) Leadership and management competencies and behaviours.
- 19) HR employment policies, procedures and HR handbook.

- 20) HR advisory services.
- 21) Supporting HR Policy Committee.
- 22) Determine any compensation payable on early termination of a contract of employment by reason of redundancy, early retirement or in the interests of efficient exercise of the Council's functions and application for early payment of pension benefits to officers in consultation with the relevant Senior Leadership Team officer.

County Solicitor (Strategic Manager for Legal Services) – Honor Clarke

To exercise the following functions on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members:

- 1) To act as the Solicitor to the Council.
- 2) To serve statutory notices to ascertain the legal interest in land of any person.
- 3) To institute, defend or settle any legal proceedings or any dispute or matter where there is the potential for legal proceedings to be instituted by any party (either in the name of the Council or an individual Member and / or Officer of the Council) and to lodge an appeal in any matter. For the avoidance of doubt this authority shall extend to the taking of all procedural steps, including the service of notices, statutory or otherwise, counter notices, and Notices to Quit.
- 4) To authorise Officers of the Council to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 222 and 223 of the Local Government Act 1972.
- 5) To be the Proper Officer of the authority, except where legislation, or a delegation made by or under this Scheme, names another officer; and to authorise the making and issue of any formal documents.
- 6) To authorise the giving of any indemnity by the authority.
- 7) To authorise the service of notices to ascertain interests in land or particulars of persons interested in land; or to enter, or authorise entry, upon land, in connection with the discharge of any of the functions of the authority.
- 8) To negotiate, and agree a planning obligation, agreement or charge on behalf of the authority.
- 9) To authenticate documents and contracts on behalf of the authority.
- 10) To determine which documents should be sealed by the affixing of the Common Seal.
- 11) To attest the affixing of the Council's Common Seal.
- 12) To authorise a proper person to act as the authorising officer under the Regulation of Investigatory Powers Act 2000 and to exercise the authority's powers there under.
- 13) The County Council has delegated functions relating to the investigation and prosecution of matters falling within Part III of the Consumer Credit Act 1974 (illegal money lenders).

Monitoring Officer (Strategic Manager Governance & Risk) – Julian Gale

The key legal functions of the Monitoring Officer are:

1. To report to the Council and to the Cabinet in any case where s/he is of the opinion that any proposal or decision of the authority has given rise to or is likely to or would give rise to any illegality, maladministration or breach of statutory code under Sections 5 and 5A of the Local Government and Housing Act 1989; (LGHA 89)
2. To investigate any matter which s/he has reason to believe may constitute, or where s/he has received an allegation that a matter may constitute, a reportable incident under Sections 5 and 5A of the LGHA 89;
3. To act as the principal adviser to the authority's Standards Committee (referred to as the Constitution & Standards Committee under the Constitution);
4. To act as the principal adviser to the authority's Standards Panel (referred to as the Hearing Panel under section 8 of part 1 of the Constitution);
5. To maintain the register of Members' interests;
6. To act as the Proper Officer for the preparation, publication and retention of records of decisions taken by or on behalf of the Council and the Executive;
7. To act as Proper Officer for the Data Protection Act 1998 and the Freedom of Information Act 2000

In addition, the Monitoring Officer shall exercise the following functions on behalf of the Council, the Leader of Council, the Cabinet and Cabinet Members:

- 1) To undertake minor amendments to update the Council's Constitution and / or to take account of legislative changes provided that it does not involve material changes to principles previously approved by Council (or Leader of Council in respect of the Council's executive arrangements and the part of the Council and Cabinet Scheme of Delegation that is the responsibility of the Leader) and subject to consultation with the Constitution & Standards Committee.
- 2) Appoint members of School Admissions Appeal Panels.
- 3) Recruit independent persons to the Standards Committee and to form the Independent Panel on Members' Remuneration subject to the appointments being confirmed by Full Council.

Appendix C – Specific delegations to the Chief Executive and all Senior Leadership Team Officers and their authorised officers (including those listed in Appendix B)

Property

Authority to officers to enter, inspect and survey land, buildings or premises and issue as necessary any evidence or authority as may be required in order for them to execute their duties in accordance with the Council's statutory powers.

Where either the capital payment does not exceed £500,000 or the annual rental does not exceed £100,000:

- (a) authority, subject to the consent of the Section 151 Officer and the Monitoring Officer, and in consultation with the relevant Cabinet Member, to authorise and approve the acquisition of land and the taking of leases, licences, dedications and easements of or over any land (including buildings) whether by way of valuable consideration or exchange.
- (b) authority to declare land surplus to council requirements.
- (c) authority to arrange for sessional lettings of premises for periods of less than 24 hours.

Section 106 Agreements, Bid Submissions & Consultations

Authority to:

- (a) Agree operational requirements for S106 Agreements or other similar agreements with no financial limit, providing suitable on-going revenue support and exit strategies are in place.
- (b) Agree the completion of Section 106 Agreements on behalf of the Council or other similar agreements with no financial limit, providing suitable on-going revenue support and exit strategies are in place.
- (c) Approve responses to consultation papers.
- (d) Submit bids to external bodies on behalf of the Council. Any Council bids for funding from external bodies are only to be made where suitable on-going revenue support and time periods/exit strategies are in place.
- (e) Carry out any relevant consultation on behalf of the Council.
- (f) Make appropriate planning and building regulations applications.
- (g) Approve promotional and marketing campaigns.

Partnerships

To approve operational frameworks for delivery level partnership / joint working arrangements with other public, private, voluntary and community sector organisations.

When representing the Council or the Cabinet on a partnership or outside body are authorised to take decisions on behalf of the Council subject to advance notice of the issue having been given to the Council's representative.

To approve officer appointments to partnership / working groups including with other public, private, voluntary and community sector organisations.

Financial

Following approval of service revenue and capital budgets, to incur expenditure within those estimates.

To incur expenditure within the revenue and capital budgets in accordance with the virement procedures and delegated limits set out in Financial Regulations and Procedure Rules.

To accept tenders for construction works in accordance with the Contract Standing Order Rules.

To approve payments to suppliers prior to the receipt of goods in accordance with the limits set out in Financial Procedure Rules.

SAP BOP has a Scheme of Delegation based on approval values which sits alongside the organisational management structure. At the point of requisition decisions and escalations are based on value bands which are set up within the system based on delegations and attributes. These authorisations are designed to reflect delegated authorities set out in this Scheme of Delegation.

Undertake the authority and responsibilities of the Chief Executive and Senior Leadership Team in respect of financial matters as set out in the Council's Financial Regulations / Financial Procedures.

To direct the delivery of services in compliance with the:

- Constitution
- Council policy and performance framework
- Schemes of Delegation
- Financial Regulations
- Contract Standing Orders
- Statutory requirements
- Service budget allocations.

To develop and propose policy changes for service delivery and ensure they identify and agree with the financial implications of all new proposals for new spending and that the relevant Cabinet Member and, where appropriate, Cabinet is advised of those implications.

Responsibility for ensuring that all staff in their areas of responsibility are aware of their responsibilities under financial regulations and other internal regulatory documents and that they comply with them.

Responsible for the accountability and control of staff and the security, custody and control of all resources within their areas of responsibility.

To maintain a record of financial responsibilities delegated to members of staff in their areas of responsibility.

Revenue Virement transfers up to £50,000 providing that they do not involve new policy or policy change and do not involve an increasing commitment in future years that cannot be contained within existing approved budget allocations.

Note:

- 1) Revenue Virements between £50,000 and £250,000 requires approval from the relevant Cabinet Member(s) in consultation with relevant officers and the Finance & Performance Director unless they are purely technical or structural in nature where there would be no financial limit.
- 2) Revenue Virements above £250,000 requires approval by Cabinet Member for Resources in consultation with the relevant Cabinet Member responsible for the service.

Capital Virement transfers up to £50,000 providing such transfers do not result in an overall increased commitment of capital resources and do not involve new policy or policy change.

Note:

- 1) Capital Virements between £50,000 and £250,000 requires approval from the relevant Cabinet Member(s) in consultation with the relevant Senior Leadership Team Officer and the Finance & Performance Director unless they are purely technical or structural in nature when there would be no financial limit.
- 2) Capital Virements above £250,000 requires approval by Cabinet Member for Resources in consultation with the relevant Cabinet Member responsible for the service.

Contracts and procurement

Undertake the authority of the Chief Executive and Senior Leadership Team in respect of procuring and letting contracts as contained in the Council's Standing Orders for the Regulation of Contracts and Cabinet Scheme of Delegation.

Commission, procure, award contracts, review and vary contracts, terminate contracts, acquire goods, works and services to meet the business needs of the Council. Give approval to proceed to tender on a contract.

Human Resources

Authority to act in relation to the appointment, dismissal and all other matters relating to the employment of officers and the conditions upon which they are employed as are specified in the HR Handbook and the Officer Employment Procedure Rules in the Council's Constitution.

Engagement of temporary staff and consultants to meet business needs.

Appendix D – Council officers authorised to substitute / act on behalf of Senior Leadership Team officers in their absence

Each Senior Leadership Team officer is authorised to nominate in writing one or more officers to act in their place in the event of illness or other planned or unplanned absence.

This appendix sets out details of authorised Council Officers who have been given full delegated power to substitute (in the case of absence or being unavailable to act) or act on behalf (in order to meet business needs and to take operational day to day decisions) of Senior Leadership Team members and other key statutory officer roles.

Any officers authorised to act in accordance with this Scheme of Delegation must be notified to the Governance Manager, Democratic Services who maintains the register of officers with specific delegated powers and those authorised to substitute for other officers.

Chief Executive

The Deputy Chief Executive (to be appointed by the Chief Executive when required) is authorised to exercise any and all such powers on behalf of the Chief Executive relating to any relevant legislation, council policy framework and business needs.

Deputy Chief Executive

In the case of both the Chief Executive and Deputy Chief Executive being unable to act, the Leader of the Council or the Chief Executive will nominate an SLT officer to undertake the role of the Deputy Chief Executive on a temporary basis.

Director of Commissioning and Lead Director for Economic and Community Infrastructure

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Commissioning Director of Economic & Community Infrastructure and the Economic & Community Infrastructure Operations Director or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Manager – Commissioning Development
2. Managing Director – Somerset Waste Partnership (*)
3. Senior Manager for Somerset Rivers Authority

(*) – note the Somerset Waste Board has agreed a Scheme of Delegation of their functions to the County Council and Somerset Waste Partnership Officers

Commissioning Director for Economic and Community Infrastructure

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Director of Commissioning and the Economic & Community Infrastructure Operations Director or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Commissioning Manager – Economy and Planning
2. Strategic Commissioning Manager – Highways and Transport
3. Strategic Commissioning Manager – Community Infrastructure

Economic and Community Infrastructure Operations Director

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Director of Commissioning and the Commissioning Director for Economic & Community Infrastructure or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Manager for Community and Traded Services
2. Strategic Manager for Highways Operations
3. Strategic Manager Traffic Management

Lead Commissioner Adults & Health

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Adults and Health Operations Director or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Manager - Integration & Care
2. Strategic Manager – Prevention and Care

Adults & Health Operations Director

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the following officer(s) are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs:

1. Strategic Manager Community Teams
2. Strategic Manager Safeguarding, Quality and SSAB
3. Strategic Manager Mental Health
4. Strategic Manager FPoC and HIS

Director of Children Services

In respect of the Director of Childrens' Services functions, in the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Deputy Director of Education, Deputy Director Children and Families or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Assistant Director – Safeguarding Quality Assurance
2. Assistant Director – Commissioning and Performance
3. Strategic Manager Lead Vulnerable Learners
4. Strategic Lead Education
5. Strategic Manager – Commissioning Vulnerable Children and Young People
6. Strategic Manager – Safeguarding, Care and Quality Assurance
7. Strategic Manager – Early Years and Schools Commissioning
8. Local Safeguarding Children's Board Manager
9. Head of Education Effectiveness

Deputy Director Children and Families

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the following officer(s) are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs:

1. Chief Executive
2. Director of Children Services
3. Strategic Manager Children in Care
4. Strategic Manager Assessment & Protection
5. Strategic Manager Vulnerable Young People
6. Strategic Manager Resources
7. Strategic Manager Prevention Services
8. Operations Manager Safeguarding & Assessment South Somerset
9. Operations Manager Mendip Safeguarding & Assessment
10. Operations Manager Taunton Safeguarding & Assessment

11. Operations Manager Disabled Children's Services
12. Operations Manager Sedgemoor Safeguarding & Assessment
13. Operations Manager First Response / EDT
14. Principal Social Worker

Deputy Director of Education

In respect of the Deputy Director of Education functions, in the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Director of Children's Services or the Chief Executive are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Manager Lead Vulnerable Learners
2. Strategic Lead Education
3. Strategic Manager – Early Years and Schools Commissioning
4. Head of Education Effectiveness

Public Health Director

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Chief Executive is authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. All Strategic Managers for Public Health

Director of Finance, Legal and Governance

In respect of the Director of Finance, Legal and Governance, in the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Chief Executive is authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

1. Strategic Manager – Governance & Risk
2. Strategic Manager – Legal Services (County Solicitor)
3. Strategic Manager Finance – Adults, Health & Children
4. Strategic Manager Finance – Governance, ECI and Corporate Services
5. Strategic Manager – Pensions Fund and Service Management

Director of Corporate Affairs

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Chief Executive is authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

- 1) Service Manager – Communications
- 2) Strategic Manager - Customer & Communities
- 3) Strategic Manager – Performance

Commercial & Business Services Director

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the Chief Executive is authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs.

In addition the following managers are authorised in respect of their areas of service responsibility:

- 1) Human Resources and Organisational Development – HR & OD Director (see below)
- 2) Strategic Manager - Business Change
- 3) Head of Information Communications Technology
- 4) Head of Corporate Property
- 5) Strategic Manager – Central Business Support & Facilities Management
- 6) Head of Commercial and Procurement
- 7) Head of Support Services for Education

Human Resources and Organisational Development Director

In the event that the postholder is unavailable or unable for any reason to exercise any and all powers given to this post, then the following officer(s) are authorised to exercise any and all such powers on behalf of the postholder relating to any relevant legislation, Council policy framework and business needs:

1. Chief Executive
2. Commercial and Business Services Director
3. Strategic Manager HR Business Policy
4. Strategic Manager HR Practice
5. Strategic Manager HR Business Resourcing
6. Strategic Manager Organisational Development
7. HR Lead Sustainability & Transformation Plan
8. Strategic Manager Payroll Services

Section 151 Officer (of the local Government Act 1972) (Kevin Nacey)

Council appointed the Finance & Performance Director as the Council's Section 151 Officer. In the event that he is unavailable or unable for any reason to exercise any and all powers given to him as Section 151 Officer (Chief Finance Officer) pursuant to any legal provision or authority or under the Constitution of Somerset County Council, the Strategic Manager-Finance (Governance, ECI and Corporate Services) and Strategic Manager-Finance (Adults, Health and Children) are authorised to exercise any and all such powers on their behalf.

Monitoring Officer

Council appointed the Strategic Manager – Governance and Risk as the Monitoring Officer. In the event that he is unavailable or unable for any reason to exercise any and all powers given to him as Chief Monitoring Officer (Monitoring Officer) pursuant to any legal provision or authority or under the Constitution of Somerset County Council, the County Solicitor is authorised to exercise any and all such powers on their behalf.

Appendix E – Example of an Explanatory Letter, Warrant Card or Card for Officers to carry in pursuance of their duties to show they have authority to carry out their duties

To whom it may concern

Officer Name: _____

Job Title: _____

Rights of Way (Definitive Map) Team, Resources Management Group

Somerset County Council
Delegation to Officers

In exercise of the power given to me in the County Council’s Constitution and the Chief Executive’s Scheme of Delegation to Officers, I HEREBY AUTHORISE the Officer named above to exercise on my behalf the powers specified in the schedule below.

SCHEDULE

(EXAMPLE OF SPECIFIC DELEGATION) To institute and conduct legal proceedings in relation to Rights of Way and matters and to do all such things as are necessary or incidental to such proceedings, in relation to the Highways Act 1980, Wildlife and Countryside Act 1981, Town and Country Planning Act 1990, Road Traffic Act 1984 and the Countryside and Rights of Way Act 2000.

Signed:
(AUTHORISED OFFICER)

PRINT name:

Job Title:

Dated:

Appendix F – Good governance

The Audit Commission has defined good governance and accountability as:
"Ensuring the organisation is doing the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable manner."

In 2007, the then Standards Board for England stated that *"Good governance is the cornerstone of effective public organisations."*

What does good governance mean in practice?

By good governance and accountability we mean:

- Focusing on the Council's purpose and on outcomes for citizens and users.
- Performing effectively in clearly defined functions and roles.
- Promoting values for the whole Council and demonstrating the values of good governance through behaviour.
- Taking informed, transparent decisions and managing risk.
- Developing the capacity and capability of staff to be effective leaders.
- Engaging stakeholders and partners and making accountability real.

It also means:

- Encouraging continual improvement in services so they meet the changing needs of diverse communities and provide fair access for all.
- Stimulating significant improvement in the quality of data and the use of information by decision makers.
- Raising standards of financial management and financial reporting (stewardship).
- Challenging ourselves to deliver better value for money.

The Chief Executive and the Senior Leadership Team are determined that strong governance should be at the heart of the Council's culture. A key reason for this is that there is a considerable amount of evidence which indicates that those organizations which have good governance are also the most effective in terms of delivering their aims.