

Scheme of Delegations: Chief Finance Officer September 2019

The Chief Finance Officer (CFO) is authorised in accordance with Part E: Officer Delegation Scheme to carry out functions on behalf of Full Council and the Executive. The CFO has chosen to sub delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the CFO delegates functions to a fellow Director he/she makes it clear in this sub delegation scheme whether that Director can sub delegate those functions.

This scheme details the officers who can carry out each function on the CFO's behalf, together with the details of any terms and conditions which the CFO has imposed on that sub delegation. All officers are bound by the Finance, Contract and Procurement Regulations (Part D of the Constitution) and the Employee Code of Conduct (which can be found in Part C of the Constitution) and should consider these delegated under this scheme.

Even though the CFO has sub delegated the functions he/she remains accountable for all decisions taken in accordance with the officer with sub delegated authority may decide not to exercise that authority, or the CFO may indicate that the authority should be exercised, in respect of any individual matter. In either case that matter should be referred to the CFO for a decision or for referral to a relevant Committee/Cabinet Member if appropriate.

Signed:



Date: 09 December 2019



Group Delegations

The Director has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group.

Group Title	Officers Included in Group Authorisation
Assistant Directors (Deputy s151 officers)	AD Development and Commercial AD Finance
Assistant Directors (Other)	AD Audit and Risk Management
Assistant Directors (Legal & Governance)	AD Legal Services AD Governance (and Deputy Monitoring Officer)
Finance Business Partners	Business Partner – Adult Social Care Business Partner – Children & Young People Business Partner – Digital & Customer Services; HR; Partnerships, Insight and Prevention, Finance & Governance, Chief Executive Business Partner – Inclusive Growth Business Partner – Neighbourhoods Major Developments Lead – Development & Commercial Team Head of City Finance (Capital and Treasury) Head of City Finance Accounts Head of City Finance – Corporate Finance (Revenue)
Heads of Service Corporate Procurement	Head of Procurement Head of Contract Management Head of Strategy and Development Head of Systems and Governance
Heads of Law legal	Head of Employment and Civil Litigation Head of Planning, Property and Regeneration

	Head of Commercial and Procurement Head of Adult Safeguarding Law Head of Practice Management Head of Education Head of Housing and Criminal
Heads of Service (Governance)	Head of Scrutiny Services Head of Electoral Services Head of the Cabinet Office

Delegation to Director	
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Part E
3.2 (i)

To make decisions and approve expenditure relating to the functions of the Directorate providing:

that the sum expended is within the approved budget for the Directorate and/or relevant portfolio, and the amount in relation to any single matter does not exceed £200,000 or in the case of procurement, the Procurement Threshold (£181,302 as at September 2019);
that the requirements of the Financial Approval Framework in the Financial Regulations (Part D of the Constitution) and other requirements in the Constitution are complied with.

Where the amount in relation to any single matter is between £200,000 and £500,000 (revenue) or £1m (capital) then the decision will be made

Delegation to Director	
Part E 3.2 (ii)	<p>To determine employment matters relating to staff including all changes to staffing structures below JNC level and the annual implementation of the contractual pay increment system.</p> <p>These powers will not include changes to terms and conditions of employment (the Birmingham Contract) or additional payments to any individual member of staff above the general financial threshold delegated to officers (£200,000).</p>
Sub Delegations	Sub Delegation to Officers within Finance and Governance Directorate
1.	Authority to fill vacancies in line with Contract of Employment (applicable to Grade)

<p>4.</p>	<p>The operation of arrangements relating to hours of work, annual and other leave and time off for employees.</p>	<p>In line with policy and procedures on the intranet, and with the Constitution in relation to Employee Code of Conduct</p> <p>Procedures for local operation: Chief Finance Officer / City Solicitor Assistant Director Managers at GR7 – GR4</p>
<p>5.</p>	<p>The operation of the Council's procedures relating to: Discipline; Grievance; Managing Capability; Dignity at Work.</p>	<p>In line with policy and procedures on the intranet, and with the Constitution in relation to Employee Code of Conduct</p> <p>Chief Finance Officer / City Solicitor Assistant Director Managers at GR7 – GR4</p> <p>Note: the Chair of a Disciplinary Hearing must have attended the Power to Dismiss Course</p>
<p>6.</p>	<p>Operation of the Council's procedures in relation to redundancy, including consultation with trade unions</p>	<p>In line with policy and procedures on the intranet, and with the Constitution in relation to Employee Code of Conduct</p> <p>Chief Finance Officer / City Solicitor Assistant Director</p>
<p>7.</p>	<p>The promotion, implementation and monitoring of the Council's Equal Opportunities in Employment policy.</p>	<p>In line with policy and procedures on the intranet, and with the Constitution in relation to Employee Code of Conduct</p> <p>Chief Finance Officer / City Solicitor Assistant Director Managers at GR7 – GR4</p>

Delegation to Director,		
Part E 3.2 (iii)	To approve tender strategies and award contracts in accordance with the Procurement Government Arrangements where the supplies, materials, or services to be purchased or the works to be executed are between the Procurement Threshold (£181,302 as at September 2019) and £10,000,000 in value, over the contract length.	
Sub Delegations		Sub Delegation to Officers within Finance and Governance Directorate
1.	<p>To approve tender strategies and contracts in accordance with Part D Financial, Contract and Procurement Regulations (Procurement Government Arrangements).</p> <p>Submitting bids to external organisations in accordance with Part D Financial, Contract and Procurement Regulations</p> <p>To approve contract extensions where the option to extend exists in the original contract, in accordance with Part D Financial, Contract and Procurement Regulations</p>	<p>Up to £10m subject to Procurement Governance etc Chief Finance Officer</p> <p>Up to £200,000 Chief Finance Officer, City Solicitor</p> <p>Up to £100,000 Assistant Directors (all)</p> <p>Up to £50,000 Finance Business Partners Major Developments Lead Heads of City Finance Heads of Service Corporate Procurement Heads of Law Heads of Service (Governance)</p>

Delegation to Director		
Part E 3.2 (iv)	Where no other viable alternative exists to approve contract extensions, where no extension option in the contract exists, in accordance with the Procurement Governance Arrangements where the supplies, materials, or services to be purchased or the works to be executed do not exceed £500,000	
	Sub Delegations	Sub Delegation to Officers within
1.	<p>Approval of Contract extensions as above in accordance with Part D Financial, Contract and Procurement Regulations</p> <p>Note: The report author (or team member) cannot approve their own report – this should be done by another officer with appropriate delegations</p>	<p>Up to £500,000 Chief Finance Officer, City Solicitor</p> <p>Up to £100,000 Assistant Directors (all)</p> <p>Up to £50,000 Finance Business Partners Major Developments Lead Heads of City Finance Heads of Service Corporate Procurement Heads of Law Heads of Service (Governance)</p>

Delegation to Director		
Part E 3.2 (v)	To write off any individual debts of income (inc	B

	Delegation to Director	

	Delegation to Director	
Part E 3.2 (vi)	The Chief Executive and Directors have delegated authority to approve and make payments in connection with the duties of the council where it holds monies in the capacity of an "Accountable Body". In all such cases where the Council is the Accountable Body, the Chief Executive or any Chief Officer has authority to make lawful payments in compliance with the terms under which the Council holds monies as the Accountable Body and in accordance with any requirements approved by the Council as Accountable Body, up to but not exceeding the total amount held under each agreement with the grant giver.	
	Sub Delegations	Sub Delegation to Officers within Finance and Governance Directorate
1.	To approve and make payments in connection with the duties of the council where it holds monies in the capacity of an "Accountable Body" as above and in accordance with Part D Financial, Contract and Procurement Regulations	Up to £200,000 Chief Finance Officer (or deputising officer) / Assistant Directors (deputy s151) and Chief Executive (except where process has been agreed by cabinet)
2.	FAF IN FULL Section 1 revenue budget approvals	Assistant Directors (deputy s151 officers)
3.	FAF Section 2 capital budget approvals	Assistant Directors (deputy s151 officers)
4.	FAF Section 3 Business Case approvals	Assistant Directors (deputy s151 officers)
5.	FAF Section 4: Loans, other investments, guarantees and underwritings to other organisations	Assistant Directors (deputy s151 officers)

	Delegation to Chief Executive and the Chief Finance Officer	
Part E 3.2 (viii)	The Chief Executive and the Chief Finance Officer, may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in	

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3.2 (xiv)	completion of (but not limited to) the grant of long term leases, commercial transfer agreements and any other ancillary documentation relating to the changing status of schools pursuant to the Academies Act 2010 or any associated legislation relating to the changing status of schools, as well as requesting the making and varying of Instruments of Government for maintained schools, subject to the agreement of the City Solicitor		
	<table border="0"> <tr> <td data-bbox="344 368 898 453">Sub Delegations</td> <td data-bbox="913 368 2130 453">Sub Delegation to Officers within Inclusive Growth Directorate</td> </tr> </table>	Sub Delegations	Sub Delegation to Officers within Inclusive Growth Directorate
Sub Delegations	Sub Delegation to Officers within Inclusive Growth Directorate		

Scheme of Delegations: City Solicitor

FUNCTION	JOB TITLE
CONSTITUTION	
Maintenance of the Constitution – amendments to correct minor administrative errors, update job titles, where legislative changes result in any section of the Constitution being in conflict with any relevant legislation	Assistant Directors (Legal & Governance)
MONITORING OFFICER/DEPUTY MONITORING OFFICER RESPONSIBILITIES	
Designated as Deputy Monitoring Officer under Section 5 Local Government and Housing Act 1989.	Assistant Directors (Legal & Governance)
To act as deputies to carry out the functions of a Proper Officer, required by legislation, in the absence of the City Solicitor	Assistant Directors (Legal & Governance)
Consider and grant dispensations to Members where: a) the number of Members precluded from transacting the business is so great that it would impede the business of the Council, committee or Executive; b) the political balance is affected to the extent that it could affect the outcome of a vote relating to the business; Localism Act 2011 s33	Assistant Directors (Legal & Governance)
Deal with breaches of the Code	Assistant Directors (Legal & Governance)

FUNCTION	JOB TITLE
<p>Authorise, institute, defend, participate in or settle any legal proceedings where such action is necessary to give effect to Council Functions, decisions of the Council, Cabinet, Committees, other Council decision making body or to implement delegated decisions by Officers and to complete all legal formalities, including the creation and completion of legal documentation required to implement the decision or to obtain specialist advice / Counsels opinion</p>	<p>Assistant Directors (Legal & Governance) Heads of Law Senior Solicitors Solicitors Legal officers – in respect to matters within their remit or as authorised by the Head of Law</p>
<p>Authority to sign or seal any document needed to implement any decision taken by, or in the name of the Council</p>	<p>Assistant Directors (Legal & Governance) Heads of Law Senior Solicitors</p>
<p>To designate officers of the Council as being authorised under section 223 Local Government Act 1972 to institute, prosecute, defend or appear on the Council's behalf in proceedings in the Magistrates Court and conduct such proceedings, notwithstanding that the officer concerned may not be a solicitor holding a current practice certificate.</p>	<p>Assistant Directors (Legal & Governance)</p>
<p>To determine which documents should be sealed</p>	<p>Assistant Directors (Legal & Governance) Heads of Law Solicitors Legal Officers</p>
<p>To attest the affixing of the seal</p>	<p>Assistant Directors (Legal & Governance) Heads of Law Senior Solicitors Solicitors Legal Officers Business Support</p>
<p>Authentication of Documents for legal proceedings – Where any document will be a necessary step in legal proceedings on behalf of the Council, it shall be signed by the City Solicitor or other person authorized by her unless any enactment otherwise</p>	<p>Assistant Directors (Legal & Governance) Heads of Law Senior Solicitors</p>

FUNCTION	JOB TITLE
<p>requires or authorises, or the Council give necessary authority to some other person for the purpose of such proceedings. Make arrangements for local settlements of complaints where it is considered appropriate, including arranging mediation if required</p>	<p>Assistant Directors (Legal & Governance) Heads of Law) p ' s %a\$ ss Heads of Law</p>