

## **EXECUTIVE DIRECTOR (FINANCE AND TRANSFORMATION)**

The Executive Director (Finance and Transformation) (Section 151) is authorised:

- a) To deputise for the Chief Executive as necessary.
- b) To undertake any function delegated to a Director/Assistant Director provided it is within the law and within his/her capacity.
- c) To be responsible for the implementation of strategies, policies and plans relating to Legal and Governance, Human Resources, Customer Services and Transformation, Finance, ICT and Digital Services and Cemetery and Crematoria Services.

### **1. FINANCE, AUDIT AND ICT**

**All the following delegated powers relating to Finance, Audit and ICT can also be exercised by the relevant Assistant Director who may also delegate to suitably qualified and/or experienced Officers in accordance with an agreed Scheme of Delegation:**

- 1.1. To be responsible for the implementation of strategies, policies and plans relating to finance, information technology, internal audit, council tax, business rates and housing benefits.
- 1.2. The Executive Director (Finance and Transformation) is the responsible officer under Section 151 of the Local Government Act 1972 and shall, within the framework of statute and the Council's Budget and Policy Framework Procedure Rules and Financial Procedure Rules, administer and advise upon all the financial affairs of the Council. The Assistant Director (Finance) is the deputy responsible officer under this Section.
- 1.3. The Section 151 Officer will act as Registrar of Bonds.
- 1.4. To respond to government and other consultations on matters such as funding, technical accounting and business rates.
- 1.5. The Executive Director (Finance and Transformation), Assistant Director (Finance) and Client Support Services Manager are each authorised to take all necessary action to issue Council Tax bills and rate demands, recover all such sums due, including unoccupied property rates and to sign and serve all related notices and documents.
- 1.6. The Client Support Services Manager can grant discretionary rate relief to those organisations which meet the Council's criteria, referring those that fall outside it to the Cabinet for decision.
- 1.7. The Client Support Services Manager is authorised to determine appeals of applicants in respect of benefit and council tax reduction claims. (If the applicant wishes to take the appeal further regarding their benefit it must be referred to the Tribunal Service.

- 1.8. The Section 151 Officer is to have overall responsibility for the financial administration and monitoring of the whole of the Council's expenditure and income with details set out in the Councils Financial Regulations.
- 1.9. The Executive Director (Finance and Transformation), Assistant Director (Finance), Client Support Services Manager and the Revenue and Benefits Client Officers to be responsible for all matters concerning Rating, Council Tax, Housing Benefits and Council Tax Support.
- 1.10. The Executive Director (Finance and Transformation), Assistant Director (ICT and Digital Services), IT Client Manager to control and manage Information Systems, Technology and Telecommunications.
- 1.11. The Executive Director (Finance and Transformation), Assistant Director (Finance) and Client Support Services Manager to be responsible for all matters relating to Housing Benefit, Universal Credit and Council Tax Reduction.
- 1.12. The Executive Director (Finance and Transformation), Assistant Director (Finance) and Client Support Services Manager and Revenue and Benefits Client Officer have delegated powers for awarding Council Tax hardship relief.
- 1.13. The Executive Director (Finance and Transformation), Assistant Director (Finance) and Income and Home Ownership Manager have delegated powers to:
  - a) process applications made under the Right to Buy (RTB) scheme- Sand to approve the sale of housing property under Right to Buy legislation including the assessment of eligibility and calculation of discounts;
  - b) make decisions where the interpretations and implementation of the Statutory Right to Buy Scheme is required.
  - ~~b)c)~~ \_\_\_\_\_ ~~Te~~-process deeds of variations for leaseholders;
  - ~~e)d)~~ \_\_\_\_\_ carry out leaseholder consultation under the statutory requirements; and,
  - ~~d)e)~~ \_\_\_\_\_ determine service charges payable by leaseholders.

## **2. LEGAL AND GOVERNANCE**

**The Assistant Director (Legal and Governance) is authorised to act as the Council's principal legal advisor and is authorised to instruct and retain Counsel, external Solicitors or other experts in legal proceedings and obtain advice in relation to any matter whenever this is considered to be in the interests of the Council.**

**~~The Service Director (Resident & Neighbourhoods) is the nominated Senior Responsible Officer for the purposes of the Regulation of Investigatory Powers Act 2000.~~**

**The Governance Services Manager and Principal Governance Officer are Authorising Officers for the purposes of the use of covert intelligence under the Regulation of Investigatory Powers Act 2000.**

**The Assistant Director (Legal and Governance) is the Monitoring Officer and will exercise all powers necessary to fulfil that statutory role pursuant to Sections 5 and 5A of the Local Government and Housing Act 1989 and is authorised:**

- 2.1. To receive complaints of alleged failure by Members to comply with the Code of Conduct determining whether a complaint merits formal investigation and to arrange such investigation, seeking resolution of complaints without formal investigation wherever practicable, with the discretion to refer decisions on investigation to the Standards Committee where the Monitoring Officer (and in the absence of the Monitoring Officer, the Deputy Monitoring Officer) feels that it is inappropriate for Officers to take the decision.
- 2.2. To have the power to grant dispensations to Members, where they have a “disclosable pecuniary interest” (and in the absence of the Monitoring Officer, the Deputy Monitoring Officer) under Section 33 (2) (a), (b), (c), (d) and (e) of the Localism Act 2011, and that where the Monitoring Officer or Deputy Monitoring Officer consider it appropriate to refer the request to the Standards Committee for that body to decide whether to grant such dispensation.
- 2.3. To make changes to the Constitution where required in any relevant circumstances.
- 2.4. To advise the Council on employment legislation, including where necessary attendance on behalf of the Council at Employment Tribunal proceedings.
- 2.5. To authorise the institution or defence, appearance at, withdrawal or settlement of any legal proceeding and be responsible for its conduct in any civil or criminal proceedings provided any necessary Committee/Cabinet approvals have been obtained and in particular:-
  - a) To negotiate and settle claims or disputes of any description including the payment of damages, compensation etc and legal costs for claims of less than £20,000 in consultation with the Head of Paid Service and Directors.
  - b) To negotiate and settle claims or disputes of any description including the payment of damages, compensation etc and legal costs for claims from £15,000 and up to a limit of £50,000 in consultation with the Head of Paid Service and Directors and the Executive Member, Resources, subject to the issuing of an Executive Member Decision Notice.  
£50,000 and up to a limit of £100,000 in consultation with the Head of Paid Service and Directors and the Executive Member, Resources, subject to a report on the action taken being submitted to the next meeting of the Cabinet.

Over £100,000 in consultation with the Head of Paid Service and Directors and the Leader and Executive Member, Resources, subject to a report on the action taken being submitted to the next meeting of the Council.

**The following delegated powers in 1.6 to 1.18 can also be exercised by the Assistant Director (Legal and Governance) and Legal Services Manager who may also delegate to a suitably qualified and/or experienced officer in accordance with an agreed Scheme of Delegation.**

- 2.6 To authorise, issue and serve all Statutory Notices (including Requisitions for Information) under any enactment. The Assistant Director (Legal and Governance) may authorise another officer to serve all such notices, once issued. The Assistant Director (Legal and Governance) may exercise the power of another officer to authorise, issue and serve such notices when that officer is unable or unwilling to act.
- 2.7 To take all steps incidental to completing or obtaining the confirmation of any Order or other statutory decrees made by the Council
- 2.8 To sign and seal documents on behalf of the Council.
- 2.9 To authorise the institution of legal proceedings in accordance with legislation and common law for the purpose of securing possession of land occupied by travellers.
- 2.10 To give legal effect to all agreements, contracts or any other document requiring execution and completion by the Council provided any necessary Committee/Cabinet approvals have been obtained.
- 2.11 To carry out on behalf of and in the name of the Council the acquisition and disposal of land including for the avoidance of doubt the sale of Council houses once terms have been agreed and any necessary Committee/Cabinet approvals have been obtained.
- 2.12 To enter into agreements under statutory or other powers to ensure that the Council's functions are fulfilled.
- 2.13 To maintain the Council's legal documentation.
- 2.14 To make street closure orders under section 21 of the Town Police Clauses Act 1847.
- 2.15 To ensure compliance with the requirements specified in relevant Data Protection and Freedom of Information legislation.
- 2.16 To be responsible, in conjunction with the Governance Services Manager for arranging the annual member induction, training and development programmes.
- 2.17 To receive petitions and refer them to the appropriate Committee, in

accordance with the Council's Petition Scheme and reject those petitions which do not meet the scheme or which are considered to be vexatious, abusive or otherwise inappropriate.

- 2.18 To be responsible, in conjunction with the Procurement Manager, for the co-ordination of the procurement function throughout the Council to ensure compliance with relevant legislation and that best practice and value for money are achieved in procurement exercises and the development of appropriate strategies.

### **3. HUMAN RESOURCES**

**All the following delegated powers relating to Human Resources can also be exercised by the Human Resources and Organisational Development Manager – to suitably qualified and/or experienced Officers in accordance with an agreed Scheme of Delegation.**

Responsible for the strategic management of Human Resources and overall responsibility for the Human Resources service area, including:

- 3.1 Workforce development planning
- 3.2 Develop policies and procedures for Senior Leadership Team approval relating to all aspects of employment, and to undertake necessary consultation & negotiations with recognised Trade Unions.
- 3.3 To implement nationally agreed pay awards for all employees.
- 3.4 To negotiate and agree settlement agreements where the circumstances warrant it.
- 3.5 Report on cases outside current policies to the Senior Leadership Team for decision.
- 3.6 To arrange a corporate learning & development programme as necessary.
- 3.7 To ensure apprenticeship levy funding is maximised.
- 3.8 To negotiate and agree Occupational Health provision, an Employee Assistance Programme and other employee benefits as directed by Senior Leadership Team.
- 3.9 Workplace Wellbeing.

### **4. COMMUNICATION and Engagement SAND ENGAGEMENT**

**All the delegated powers relating to Communications can also be exercised by the Assistant Director (Customer Service and Transformation) who may also delegate to suitably qualified and/or experienced Officers in accordance with an agreed Scheme of**

## **Delegation.**

- 4.1 To manage and coordinate all of the Council's internal and external communications activities across all recognised channels.
- 4.2 To manage the Council's online activities relating to the structure and content of the Council's main website, its separate news and projects website, its social media accounts and its intranet for employees.
- 4.3 To manage, promote and enforce the Council's agreed branding guidelines for all printed and digitally produced material across all services.
- 4.4 To manage the Council's printing and design contracts to ensure there is both a depth and variety of selected contractors with whom services can place work orders.

## **5. PERFORMANCE**

**All the delegated powers relating to performance can also be exercised by the Assistant Director (Customer Service and Transformation) who may also delegate to suitably qualified and/or experienced Officers in accordance with an agreed Scheme of Delegation.**

- 5.1 To support the Council in developing and reviewing its published three year Business Plans and yearly Business Action Plans, including its agreed corporate priorities and supporting objectives to which all of its services contribute.
- 5.2 To develop and manage an agreed performance management framework which integrates the Council's corporate priorities and objectives with service planning activities and the budget setting process.
- 5.3 To report on the accurate and timely collection of service performance data which enables the Council to monitor its progress against the published priorities and objectives for the borough.
- 5.4 To integrate new quality, improvement and transformation initiatives, as determined by the Council, into the agreed performance management framework.

## **6 Cemetery and Crematoria Management and Burial Registration**

**All the following delegated powers relating to Cemetery and Crematoria Management and Burial Registration can be exercised by the Assistant Director (Customer Service and Transformation) who may also delegate to suitably qualified and/or experienced Officers in accordance with an agreed Scheme of Delegation.**

- 6.1. To use and exercise the powers of the Local Authorities Cemeteries Order 1977 and The Cremation (England and Wales) Regulations 2008 any

subordinate Regulations or Orders.

- 6.2. To do all such things as the Council considers necessary or desirable for the proper management, regulation and control of a cemetery or crematorium.
- 6.3. To bequeath or remove Grants of Exclusive Rights of Burial and Rights to Erect Memorials on such terms and subject to conditions as the Council thinks proper.

To use and exercise the power of the Burial Act 1853 and any other subordinate Regulations or orders for the appropriate disposal of human cadavers and the keeping of the register of burials and disinterment's.