

**EXECUTIVE
COMMITTEE**

24th February 2020

**BUSINESS TRANSFORMATION AND ORGANISATIONAL
DEVELOPMENT – SCHEME OF DELEGATIONS**

Relevant Portfolio Holder	Cllr Thain
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Business Transformation and Organisational Development
Wards Affected	N/A
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The report seeks to clarify the position in respect of the Officer Scheme of Delegations for Business Transformation and Organisational Development.

2. RECOMMENDATIONS

The Executive Committee is asked to **RECOMMEND** that:-

- 1) the proposed change to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine all the Council's policies and strategies relating to Equalities, Engagement and Performance, as detailed in Appendix 1 to this report, be approved;

and to **RESOLVE** that

- 2) the proposed changes to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine all the Council's IT policies, as detailed in Appendix 1 to this report, be approved; and
- 3) the proposed changes to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine restructures within agreed budgets, as detailed in Appendix 1 to the report, be approved.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications identified.

Legal Implications

- 3.2 Review and revision of the Constitution is governed by Article 15 of the Council's Constitution.
- 3.3 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

Service / Operational Implications

- 3.4 The Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the Executive Committee or other committees to certain specified officers. It sets out the decisions which are delegated by Council to officers and the decisions which are delegated by the Executive Committee to officers.
- 3.5 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. Changes can be made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. They do not extend the delegations.
- 3.6 Currently the Scheme of Delegations grants Officers the power to carry out restructures subject to the prior approval of the Executive Committee, where the restructure is within the Council's agreed budget. The caveat requiring prior approval of the Executive Committee effectively negates this as a delegated power. Furthermore, as Members have already granted power to officers to undertake service reviews this creates a contradictory situation. By granting Officers the authority to carry out restructures, as detailed in Appendix 1 to this report, this would provide much greater clarity about the powers that are available.

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- 3.7 Officers do not currently have delegated authority to review and determine the content of Council IT policies and strategies. As technological developments in IT are fast moving the Council needs to be responsive and to update IT policies and strategies to reflect changing circumstances. Members are therefore asked to consider delegating authority to officers to determine the Council's IT policies and strategies moving forward.
- 3.8 The Council also currently does not delegate authority to Officers to determine Equalities, Engagement and Performance policies. Again, these policies often need to be updated relatively frequently in fast changing environment. Members are therefore asked to consider delegating authority to Officers to determine the Council's Equalities, Engagement and Performance Policies.
- 3.9 All of the proposed changes to the Officer Scheme of Delegation for the Business Transformation and Organisational Development department would help to speed up the decision making process at the Council, in line with recommendations made through the Corporate Peer Challenge.
- 3.10 The Constitutional Review Working Party will consider any further proposed changes to the Scheme of Delegations and Committee Procedural Rules at meetings in the new municipal year.

Customer / Equalities and Diversity Implications

- 3.11 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

There is a risk of reputational damage that could arise if the Council does not respond to suggestions arising from the Corporate Peer challenge to speed up the Council's decision making process. The proposals detailed in this report help to address this risk.

5. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Extract from the Officer Scheme of Delegations – Business Transformation and Organisational Development

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