

Extract from Part 3, Chapter 1 – Officer Scheme of Delegation

6. The Interim Chief Executive and Managing Director (Head of Paid Service)

- 6.1 With the exception of those matters reserved to Member-level meetings or other specific provisions within this Constitution, the Interim Chief Executive and Managing Director shall:
- (a) exercise overall responsibility for all corporate, policy, employment commercial and operational matters;
 - (b) be the Council's principal adviser on all matters of policy;
 - (c) in exceptional circumstances, such as a civil emergency, during a void in political leadership or to maintain the efficient and effective governance of the Council, take any decision on behalf of the Council (after consultation with the Leader where appropriate / feasible);
 - (d) exercise overall responsibility for promoting the community leadership role of the Council with Government Departments and other agencies, and other national, regional and local authorities;
 - (e) exercise overall responsibility for all employment matters for all staff (except those reserved to member-level meetings) including disciplinary, grievances, job evaluation, selection for redundancy where there is no appeal against dismissal, appeals in respect of gradings, appeals in respect of harassment and bullying, refusal of retaining employees beyond retirement age, injury allowances, discretionary early retirements, efficiency retirements, discretionary death grants (in cases where employees are not married), early payment of preserved benefits, and all matters relating to restructuring/ reorganisation except those reserved to the JNC Salaries and Conditions Panel;
 - (f) determine the settlement of employment matters in the best legal and financial interests of the Authority, having taken appropriate advice from the Chief Financial Officer, the Strategic Director, Law and Governance and the Director of Workforce Change;
 - (g) nominate Chief Officers, as appropriate, to hear appeals against first and second written warnings on the grounds of misconduct, sickness absence and capability, and grievance appeals; and first stage appeals against final written warnings.
 - (h) be responsible for securing implementation of the Council's decisions within the agreed Policy Framework to ensure the overall effectiveness of the Council's services;
 - (i) investigate disciplinary matters, with the involvement of an independent person, against the Monitoring Officer and Chief Financial Officer;

- (j) be responsible for determining Civil Contingency services, with operational responsibility for the provision of these services being delegated to the Strategic Director, Law and Governance as deputy to the Chief Executive in relation to this matter;
- (k) appoint a Proper Officer for the purpose of any statutory function which is not covered by this Scheme;
- (l) be responsible for setting the strategic management arrangements for the Council and for the allocation of roles to Directors other than those which are statutorily prescribed;
- (m) be responsible for the Council's strategic response to the recovery from the COVID-19 pandemic.
- (n) constitute an Investment Panel to advise on the implementation of the Council's Investment and Acquisition Strategy by appraising individual investment decisions and development schemes and, where appropriate, have authority to approve recommendations from the Panel, except those which are the Cabinet's responsibility;
- (o) negotiate terms and agree investment proposals and land and property acquisitions for projects within the Investment and Acquisition Strategy and the Be First Business Plan, in consultation with the Strategic Director, Law and Governance, the Chief Financial Officer and the relevant Cabinet Members, on the advice of the Investment Panel;
- (p) exercise delegated authority, advised by the Investment Panel, to:
 - (1) agree, in consultation with the Chief Financial Officer, the appropriate source(s) of funding for each individual approved development proposal;
 - (2) approve, in consultation with the Chief Financial Officer, the draw-down of development funding from the development facility subject to:
 - (i) a positive recommendation to proceed with each individual development proposal by the Investment Panel; and
 - (ii) that the funding for the facility, any drawn downs and borrowing costs are provided for in the Council's Medium Term Financial Strategy and the Chief Financial Officer is satisfied that the funding is in line with statutory guidance on local authority investments and is state aid compliant.
 - (3) agree, in consultation with the Strategic Director, Law and Governance:
 - (i) the terms and form of such legal agreements (as are necessary) to give effect to the development facility and to enter into such agreements on behalf of the Council;
 - (ii) the terms and form of legal agreements to give effect to the draw-downs as referred to above, including instruments

providing security to the Council, and to enter into such agreements or security documents on behalf of the Council.

- (4) approve the allocation of additional funding approved by the Cabinet for Be First, subject to the Chief Financial Officer being satisfied that it is financially prudent to do so;
- (5) approve, in consultation with the Strategic Director, Law and Governance and the Chief Financial Officer, the entering into (by Be First or the Council) of any agreement or commitments required to enable the delivery of the Council's capital programme as commissioned subject to:
 - (i) compliance with relevant procurement and state aid law;
 - (ii) being satisfied as to the appropriate terms and financial implications;
 - (iii) being satisfied that the terms of such agreements or commitments would not cause the Council to be in breach of its Constitution.
- (6) approve, in consultation with the Strategic Director, Law and Governance and the Chief Financial Officer, the entering into (by Be First or the Council) of any agreement or commitments required to enable the delivery of any approved schemes within the Council's Investment and Acquisition programme subject to:
 - (i) the endorsement of the Council's Investment Panel;
 - (ii) compliance with relevant procurement and state aid law;
 - (iii) being satisfied as to the appropriate terms and financial implications;
 - (iv) being satisfied that the terms of such agreements or commitments would not cause the Council to be in breach of its Constitution.
- (q) **constitute a Shareholder Panel to be responsible for the regular monitoring of the performance of Council-owned companies and other corporate vehicles against their annual business plan targets, monitoring of strategic objectives and their delivery and associated risks and consideration of all reserved matters in accordance with relevant company Shareholder and other Agreements;**
- (r) **exercise delegated authority, in consultation with the Shareholder Panel, in respect of any non-strategic reserved matters requiring the approval of the Council as Shareholder or partner (Note: all strategic reserved matters shall continue to be the responsibility of the Cabinet).**

6.2 The Interim Chief Executive and Managing Director is the Council's Senior Information Risk Officer (SIRO).