SECTION P – THE CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

1. Authorised, to sign on behalf of the Council, orders, letters licences, notices, certificates or any other documents unless authorities specifically reserved to Member level meetings and/or Corporate Directors, and

1.1 Overall corporate and operational management responsibility including performance monitoring and assessment.

1.2 The Council’s principal adviser on all matters of policy.

1.3 Overall responsibility for promoting the community leadership role of the Council with Government Departments, other strategy agencies, and other national, regional and local authorities.

1.4 Securing implementation of the Council’s decisions within the agreed policy framework to ensure the overall effectiveness of the Council’s services.

1.5 Determining, in consultation with the Divisional Director of Human Resources and Organisational Development, all employment matters for all staff with the exception of those reserved to Member-level meetings or further delegated by the Chief Executive to officers. These include disciplinary, grievances, job evaluation, selection for redundancy where there is no appeal against dismissal, appeals in respect of gradings, 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.

1.6 Nominate Corporate Directors or Divisional Directors, 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.

1.7 Determining appeals against harassment and bullying.

1.8 To investigate disciplinary matters, with the involvement of an independent person against the Monitoring Officer and Chief Financial Officer (Section 151 Officer).

1.9 Settlement of employment matters in the best legal and financial interests of the Authority, having taken appropriate advice from the Section 151 Officer, the relevant Legal Partner, and the Divisional Director of Human Resources and Organisational Development.

1.10 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, to take any decision on behalf of the Council (after consultation with the Leader where feasible).
1.11 Corporate Policy and Public Affairs including Marketing and Communications.

1.12 **Legal & Democratic Services including:**

- The Legal Practice incorporating three strands: Corporate Law & Employment, Safeguarding and Partnerships, and Property Contracts and Procurement
- Signing and sealing on behalf of the Council orders, notices, licences and other documentation as deemed appropriate
- Instructing the commencement of all civil and criminal legal proceedings in consultation with other Corporate Directors as appropriate
- Democratic Services incorporating Member Development and Electoral Services (Registration and Elections)
- Corporate Stage 3 Complaints and Ombudsman cases, including agreeing compensation over £250 up to £5,000 in respect of any service area
- In addition the Divisional Director of Legal and Democratic Services has the responsibility of leading on the Code of Corporate Governance and in particular for ensuring it is reviewed annually and reported to the Cabinet and subsequently to the Assembly for revision as necessary

1.13 **Human Resources and Organisational Development including:**

- Health, Safety & Occupational Health
- Human Resources Operations including learning and development, employee relations, recruitment, compensation and benefits, business support, change and strategy
- Organisational Development
- Investigation of ethical matters in relation to officers, having regard to the Code of Conduct for employees and other employment related codes or requirements and instituting disciplinary proceedings in accordance with legislation and/or Council policy and procedures.

2. **Proper Officer Functions**

2.1 The Proper Officer in relation to

2.1.1 any reference in any legislation passed before or during the 1971/1972 session of Parliament, other than the Local Government Act 1972 or in any instrument made before 26 October 1972, to the Town Clerk of the Borough;

2.1.2 Thames Gateway London Partnership;

2.1.3 Local Land Charges Act 1975 and associated rules;

2.1.4 the following provisions of the Local Government Act 1972:
(a) Section 83(1) – The Officer to whom a person elected to the office of Mayor, Deputy Mayor or Councillor shall deliver a declaration of office in the prescribed form.

(b) Section 84 - The Officer to whom a person elected to any office under the Act may give written notice of resignation.

(c) Section 88(2) – The Officer who may convene a meeting for the election of Mayor of the Borough forming a casual vacancy in that office.

(d) Section 89(1) - The Officer who shall receive notifications of casual vacancies in the case of councillors.

(e) Section 96(1) - The Officer to whom a Member of the Council shall give notice to the effect that he/she or his/her spouse is a member or in the employment of a specified company or other body, or that he/she or his/her spouse is a partner or in the employment of a specified person, or that he/she or his/her spouse is the tenant of any premises owned by the Council.

(f) Section 96(2) - The Officer who shall record particulars of any disclosure made under Section 94 and of any notice given under Section 96(1) of the Act.

(g) Sections 100B(7)(c), 100C(2) and 100F(2) in relation to Access to Information.

(h) Section 225(1) - The Officer with whom a document of any description is to be deposited pursuant to the standing orders of either Houses of Parliament or to any enactment or instrument.

(i) Section 229(5) - The Officer who shall certify a photographic copy of a document in the custody of the Council, or of a document which has been destroyed while in the custody of the Council, or of any part of any such document.

(j) Section 234(1) - The Officer who shall sign any notice, order or other document which the local authority is authorised or required to make or issue.

(k) Section 238 - The Officer who shall certify a printed copy of a byelaw of the Council.

(l) Schedule 12, Part I, para. 4(2)(b) - The Officer who shall sign a summons to attend a Council meeting.

(m) Schedule 12, Part I, para. 4(3) - The Officer to whom a Member of the Council shall give a notice in writing desiring summonses to attend
meetings of the Council to be sent to an address specified in the notice other than his/her place of residence.

(n) Schedule 14, Part II, para. 25(7) - The Officer who shall certify a resolution of the Council under this paragraph.

2.1.5 the Local Authorities (Members Interests) Regulations 1992.

2.1.6 The following provisions in the Representation of the Peoples Act 1983:
   - Section 8 - The Registration Officer for any constituency or part of a constituency having a common boundary with or situated in the Borough.
   - Section 28 - The Acting Returning Officer for Parliamentary Elections.
   - Section 35(3) - The Returning Officer at an election of Councillors of the Borough.

3. The Head of Paid Service under the Local Government and Housing Act 1989.

4. Managing Director to the East London Waste Authority or other Officer who this is further delegated to by the Chief Executive.


6. The Clerk to the Education Appeals Panel.

7. Data Controller for the Borough under the Data Protection Act 1988;

8. Responsible for any other Proper Officer function previously dealt with by the Town Clerk/Chief Executive for which no other authorities have been given.

Additionally, the Divisional Director of Legal & Democratic Services is appointed to carry out the function of Monitoring Officer under the Local Government and Housing Act 1989.

(Contact Officer: Group Manager, Democratic Services: Tel: 020 8227 2135)