

CABINET MEMBER FOR HEALTH & SOCIAL CARE

**Venue: Town Hall, Moorgate
Street, Rotherham**

Date: Monday, 12th October, 2009

Time: 10.00 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972 (as amended March 2006)
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for Absence
4. Minutes of the previous meeting held on 28th September 2009 (herewith) (Pages 1 - 3)
5. Neighbourhoods and Adult Services Scheme of Delegations 2009/10 (herewith) (Pages 4 - 138)
6. Adult Services Revenue Budget Monitoring Report 2009/10 (herewith) (Pages 139 - 145)

CABINET MEMBER FOR HEALTH & SOCIAL CARE
Monday, 28th September, 2009

Present:- Councillor Doyle (in the Chair); Councillors Barron and Jack

Apologies were received from Councillors Gosling and P Russell.

38. MINUTES OF THE PREVIOUS MEETING HELD ON 14TH SEPTEMBER 2009

Resolved:- That the minutes of the meeting held on 14th September 2009 be approved as a correct record.

39. ADULT SOCIAL CARE YEAR END PERFORMANCE REPORT 2008-09

John Mansergh, Service Performance Manager presented the submitted report which outlined the 2008/09 key performance indicator year end results for the Adult Social Care elements of the Directorate.

At the end of the year 55% of our Key Performance Indicators (KPIs) achieved their targets compared to 58% last year. 82% of the indicators had improved upon their position from last year which compared to 56% in the previous year.

Two significant issues led to changes in forecasted outcomes. The success of our safeguarding champions and the raised profile of this issue nationally had led to an unprecedented increase in the number of incidents reported and investigated, from 251 referrals in 2007/08 to 526 in 2008/09. Response to this trend was positive with significant resources being deployed (£400k) into adult protection. Additional resources of £4.3m committed for 2009/10 and beyond would enable pace of improvement to pick up once again.

Measures taken by the Council to extend the range of services available and provide new ways of delivery led to improved outcomes and VFM but resulted in lower scores on some performance indicators because of the national definitions.

The following performance measures did not achieve their targets:-

- Reviews of care packages (reference D40)
- Achieving independence for older people through rehabilitation and intermediate care (reference NI 125)
- People supported to live independently through social services (reference to indicators NI 136, C29 and C32)
- Percentage of vulnerable people who are supported to maintain independent living (reference NI142)
- Services for carers (reference C62)

- Equipment delivered within 7 working days (reference D54)
- Timeliness of social care assessments (reference NI132 and D55)
- Adults aged 18-64 admitted to permanent residential or nursing care (reference C72)
- Percentage of people receiving a statement of needs (reference D39)
- Ethnicity of older people receiving assessment (reference E47)
- Safeguarding cases completed (reference LPI 4)

The following Indicators were able to demonstrate significant step change improvement from last year:-

- Carers receiving needs assessment or review and a specific carers service, or advice and information (reference NI 135)
- Percentage of vulnerable people achieving independent living (reference NI 141)
- Adult with mental health problems helped to live at home (reference C31)
- Acceptable waiting times for care packages (reference NI 133)
- Direct Payments (reference C51)
- Older people admitted to permanent residential or nursing care (reference C72)
- Number of safeguarding reports (reference LPI 3)

A question and answer session ensued and the following issues were raised and discussed:-

- Concerns were raised that the target had not been met in relation to reviews of care packages. The Strategic Director for Neighbourhoods and Adult Services confirmed that over the past 2 years the rate had improved from 46% to 72% despite having to put more resources in Safeguarding and it was anticipated that this would improve further during the current year to 77%. He added that an Inspection had taken place in respect of Safeguarding during June/July, and out of the 40 councils inspected there was only one had received a better result. A report had recently been presented to Cabinet and it was agreed that a copy of this would be presented to the next Cabinet Member meeting.
- Reference was made to the funding for stretch targets and a query was raised as to whether this was money which had already been accounted for. It was confirmed that the money was part of a grant made available to the Local Strategic Partnership and that a case would need to be put forward in order to obtain part of this.

Resolved:- (1) That the results and the remedial actions in place to improve performance be noted.

(2) That a copy of the report relating to the Safeguard Inspection be presented to the next Cabinet Member meeting.

40. SELF ASSESSMENT 2009

John Mansergh, Service Performance Manager presented the submitted report in relation to the self assessment 2008, which identified the areas of strength and areas of development arising from the 2008/09 submission.

A presentation was given which drew specific attention to:

- CSCI Annual Performance Assessment Score
- Neighbourhoods & Adult Services Achievements
- Improving health and emotional wellbeing
- Improved quality of life
- Making a positive contribution
- Increased choice and control
- Freedom from discrimination and harassment
- Economic wellbeing
- Maintaining dignity and respect
- Challenges

CQC had assessed our submission and asked further questions at the Annual Review meeting on 12th August 2009. The judgement for adult social care would be made in December 2009 once CQC had completed quality assurance and moderation processes which were designed to ensure a consistent application of judgement throughout the Country.

A question and answer session ensued and the following issues were raised and discussed:-

- Whether any training was provided for carers. Confirmation was given that extensive training was available to carers at all stages. Training was also available to people working for independent and voluntary sectors. It was felt that that improvements could be made and that it was necessary to create a workforce development
- A query was raised as to whether a Joint Disability Equalities Officer had been appointed yet. It was confirmed that it had been decided that it was not necessary to appoint a new member of staff, but to merely identify a lead officer from across the Council.

Resolved:- (1) That the Self Assessment submitted to the Care Quality Commission on 14th May 2009 be noted

(2) That the user friendly version of the self assessment be noted

(3) That the remaining timetable for the Annual Performance Assessment for 2009 be noted.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet Member for Health and Social Care
2.	Date:	12 October 2009
3.	Title:	Neighbourhoods and Adult Services Scheme of Delegations 2009/10
4.	Directorate:	Neighbourhoods and Adult Services

5. **Summary**

The purpose of this report is to advise the Cabinet Member of the changes made to the Scheme of Delegations for Neighbourhoods and Adult Services. The scheme aims to strike a balance between allowing operational decisions to be made at the appropriate level and ensuring that we have an appropriate degree of management directives and oversight at Directorate Management Team (DMT) so that the decisions which are made are consistent with the vision for the Directorate and better outcomes for people.

6. **Recommendations**

That Cabinet Member notes the revised Schemes of Delegation.

7. **Proposals and Details**

Background

The Scheme of Delegations details in a formal document the agreed decision making arrangements in place within the Directorate. The document shows how the Directorate has devolved its relevant powers and duties throughout the management structure. These responsibilities have derived from either statutory functions, in the case of the statutory post of the Director with Adult Social Services responsibilities (also referred to as the DASS), and from decisions made by the Council.

The scheme of delegation is part of the Councils constitution and contains information relating to all service functional responsibilities as well as decisions affecting human resources and financial management. The scheme allows for an appropriate level of decision making but the Directorate Management Team (DMT) acts as the framework for ensuring consistent decision making across the Directorate so that all Directors work towards the same vision and same management directives e.g. regarding decisions and decisions not to recruit to posts. DMT also ensures that decisions are made based upon the delivery of outcomes which is consistent with the vision whether that is a decision affecting the community, a neighbourhood or an individual. There are a range of examples where decisions are taken which is based upon our vision for people able to exercise choice, to be active within communities and to be safe within neighbourhoods.

The Service Performance Team has worked with Directors to update the documents. Consequently, we have changed the hierarchy of the documentation to achieve greater alignment with the structure of the Directorate and therefore hopefully creating a better understanding of the scheme. The original scheme of delegations structure can be seen in Appendix 'A'.

In updating the scheme this year it became clear that the Strategic Director of Neighbourhoods and Adult Services functions should be encompassed into one document to span the entire Directorate. The statutory role of the DASS is also shown in the new structure, as this is a statutory requirement. The individual delegation of powers to Officers Schedule B sits under the Neighbourhoods and Adult Services Function document and reflects the recent changes in the department's structure. This can be seen in Appendix 'B'.

The Neighbourhoods and Adults Service Directorate scheme is divided into four schedules. These are;

- Schedule A: The 'functions' document which details the functions covered by the Directorate and who is responsible for them e.g. Cabinet, Cabinet Member, Strategic Director or Service Director. This document also lists all the legislation covered within the function under the Schedule of Powers Act (see Appendix 'C'),
- Schedule B: The statutory role of the Director of Adult Social Services which details the statutory requirements placed on the Strategic Director of Neighbourhoods and Adult Services by the Government (see Appendix 'D'), and
- Schedule C: The 'delegation of powers to officers' document which provides the detail of the work of each department within Neighbourhoods and Adult Services together with the individual officer responsible for each area of work (Appendix 'E' to 'H').

8. **Finance**

There are no financial implications associated with the production of this report. There has been one change to financial decision making responsibilities as a result of consultation this year. This relates to the Independent Living department. One financial change to the scheme of delegations concerns the Disabled Facilities Grant where the original scheme of delegation stated that grants where the value of works is assessed by the Service Director for Independent Living as being less than or equal to £6000. In the new scheme of delegations this amount has been increased by the Service Director to £30,000. The Service Director stated that adaptations under this amount were agreed by the Housing Access Manager after an Adaptations Panel had been convened.

9. **Risks and Uncertainties**

The scheme of delegation shows the responsibilities of senior managers within the Directorate and the main risk is that the scheme is not updated to reflect changes to decision making powers, officer responsibility, changes to posts and legislative or policy changes.

The scheme has been fully revised this year to reflect the decision making structure of the Directorate. This will mitigate the risk of not being able to demonstrate a clear decision making structure to any interested party which could include internal audit, regulators, the Health and Safety Executive and lawyers amongst others.

There is sometimes uncertainty about the scheme held at Directorate level and that of the Councils. It is also important to distinguish between the officer's scheme and that of Cabinet Members. The Cabinet Members scheme is managed and updated by the Chief Executives Directorate.

10. **Policy and Performance Agenda Implications**

The Councils Scheme of Delegation is revised and approved at the Councils annual meeting held in May. Directorates are required to maintain more detailed decision making schemes. The scheme reflects decision making responsibilities and is a part of our performance management framework. The Care Quality Commission (CQC) requested a copy of the DASS Scheme of Delegation (Appendix 'D') as part of the service inspection under the performance management element of the Leadership QuiPs.

11. **Background Papers and Consultation**

The Scheme of Delegation was updated following consultation with the Directors of Commissioning and Partnerships, Health and Wellbeing, Independent Living and Housing and Neighbourhood Services. Advice was taken from Tim Mumford, Assistant Chief Executive, who used the revised information to update the Councils Scheme of Delegation which was approved at the Councils Annual Meeting in May 2009.

Appendix 'A': Old structure of the Scheme of Delegation for NAS

Appendix 'B': New structure of the Scheme of Delegation for NAS

Appendix 'C': Neighbourhoods and Adult Services Functions document, Schedule A

Appendix 'D': DASS scheme of delegation, Schedule B

Appendix 'E': Commissioning and Partnerships, Schedule C

Appendix 'F': Health and Well Being, Schedule C

Appendix 'G': Independent Living, Schedule C

Appendix 'H': Housing and Neighbourhood Services, Schedule C

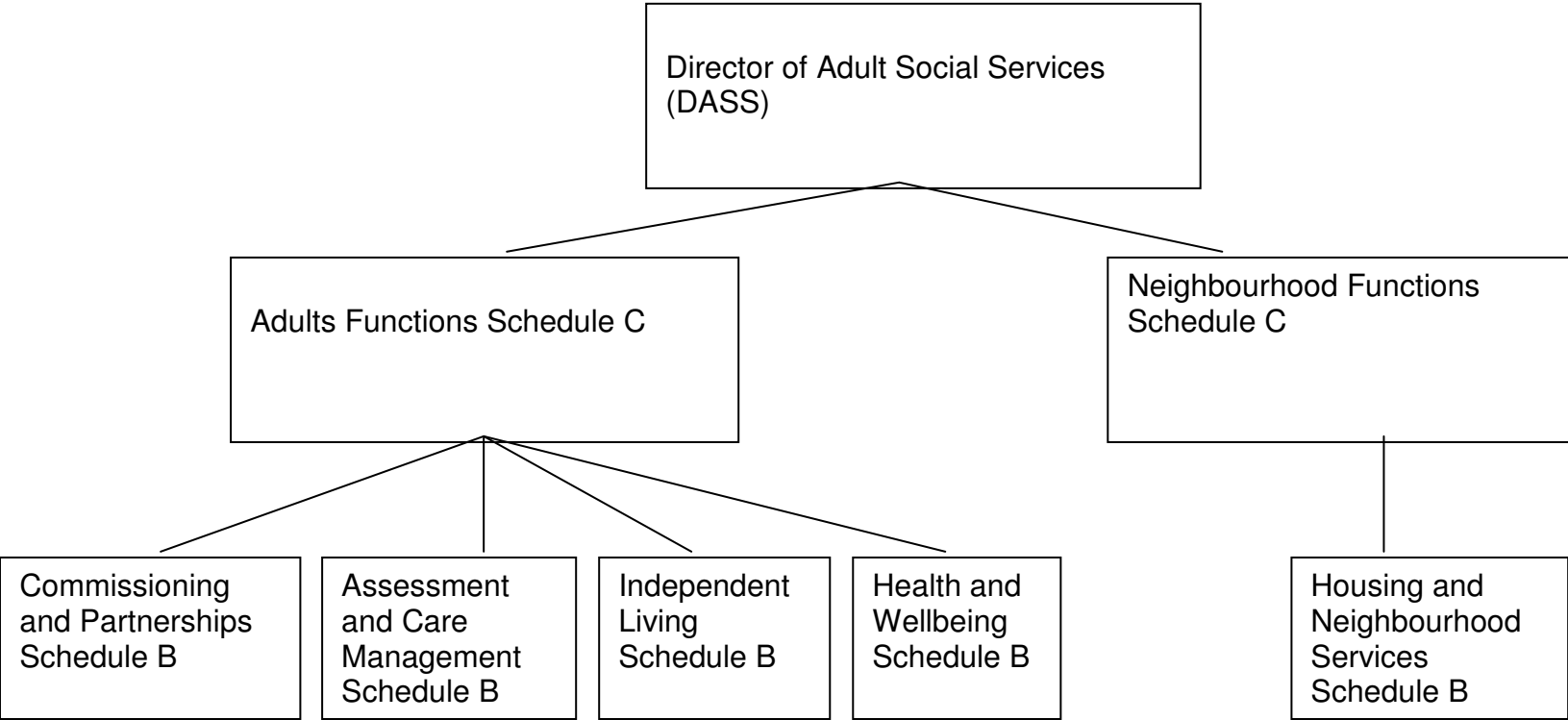
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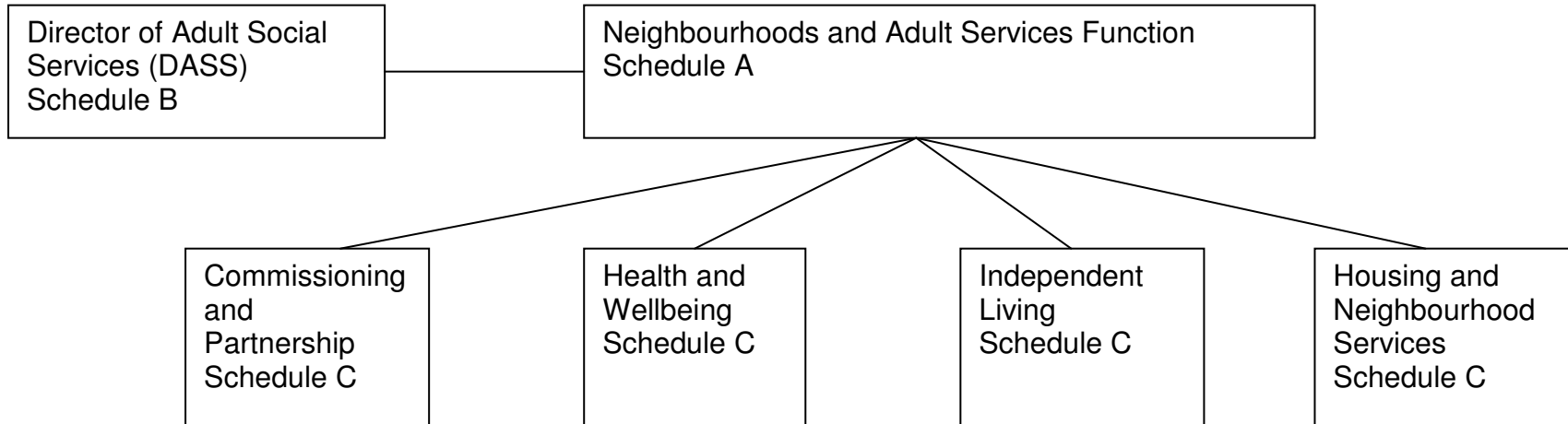
Old Scheme of Delegations Structure

Appendix A



Revised Structure for Scheme of Delegations

Appendix B



Neighbourhoods and Adult Services Function

Appendix C

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>8. Strategic Planning (see 1.1; 2.5; 2.6; 4.3; 5.3; 6 and 7.1 – Statutory Role of the Director of Adult Social Services)</p>				
<p>8.1 To prepare strategic plans across the Directorate which provide a long and medium-term strategy for the development of Housing, Neighbourhoods and Adult Services, consistent with the overall policy framework of the Council.</p>	<p>Recommendation to Council</p>			
<p>8.2 To approve Directorate and Service Plans, as required by the Council, which will form the basis for budget planning and monitoring.</p>		<p>Decision</p>		
<p>8.3 To ensure the Services approved Service Plans which set out the framework for the delivery of services are consistent with the short, medium and long-term plans of the Neighbourhoods and Adult Services Directorate.</p>		<p>Decision</p>		
<p>8.4 To approve financial plans for the Neighbourhoods and Adult Services Directorate and allocate resources to Services in accordance with approved Service Plans.</p>		<p>Decision</p>		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
8.5 To adopt housing and neighbourhood services and Corporate Adult Services policies which assist in the delivery of Service Plans.	Decision			
9. Performance Review (see 1.2; 1.3; 1.10; 2.7; 3.1; 3.2; 3.3; 3.4; and 5.3 1 – Statutory Role of the Director of Adult Social Services)				
9.1 To adopt and maintain a plan and procedure for monitoring and reviewing Service activity/outcomes in fulfilling the terms of the Directorate and Service Plans.		Decision		
9.2 To be responsible for the monitoring and review of Service performance in the use of allocated resources against strategic objectives as outlined in the Directorate and Service Plans.		Decision		
9.3 a) To determine any transfer of resources within and across the Directorate consistent with the maintenance of effective performance and a balanced budget. b) Transfer of resources between Directorates.	Report to CMT and then Cabinet for final decision.		Up to £100k across Services in accordance with financial regulations and should also be reported to Cabinet Member.	Up to £100k re own Service in accordance with financial regulations and should also be reported to Cabinet Member.
9.4 To be responsible for the monitoring and review of service performance across the Directorate to ensure consistency in the delivery of outputs and outcomes against Service Plans.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
9.5 To ensure all policy development is consistent with overall Council policy and national priorities in respect of housing, neighbourhoods services and social care.			Decision	
9.6 To ensure that adequate arrangements are in place for managing information relating to the Neighbourhoods and Adult Services function, including the provision of information required by all statutory and local scrutiny arrangements. (see 3.3)			Decision	
9.7 To monitor and review activity across the Directorate with respect to complaints. (see 1.7)		Decision		
9.8 To monitor and review activity across the Directorate with respect to workforce development and staff care. (see 2.2 and 2.3)			Decision	
10. Service Provision				
General				
10.1 To ensure the development of policy and objectives for the delivery of housing services, neighbourhood services and personal adult social services.	Decision			

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.2 To be responsible for the development, delivery and monitoring of arrangements made for the provision of the service specific plans, purchasing strategies and resultant Service Plans.			Decision	
10.3 To ensure appropriate arrangements are made for the commissioning, purchasing and delivery of services. (see 1.1)	Decision			
10.4 To ensure appropriate Delivery Plan detailing the provision of housing management and maintenance services by 2010 Rotherham Ltd is in place and monitored.		Decision		
10.5 To determine the strategic framework for contracting and partnerships and market development, including the relationship with the Council's "in-house" provider units and external service providers. (see 1.2)	Decision			
10.6 To determine contract terms and conditions for services and the letting of specific contracts.		Decision (over £500 k)	Decision (under £500 k)	
10.7 To determine the process of tendering and letting of contracts, ensuring that contract compliance is maintained by the application of appropriate monitoring arrangements (in accordance with Standing Orders). (see 1.3)	Decision			

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.8 To determine grants to voluntary organisations in accordance with the overall budgetary provision for grant aid.		Decision		
10.9 To be responsible for the operation of the Council's statutory obligation for the delivery of housing services, neighbourhood services and adult social care services as delegated by the Cabinet, ensuring policies are developed in line with legislative, regulatory and Council policy requirements. (see 1.1)		Decision		
10.10 To ensure appropriate arrangements are made for the safeguarding of adults in line with the 'No Secrets' guidelines				Director of Health and Wellbeing
10.11 To monitor and review the effectiveness of individual services within the Neighbourhoods and Adult Services Directorate including an annual report from each sub-division of the service. (see 1.2)			Decision	
10.12 To determine the eligibility criteria for service provision. (see 1.4)	Decision			
10.13 To apply the eligibility criteria but retain the discretion to determine individual service provision where appropriate. (see 1.4)		Decision Over £ annually	Decision Up to £ annually	Director Health and Wellbeing
10.14 To ensure the full assessment of social care needs for Service Users and their carers is undertaken. (see 1.1; 1.4; 1.5; and 1.8)				Director Health and Wellbeing

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.15 To be responsible for the appropriate targeting of resources ensuring needs are most appropriately met through the balanced provision of care and support. (see 4.2)				Director Health and Wellbeing
10.16 To determine appropriate levels of charging for services.		Decision		
10.17 To initiate Court proceedings in respect of non-payment of charges.				Director Commissioning and Partnerships
10.18 To ensure the development and maintenance of necessary partnerships with other agencies and Directorates within Rotherham Metropolitan Borough Council for the efficient and effective delivery of community care services to adults consistent with Government direction and guidance. (see 1.9; 2.4; 2.5; 2.6; 5.3; 6.1; 6.2 and 6.3)			Decision	
10.19 To develop and maintain forums for consultation with providers for delivery of adult social care services. (see 5.2 and 7.1)				Director Commissioning and Partnerships
10.20 Arrange and conduct a Joint Strategic Needs Assessment of the local adult population in line with the Guidance. DH Guidance on Joint Strategic Needs Assessment Dec 2007			Decision	Director Commissioning and Partnerships

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.21 To ensure consultation with the public, service users and carers and the provision of information concerning Local Authority priorities for the provision of adult social care services. (see 4.3; 5.1; and 5.2)				Director Commissioning and Partnerships
10.22 To contribute to the approach and prioritisation of application for external funding, including government grants.		Decision		
10.23 To ensure that appropriate arrangements are made to safeguard the Health and Safety of service users and staff in accordance with statutory requirements and Council policy.				All Service Directors
10.24 To determine appropriate programmes for the efficient operation, maintenance and protection of buildings within the service.				All Service Directors
10.25 To receive inspection reports and service responses in respect of housing and neighbourhood services and of provision of residential and nursing care and to ensure appropriate action has been taken in respect of recommendations from these reports.		Decision		
10.26 To receive and consider reports relating to the inspection of Local Authority residential homes.		Decision		
10.27 To authorise the temporary closure or suspension of admissions of local authority residential or day care unit on grounds other than financial viability.			Decision	

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.28 To authorise the temporary suspension of admissions to independent sector residential, nursing home or day units on grounds other than financial viability.				Director Health and Wellbeing Director Commissioning and Partnerships
10.29 To be responsible for receiving and considering reports in connection with complaints and representations activities arising out of the Local Authority Social Services Act 1970, the Local Authority Social Services (Complaints Procedure) Order 1990, Complaints Procedure Directions 1990, Representations Procedure (Children) Regulations 1991 and the Children's (Representations, Placements and Reviews) (Miscellaneous Amendments) Regulations 1991.		Decision		
10.30 To consider representations concerning any aspect of Service provision including appeals against the ability to pay charges.				All Service Directors Director Commissioning and Partnerships(for Appeals against ability to pay charges)

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
10.31 To assist in the monitoring of complaints and ensure the policy and procedure for handling complaints is in accordance with the Directorate's complaints procedure. To receive and consider issues arising from complaints. (see 1.7)				All Service Directors
10.32 To consider implications arising out of complaints review procedure.		Decision		
10.33 To delegate to the Cabinet Member powers and duties arising from the agreed terms of reference for the Cabinet Member and the associated Schedule of Delegation of Powers and Duties. (see 2.4; 2.6 and 5.3)	Decision			
10.34 To ensure the provision of appropriate support in respect of services to Rotherham's N.H.S. partners.				All Service Directors
10.35 To ensure in co-operation with other appropriate Committees that arrangements are made for the undertaking of assessments and provision of adaptations.		Decision		
11 Strategy and Policy				
To determine policy and procedures in the following matters:-		Decision		
11.1 The tenancy agreement for tenants of dwellings within the Housing Revenue Account.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
11.2 Renovation, Home Repair Assistance, Group Repair and Disabled Facilities Grants.		Decision		
11.3 The role of Housing in regeneration and sustainability		Decision		
11.4 Strategies and policies arising from the estimation of general housing need , special housing need and stock condition within the Borough.		Decision		
11.5 The Housing Investment Programme Strategy and Budget.		Decision		
11.6 Any matter arising from the Councils complaints procedure or any matter recommended by the Ombudsman where the matter is a question of policy.		Decision		
11.7 The approval of supplementary estimates to be funded from balances within any General Fund account under the control of Neighbourhoods and Adult Services.		Decision		
11.8 The tendering strategy for the maintenance of all Council owned properties.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
11.9 <ul style="list-style-type: none"> ▪ The closure, clearance and improvement of dwellings whether individually or in respect of areas of housing, ▪ the making of Compulsory Purchase Orders in relation to housing matters, ▪ the authorisation of discretionary home loss and disturbance payments and ▪ the payment of vendor's fees prior to the declaration of a compulsory purchase order or clearance area. 		Decision		
11.10 The Council's enabling role and partnerships with other agencies, tenants and tenants groups insofar as it applies to housing.		Decision		
11.11 Tenant and resident consultation and involvement in the formulation and implementation of Council's Housing, Housing Management and Housing Regeneration strategies.		Decision		
11.12 Mortgage advances and improvement loans.		Decision		
11.13 The approval of supplementary estimates to be funded from balances within the Housing Revenue Account.		Decision		
11.14 Any matter relating to the functions of any unit within the Neighbourhood and Adult Services Directorate.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
11.15 The role of the Directorate in Local Agenda 21 and Sustainability.		Decision		
12. Enforcement, Operations and Service Matters				
To determine the following matters:		Decision		
12.1 In respect of the Allocation Scheme for Council Housing under the Housing Act 1996, related legislation, and relevant codes of guidance, Transfers of Tenancy and Nominations to Registered Social Landlords		Decision		
12.2 Policy in connection with the allocation and letting of property held within the Housing Revenue Account.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>12.3 Save in so far as delegated to the Service Director for Neighbourhood Services, in respect of Renovation Grants and Home Repair Assistance and Disabled facilities Grants under the Housing Grants, Construction and Regeneration Act, 1996 or related legislation secondary legislation or Government Circulars, whether mandatory or discretionary;</p> <ul style="list-style-type: none"> ▪ The approval of grant. ▪ The payment of grants ▪ Interim payments and unforeseen works 		Decision		
13. Miscellaneous				
Determination of the following matters:				
13.1 Matters relating to the submission and acceptance of tenders relating to contracts for the procurement of goods and services in accordance with standing orders and financial regulations.		Decision		
13.2 The fixing of fees and charges for services provided.		Decision		

Reference	Cabinet	Cabinet Member	Strategic Director	Service Director
13.3 Applications in respect of mortgage advances which fall within the Council's approved scheme and loans for house purchase or for the adaptation, improvement, conversion or repair of houses.		Decision		
13.4 Applications for extensions, adaptations grants or awards in the private and public sectors in excess of £25,000, to be submitted for approval.		Decision		
13.5 Disposal of Council owned housing, i.e. acquired property or system built or otherwise defective property by means of sale on the open market or deed of gift or long lease to a registered social landlord, provided local ward members concur and in accordance with the Council's land disposal procedures.		Decision		
13.6 Employee/Trainee awards made within the Directorate and/or Business Units.		Decision		
13.7 Applications for all seminars and conferences to be submitted for approval.			Decision	
13.8 The implementation of National Conditions of Service and Local Joint Agreements in accordance with Corporate policy and procedure.		Decision		
14. Contracting and Best Value				
The determination of the following matters:				

Reference		Cabinet	Cabinet Member	Strategic Director	Service Director
14.1	Policy and procedures and matters arising in connection with the conduct and performance of a contractor, including the Council's own workforce.		Decision		
14.2	Future procurement strategy, contract packaging and market analysis.		Decision		
14.3	Measures necessary to achieve 'best value' in the functions of the programme area and high standards of performance and quality of service delivery.		Decision		
14.4	Policy and procedures to improve service delivery, efficiency and effectiveness.		Decision		
15.	Service Provision				
	General				
15.1	The Strategic Director of Neighbourhoods and Adult Services be delegated the power to determine the content of the preparation programme, changes to the co-ordinating team or minor changes to the partnership arrangements in connection with the South Yorkshire Housing Low Demand Pathfinder.			Decision	

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
A. Service Provision					

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>Complaints and Representations Local Authority Social Services Act 1970 S.7B Local Authority Social Services (Complaints Procedure) Order 1990, Care Standards Act 2000</p>	<p>Every Local Authority must establish a procedure for considering any representations (including complaints) in the relation to the discharge, or any failure to discharge, its social service functions.</p> <p>Local Authorities should attempt to resolve complaints informally. When this is not to the satisfaction of the complainant, they should be informed of the formal procedure. Formal complaints should be heard by a panel of three persons, at least one of whom should be an independent person.</p>				<p>See Schedule of delegation to officers</p> <p>Director Commissioning and Partnerships</p>
<p>National Care Standards Act, 2000</p>	<p>Local Authorities must have arrangements in place that will ensure it complies with regulations and the National Minimum Standards.</p>				<p>Decision</p> <p>Director Commissioning and Partnerships</p> <p>Director Health and Wellbeing</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Community Care Plans, N.H.S. and Community Care Act 1990, S.46, Community Care Plans Direction 1991, Community Care Plans (Consultation) Directions 1993, Community Care Plans (Independent Sector Non-Residential Care) Direction 1994	Each Authority shall prepare and publish and plan for the provision of community care services in its areas. Consult the relevant N.H.S. partners, voluntary organisations and representatives of provider organisations (who made their wish to be consulted known to Local Authorities) and when carrying out their functions with regard to Community Care Plans, and the Better Care, Higher Standards Charter.				See Schedule of delegation to officers
Data Protection Act 1998 D.P.A. Guidance to Social Services 2000	Generally, individuals have a right to access to information maintained in relation to themselves and to obtain copies and require amendment of any inaccurate information.				Decision All Service Directors

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
A. Adult Services					
1. Community Care:					
Community Care Services N.H.S. and Community Care Act 1990	<p>Community Care Services are defined as:-</p> <p>(a) Part III of the National Assistance Act, 1948</p> <p>(b) Section 45 of Health Services and Public Health Act 1968.</p> <p>(c) Section 21 of and Schedule 8 to the National Health Service Act 1977.</p> <p>(d) Section 117 of the Mental Health Act 1983.</p>				<p>Decision</p> <p>Director Health and Wellbeing</p> <p>Director Health and Wellbeing</p>
Assessment N.H.S. and Community Care Act 1990 S.47	Local Authorities are required to assess people whom they think may require community care services, and decide on the basis of that assessment what, if any, services they should arrange to meet those needs.				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>When they carry out the assessment they must inform the Housing and Health Authorities if they think there are also health or housing needs, and must invite those Authorities to become involved in the assessment. The services that are likely to be available from those Authorities should be taken into account.</p>				
<p>Fair Access to Care Health Act 1999 S.31 Fair Access to Care Services [LAC(2202)13] NHS & Community Care Act 1990 S47</p>	<p>Local Authorities are required to make only one eligibility decision with respect to adults seeking social care support. This decision should be made following an assessment of an individual's presenting needs. Based on the outcomes of this assessment, Local Authorities should prioritise individual eligibility of needs according to the risks to their independence in both the short and long-term if help were not provided.</p>				<p>See Schedule of delegation to officers</p> <p>Director Commissioning and Partnerships for strategic decision on level of FACS</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Services for Older People Health Services and Public Health Act 1968 S.45	<p>Local Authorities may arrange services to promote the welfare of older people. Such services include:-</p> <ul style="list-style-type: none"> - meals and recreation - information about services - transport to and from services - social work, visiting and advice - practical assistance with adaptations and provision of extra facilities for greater safety, comfort or convenient warden services - assistance in finding suitable households for boarding 				See Schedule of delegation to officers
Burial Public Health (Control of Disease) Act 1984 Section 46 (2) and (5)	Burial and cremation of persons dying in accommodation provided under Part III of the National Assistance Act 1948 or dying in the community and recovery of expenses from his estate.				See Schedule of delegation to officers
General Services National Health Service Act 1977 Sched. 8 National Assistance Act 1948 Part III	<p>Local Authorities must arrange a home help service on such a scale as is adequate for the needs of people in their area.</p> <p>Local Authorities may arrange laundry services to those households for which home help is to be or could be provided.</p> <p>Local Authorities may arrange care for nursing or expectant mothers.</p>				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Prevention, Care and After-Care N.H.S. Act 1977 Sched. 8	<p>Local Authorities may provide services to prevent illness, or for people who are ill or who have been ill, including:-</p> <ul style="list-style-type: none"> - day centres - meals on wheels for housebound people - social services to prevent break-up of families due to the ill health of the adults in that family - night sitter services - recuperative holidays - services specifically for people who are dependent on alcohol and drugs - social and recreational activities. 				See Schedule of delegation to officers
Charging for Services National Assistance Act 1948 Health and Social Services and Social Security Adjudications Act 1983 (Section 17)	Local Authorities may charge for most of the above services. In the case of non-residential services the charges must be reasonable and not be more than reasonably practical for the individual user to pay.	Decision			
Fairer Charging Policies for Home Care and Other Non-Residential Social Services S.7, LASS Act 1970 and LAC (2001)32, and Supporting People, Section 93 of the Local Government Act 2000.	Local Authorities have a duty to provide appropriate Welfare Benefits advice at the time of the charge assessment and to undertake financial assessments to arrive at a charge according to statutory guidance. Delivering policy on financial assessment schemes.	Decision			See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Co-operation with Health Authorities N.H.S. Act 1977 S.22 and 28	Local Authorities are required to ensure effective co-operation with Health Authorities. Local Authorities should make the services of Social Services staff available to the Health Authority to enable that Authority to discharge its community care functions, so far as is reasonably necessary and practical.				Decision All Service Directors
Carers Assessment The Carers (Recognition and Services) Act 1995	Carers may request an assessment of their ability to provide and continue to provide care for an ill or disabled person.				See Schedule of delegation to officers
2. Community Care: Adult Residential Care					
Provision of Residential Care National Assistance Act 1948 Part III Residential Accommodation (Relevant Premises, Ordinary Residence and Exemptions) Regulations 1993	Local Authorities have a duty to make arrangements for residential care for those (over 18) who required care and attention otherwise unavailable to them. Residential care can be provided directly by the Local Authority or in premises provided by another Authority. Residential care can also be provided by arrangements with the independent sector. Responsibility for emergency closure and procedures for continued provision.				See Schedule of delegation to officers See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Choice of Care Home The National Assistance Act 1948 (Choice of Accommodation) Directions 1992 The National Assistance Act 1948 (Choice of Accommodation) (Amendment) Directions 1993	If, after assessing an individual as requiring residential care, a particular care home is preferred by the individual, then they should be placed in their preferred home (subject to certain factors such as suitability and expense). Establishing placement in excess of the Authority's usual price/guide price.				See Schedule of delegation to officers
Ordinary Residence Determination – Section 24(3) D(6), National Assistance Act 1948. Health and Social Care Act 2008 section 148	Local Authorities have a financial responsibility for providing community care services for persons deemed 'ordinary residents in their area'.				See Schedule of delegation to officers
Section 31 Health Act 1999 and N.H.S. Bodies and Local Authorities Partnership Arrangements Regulations, 2000	Entering into Partnership arrangements with N.H.S. partners	Decision			
Health and Social Care Act 2001, Section 49	Requires local authorities to agree local arrangements for the implementation of free N.H.S. nursing care and Continuing Health funding arrangements.				Decision Director Health and Wellbeing

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>Charges for Residential Care National Assistance Act 1948 The Health and Social Services and Social Security Adjudications Act 1983 S.21, 24 The National Assistance (Assessment of Resources) Regulations 1992 and subsequent amendments National Assistance (Sums for Personal Requirements) Regulations 1995</p>	<p>Local Authorities should charge for the residential care it arranges in accordance with the national regulations.</p>		Decision		
<p>Deferred Payments Section 55 of Health and Social Care Act, 2001</p>	<p>Enter into agreement to defer payment for charges on property until the property is sold.</p>				See Schedule of delegation to officers
<p>Section 50 – 52 of Health and Social Care Act, 2001 and the Preserved Rights (Transfer of Responsibilities to Local Authorities) Regulations 2001 (S.I. No. 2001/3776)</p>	<p>Local Authorities should secure community care services for people who have preserved rights. This includes residential accommodation where appropriate.</p>				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	Local Authorities should, therefore, assess the care needs of the residents concerned; legislation placed an obligation on Local Authorities to identify people with preserved rights and to carry out an appropriate care assessment.				
3. Community Care: People with Disabilities					
Assessment Disabled Person (Services, Consultation and Representation) Act 1986 N.H.S. and Community Care Act 1990 S.47 The Local Authority Social Services (Designation of Functioning Order) 1989	Local Authorities are required to assess the needs of people with disabilities for certain welfare services (see below) with or without request. This means people who are “blind, deaf or without speech, or who suffer from mental disorder of any description, or are substantially and permanently disabled by their illness, injury or congenital deformity.”				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>This assessment can be requested by disabled people themselves or by their carers. The assessment must take into account any carers' ability to continue providing care on a regular basis (S.8).</p>				

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>Section 4</p> <p>Section 5</p> <p>Section 8</p>	<p>Services under Section 2 of the 1970 Act – Duty to consider the needs of Disabled People.</p> <p>Persons leaving Special Education.</p> <p>Duty of the Local Authority to take into account abilities of carers.</p>				
<p>Disabled Young People Leaving Full-Time Education Disabled Person (Services, Consultation and Representation) Act 1986 S.5(5)</p>	<p>Having received notification from an L.E.A. that a disabled young person is shortly to leave full-time education, the Local Authority must carry out an assessment of the young person's need for statutory welfare services.</p>				<p>See Schedule of delegation to officers</p>
<p>Services for Disabled People National Assistance Act 1948 Sections 29, 30, 41, 48 and 49) Chronically Sick & Disabled Persons Act 1970 S1(2)</p>	<p>Local Authorities must arrange certain welfare services for disabled people who have been assessed as needing them. These include:-</p> <ul style="list-style-type: none"> - practical assistance in the home - meals - assistance in carrying out adaptations to disabled people's home - provision of extra facilities in the home for safety, comfort or convenience - provision of (or help in obtaining) telephones (including related special equipment), television, radio, library or similar facilities, holidays, recreation, assistance to allow that person to take advantage of educational facilities, transport to or from services 				<p>See Schedule of delegation to officers</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<ul style="list-style-type: none"> - social work, advice and support - facilities for social rehabilitation and adjustment - facilities for occupational, social, cultural and recreational activities, including payments to people for work. <p>Local Authorities may also contribute to the cost of warden services and provide holiday homes, workshops, free or subsidised transport, help in obtaining accommodation and instruction about methods of overcoming disability.</p>				
Registers and Information National Assistance Act 1948 S.29 and 29A	Local Authorities must compile registers of disabled people.				See Schedule of delegation to officers
Chronically Sick and Disabled Persons Act 1970 S.1 (Sections 1, 2 and 18)	<p>Local Authorities must take steps to establish the number of disabled people living in their areas and the need for welfare services for these people.</p> <p>Information about the services on offer should be published.</p>				See Schedule of delegation to officers
Employment Disabled Persons (Employment) Act 1958	Local Authorities may, with the approval of the Secretary of State for employment, arrange for the provision of facilities for employment and training for registered persons who are seriously disabled.				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>Direct Payments Community Care (Direct Payments) Act 1996 and Practice Guidance 2000. Community Care, Services for Carers and Children’s Services (Direct Payments) Guidance 2003.</p>	<p>Local Authorities responsible for community care services may make payments to persons in respect of their securing the provision of such services.</p>				<p>See Schedule of delegation to officers</p> <p>Director Commissioning and Partnerships</p>
<p>4. Mental Health</p>					
<p>Care in Scotland Mental Health (Scotland) Act 1984</p> <p>Guardianship Orders Mental Health Act 1983 S.7 and 8</p> <p>Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983</p> <p>Mental Capacity Act 2005</p> <p>Deprivation of Liberty Safeguards</p>	<p>Welfare of certain persons whilst in hospital in Scotland.</p> <p>Local Social Service Authorities may make a guardianship application in respect of a patient of over 16 years suffering from a mental disorder where it is in the interest of the patient’s welfare or for the protection of others that the patient is received into guardianship.</p> <p>The Authority granted a Guardianship Order can require the patient to reside at a specified place, require the patient to attend medical treatment, education, occupation or training and require access to the patient to be given to a Medical Practitioner or Approved Social Worker.</p> <p>Provide arrangements and processes to ensure the proper implementation of the Mental Capacity Act (2005) Code of Practice Deprivation of Liberty Safeguards. Provide Best</p>			<p>Decision</p>	<p>Decision</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	Interest Assessors in conjunction with partners.				
<p>Emergency Admission to Hospital Mental Health Act 1983 S.2, 3 and 4 Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983M</p> <p>Mental Health Act 2007 S114</p>	<p>In any case of urgent necessity, an Approved Mental Health Practitioner may make an emergency application of admission for assessment. A written recommendation from a registered Medical Practitioner is required to support the application. This emergency application will allow compulsory admission to hospital for a period of up to 72 hours. A second medical recommendation must be obtained within those 72 hours if the patient is to be detained for an assessment period of up to 28 days.</p>				See Schedule of delegation to officers
Mental Health Act 1983 S.11	<p>Before or within a reasonable time after an application of admission for assessment is made by an Approved Mental Health Practitioner, that Social Worker shall take any practical action to ensure the nearest relative of the patient is aware of the application and of his or her powers as the nearest relative.</p> <p>It is the duty of an Approved Mental Health Practitioner to make an application for admission to hospital or</p>				See Schedule of delegation to officers

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	for guardianship where he is satisfied that an application ought to be made.				
Social Reports Mental Health Act 1983 S.14	Where a patient is admitted to hospital under an application of admission, the managers of the hospital shall inform the local Social Services Authority who will then interview the patient and provide the managers with a report of his/her social circumstances.				See Schedule of delegation to officers
Approved Social Workers Mental Health Act 1983 S.114 Mental Health Act 2007 S.114	A local Social Services Authority shall appoint sufficient Approved Mental Health Practitioners for the purposes of discharging the mental health functions.				See Schedule of delegation to officers
Inspection Mental Health Act 1983 S.115	An Approved Mental Health Practitioner may enter and inspect any premises within this area in which a mentally disordered person is living if he has reasonable cause to believe the patient is not under proper care.				Decision
Hospital Visits Mental Health Act 1983 S.116	When a young person in the Authority's care or a person subject to the guardianship of the Authority is admitted to a hospital or nursing home, the Authority shall arrange for visits to be made to the patient.				Decision
After Care Mental Health Act 1983 S.117	It shall be the duty of the Health Authority and the Local Authority to				See Schedule of delegation to

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
(see also N.H.S. Act 1997 Sched. 8)	provide, in co-operation with voluntary organisations, after-care for certain categories of discharged mentally disordered patients.				officers
Supervised Discharge Mental Health (Patient in the Community) Act 1995	Extension of duties under S.117 of 1983 Mental Health Act. Formal arrangements for supervision which can require a user to reside in a specified place and to undertake specific medical treatment, occupation, education or training. Includes power to require entry to place of residence and power to convey the patient.				See Schedule of delegation to officers
5. Financial Write-Offs					
	<p>After consulting with the Service Accountant on behalf of the Strategic Director of Finance:-</p> <p>(a) Write off debts due to the Council of up to £500</p> <p>(b) Write off debts £501 to £1000</p> <p>(c) Write off debts £1001 to £5000 after consulting with the Strategic</p>				<p>See Schedule of delegation to officers</p> <p>Decision</p> <p>Director Commissioning and Partnerships</p> <p>See Schedule of delegation to</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	Director of Finance and the Corporate Management Team.				officers
Housing Operational and Procedural Matters	Disposal of small areas of land to Council tenants for the purposes of garden extensions, car parking or to assist the general care and aspect of the area, provided local ward members concur and in accordance with the Council's land and disposal procedures.				Decision
Independent Living					
Housing Operational and Procedural Matters	<p>Authorisation of mandatory payments in respect of the Secure Tenants of Local Authorities (compensation for improvements) Regulations 1994.</p> <p>Authorisation of mandatory financial compensation in respect of the Secure Tenants of Local Housing Authorities (right to repair) Regulations 1994.</p>				Decision
Statutory Provisions	The discharge of – any executive function not otherwise reserved to the full Council, the Cabinet, a committee of the Cabinet, a member of the Cabinet, a joint				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>committee discharging executive functions or another local authority, and any non-executive functions not otherwise reserved to the Licensing Board, or any other person or body discharging non-executive functions in accordance with executive arrangements made by the Council, in respect of the following:-</p> <p>Homelessness Act 2002</p>				
Statutory Provisions cont...	<p>That the Council's powers relating to the above acts and any orders, regulations, statutory instruments, statutory Codes of Practice and/or Bylaws made there under and any future modifications, enlargements or amendments thereof be delegated to the Service Director for Independent Living.</p> <p>The powers conferred include: Instigation of Legal Proceedings Authorisation of Information and Summonses Authorisation of Applications for a Warrant to Enter Premises Service of Statutory Notices Granting and Refusal of Licences Authorisation to Carry out Work in Default Appointment of Inspectors and Officers</p>				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>Appointment of Chief and Deputy Chief Inspector of Weights and Measures</p> <p>Authorisation of Officers</p> <p>Appointment of Official and Authorised Veterinary Officers, Public Analysts.</p>				
<p>Renovation, Home Repair Assistance and disabled Facilities Grants</p>	<p>Grants where the value of works is assessed by the Service Director for Independent Living as being less than or equal to £30,000 in respect of Disabled Facilities Grants and £7,500 in respect of Renovation Grants and all home repair assistance grants. N.B. there is no delegated power to officers in respect of an application from a private landlord for a discretionary grant.</p> <p>Interim payments in respect of Home Renovation, Renovation and Disabled Facilities Grants up to a maximum of 50% of the value of completed work provided at least 50% of the total anticipated works have been satisfactorily completed. Where the payment involves disbursements to the Utilities Companies and any services provided by the Local Authority, such disbursements shall be included within this power but shall be additional to the percentages applied within this paragraph and may be made at any time after the approval of the grant.</p>				<p>Decision</p>

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>Additional payments for unforeseen works subject to a maximum of £500 in respect of any single grant. All agreed claims for unforeseen works subject to a maximum of £500 in respect of any single grant.</p> <p>All agreed claims for unforeseen and additional works be delegated to the Housing Access Manager.</p> <p>Approval of interim payments up to 90% legislative maximum be delegated to the Housing Access Manager.</p>				
Renovation, Home Repair Assistance and disabled Facilities Grants cont...	<p>Authorisation of extensions of time in respect of grant aided works. In respect of applicants using the agency service, authorisation of the payment of fees to persons or agencies in the preparation of plans, reports or other inspections prior to the award of a grant.</p> <p>In respect of applicants using the agency service, the maintenance of a list of approved contractors.</p> <p>Monies by way of loan, the amount being the difference between the value of approved renovation, disabled facilities or public sector adaptation works and the amount of</p>				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>grant payable, subject to specific provisions of Council policy.</p> <p>Variation of the grant payable in such instances where the final accounts show reductions to the amount of grant approved, or where, owing to circumstances beyond the control of the applicant, the eligible works cannot be carried out on the basis of the determined expenses or failure to complete by contractor or other appropriate instances.</p> <p>Approval subject to any necessary conditions, where grant applicants wish to vary the standard specification for fixtures and fittings beyond that approved by the Council.</p>				
Housing Operational and Procedural Matters	<p>Delegated to Housing Choices Manager:-</p> <p>Homelessness determinations in accordance with the Housing Act 1985 and the code of guidance</p> <p>Authorisation of mandatory payments in respect of the Secure Tenants of Local Authorities (compensation for improvements) Regulations 1994</p> <p>Determination of such costs as are reasonably rechargeable to tenants in respect of repairs necessitated by</p>				

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>factors other than fair wear and tear on the Council's property and fixtures.</p> <p>Delegated to 2010 Rotherham Ltd:-</p> <p>Service of appropriate notices in respect of unauthorised occupation of land or dwellings.</p> <p>Allocation and letting of vacant dwellings and garages provided they are within the policy of the Council.</p> <p>Approval of successions and assignments meeting the statutory requirements and the policy of the Council. Approval of second successions and commencement of possession proceedings in accordance statutory provision and Council policy.</p>				
Housing Operational and Procedural Matters cont...	<p>Permitting tenants to resume their tenancy if the request is within a reasonable time from receipt of vacant possession.</p> <p>Admitting the right to buy in accordance with the Housing Act 1985. Determining boundaries for dwellings prior to conveyancing upon a right to buy claim.</p> <p>Authority to decant tenants of the Council to alternative accommodation provided the period is not likely to</p>				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	<p>exceed 12 weeks.</p> <p>Authorise appropriate legal action in respect of breaches of the Council's tenancy agreements and other legal measures against the perpetrators of harassment, crime and anti-social behaviour and racial harassment against tenants and residents. Examples of such legal action is among but not limited to injunctions and anti-social behaviour orders.</p> <p>Authorise appropriate publicity by the Council for the purposes of advising members of the public that anti-social behaviour orders and injunctions have been made and in assisting in the enforcement of anti-social behaviour orders and injunctions, by encouraging the reporting of any breaches.</p> <p>The power to prosecute an offender in respect of – Offences relating to advertisements displayed in contravention of regulations; and Removal of placards or posters displayed in contravention of regulations.</p>				Decision
High Hedges Delegated powers under Part 8 of the					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Anti-Social Behaviour Act 2003 and any orders, regulations, statutory instruments all statutory codes of practice made there under.					
Introductory Tenancies	Delegation of powers to the Anti-Social Behaviour Review Panel and Senior Officers in Housing Management to review and confirm, confirm with conditions attached and not confirm Notices of Proceedings for possessions on cases of breaches of the Tenancy Agreement.				Decision
Housing and Neighbourhood Services					
Group Repair Scheme	Approval of individual phases provided for within a framework contract. Project Management. Authorisation of payment for unforeseen works and variations provided always that such matters are in accordance with the Council's Standing Orders, Capital project				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
	procedures and the terms and conditions of the contract.				
In respect of 2010 Rotherham Ltd.	<p>Authority to represent the Council at any general meeting of 2010 Rotherham Ltd.</p> <p>Discharge responsibilities of the Council's representative as determined in the Management Agreement.</p>				Decision
<p>Statutory Provisions</p> <p>Abandonment of Animals Act 1960 Administration of Justice Act 1970, As Amended Agriculture Act 1970 Agricultural (Miscellaneous Provisions) Act 1968 Agriculture Produce (Grading and Marking) Acts 1928 and 1931 Agriculture (Safety, Health and Welfare Provisions) Act 1956 Animal Boarding Establishments Act 1963 Animal Health Act 1981 Animal Health and Welfare Act 1984 Anti-Social Behaviour Act 2003 Breeding of Dogs Act 1973 and 1991 Broadcasting Act 1990 Building Act 1984 Business Names Act 1985 Children and Young Persons Act 1933 Children and Young Persons</p>	<p>The discharge of – any executive function not otherwise reserved to the full Council, the Cabinet, a committee of the Cabinet, a member of the Cabinet, a joint committee discharging executive functions or another local authority, and any non-executive functions not otherwise reserved to the Licensing Board, or any other person or body discharging non-executive functions in accordance with executive arrangements made by the Council, in respect of the Acts in column one.</p> <p>That the Council's powers relating to these acts and any orders, regulations, statutory instruments, statutory Codes of Practice and/or Bylaws made there under and any future modifications, enlargements or amendments thereof be delegated to the Director of Housing and</p>				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
(Protection from Tobacco) Act 1991 Clean Air Act 1993 Clean Air & Neighbourhood Act 2004 Companies Act 1985 Consumer Arbitration Agreements Act 1988 Consumer Credit Act 1974	Neighbourhood Services. The powers conferred include: Instigation of Legal Proceedings Authorisation of Informations and Summonses Authorisation of Applications for a Warrant to Enter Premises Service of Statutory Notices Granting and Refusal of Licences Authorisation to Carry out Work in Default				

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Statutory Provisions cont... Consumer Protection Act 1987 Control of Pollution Act 1974 Copyright, Designs and Patents Act 1988 Cremation Acts 1902 and 1952 Cremations Regulations 1930, 1952, 1965, 1979 Cremations (Amendment) Regulations 1985 Crime & Disorder Act 1998 Criminal Justice Act 1988 Criminal Justice and Public Order Act 1994 Dangerous Dogs Acts 1989 and 1991 Dangerous Wild Animals Act 1976 Development of Tourism Act 1969 Dogs Acts 1871 and 1906 Dogs (Fouling of Land) Act 1996 Education Reform Act 1988 Environment Act 1995 Environmental Protection Act 1990 Estate Agents Act 1979 European Communities Act 1972 Factories Act 1961 Fair Trading Act 1973 Farm and Garden Chemicals Act 1967 Fire Safety and Safety of Places of Sport Act 1987 Food Act 1984 Food and Environmental Protection Act 1985	Appointment of Inspectors and Officers Appointment of Chief and Deputy Chief Inspector of Weights and Measures Authorisation of Officers Appointment of Official and Authorised Veterinary Officers, Public Analysts.				Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Food Safety Act 1990 Forgery and Counterfeiting Act 1981 Fraud Act 2006 Gambling Act 2006 Game Act 1831 Guard Dogs Act 1975 Hallmarking Act 1973 Harris Tweed Act 1993 Health and Safety at Work etc. Act 1974 Highways Act 1980 Hire Purchase Act 1965 House to House Collections Act 1939 Housing Act 1985 Housing Act 1996 Housing Act 2004 Insolvency Act 1986 Insurance Brokers (Registration) Act 1977 Insurance Companies Act 1981 Intoxicating Substances (Supply) Act 1985 Legislative and Regulatory Reform Act 2006 Licensing Act 1964 Licensing Act 2003 Limitation Act 1980 Local Authorities Cemeteries Order 1977 Local Government Act 1972 Local Government Act 1894 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Malicious Communications Act 1988 Medicines Acts 1968 and 1971					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Minors Contracts Act 1987 Misrepresentations Act 1967 Mock Auctions Act 1961					
Motor Vehicles (Safety Equipment for Children) Act 1991 National Assistance Acts 1948 and 1951 Noise and Statutory Nuisance Act 1993 Performing of Animals (Regulation) Act 1925 Pet Animals Act 1911 and 1951 Poisons Act 1972 Prevention of Damage by Pests Act 1949 Prices Acts 1974 and 1975 Property Misdescriptions Act 1991 Protection of Animals Act 1911 Protection of Children (Tobacco) Act 1986 Public Health Acts 1936 and 1961 Public Health (Control of Diseases) Act 1984 Rag Flock and Other Filling Matter Act 1951 Refuse Disposal (Amenity) Act 1978 Restrictive Trade Practices Act 1976 Riding Establishments Acts 1964 and 1970 Road Traffic Acts 1988 and 1991 Road Traffic (Consequential Provisions) Act 1988					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Road Traffic (Foreign Vehicles) Act 1972 Road Traffic Offenders Act 1988 Safety of Sports Grounds Act 1975 Sale of Goods Act 1979 Sale and Supply of Goods Act 1994					
Scotch Whisky Act 1980 Scrap Metal Dealers Act 1964 Slaughter of Poultry Act 1967 Solicitors Act 1974 South Yorkshire Act 1980 Sunday Trading Act 1994 Supply of Goods (Implied terms) Act 1973 Supply of Goods and Services Act 1982 Telecommunications Act 1984 Theft Acts 1968 - 1978 Timeshare Act 1992 Torts (Interference with Goods) Act 1977 Town Police Clauses Act 1847 Trade Descriptions Act 1968 Trade Marks Act 1994 Trading Representations (Disabled Persons) Acts 1958 and 1972 Trading Stamps Act 1964, as					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
amended Transport Act 1985 Unfair Contract Terms Act 1977 Unsolicited Goods and Services Acts 1971 and 1975 Vehicle (Excise) Act 1971 Vehicle (Crime) Act 2001 Vehicle Emissions Testing – Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 Video Recordings Acts 1984 and 1993 Water Act 1945					

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Water Industry Act 1991 (As amended by the Water Consolidation (Consequential Provisions) Act 1991) Weights and Measures Act 1976 Weights and Measures Act 1985 Wildlife and Countryside Act 1981 Young Persons (Employment) Acts 1938 and 1964 Zoo Licensing Act 1981					Decision
Miscellaneous Statutory Provisions					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>The service of Notice and the carrying out of works under Section 29 of the Local Government (Miscellaneous Provisions) Act 1982 (vacant houses).</p> <p>The instigation of proceedings under the Protection from Eviction Act 1977.</p> <p>The service of Repair Notices upon Private Sector Landlords under the provisions of Section 189(1) and Section 190(1) of the 1985 Housing Act.</p> <p>The service of Statutory Notices under the relevant provisions of Section 352, 372, 354 and 358 of the 1985 Housing Act in respect of Houses in Multiple Occupation.</p> <p>The service of a Notice under the provisions of 364 of the Housing Act 1985 requiring occupancy details in respect of a House in Multiple Occupation.</p> <p>The service of Notices under the provisions of Section 194 and 374 of the 1985 Housing Act in respect of entry to premises to carry out works in default.</p>	<p>That the Council's powers relating to the following Acts and any Orders, regulations, statutory instruments, statutory Codes of Practice and/or Bylaws made there under and any future modifications or enlargements thereof be delegated to the Service Director for Housing and Neighbourhood Services and officers empowered by the Service Director for Housing and Neighbourhood Services from time to time:-</p>				

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
<p>The service of a Notice under the provisions of Section 335 of the 1985 Housing Act requiring the occupier to provide a statement of numbers, ages, sexes of persons sleeping in the dwelling.</p> <p>The service of a Notice under the provisions of Section 338 of the 1985 Housing Act in respect of the abatement of overcrowding.</p> <p>The service of a Statutory Notice under the provisions of Section 80 of the 1990 Environmental Protection Act in respect of statutory nuisance.</p> <p>The service of Statutory Notice under the provisions of Section 76 of the Building Act 1984 in respect of statutory nuisance.</p> <p>The service of Statutory Notice under the provisions of Section 59 of the Building Act 1984 in respect of drainage.</p> <p>The service of Statutory Notice under the provisions of Section 79 of the Building Act in respect of ruinous and dilapidated buildings.</p> <p>The service of Notice under the provisions of Section 84 of the Building Act 1984 in respect of</p>					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
defective yard paving.					
<p>The service of Notice under the provisions of Section 4 of the Prevention of Damage by Pests Act 1949 in respect of accumulations liable to provide harbourage for rodents.</p> <p>The service of Notice under the provisions of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requiring ownership details in respect of a premise.</p> <p>The service of Notice under the provisions of Section 45 of the Public Health Act 1936 in respect of repairs to W.Cs.</p> <p>The service of Notice under the provisions of Section 83 and 84 of the 1936 Public Health Act in respect of verminous premises, articles and persons.</p> <p>The service of Notice under the provisions of Section 287 of the 1938 Public Health Act, power to enter premises in respect of investigation of statutory nuisances.</p>					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Cabinet Member	Strategic Director	Service Director
Empowerment of qualified Environmental Health Officers to serve the above notices for and on behalf of the Service Director for Neighbourhood Services, designated as Proper Officer of the Council in relation to any notice, demand or other written document.					Decision

Schedule of Powers Act	Summary Description of Powers	Cabinet	Director	Cabinet Member	Head of Function
<p>Standards in private sector housing</p> <p>Delegated powers under Parts 1, 2, 3, 4 and 7 of the Housing Act 2004 and any orders, regulations, statutory instruments or statutory codes of practice made there under.</p> <p>Provision of Sheltered Housing Wardens Service</p>				<p>Decision</p> <p>Decision</p>	<p>Decision</p> <p>Decision</p>

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

NEIGHBOURHOODS AND ADULT SERVICES DIRECTORATE

The Statutory Role of the Director of Adult Social Services

Schedule B

Appendix D

Responsibilities	Cabinet	Strategic Director
1. ACCOUNTABILITY		
1.1 To be responsible for assessing, planning and commissioning adult social care and well-being services to meet the needs of all adults with social care needs in the authority’s area (including the specific needs of carers, people from ethnic minority backgrounds and people living in rural communities)		Responsible
1.2 To be responsible for the efficiency, effectiveness and value for money of the adult social care services provided or commissioned by the local authority. Those responsibilities extend to residents receiving services out of the council area.		Responsible
1.3 To ensure there are robust arrangements for supervising contracts, where services have been outsourced, and in monitoring those services in respect of quality standards and timely delivery.		Responsible

Responsibilities	Cabinet	Strategic Director
1.4 To ensure that all people with social care needs are assessed by the local authority, that all people who meet eligibility criteria are provided with suitable services and that there is appropriate provision of low-level and preventative services.		Responsible
1.5 To ensure that targeted case-finding takes place to identify people at risk from social exclusion.		Responsible
1.6 To support the health and adult social care scrutiny functions of elected members.		Responsible
1.7 To ensure that procedures for handling complaints from users of social care, their families and carers are working effectively.		Responsible
1.8 To ensure arrangements for assessing and meeting the needs of people with a range of long-term conditions and disabilities in the local authority's area are in place which ensure individuals do not fall between services, including, having a named manager responsible for assessing and meeting the needs of such individuals.		Responsible
1.9 To ensure his or her staff work with neighbouring local authorities and relevant specialist national service providers to meet specialist, low-incidence need.		Responsible

Responsibilities	Cabinet	Strategic Director
1.10 To monitor the effectiveness and efficiency of the service where commissioned from another agency, to require improvements to be made where the service falls short of the performance standards, quality or efficiency specified and to be provided with such monitoring and improvement information as he or she may require.		Responsible
2. PROFESSIONAL LEADERSHIP		
2.1 To provide leadership, creating conditions for others to perform and to innovate, to be responsible for creating the framework for the effective delivery of adult social services.		Responsible
2.2 To be responsible for the management, welfare and professional development of all local authority staff involved in planning, commissioning and/or providing social services.		Responsible
2.3 To ensure relevant professional and occupational standards and standards of conduct are maintained across adult social care services provided by or commissioned.		Responsible

Responsibilities	Cabinet	Strategic Director
2.4 To be responsible for undertaking a strategic needs assessment for adults and families with actual or potential social care needs across the local authority area, in partnership with the Strategic Director of Children and Young People's Services, the Director of Public Health and other statutory agencies/or organisations, and in consultation with the wider community.		Responsible
2.5 To be responsible for strategic workforce planning (in relation to the local authority's social services functions) for the adult social care workforce. To include working in partnership with the Strategic Director of Children and Young People's Services to jointly plan the social care workforce needed to meet the needs of families and the community.		Responsible
2.6 To develop, in conjunction with the PCT, a strategic workforce development plan forming an integral part of local delivery plans, giving consideration to the quality and competencies of the social care workforce as a whole.		Responsible
2.7 To be responsible for the delivering services to relevant national and local standards, including monitoring the resource levels for adult social services needed to maintain standards.		Responsible

Responsibilities	Cabinet	Strategic Director
3. LEADING THE IMPLEMENTATION OF STANDARDS		
3.1 To implement national and local standards in respect of corporate governance, probity, workforce and all aspects of the business of adult social services.		Responsible
3.2 To ensure services are regularly monitored and remedial action taken.		Responsible
3.3 To ensure high quality information about adult social services and progress against targets is provided to Government and regulatory bodies as and when required.		Responsible
3.4 To be responsible for supporting the performance assessment process run by the Care Quality Commission and for taking forward the commission's findings/recommendations.		Responsible
3.5 To ensure there is a clear organisational and operational focus on safeguarding vulnerable adults in vulnerable situations, ensuring clear protocols are in place for dealing with adults identified as being at risk in line with the 'No Secrets' Modernising Social Services 1998, Safeguarding Adults 2005 guidance.		Responsible
3.6 To ensure that the local Safeguarding Board or similar arrangements are working effectively and that POVA		Responsible

Responsibilities	Cabinet	Strategic Director
requirements are met.		
3.7 To ensure staff providing care services exercise a duty of care and that the personal dignity of service users is upheld.		Responsible
4. MANAGING CULTURAL CHANGE		
4.1 To be responsible for managing a process of cultural change to ensure the scope for personal choice is maximised with services moving towards a model that promotes the well-being of individuals, is person centred, and supports independent living and social inclusion.		Responsible
4.2 To ensure an appropriate balance between low-level and preventative services and services designed to meet the needs of people that are higher.		Responsible
4.3 To ensure the cultural needs of communities are taken into account in strategic planning and commissioning.		Responsible
5. PROMOTING LOCAL ACCESS AND OWNERSHIP AND DRIVING PARTNERSHIP WORKING		
5.1 To be responsible for effectively communicating information about services available in the local authority area, eligibility criteria and charging policies to service		Responsible

Responsibilities	Cabinet	Strategic Director
users.		
5.2 To be responsible for ensuring appropriate involvement of, and consultation with service users, their families and carers and the wider community in planning, design and provision of adult social care services, and for considering how accessible services are.		Responsible
5.3 To be responsible for maintaining clear and effective arrangements to support the joint planning, monitoring and delivery of local authority social services with the NHS, housing authorities, Supporting People programme and other statutory agencies.		Responsible
6. DELIVERING AN INTEGRATED WHOLE SYSTEMS APPROACH TO SUPPORTING COMMUNITIES		
6.1 To ensure adequate partnership working arrangements are in place between the Strategic Directors of Neighbourhoods and Adult Services and Children and Young People's Services to enable a whole systems approach to social care to be taken.	Responsible	

Responsibilities	Cabinet	Strategic Director
6.2 To ensure arrangements are in place to ensure that the contribution of all local authority services to meeting the needs of adults with social care needs is maximised.	Responsible	
6.3 To ensure the Strategic Directors of Neighbourhoods and Adult Services and Children and Young People's Services have adequate arrangements in place to ensure that all young people with long-term social care needs have been assessed and where eligible, receive a service which meets their needs throughout their transition to becoming adults.	Responsible	
6.4 To ensure all services falling within the remit of the Strategic Director of Neighbourhoods and Adult Services remain focused appropriately on safeguarding both adults and children.	Responsible	
7. PROMOTING SOCIAL INCLUSION AND WELLBEING		
7.1 To ensure arrangements are in place to promote social inclusion and wellbeing, including consideration of the needs of families and carers in the planning and delivery of the full range of services provided by the local authority.		Responsible
7.2 To champion the needs of adults beyond the organisational boundaries of adult social care.		Responsible

Responsibilities	Cabinet	Strategic Director
7.3 To promote equality of opportunity and eliminating discrimination in respect of adult social care services.		Responsible

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

NEIGHBOURHOODS AND ADULT SERVICES DIRECTORATE

Appendix E

Adult Services – Commissioning and Partnerships Service - Delegations of Powers to Officers - Schedule C

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1. Service				
1.1 Policies, procedures and process associated with Receivership under Court of Protection.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Business Manager	
1.2 Authorisation of applications for Receivership under Court of Protection.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships		
1.3 RBT Revenues and Payments Service Transfer – Undertaking service monitoring and performance management function. Agreeing policies, procedure and resolutions to performance variations.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Business Manager (provided through a SLA with RBT)	
1.4 Completion and authorisation of annual statutory information collections for adult social care and housing	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Service Information Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.5 Content of Better Care, Higher Standards Charter insofar as it relates to an accurate record of Adult Services, service activity and strategic intentions.</p> <p>Community Care Plans Direction 1991 Community Care Plans (Consultation) Directions 1993 Community Care Plans (Independent Sector Non-Residential Care) Directions 1994 NHS and Community Care Act, 1990, Section 46</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategy and Planning Manager Service Quality Manager Strategic Commissioning Manager Service Performance Manager Innovations Manager	
<p>1.6 Consultation over the strategic intentions contained within the Better Care, Higher Standards Charter.</p> <p>NHS and Community Care Act, 1990, Section 46</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Service Quality Manager	
<p>1.7 Review of the Better Care, Higher Standards Charter.</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Strategy and Planning Manager	
<p>1.8 Requirement to work with partners to ensure services become more personalised in line with Putting People First</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
<p>1.9 Production of Service Plans.</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Strategy and Planning Manager Service Quality Manager Strategic Commissioning Manager Service Performance Manager Innovations Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.10 Coordination of the provision of information relating to the social service function as required by the secretary of State for Health, the Care Quality Commission and local scrutiny arrangements.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Service Quality Manager	
1.11 Requirement to agree local protocols and procedures with Care Quality Commission and Rotherham Primary Care Trust for information sharing. Care Standards Act 2000	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Service Quality Manager	
1.12 Requirement to make arrangements for the investigation of complaints and representations. Local Authority Social Services Act 1970, Section 7b Local Authority Social Services (Complaints Procedure) Order 1990	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Service Quality Manger	
1.13 Commissioning independent complaints investigators	Strategic Director of Neighbourhoods and Adult Services	Director of Commissioning and Partnerships	Service Quality Manager	
1.14 Requirement to agree a local protocol and procedure with the Care Quality Commission and Rotherham Primary Care Trust for the investigation of complaints. Care Standards Act 2000	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Service Quality Manger	
1.15 Compensation from Complaints – up to £500 without the prior consent of the Cabinet Member. People and Service First	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Service Quality Manger	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.16 Maintain procedures over access to personal files (Adult Clients).</p> <p>Access to Personal Files Act 1987 Access to Personal Files (Social Services) Regulations 1989 Freedom of Information Act 2000</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Through Innovation Manager to:- Systems Development Officer	
<p>1.17 Arrange services to promote the welfare of older people.</p> <p>Health Services and Public Health Act 1968, Section 45</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
<p>1.18 Make arrangements for residential care for adults who require care and attention otherwise unavailable to them; having regard to the individual's preferred choice.</p> <p>National Assistance Act 1948, Part III Residential Accommodation (Relevant Premises, Ordinary Residence and Exemptions) Regulations 1993 National Assistance Act 1948 (Choice of Accommodation) Directions 1992 National Assistance Act 1948 (Choice of Accommodation) Directions 1993 Health and Social Care Act, 2001 The Preserved Rights (Transfer of Responsibilities to Local Authority) Regulations, 2001</p>	Strategic Director of Neighbourhoods and Adult Services	Director of Commissioning and Partnerships	Strategic Commissioning Manager	
<p>1.19 Arrange and conduct a Joint Strategic Needs Assessment of the Local adult population in line with The DH Guidance.</p> <p>DH Guidance on Joint Strategic Needs Assessment Dec 2007</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
General				

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.20 Blue Car Badges.	Director Commissioning and Partnerships		Service Quality Manager	
1.21 Provide services in accordance with the purchasing contract to promote the welfare of older people. Health Service and Public Health Act, 1968 Section 45	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Managers	
1.22 Provide residential care for adults who require care and attention otherwise unavailable to them, in accordance with the purchasing contract. National Assistance Act, 1948, Part III	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
1.23 Provide services for disabled adults who have been assessed as requiring such services, in accordance with the purchasing contract. National Assistance Act 1948, s.29 Chronically Sick and Disabled Persons Act, s.2	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
1.24 Provide services for carers who have been assessed as requiring such services in accordance with the purchasing contract	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.25 Provide joint commissioning strategy for people with dementia and their carers incorporating improved access to flexible and reliable services Living Well with Dementia : A National Dementia Strategy	Strategic Director Of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
1.26 Requirement to arrange local protocols for the Joint Commissioning of services.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Strategic Commissioning Manager	
1.27 Requirement to ensure that all structures, policies and practices used to ensure the confidentiality and security of records relating to delivery of services are carried out in accordance to the National Information Governance Board for Health and Social Care Health and Social Care Act 2008	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Service Quality Manager	
2. Human Resource Management				
2.1 Designation of politically restricted posts.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.2 Establishment of posts/changes to establishment/restructuring/ transfer of posts between sections and units.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.3 Approval to fill vacant posts within approved establishment including posts externally funded.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.4 Agreement to job share arrangements	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.5 Paragraph 35 - Acting-up arrangements, and approval of honoraria/ex gratia payments in appropriate circumstances.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.6 Appointment to posts below Service Director, within approved establishment.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.7 Requests for re-employment from persons having previously taken early release from the Council's employment.	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships		
2.8 Transfer of staff internally to equivalently graded posts.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.9 Approval to recruit additional temporary staff for maternity leave cover.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.10 Approval to recruit additional temporary staff to meet work demands/seasonal fluctuations.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.11 Decisions to extend or terminate Probationary Service.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager	
2.12 Granting of special unpaid leave and special leave with pay including T.U. time-off.	Director Commissioning, and Partnerships			
2.13 Grievances.	Director Commissioning, and Partnerships		Prior to Member Stage: Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.14 Agree appropriate starting salaries.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager	
2.15 Use of re-location scheme for new appointments.	Director Commissioning, and Partnerships			

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.16 Staff progression.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.17 Authorisation of gifts/legacies and hospitality offered to staff.	Director Commissioning, and Partnerships			
2.18 Authorisation of requests from staff to undertake additional employment.	Director Commissioning, and Partnerships			
2.19 Authorisation of overtime within approved budget limits.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.20 Approval of telephone for appropriate posts.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.21 Approval of excess travel expenses (Where Council Policy is not appropriate).	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager	
2.22 Health and Safety at Work. Health and Safety (Offences) Act 2008	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	All Line Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.23 Disciplinary Procedures.	Director Commissioning, and Partnerships		<p>Authorisation to:- give verbal and written warnings:- Strategy Planning Manager Innovation Manager Service Performance Manager Strategic Commissioning Manager Service Quality Manager</p> <p>Authorisation to give warnings up to and including final written warnings:- Strategy Planning Manager Innovation Manager Service Performance Manager Strategic Commissioning Manager Service Quality Manager</p> <p>Authorisation to give final written warnings, demotion, and dismissal:- Director Commissioning, and Partnerships</p>	
2.24 Approval of attendance on full time training courses, conferences, etc. or to give lectures (not exceeding one week duration).	Director Commissioning, and Partnerships		Training and Development Manager All M3 Managers	
2.25 Agree Work Experience Placements for students not employed by the Council.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.26 Grading of new posts/changes to existing posts.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager.	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.27 Consider personal applications for re-grading.	Director Commissioning, and Partnerships		Directorate Human Resource Manager reports on the application and makes a recommendation to the Strategic Director/Service Director Commissioning and Partnerships.	
2.28 Monitoring of Absence Management in accordance with Council Policy.	Director Commissioning, and Partnerships		All Line Managers	
2.29 Consider applications to extend the period of paid sickness absence.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager.	
2.30 Ill Health Terminations.	Director Commissioning, and Partnerships		Strategy and Planning Manager Service Performance Manager Service Quality Manager Innovations Manager Strategic Commissioning Manager	
2.31 Early release of pension benefits - Ill-health retirement.	Director Commissioning, and Partnerships		In consultation with the Strategic Director and the Cabinet Member for Adult Services	
2.32 Issue of compulsory redundancy notices.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager.	
2.33 Payment of "buy-out" compensation.	Director Commissioning, and Partnerships		In consultation with Directorate Human Resources Manager.	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3. Finance				
<p>3.1 Delivering policy on Residential and Non Residential Financial Assessment Schemes.</p> <p>Residential Care – The National Assistance (Assessment of Resources) Regulations 1992. - Health and Social Care Act 2008 – changes to the National Assistance Act 1948.</p> <p>Fairer Charging Policy for Home Care and other non-residential social services, Section 7, LASS Act, 1970 and LAC (2001)32.</p>	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning, and Partnerships	Business Manager	
<p>3.2 Home Care and other non-residential charges – write-offs.</p>	<p>Director Commissioning and Partnerships</p> <p>Strategic Commissioning Manager</p>		<p>After consulting with the Service Accountant (Adult Services) on behalf of the Strategic Director of Finance:-</p> <p>(a) Up to £500 – Service Manager (b) £501 - £1,000 – Service Director (c) write-off debts due to the Council of £1,1001 to £5000 – Strategic Director of Neighbourhood and Adult Services (d) write-off debts due to the Council of £5000.01 or more – Strategic Director of Finance, after consulting the Corporate Management Team.</p>	-

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3.3 Residential accommodation charges write-offs.	Director Commissioning and Partnerships Strategic Commissioning Manager		After consulting with the Service Accountant (Adult Services) on behalf of the Strategic Director of Finance:- (a) Up to £500 – Service Manager (b) £501 - £1,000 – Service Director (c) write-off debts due to the Council of £1,1001 to £5000 – Strategic Director of Neighbourhoods and Adult Services (d) write-off debts due to the Council of £5000.01 or more – Strategic Director of Finance, after consulting the Corporate Management Team.	
3.4 Requirement to utilise the Social Care Reform Grant to make significant steps toward service redesign and reshaping the delivery of Adult Social Care Services in an integrated approach with the NHS	Strategic Director of Neighbourhoods and Adult Services	Director Commissioning and Partnerships	Business Manager Strategic Commissioning Manager	

Health and Wellbeing - Delegation of Powers to Officers - Schedule C

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1. Service				
<p>1.1 Content of Better Care, Higher Standards Charter insofar as it relates to an accurate record of Adult Services, service activity and strategic intentions. Response to Putting People First.</p> <p>Community Care Plans Direction 1991 Community Care Plans (Consultation) Directions 1993 Community Care Plans (Independent Sector Non-Residential Care) Directions 1994 NHS and Community Care Act, 1990, Section 46</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Assistant Director, Mental Health (RDASH) Head of Learning Disability Service Enabling Care Manager Quality Care Manager Service Manager (Community) Service Manager (Hospital & Intake) Service Manager (Specialist Services)</p>	
<p>1.2 Consultation over the strategic intentions contained within the Better Care, Higher Standards Charter.</p> <p>NHS and Community Care Act, 1990, Section 46</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being (SM)	<p>Assistant Director, Mental Health (RDASH) Head of Learning Disability Service Enabling Care Manager Quality Care Manager Service Manager (Community) Service Manager (Hospital & Intake) Service Manager (Specialist Services)</p>	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.3 Arrange and conduct an assessment of need for those who may require a Community Care Service.</p> <p>N.H.S. and Community Care Act 1990, Section 47</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability</p> <p>Through Service Manager to Team Managers (Older People & PDSI) Through Service Managers (Access, Community and Specialist)</p>	
<p>1.4 Arrange and conduct an assessment of carers' needs.</p> <p>The Carers (Recognition and Services) Act 1995 Carers and Disabled Children's Act, 2000</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability</p> <p>Through Service Manager to Team Managers (Older People & PDSI) Through Service Manager to Team Managers</p>	
<p>1.5 Arrange services to promote the welfare of older people.</p> <p>Health Services and Public Health Act 1968, Section 45</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability</p> <p>Through Service Manager to Team Managers (Older People & PDSI) Through Service Manager to Team Managers</p>	
<p>1.6 Provide arrangements and processes to ensure the proper implementation of the Mental Capacity Act (2005)Code of Practice Deprivation of Liberty Safeguards.</p> <p>Mental Capacity Act (2005) Code of Practice Deprivation of Liberty safeguards – Code of Practice</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Wellbeing	Safeguarding Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.7 Arrangements for burial or cremation of those dying in accommodation provided under Part III of the National Assistance Act 1948 or dying in the community.</p> <p>Public Health (Control of Diseases) Act 1984, Section 46(2) and (5)</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Wellbeing	Through Service Manager to Team Managers:	
<p>1.8 Arrangements for the provision of Home Care consistent with Council Policy.</p> <p>National Health Services Act 1977, Sch. 8 National Assistance Act 1948, Part III</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability Through Service Manager to Team Managers (Older People & PDSI) Through Service Managers to Team Managers</p>	
<p>1.9 Arrangements for the provision of services to prevent illness or for people who are ill or who have been ill.</p> <p>National Health Service Act 1977, Sch. 8</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability Through Service Manager to Team Managers (Older People & PDSI) Through Service Managers to Team Managers</p>	
<p>1.10 Maintain procedures over access to personal files (Adult Clients).</p> <p>Access to Personal Files Act 1987 Access to Personal Files (Social Services) Regulations 1989 Freedom of Information Act 2000</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Through Service Managers to Team Managers</p>	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.11 The protection of vulnerable adults from abuse in line with "No Secrets" Modernising Social Services 1998. Safeguarding Adults 2005</p>	<p>Strategic Director of Neighbourhoods and Adult Services</p>	<p>Director Health and Wellbeing Safeguarding Adults Board</p>	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Through Service Managers Through Safeguarding Manager to Safeguarding Investigation Team Manager and Safeguarding Co-ordinator.</p>	
<p>1.12 Requirements to agree a local protocol and procedures with the Care Quality Commission on the referral of information about abuse or suspected abuse.</p> <p>Care Standards Act, 2000</p>	<p>Strategic Director of Neighbourhoods and Adult Services</p>	<p>Director Health and Wellbeing</p>	<p>Safeguarding Manager</p>	
<p>1.13 Make arrangements for residential care for adults who require care and attention otherwise unavailable to them; having regard to the individual's preferred choice.</p> <p>Ensure compliance with Mental Capacity Act and DOLS legislation.</p> <p>National Assistance Act 1948, Part III Residential Accommodation (Relevant Premises, Ordinary Residence and Exemptions) Regulations 1993 National Assistance Act 1948 (Choice of Accommodation) Directions 1992 National Assistance Act 1948 (Choice of Accommodation) Directions 1993 Health and Social Care Act, 2001 The Preserved Rights (Transfer of Responsibilities to Local Authority) Regulations, 2001</p>	<p>Strategic Director of Neighbourhoods and Adult Services</p> <p>Strategic Director</p>	<p>Director Health and Well-Being</p> <p>Director of Health & Wellbeing</p>	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability Through Service Managers to Team Managers</p> <p>Assistant Director Mental Health Head of Learning Disability Service</p>	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.14 Ordinary Residence. Determination for provision of residential care for patients for whom NHS accommodation is provided shall be deemed to be ordinarily resident in the area, if any, in which the patient was resident before the NHS accommodation was provided whether or not they continue to be ordinarily resident in that area.</p> <p>National Assistance Act, 1948, Section 24 (3) D (6). Health and Social Care Act 2008 section 148</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Assistant Director - Mental Health (RDASH) – CMHT Managers</p> <p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability Through Service Managers to Team Managers</p>	
<p>1.15 Make arrangements to assess the needs of adults with disabilities; including the carers' ability to continue providing care on a regular basis.</p> <p>Disabled Persons (Services, Consultation and Representation) Act 1986 N.H.S. and Community Care Act 1990, Section 47 The Local Authority Social Services (Designation of Functioning Order) 1989 Carers (Recognition and Services) Act 1995</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	<p>Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Team Managers Learning Disability Through Service Managers to Team Managers</p>	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.16 Make arrangements to assess the needs of disabled young people leaving full-time education in liaison with Children and Young People's Services on receipt of information provided by Children and Young People's Services.</p> <p>Disabled Persons (Services, Consultation and Representation) Act 1986, Section 5(5)</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to:- Team Managers Learning Disability Service Manager to Team Managers Specialist Services (Physical Disability & Sensory Impairment)	
<p>1.17 Make arrangements to provide services for disabled adults who have been assessed as eligible for requiring such services.</p> <p>National Assistance Act 1948 Section 20, 30, 41 and 49</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to:- Team Managers Learning Disability Service Manager (Specialist Services) to Team Manager (Physical Disability & Sensory Impairment)	
<p>1.18 Maintain a register of adult disabled people, establish information on the numbers of disabled adults and the services required, publish information on the services available.</p> <p>National Assistance Act 1948, Sections 29 and 29A Chronically Sick and Disabled Persons Act 1970, Sections 1, 2, 18 Record of Deaf Blind People LAC (2001) 8 Section 7, Social Services Act, 1970</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to:- Team Managers Learning Disability Specialist Service and PDSI Team Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.19 Make arrangements for the provision of facilities for employment and training for registered persons who are severely disabled. Disabled Persons (Employment) Act 1958	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to:- Team Managers Learning Disability Specialist Service Manager and PDSI Team Managers Through to Service Managers to Team Managers	
1.20 Appointment and re-approval of Approved Mental Health Practitioners (AHMP's) under the 1983 Mental Health Act.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being, subject to an Annual Report to the Strategic Director of Neighbourhoods and Adult Services on activity and approvals		
1.21 Acceptance of Guardianship Applications under Section 7 of the 1983 Mental Health Act.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being Assistant Director, Mental Health (RDASH)		
1.22 Imposition of requirements of residence, attendance and access on patients subject to supervised discharge under Section 25D of the 1983 Mental Health Act.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Assistant Director, Mental Health (RDASH): C.M.H.T. Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.23 The power to take and convey a patient to any of the places referred to in Care Plans devised under Section 25D. This power is contained in Sub-section 25D (4).	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Assistant Director, Mental Health (RDASH): C.M.H.T. Managers	
1.24 The authorisation and provision of documentation to supervisors confirming their power to fulfil the requirements of Section 25 of the Mental Health Act, with reference to named patients, under Sub-section 25D(5).	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RDASH)	
1.25 The duty to review After Care Services and requirements under Section 25E of the Mental Health Act and to exercise all duties and responsibilities of the Authority as a responsible After Care Body.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RDASH)	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.26 The power to name a supervisor in an application under Section 25B (11).	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RSAH): C.M.H.T Managers	
General				
1.27 Blue Car Badges.	Director Health and Wellbeing		Through Service Managers to: Team Managers	
1.28 Provision of telephones. Chronically Sick and Disabled Persons Act 1970	Director Health and Wellbeing	-	Through Service Manager to Team Managers: Access Community Specialist (BD)	
1.29 Protection of moveable property. National Assistance Act 1948, Section 48	Director Health and Well-Being	-	Through Assistant Director - Mental Health (RDASH) – CMHT Managers Through Head of Learning Disability Service to:- Group Managers Learning Disability Service to :- Head of Learning Disability Service Enabling Care Manager Quality Care Manager Service Manager (Community) Service Manager (Hospital & Intake) Service Manager (Specialist Services)	-

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.30 Arrangements for and recovery of expenses in connection with funerals. Public Health (Control of Diseases) Act 1984, Section 46	Director Health and Wellbeing	-	Through Service Manager to Team Managers: Access Community Specialist (BD)	
1.31 Provision of Equipment. Chronically Sick and Disabled Persons Act 1970	Director Health and Wellbeing	-	Service Manager Specialist Services	
1.32 Provide services in accordance with the purchasing contract to promote the welfare of older people. Health Service and Public Health Act, 1968 Section 45	Strategic Director of Neighbourhoods and Adult Services	Director Health and Wellbeing	Service Managers	
1.33 Provide Home Care in accordance with the purchasing contract and consistent with Council Policy.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Through Enabling Care Manager to: Locality Managers Domiciliary Care	
1.34 Provide residential care for adults who require care and attention otherwise unavailable to them, in accordance with the purchasing contract. National Assistance Act, 1948, Part III	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director Mental Health (RDASH) Head of Learning Disability Service Quality Care Manager Service Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>1.35 Provide services for disabled adults who have been assessed as requiring such services, in accordance with the purchasing contract.</p> <p>National Assistance Act 1948, s.29 Chronically Sick and Disabled Persons Act, s.2</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Head of Learning Disability Service Service Manager (Specialist Services)	
<p>1.36 Provision of facilities for employment and training for registered persons who are severely disabled, in accordance with the purchasing contract.</p> <p>Disabled Persons (Employment) Act 1958</p>	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Head of Learning Disability Service Service Manager (Specialist Services)	
2. Human Resource Management				
2.1 Designation of politically restricted posts.	Director Health and Well-Being		Assistant Director of Mental Health Services	
2.2 Establishment of posts/changes to establishment/restructuring /transfer of posts between sections and units.	Director Health and Well-Being		(in consultation with Directorate Human Resources Manager) Head Of Learning Disability Service	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.3 Approval to fill vacant posts within approved establishment including posts externally funded.	Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head of Learning Disability Service Service Managers Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager Manager Supporting People Assessment and Care Management Senior Management Team for Older People and Physical Disability Services	
2.4 Agreement to job share arrangements	Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.5 Paragraph 35 - Acting-up arrangements, and approval of honoraria/ex gratia payments in appropriate circumstances.	Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.6 Appointment to posts below Service Director within approved establishment.	Director Health and Well-Being		To be confirmed. Further advice, re. establishment control to be sought from R.B.T.	
2.7 Requests for re-employment from persons having previously taken early release from the Council's employment.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being		

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.8 Transfer of staff internally to equivalently graded posts.	Director Health and Well-Being		Operations Manager Domiciliary Care and Support Services Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.9 Approval to recruit additional temporary staff for maternity leave cover.	Service Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.10 Approval to recruit additional temporary staff to meet work demands/seasonal fluctuations.	Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.11 Decisions to extend or terminate Probationary Service.	Director Health and Well-Being		Head Of Learning Disability Service	
2.12 Granting of special unpaid leave, and special leave <u>with</u> pay including T.U. time-off.	Director Health and Well-Being		Head Of Learning Disability Service	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.13 Grievances.	Director Health and Well-Being		Prior to Member Stage Assistant Director, Mental Health Services (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers	
2.14 Agree appropriate starting salaries.	Director Health and Well-Being		(in consultation with Directorate Human Resources Manager) Head Of Learning Disability Service	
2.15 Use of re-location scheme for new appointments.	Director Health and Well-Being			
2.16 Staff progression.	Director Health and Well-Being		Social Workers: Panel of Service Managers and Team Managers Head Of Learning Disability Service	
2.17 Authorisation of gifts/legacies and hospitality offered to staff.	Director Health and Well-Being		Head Of Learning Disability Service	
2.18 Authorisation of requests from staff to undertake additional employment.	Director Health and Well-Being			
2.19 Authorisation of overtime Payments to staff paid beyond SCP 28.	Director Health and Well-Being		Assistant Director, Mental Health Services (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.20 Approval of telephone for appropriate posts.	Director Health and Well-Being		Assistant Director, Mental Health Services (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers Business Manager	
2.21 Approval of excess travel expenses (Where Council Policy is not appropriate).	Director Health and Well-Being		Head Of Learning Disability Service	
2.22 Health and Safety at Work. Health and Safety (Offences) Act 2008	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	All Managers	
2.23 Disciplinary Procedures.	Director Health and Well-Being			
			<p>Authorisation to give verbal and written warnings:- Team Managers, Managers, Residential and Day Care Establishments</p> <p>Authorisation to give warnings up to and including final written warnings:- Group Manager Learning Disability Service Business Manager Learning Disability Service Enabling Care Manager, Quality Care Manager</p> <p>Authorisation to give final written warnings, demotion and dismissal:- Service Managers Head of Learning Disability Service Modernisation Manager</p>	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.24 Approval of attendance on full time training courses, conferences, etc. or to give lectures (not exceeding one week duration).	Director Health and Well-Being		Adults Training and Development Group Programme Area Directorate Workforce Development Panel	
2.25 Agree Work Experience Placements for students NOT employed by the Council.	Director Health and Well-Being		Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Group Manager Learning Disability Service Business Manager Learning Disability Service Service Managers	
2.26 Grading of new posts/changes to existing posts.	Director Health and Well-Being		In consultation with Directorate H.R. Manager. Head Of Learning Disability Service	
2.27 Consider personal applications for re-grading.	Director Health and Well-Being		Directorate Human Resource Manager reports on the application and makes a recommendation to the Strategic Director/Service Director. Head Of Learning Disability Service	
2.28 Monitoring of Absence Management in accordance with Council Policy	Director Health and Well-Being		All Line Managers	
2.29 Consider applications to extend the period of paid sickness absence.	Director Health and Well-Being		Head Of Learning Disability Service	
2.30 Ill Health Terminations.	Director Health and Well-Being		Assistant Director of Mental Health Services (RDASH) Head Of Learning Disability Service Service Managers, Learning Disability Service Managers Enabling Care Manager, Quality Care Manager Business Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.31 Early release of pension benefits - Ill-health retirement.	Director Health and Well-Being		In consultation with the Strategic Director and the Cabinet Member for Neighbourhoods and Adult Services. Approval of Deputy Leaders. Head Of Learning Disability Service	
2.32 Issue of compulsory redundancy notices.	Director Health and Well-Being		In consultation with Strategic Human Resources.	
2.33 Payment of "buy-out" compensation.	Director Health and Well-Being		In consultation with Strategic Human Resources.	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3. Finance				
3.1 Home Care and other non-residential charges – write-offs.	Director Health and Well-Being		After consulting with the Service Accountant (Adult Services) on behalf of the Strategic Director of Finance:- (a) Up to £500 – Service Manager (b) £501 - £1,000 – Service Director, Head Of Learning Disability Service (c) write-off debts due to the Council of £1,1001 to £5000 – Strategic Director of Neighbourhood and Adult Services (d) write-off debts due to the Council of £5000.01 or more – Strategic Director of Finance, after consulting the Corporate Management Team.	-
3.2 Residential accommodation charges write-offs.	Director Health and Well-Being (CK)		After consulting with the Service Accountant (Adult Services) on behalf of the Strategic Director of Finance:- (a) Up to £500 – Service Manager (b) £501 - £1,000 – Service Director, Head Of Learning Disability Service (c) write-off debts due to the Council of £1,1001 to £5000 – Strategic Director of Neighbourhoods and Adult Services (d) write-off debts due to the Council of £5000.01 or more – Strategic Director of Finance, after consulting the Corporate Management Team.	-
3.3 Waiver Charges up to 50% Non-residential services	Director Health and Well-Being			-
3.4 Authorisation of development of schemes and letting of contracts up to a value of £50,000 in accordance with Standing Orders.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Head Of Learning Disability Service	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3.5 Variations to residential care guide prices which result from meeting the specific needs of individuals.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RDASH) Service Managers Learning Disability Service Group Manager Learning Disability Service	
3.5.1 Up to 2.5%.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Though Service Managers Learning Disability/ Assistant Director, Mental Health (RDASH) to: Group Managers, Mental Health Group Managers, Learning Disability	
Up to £100.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Services Service Managers	
Over £100.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being		
3.6 Application of the 50% disregard of occupational pensions to service users in residential care with unmarried partners.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being	Assistant Director, Mental Health (RDASH) Head Of Learning Disability Service Service Managers Learning Disability Services Service Managers	
3.7 Enter into agreement to defer payment for changes on property until the property is sold. Section 55 of Health and Social Care Act, 2001.	Strategic Director of Neighbourhoods and Adult Services	Director Health and Well-Being Enabling Care Manager – Intermediate Care (lead provider) Head of Joint Learning Disability Service (lead commissioner)	Through Assistant Director, Mental Health (RDASH) to: CMHT Managers Head Of Learning Disability Service Service Managers Learning Disability Services Service Managers to Team Managers	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3.8 Manage pooled budgets in conjunction with partner agencies as lead commissioner or lead providers.		Director of Health and Wellbeing		

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

NEIGHBOURHOODS AND ADULT SERVICES DIRECTORATE

Appendix G

Independent Living - Delegation of Powers to Officers - Schedule C

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1. Service				
1.30 Provision of Equipment, adaptations and associated grants Chronically Sick and Disabled Persons Act 1970	Strategic Director of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	-
1.37 Provision of Wardens Service and Rothercare	Strategic Director of Neighbourhoods and Adult Services	Director of Independent Living	Older People's Housing Services Manager	
1.38 Provision of Rothercare.	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Older People's Housing Services Manager	
1.39 Discharge of homelessness, allocation policy and advice functions	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Choices Manager	
1.40 Provision of furnished tenancy scheme	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Choices Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
1.41 Discharge of asylum and immigration functions	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Asylum Team Manager	
1.42 Discharge of Right to Buy Functions	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Choices Manager	
2. Human Resource Management				
2.1 Designation of politically restricted posts.	Director Independent Living			
2.2 Establishment of posts/changes to establishment/restructuring /transfer of posts between sections and units.	Director Independent Living		(in consultation with Directorate Human Resources Manager)	
2.3 Approval to fill vacant posts within approved establishment including posts externally funded.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.4 Agreement to job share arrangements	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.5 Paragraph 35 - Acting-up arrangements, and approval of honoraria/ex gratia payments in appropriate circumstances.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.6 Appointment to posts below Service Director within approved establishment	Director Independent Living			

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.7 Requests for re-employment from persons having previously taken early release from the Council's employment.	Strategic Director of Neighbourhoods and Adult Services	Director Independent Living		
2.8 Transfer of staff internally to equivalently graded posts.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.9 Approval to recruit additional temporary staff for maternity leave cover.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.10 Approval to recruit additional temporary staff to meet work demands/seasonal fluctuations.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.11 Decisions to extend or terminate Probationary Service.	Director Independent Living			
2.12 Granting of special unpaid leave, and special leave with pay including T.U. time-off.	Director Independent Living			
2.13 Grievances.	Director Independent Living		Prior to Member stage Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.14 Agree appropriate starting salaries.	Director Independent Living		(in consultation with Directorate Human Resources Manager)	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.15 Use of re-location scheme for new appointments.	Director Independent Living			
2.16 Staff progression.	Director Independent Living			
2.17 Authorisation of gifts/legacies and hospitality offered to staff.	Director Independent Living			
2.18 Authorisation of requests from staff to undertake additional employment.	Director Independent Living			
2.19 Authorisation of overtime Payments to staff paid beyond SCP 28.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.20 Approval of telephone for appropriate posts.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.21 Approval of excess travel expenses (Where Council Policy is not appropriate).	Director Independent Living			
2.22 Health and Safety at Work. Health and Safety (Offences) Act 2008	Strategic Director of Neighbourhoods and Adult Services	Director Independent Living	All Managers	
2.23 Disciplinary Procedures.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.24 Approval of attendance on full time training courses, conferences, etc. or to give lectures (not exceeding one week duration).	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.25 Agree Work Experience Placements for students NOT employed by the Council.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	
2.26 Grading of new posts/changes to existing posts.	Director Independent Living		In consultation with Directorate H.R. Manager.	
2.27 Consider personal applications for re-grading.	Director Independent Living		Directorate Human Resource Manager reports on the application and makes a recommendation to the Strategic Director/Service Director.	
2.28 Monitoring of Absence Management in accordance with Council Policy	Director Independent Living		All Line Managers	
2.29 Consider applications to extend the period of paid sickness absence.	Director Independent Living			
2.30 Ill Health Terminations.	Director Independent Living		Housing Choices Manager Housing Access Manager Older People's Housing Services Manager Asylum Team Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
2.31 Early release of pension benefits - Ill-health retirement.	Director Independent Living		In consultation with the Strategic Director and the Cabinet Member for Neighbourhoods and Adult Services. Approval of Deputy Leaders.	
2.32 Issue of compulsory redundancy notices.	Director Independent Living		In consultation with Strategic Human Resources.	
2.33 Payment of "buy-out" compensation.	Director Independent Living		In consultation with Strategic Human Resources.	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3. Finance				
3.1 Authorisation of mandatory payments in respect of the Secure Tenants of Local Authorities (compensation for improvements) Regulations 1994.	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing choices Manager	
3.2 Authorisation of mandatory financial compensation in respect of the Secure Tenants of Local Housing Authorities (right to repair) Regulations 1994.	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Choices Manager	
3.3 Disabled Facilities Grants where the value of works is less than or equal to £30,000	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	No delegation to officers in respect of an application from a private landlord for a discretionary grant.	
3.4 Renovation Grants and all home repair assistance grants where the value of works is less than or equal to £7,500	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	No delegation to officers in respect of an application from a private landlord for a discretionary grant.	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
<p>3.5 Interim payments in respect of Home Renovation and Disabled Facilities Grants up to a maximum of 50% of the value of completed work provided at least 50% of the total anticipated works have been satisfactorily completed.</p> <p>Where the payment to the Utilities Companies and any services provided by the Local Authority, such disbursements shall be included within this power but shall be additional to the percentages applied within this paragraph and may be made at any time after the approval of the grant.</p>	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
<p>3.6 Additional payments for unforeseen works subject to a maximum of £500 in respect of any single grant</p>	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
<p>3.7 Approval of interim payments up to 90% legislative maximum</p>	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
<p>3.8 Authorisations of extensions of time in respect of grant aided works. In respect of applicants using the agency service, authorisation of the payment of fees to persons or agencies in the preparation of plans, reports or other inspections prior to the award of a grant.</p>	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	

Subject	Delegated To	Director's Powers held on his behalf by (Relevant Service Director)	Proposed Officer(s) accountable to Service Director for Functions Associated with Delegated Powers	Director's Approval/Date
			Post(s)	
3.9 In respect of applicants using the agency service, the maintenance of a list of approved contractors.	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
3.10 Monies by way of loan, the amount being the difference between the value of approved renovation, disabled facilities or public sector adaptation works and the amount of grant payable, subject to specific provisions of Council policy	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
3.11 Variation of the grant payable in such instances where the final accounts show reductions to the amount of grant approved, or where, owing to circumstances beyond the control of the applicant, the eligible works cannot be carried out on the basis of the determined expenses or failure to complete by contractor or other appropriate instances.	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
3.12 Approval subject to any necessary conditions, where grant applicants wish to vary the standard specification for fixtures and fittings beyond that approved by the Council	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Access Manager	
3.13 Collection of charges for Furnished tenancy service	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Housing Choices Manager	
3.14 Financial management of National Asylum Seeker Contract	Strategic Director Of Neighbourhoods and Adult Services	Director of Independent Living	Asylum Team Manager	

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

NEIGHBOURHOOD AND ADULT SERVICES DIRECTORATE

Appendix H

Housing and Neighbourhood Services – Delegations of Powers to Officers – Schedule C

	Subject	Summary Description of Powers	Decision	Proposed Officer(s) accountable to Director or Service Director for Functions Associated with Delegated Powers
1.	In respect of financial matters	1.1 Authorisation to spend within approved budgets subject to the policy, standing orders and financial regulations of the Council	Director of Housing and Neighbourhood Services	All budget holders
		1.2 Authorisation for the virement of revenue budgets in accordance with Financial Regulations	Director of Housing and Neighbourhood Services	All budget holders
		1.3 Financial management of the Housing Investment Programme	Director of Housing and Neighbourhood Services	All budget holders
2.	In respect of Departmental Assets	2.1 The purchase of replacement vehicles, plant or equipment, including computer hardware and software for which financial provision has been made in accordance with the Financial Regulations and Standing Orders of the Council	Director of Housing and Neighbourhood Services	All budget holders

		2.2	Declaring obsolete furniture and equipment, and other materials surplus to requirements provided that the estimated value of any one item or group of items shall not exceed £1,000	Director of Housing and Neighbourhood Services	
3.	In respect of Procurement Contract Administration and Best Value	3.1	In accordance with Standing Orders and Financial Regulations, matters relating to the specification for goods and services, the seeking of estimates, quotations and tenders, the evaluation of the same and acceptance of tenders relating to contracts for works, other supplies, services, goods and equipment in accordance with approved budgets or supplementary estimates	Director of Housing and Neighbourhood Services	All budget holders
		3.2	In respect of DSO's the authorisation of individual variations	Director of Housing and Neighbourhood Services	
4.	In respect of Human Resource Management	4.1	Establishment of posts/changes to establishment/restructuring/transfer of posts between sections and units	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
		4.2	Approval to fill vacant posts within approved establishment including posts externally funded	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager

				<ul style="list-style-type: none"> • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.3 Appointment to posts below Service Director, within approved establishment	In respect of M3 posts Director of Housing and Neighbourhood Services	Posts below M3 <ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.4 Use of re-location scheme for new appointments	Director of Housing and Neighbourhood Services	
		4.5 Transfer of staff internally to equivalently graded posts	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager

		4.6 Paragraph 35 – Acting Up Arrangements, and approval of honoraria/ex gratia payments in appropriate circumstances	Director of Housing and Neighbourhood Services	
		4.7 Requests for re-employment from persons having previously taken early release from the Council’s employment	Delegated to Director of Housing and Neighbourhood Services	
		4.8 Approval to recruit additional temporary staff for maternity leave cover	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.9 Approval to recruit additional temporary staff to meet work demands/seasonal fluctuation	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager

		4.10 Decisions to extend or terminate Probationary Service	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
		4.11 Granting of special unpaid leave and special leave with pay including T.U. time-off	Director of Housing and Neighbourhood Services	
		4.12 Grievances	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.13 Agree appropriate starting salaries	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
		4.14 Staff progression	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership

				Managers • Neighbourhood Transformation Manager
		4.15	Authorisation of gifts/legacies and hospitality offered to staff	Director of Housing and Neighbourhood Services
		4.16	Authorisation of requests from staff to undertake additional employment	Director of Housing and Neighbourhood Services
		4.17	Authorisation of overtime within approved budget limits	Director of Housing and Neighbourhood Services • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.18	Approval of telephone for appropriate posts	Director of Housing and Neighbourhood Services • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers

				<ul style="list-style-type: none"> • Neighbourhood Transformation Manager
		4.19 Approval of excess travel expenses (Where Council Policy is not appropriate)	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
		4.20 Health and Safety at Work	Delegated to Director of Housing and Neighbourhood Services	All line managers
		4.21 Disciplinary Procedures	Delegated to Director of Housing and Neighbourhood Services	<p>Authorisation to: give verbal and written warnings:</p> <p>Line managers/M2s</p> <ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager <p>Authorisation to give warnings up to and including final written warnings:</p> <ul style="list-style-type: none"> • Neighbourhood Investment Manager

				<ul style="list-style-type: none"> • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager <p>Authorisation to give final written warnings, demotion, and dismissal: Director of Housing and Neighbourhood Services</p>	
		4.22	Designation of politically restricted posts	Director of Housing and Neighbourhood Services	<ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.23	Approval of attendance on full time training courses, conferences, etc. or to give lectures (not exceeding one week duration)	Director of Housing and Neighbourhood Services	<p>Training and Development Manager</p> <p>All M3 Manager</p>
		4.24	Agree Work Experience Placements for students not employed by the Council	Director of Housing and	<ul style="list-style-type: none"> • Neighbourhood Investment

			Neighbourhood Services	<p>Manager</p> <ul style="list-style-type: none"> • Safer Neighbourhood Manager • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager
		4.25	Grading of new posts/changes to existing posts	<p>Director of Housing and Neighbourhood Services</p> <p>In consultation with Directorate HR Manager</p>
		4.26	Consider personal applications for re-grading	<p>Director of Housing and Neighbourhood Services</p> <p>Directorate HR Manager reports on the application and makes a recommendation to the Strategic Director/Service Director of Housing and Neighbourhood Services</p>
		4.27	Monitoring of Absence Management in accordance with Council policy	<p>Director of Housing and Neighbourhood Services</p> <p>All Line Managers</p>
		4.28	Consider applications to extend the period of paid sickness absence	<p>Director of Housing and Neighbourhood Services</p> <p>In consultation with Directorate HR Manager</p>
		4.29	Ill Health Terminations	<p>Director of Housing and Neighbourhood Services</p> <ul style="list-style-type: none"> • Neighbourhood Investment Manager • Safer Neighbourhood Manager

				<ul style="list-style-type: none"> • Business Regulation Manager • Neighbourhood Partnership Managers • Neighbourhood Transformation Manager 	
		4.30	Early release of pension benefits – ill-health retirement	Director of Housing and Neighbourhood Services	In consultation with the Strategic Director and Cabinet Member for Neighbourhoods
		4.31	Issue of compulsory redundancy notices	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
		4.32	Payment of “buy-out” compensation	Director of Housing and Neighbourhood Services	In consultation with Directorate HR Manager
5.	2010 Rotherham Ltd	5.1	Authority to represent the Council at any general meeting of 2010 Rotherham Ltd	Director of Housing and Neighbourhood Services	
6.	Housing Operational and Procedural Matters	6.1	Disposal of small areas of land to Council tenants for the purposes of garden extensions, car parking or to assist the general care and aspect of the area, provided local ward members concur and in accordance with the Council’s land disposal procedures	Director of Housing and Neighbourhood Services	
		6.2	Authorisation of mandatory payments in respect of the Secure Tenants of Local	Director of Housing and	

		Authorities (Compensation for Improvements) Regulations 1994	Neighbourhood Services	
		6.3 Authorisation of mandatory financial compensation in respect of the Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994	Director of Housing and Neighbourhood Services	
		7.4 Authorise appropriate legal action in respect of breaches of the Council's tenancy agreements and other legal measures against the perpetrators of harassment, crime and anti-social behaviour and racial harassment against tenants and residents. Examples of such legal action is among, but not limited to, injunctions and anti-social behaviour orders	Director of Housing and Neighbourhood Services	
		6.4 Authorise appropriate publicity by the Council for the purposes of advising members of the public that anti-social behaviour orders and injunctions have been made and in assisting in the enforcement of anti-social behaviour orders and injunctions, by encouraging the reporting of any breaches	Director of Housing and Neighbourhood Services	
		6.5 The power to prosecute and offender in respect of: <ul style="list-style-type: none"> • Offences relating to advertisements 	Director of Housing and Neighbourhood Services	

		<p>displayed in contravention of regulations; and the</p> <ul style="list-style-type: none"> • Removal of placards or posters displayed in contravention of regulations 		
7.	<p>Statutory Provisions</p> <p>Abandonment of Animals Act 1960 Administration of Justice Act 1970, As Amended Agriculture Act 1970 Agricultural (Miscellaneous Provisions) Act 1968 Agriculture Produce (Grading and Marking) Act 1928 and 1931 Agriculture (Safety, Health and Welfare Provisions) Act 1956 Animal Boarding Establishments Act 1963 Animal Health Act 1981 Animal Health and Welfare Act 1984 Anti-Social Behaviour Act 2003 Breeding of Dogs Act 1973 and 1991 Broadcasting Act 1990 Building Act 1984 Business Names Act 1985 Children and Young Persons Act 1933 Children and Young Persons (Protection from Tobacco) Act 1991</p>	<p>That the Council's Powers relating to these acts and any orders, regulations, statutory instruments, statutory Codes of Practice and/or Bylaws made there under and any future modifications, enlargements or amendments thereof be delegated to the Director of Housing and Neighbourhood Services</p> <p>The powers conferred include:</p> <ul style="list-style-type: none"> ▪ Instigation of Legal Proceedings ▪ Authorisation of Informations and Summonses ▪ Authorisation of Applications for a Warrant to Enter Premises ▪ Service of Statutory Notices ▪ Granting and Refusal of Licences ▪ Authorisation to Carry out Work in Default ▪ Appointment of Inspectors and Officers ▪ Appointment of Chief and Deputy Chief Inspector of Weights and Measures ▪ Authorisation of Officers ▪ Appointment of Official and Authorised Veterinary Officers, Public Analysts 	<p>Delegated to the Director of Housing and Neighbourhood Services</p> <p>Director of Housing and Neighbourhood Services</p>	<p>Via Written Authorisation to approve on behalf of Director of Housing and Neighbourhood Services:</p> <ul style="list-style-type: none"> • Safer Neighbourhood Manager • Business Regulation Manager

<p>Clean Air Act 1993 Clean Air & Neighbourhood Act 2004 Companies Act 1985 Consumer Arbitration Agreements Act 1988 Consumer Credit Act 1974 Consumer Protection Act 1987 Control of Pollution Act 1974 Copyright, Designs and Patents Act 1988 Cremation Acts 1902 and 1952 Cremations Regulations 1930, 1952, 1965 and 1979 Cremations (Amendment) Regulations 1985 Crime & Disorder Act 1998 Criminal Justice Act 1988 Criminal Justice and Public Order Act 1994 Dangerous Dogs Acts 1989 and 1991 Dangerous Wild Animals Act 1976 Development of Tourism Act 1969 Dogs Acts 1871 and 1906 Dogs (Fouling of Land) Act 1996 Education Reform Act 1988 Environment Act 1995 Environmental Protection Act 1990 Estate Agents Act 1979 European Communities Act 1972 Factories Act 1961</p>			
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<p> Fair Trading Act 1973 Farm and Garden Chemicals Act 1967 Fire Safety and Safety of Places of Sport Act 1987 Food Act 1984 Food and Environmental Protection Act 1985 Food Safety Act 1990 Forgery and Counterfeiting Act 1981 Gambling Act 2006 Game Act 1831 Guard Dogs Act 1975 Hallmarking Act 1973 Harris Tweed Act 1993 Health and Safety at Work etc. Act 1974 Highways Act 1980 Hire Purchase Act 1965 House to House Collections Act 1939 Housing Act 1985 Housing Act 1996 Housing Act 2004 Insolvency Act 1986 Insurance Brokers (Registration) Act 1977 Insurance Companies Act 1981 Intoxicating Substances (Supply) Act 1985 Licensing Act 1964 </p>			
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<p>Licensing Act 2003 Limitation Act 1980 Local Authorities Cemeteries Order 1977 Local Government Act 1972 Local Government Act 1894 Local Government (Miscellaneous Provisions) Acts 1987 and 1982 Malicious Communications Act 1988 Medicines Acts 1968 and 1971 Minors Contracts Act 1987 Misrepresentations Act 1967 Mock Auctions Act 1961 Motor Vehicles (Safety Equipment for Children) Act 1991 National Assistance Acts 1948 and 1951 Noise and Statutory Nuisance Act 1992 Performing of Animals (Regulation) Act 1925 Pet Animals Act 1911 and 1951 Poisons Act 1972 Prevention of Damage by Pests Act 1949 Prices Acts 1974 and 1975 Property Misdescriptions Act 1991 Protection of Animals Act 1911 Protection of Children (Tobacco) Act 1986 Public Health Acts 1936 and 1961</p>			
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<p>Public Health (Control of Diseases) Act 1984 Rag Flock and Other Filling Matter Act 1951 Refuse Disposal (Amenity) Act 1978 Restrictive Trade Practices Act 1987 Riding Establishments Acts 1964 and 1970 Road Traffic Acts 1988 and 1991 Road Traffic (Consequential Provisions) Act 1988 Road Traffic (Foreign Vehicles) Act 1972 Road Traffic Offenders Act 1988 Safety of Sports Grounds Act 1975 Sale of Goods Act 1979 Sale and Supply of Goods Act 1994 Scotch Whisky Act 1980 Scrap Metal Dealers Act 1964 Slaughter of Poultry Act 1967 Solicitors Act 1974 South Yorkshire Act 1980 Sunday Trading Act 1994 Supply of Goods (Implied Terms) Act 1973 Supply of Goods and Services Act 1982 Telecommunications Act 1984 Theft Acts 1968-1978</p>			
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<p> Timeshare Act 1992 Torts (Interference with Goods) Act 1977 Town Police Clauses Act 1847 Trade Descriptions Act 1968 Trade Marks Act 1994 Trading Representations (Disabled Persons) Acts 1958 and 1972 Trading Stamps Act 1964, as amended Transport Act 1985 Unfair Contract Terms Act 1977 Unsolicited Goods and Services Acts 1971 and 1975 Vehicle (Excise) Act 1971 Vehicle (Crime) Act 2001 Vehicle Emissions Testing – Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 Video Recordings Acts 1984 and 1993 Water Act 1945 Water Industry Act 1991 (As amended by the Water Consolidation (Consequential Provisions) Act 1991) Weights and Measures Act 1976 Weights and Measures Act 1985 Wildlife and Countryside Act 1981 Young Persons (Employment) Acts 1938 and 1964 </p>			
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Zoo Licensing Act 1981			
<p>Miscellaneous Statutory Provisions</p> <p>The Service of Notice and the carrying out of works under Section 29 of the Local Government (Miscellaneous Provisions) Act 1982 (vacant houses)</p> <p>The instigation of proceedings under the Protection from Eviction Act 1977</p> <p>The service of Repair Notices upon Private Sector Landlords under the provisions of Section 189(1) and Section 190(1) of the 1985 Housing Act</p> <p>The service of Statutory Notices under the relevant provisions of Section 352, 372, 354 and 358 of the 1985 Housing Act in respect of Houses in Multiple Occupation</p> <p>The service of a Notice under the provisions of 364 of the Housing Act 1985 requiring occupancy details in respect of a House in Multiple Occupation</p>	<p>That the Council's powers relating to the following Acts and any Orders, regulations, statutory instruments, statutory Codes of Practice and/or Bylaws made there under and any future modifications or enlargements thereof be delegated to the Service Director for Housing and Neighbourhood Services and officers empowered by the Service Director for Housing and Neighbourhood Services from time to time:-</p>		<p>Via Written Authorisation to approve on behalf of Director of Housing and Neighbourhood Services:</p> <ul style="list-style-type: none"> • Safer Neighbourhood Manager

<p>The service of Notices under the provisions of Section 194 and 374 of the 1985 Housing Act in respect of entry to premises to carry out works in default</p> <p>The service of a Notice under the provisions of Section 335 of the 1985 Housing Act requiring the occupier to provide a statement of numbers, ages, sexes of persons sleeping in the dwelling</p> <p>The service of a Notice under the provisions of Section 338 of the 1985 Housing Act in respect of the abatement of overcrowding</p> <p>The service of a Statutory Notice under the provisions of Section 80 of the 1990 Environmental Protection Act in respect of statutory nuisance</p> <p>The service of Statutory Notice under the provisions of Section 76 of the Building Act 1984 in respect of statutory nuisance</p> <p>The service of Statutory Notice under the provisions of Section 59 of the Building Act 1984 in respect</p>			
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<p>of drainage</p> <p>The service of Statutory Notice under the provisions of Section 79 of the Building Act 1984 in respect of ruinous and dilapidated buildings</p> <p>The service of Notice under the provisions of Section 84 of the Building Act 1984 in respect of defective yard paving</p> <p>The service of Notice under the provisions of Section 4 of the Prevention of Damage by Pests Act 1949 in respect of accumulations liable to provide harbourage for rodents</p> <p>The service of Notice under the provisions of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requiring ownership details in respect of a premise</p> <p>The service of Notice under the provisions of Section 45 of the Public Health Act 1936 in respect of repairs to WCs</p>			
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	<p>The service of Notice under the provisions of Section 83 and 84 of the Public Health Act 1936 in respect of verminous premises, articles and persons</p> <p>The service of Notice under the provisions of Section 287 of the Public Health Act 1936, power to enter premises in respect of investigation of statutory nuisances</p> <p>Empowerment of qualified Environmental Health Officers to serve the above notices for and on behalf of the Service Director for Housing and Neighbourhood Services, designated as Proper Officer of the Council in relation to any notice, demand or other written document</p>			
<p>8.</p>	<p>Renovation, Home Repair Assistance and Disabled Facilities Grants</p>	<p>8.1 Grants where the value of works is assessed by the Director of Housing and Neighbourhood Services as being less than or equal to £6,000 in respect of Disabled Facilities Grants and £7,500 in respect of Renovation Grants and all home repair assistance grants. NB, there is no delegated power to officers in respect of an application from a private landlord for a discretionary grant.</p>		

		8.2 Interim payments in respect of Home Renovation, Renovation and Disabled Facilities Grants up to a maximum of 50% of the value of completed work provided at least 50% of the total anticipated works have been satisfactorily completed. Where the payment involves disbursements to the Utilities Companies and any services provided by the Local Authority, such disbursements shall be included within this power but shall be additional to the percentages applied within this paragraph and may be made at any time after the approval of the grant.		
		8.3 Additional payments for unforeseen works subject to a maximum of £500 in respect of any single grant		
		8.4 Authorisation of extensions of time in respect of grant aided works. In respect of applicants using the agency service, authorisation of the payment of fees to persons or agencies in the preparation of plans, reports or other inspections prior to the award of a grant.		
		8.5 In respect of applicants using the agency service, the maintenance of a list of approved contractors		

		8.6	Monies by way of loan, the amount being the difference between the value of approved renovation, disabled facilities or public sector adaptation works and the amount of grant payable, subject to specific provisions of Council policy		
		8.7	Variation of the grant payable in such instances where the final accounts show reductions to the amount of grant approved, or where, owing to circumstances beyond the control of the applicant, the eligible works cannot be carried out on the basis of the determined expenses or failure to complete by contractor or other appropriate instances.		
		8.8	Approval subject to any necessary conditions, where grant applications wish to vary the standard specification		
		8.9	For fixtures and fittings beyond that approved by the Council		
9.	Adaptations	9.1	Applications for adaptation grants or awards in the private and public sectors in excess of £25,000 (with the exception of extension adaptations)		
		9.2	All agreed claims for unforeseen and additional works be delegated to the		

		Principal Grants Officer		
		9.3 Approval of interim payments up to 90% legislative maximum be delegated to the Principal Grants Officer		
		<p>Homelessness determinations ...</p> <p>Authorisation of mandatory payments in respect of Secure Tenants ...</p> <p>Determination of such costs – other than fair wear and tear on Council’s property and fixtures</p> <p>Service of appropriate notices in respect of unauthorised occupation of land or dwellings</p> <p>Allocation and letting of vacant dwellings and garages ...</p> <p>Approval of successions and assignments meeting the statutory requirements ...</p> <p>Permitting tenants to resume their tenancy if the request is within a reasonable time from receipt of vacant possession</p> <p>Admitting the right to buy ... Authority to decant tenants of the Council to alternative accommodation ...</p>		

10.	Introductory Tenancies	Delegation of powers to the Anti-Social Behaviour Review Panel and Senior Officers in Housing Management to review and confirm, confirm with conditions attached and not confirm Notices of Proceedings for possessions on cases of breaches of the Tenancy Agreement		
11.	High Hedges Delegated powers under Part 8 of the Anti Social Behaviour Act 2003 and any orders, regulations, statutory instruments all statutory codes of practice made there under		Director of Housing and Neighbourhood Services	
12.	Standards in private sector housing Delegated powers under Parts 1, 2, 3, 4 and 7 of the Housing Act 2004 and any orders, regulations, statutory instruments or statutory codes of practice made there under		Director of Housing and Neighbourhood Services	

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1	Meeting:	Cabinet Member for Health and Social Care
2	Date:	Monday 12 October 2009
3	Title:	Adult Services Revenue Budget Monitoring Report 2009/10.
4	Directorate :	Neighbourhoods and Adult Services

5 Summary

This Budget Monitoring Report provides a financial forecast for the Adult Services Department within the Neighbourhoods and Adult Services Directorate to the end of March 2010 based on actual income and expenditure to the end of August 2009.

The forecast for the financial year 2009/10 is an overspend of £320k after assuming achievement of a number of management actions to offset pressures identified within the budget.

6 Recommendations

Members are asked to note:

The latest financial projection against budget for the year based on actual income and expenditure to the end of August 2009 for Adult Services.

7 Proposals and Details

7.1 The Current Position

- 7.1.1 The approved net revenue budget for Adult Services for 2009/10 is £72.9m. Included in the approved budget was additional funding for demographic and existing budget pressures together with a number of new investments and efficiency savings identified through the 2009/10 budget setting process.
- 7.1.2 The latest budget monitoring report for Adult Services shows some underlying pressures of £1.3m, however assuming the achievement of all management actions it is forecast that there will be an overall overspend of £320k by the end of the financial year. Management actions of £1.004m were endorsed by the Cabinet Member on 14 September 2009. A total of £408k have been achieved to-date and are now included in the detailed forecasts. This reduces the underlying pressures to £916k and leaves a balance of £596k management actions to be achieved by the end of the financial year.
- 7.1.3 The latest year end forecast shows there are underlying budget pressures on Home Care as a result of delays in shifting the balance of provision to the independent sector (£540k). The 70/30 split was achieved at the end of July 2009 and the balance is now moving beyond 70/30 towards an 80/20 ration that the Cabinet recognises as the optimum level based on experience elsewhere in the country. There has been a significant increase above approved budget in clients receiving a Direct Payment within Physical and Sensory Disabilities and Older Peoples Services (£370k). Additional one-off expenditure is being incurred in respect of the costs of boarding up, removal of utilities and security costs at the former residential care homes prior to them transferring to the Council's property bank (£200k). Other budget pressures are due to delays in the implementation of budget savings agreed as part of the budget setting process for 2009/10 in respect of meals on wheels (£250k), laundry (£140k) and the bathing service (£40k).
- 7.1.4 These pressures have been reduced by additional income from continuing health care funding from Health (-£325k) and delays in the implementation of new supported living schemes within Learning Disability services (-£206k). Savings within independent residential care due to an increase in income from property charges (-£386k), further savings on the reconfiguration of Extra Care housing (-£250k) and slippage in recruitment to a number of new posts (-£78k) where additional funding was agreed within the budget process.
- 7.1.5 The Directorate continue to identify additional management actions to mitigate the outstanding budget pressures above. A number of management actions (40%) have already been achieved and are included in the financial forecasts. These include additional savings on supported living, residential short stay placements, independent residential care costs within Older People services and savings from the decommissioning of in-house residential care.

7.2 Current Action

To further mitigate the financial pressures within the service all vacancies continue to require the approval of the Service Directors. Budget meetings with Service Directors and managers have been arranged on a monthly basis to robustly monitor financial performance against approved budget including achievement against the proposed management actions and consider all potential options for managing expenditure within the approved revenue budget.

8. Finance

The finance details are included in section 7 above and the attached appendix shows a summary of the overall financial projection for each main client group.

9. Risks and Uncertainties

There are a number of underlying pressures within the service which continue to be reviewed and closely monitored. The report assumes the achievement of the savings in respect of the outstanding management actions. However, the report does not include any potential costs in respect of any possible redundancies associated with the decommissioning of in-house services.

Management Action Plans have been developed to address the initial budget pressures and include the impact of any decisions on the Key Performance Indicators. Careful scrutiny of expenditure and income and close budget monitoring remains essential to ensure equity of service provision for adults across the Borough within existing budgets.

10. Policy and Performance Agenda Implications

The delivery of Adult Services within its approved cash limit is vital to achieving the objectives of the Council and the CSCI Outcomes Framework for Performance Assessment of Adult Social Care. Financial performance is also a key element within the assessment of the Council's overall performance.

11. Background Papers and Consultation

- Report to Cabinet on 25 February 2009 –Proposed Revenue Budget and Council Tax for 2009/10.
- The Council's Medium Term Financial Strategy (MTFS) 2008-2011.

This report has been discussed with the Strategic Director of Neighbourhoods and Adult Services and the Strategic Director of Finance.

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**ADULT SOCIAL SERVICES
REVENUE BUDGET MONITORING SUMMARY**

Last Net Projected Variance £	Directorate/Service Area	EXPENDITURE/INCOME TO DATE (As at 31 August 2009)									PROJECTED OUT-TURN					Revised Financial RAG Status	
		Expenditure			Income			Net			Net						
		Profiled Budget £	Actual Spend to date £	Variance (Over (+) / Under (-) Spend) £	Profiled Budget £	Actual Income to date £	Variance (Over (+) / Under (-) Recovered) £	Profiled Budget £	Actual Net Expenditure to date £	Variance (Over (+) / Under (-) Spend) £	Annual Budget £	Proj'd out turn £	Variance (Over (+) / Under (-) Spend) £	Current Financial RAG Status	Financial Impact of Management Action £		Revised Projected Year end Variance Over(+)/Under(-) spend £
	Commissioning, Quality & Performance																
(41)	Commissioning & Partnerships	6,301	6,359	58	(4,722)	(4,722)	0	1,579	1,637	58	5,116	5,252	136	Red	(194)	(58)	Green
	Assessment & Care Management																
(365)	Older People Assessment & Care Management	14,668	14,931	263	(4,964)	(5,167)	(203)	9,704	9,764	60	24,254	24,397	143	Red	(160)	(17)	Green
23	Physical Dis Assessment & Care Management	2,055	2,425	370	(168)	(455)	(287)	1,887	1,970	83	6,088	6,288	200	Red	(192)	8	Red
(342)	Assessment Care Management	16,723	17,356	633	(5,132)	(5,622)	(490)	11,591	11,734	143	30,342	30,685	343		(352)	(9)	
	Independent Living																
134	Older People Independent Living	1,013	1,042	29	(121)	(145)	(24)	892	897	5	1,632	1,643	11	Red	0	11	Red
	Health & Well Being																
847	Older People Health & Well Being	7,383	7,541	158	(1,030)	(835)	195	6,353	6,706	353	15,766	16,612	846	Red	0	846	Red
(253)	Learning Disabilities	10,290	10,310	20	(2,553)	(2,705)	(152)	7,737	7,605	(132)	15,693	15,388	(305)	Green	0	(305)	Green
(217)	Mental Health	2,255	2,290	35	(157)	(240)	(83)	2,098	2,050	(48)	4,304	4,189	(115)	Green	(50)	(165)	Green
128	Total Adult Social Services	43,965	44,898	933	(13,715)	(14,269)	(554)	30,250	30,629	379	72,853	73,769	916		(596)	320	

Reason for Variance's)

NOTES Reasons for Variance's) and Proposed Actions

revised RAG status

Main Reasons for Variance

1	<p>Commissioning & Partnerships</p> <p>Forecast pressures on a number of unfunded posts offset by management actions including planned slippage on recruitment to new posts and a review of grant funding.</p>
2	<p>Assessment and Care Management</p> <p><u>Older Peoples Services (Independent)</u></p> <p>11 more placements than budgeted being offset by the additional income generated by additional admissions and increased income from property charges (-£390k). Current forecast overspend on Direct Payments (£287k) due to clients transferring from former Age Concern Day care where budget cut as part of budget setting process in 2007-08 and 2008-09. Overspend on running costs of PC's and mobile phones (£36k). Running costs for Manvers accommodation (£50k) , increase in running cost for CRT transport (£12K). Increased costs on independent sector homecare (£128k) as balance of provision now exceeds 70%.</p>
3	<p><u>Physical & Sensory Disabilities</u></p> <p>Pressure on Home Care Independent sector (£236k) due to increased hours, more expensive care packages, including backdated costs. Pressure on direct Payments budgets as number of clients increase (21 new care packages since April £84k),further analysis being undertaken Additional Continuing care income on supported living scheme (-£158K)</p>
4	<p>Independent Living</p> <p>Under recovery of Income on Rothercare service (£33K) being investigated. Forecast underspend on employee costs within Extra Care Housing (-£20k)</p> <p>Health and Well Being</p>
5	<p><u>Older Peoples Services (In House)</u></p> <p>Additional one-off costs for decommissioning former residential care homes including security costs, boarding up, removal of utilities etc (£315k) Slippage on meeting agreed savings for Laundry Service (£140k), Meals on Wheels service (£260k) & Bathing service (£40K) agreed in budget setting process. Forecast overspend on in-house home Care due to slippage in achieving 35/65 split by end March 2009 (£418k). Reconfiguration of Extra Care Housing, Bakersfield Court (-£96K) plus additional slippage identified from new investment (-£154K) Utilisation of grant monies b/fwd (-£64K). Planned delay on recruitment to vacant posts (-£78K) to reduce overall pressures.</p>
6	<p><u>Learning Disabilities</u></p> <p>Additional Continuing care income (-£166K) from health, slippage on supported living schemes (-£206k), underspend on homecare budget (£-27k). forecast underspend on Direct Payments (-£10K), continuing pressure on day care services (+£135k) mainly on transport costs.</p>
7	<p><u>Mental Health</u></p> <p>Projected under spend on residential care at this stage (-£30k) . Savings on review of Voluntary sector contracts (-£56k) Direct Payments delay in uptake drugs & alcohol placements (-£21K)</p> <p>Finance Performance Clinics</p> <p>Monthly finance clinics are held with each Service Director and their budget holders to monitor actual and planned spend against approved budget. Management actions are currently being identified to offset the additional budget pressures.</p>

Performance

(List key targets and RAG status- highlight impact of actions intended to address budget)

<p>Physical Disabilities</p> <p>Performance indicator C29 - physical disability users helped to live at home. (2009-10 Target = 3.2, Current performance = 2.81, below target)</p>
<p>Residential/Nursing Care</p> <p>Performance indicator NAS 3 - Older People in residential care. (2009-10 Target = 237), current performance is 201.23).</p>
<p>Home care</p> <p>Performance Indicator C32 - Older People helped live at home, 2009-10 Target = 96.32, current performance = 66.13, below target)</p>
<p>Direct Payments</p> <p>Performance Indicator N130 - Self Directed Support (all clients), 2009-10 Target = 300, current performance = 249 against a monthly target of 220. exceeding target</p>

Note
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