

## FORWARD PLAN OF RECORDED DELEGATED DECISIONS TO BE TAKEN BY OFFICERS

The Law requires certain executive decisions made by officers to be recorded and published. The intention behind the legislation is to extend some of the openness and transparency which applies to Cabinet decision-making to decision-making by officers. The requirements do not extend to all executive decisions made by officers. There is no requirement to disclose information which would have been dealt with as confidential or exempt information had the decision had been taken by Cabinet.

The Government has published Guidance on the requirements, “*Open and accountable local government – A guide for the press and public on attending and reporting meetings of local government.*” As the Guidance puts it:

*The requirement to record decisions extends only to “executive decisions”. Executive decisions can sometimes be defined in your council’s rules. Decisions which are taken by officers under specific delegations from a meeting of their council’s executive are clearly executive decisions. However, many administrative and operational decisions officers take on how they go about their day to day work will be delegated within the council’s rules and are not in this “executive decisions” category; as such they do not need to be recorded.*

In practice there are two burdens imposed by the legislation, firstly to identify decisions which have to be recorded and secondly to produce and publish the necessary records. There is a separate and different set of rules about the recording of Non-Executive decisions.

This document has been prepared to provide Members with details of forthcoming officer decisions to be made using delegated executive and non-executive powers.

**This plan is not for wider publication.**

### Contact Information:

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### **What is an Executive Decision?**

The majority of Council decisions are executive decisions made by the Cabinet or by officers using powers delegated by the Cabinet. Executive decisions are those which by law, or by the Council's Constitution, do not fall to be made by the Council, or any committee, sub-committee or officer exercising making powers delegated by the Council. Decisions which are not Executive decisions include:

- policy and budget decisions (which are matters for the full Council)
- Decisions to adopt or amend the Council's Constitution (which are matters for the full Council)
- Decisions which are within the remit of the Regulatory and Appeals Committee, the Planning Panels, Governance and Audit Committee, Standards Committee, Licensing Committee or Staffing Committee

### **Which Officer Executive Decisions have to be recorded?**

The Guidance sets out classes of executive decisions which do not have to be recorded and these include:

- decisions to allocate social carers to particular individuals, or for example, to provide walking aids;
- decisions to allocate a social housing unit to an applicant or to send someone to carry out repairs;
- decisions to review the benefit claims of an individual applicant and
- decisions to allocate market stalls to individual traders.

The Guidance also defines classes of executive decisions which do have to be recorded and these include:

- Decisions specifically delegated to an officer by a meeting of the Cabinet.
- Decisions about awarding contracts above a certain value [in the case of the Council above £250,000];
- decisions to exercise powers of Compulsory Purchase;
- decisions on disposal of and/ or provision of allotment land and green spaces;
- awarding of Discretionary Rate Relief
- the opening hours of local libraries; and
- the holding of car boot sales/markets on council-owned land.

### **Reports considered by officers when making executive decisions**

The law requires any report considered by the officer and relevant to the decision or part of any decision to be made available for inspection.

### **Confidential and Exempt Information**

The requirement to publish records of officer executive decisions does not require the disclosure of confidential information in breach of the obligation of confidence. For these purposes confidential information is restricted to information provided by government departments on condition that it will not be disclosed to the public or information which cannot be disclosed by law or by an order of a court. Similarly there is no requirement to disclose exempt information.

When a decision appears to involve either confidential or exempt information advice should be sought from the Monitoring Officer.

### **What does publication mean?**

A copy of the decision record and any report, or part of a report relevant to the decision must be made available for public inspection by members of the public as soon as is reasonably practicable at the Council's offices via Democratic Services and on the Council's website. These records must be retained and be available for inspection for a period of at least six years from the date of the decision.

Decision title	Date added to the Forward Plan	Anticipated date of decision	What is the decision	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
<b>ADULT CARE, HOUSING AND PUBLIC HEALTH</b>								
<b>ASSISTANT CHIEF EXECUTIVE/CHIEF EXECUTIVE</b>								
HR & Payroll System Contract	1 August 2022	November 2022	<p>The current contract for the HR &amp; Payroll system ends 31 March 2024, it is proposed to complete a procurement process to enable a direct award to the incumbent supplier (Insight UK Direct Ltd) for a new contractual arrangement beyond 31 March 2024.</p> <p>The direct award will be made via the Crown Commercial Services (CCS); Data and Application Solutions, Framework Contract Number: RM3821, Lot 1a: Resource Planning &amp; Management Solutions including Financial &amp; Commercial.</p>	Procurement, legal and finance departments. Cllr Alam.	Report	All Wards	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
<b>CHILDREN'S AND YOUNG PEOPLE'S SERVICES</b>								
<b>FINANCE AND CUSTOMER SERVICES</b>								
Anti-Fraud & Corruption Policy	16 December 2022	January 2023	To approve the updated Anti-Fraud and Corruption Policy.	Cabinet Member for Corporate Services and Finance.	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Authorisation of Court Officers (Non-executive)	1 November 2019	January 2023	To authorise named officers to represent the Council in legal proceedings at the Magistrates Court.	Cabinet Member for Corporate Services and Finance	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Determination of any changes to the Council's financial arrangements in response to the Coronavirus pandemic and Cost of Living Crisis	1 April 2020	January 2023	To determine any decisions required in order to manage the Council's financial position or cashflows, or to support the Council in responding to Directions and Guidance from Government including the issuing of reliefs and discounts and allocation and use of grant funding.	Council Leader or Cabinet Member for Corporate Services and Finance	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

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Determination of Requests for Early Release or Flexible Retirement (Non-Executive)	1 February 2020	January 2023	To determine requests for early release or flexible retirement in accordance with powers delegated to the Strategic Director of Finance and Customer Services.	Relevant Cabinet Member(s), Assistant Director of Human Resources and Organisational Development.	Report	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Procurement of IT devices and hardware	21 November 2022	January 2023	To appoint a supplier to provide the Council with IT devices, hardware and associated equipment.	Cabinet Member for Corporate Services and Finance.  Officers within procurement, legal and finance in accordance with the Council's procurement procedures, and through the sign-off of the procurement business case.	Report and Appendices	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Susan Gray  susan.gray@rotherham.gov.uk
CMS (Content Management System), and Web Forms/Case Management workflow	1 August 2022	February 2023	The decision will be to appoint a single vendor to provide:  A content management system and online forms solution – used to provide residents with access to information and services on rotherham.gov.uk, as well as 30+ galaxy sites.  Case Management System – used to manage, progress and track customer journeys from beginning to end, improving customer experience and the Council's ability to measure key outcomes.	Leader - Cabinet member for Customer Services.  Cllr Alam - Corporate Services, Community Safety and Finance.	Report Procurement Business Case	All Wards	Open	Luke Sayers  luke.sayers@rotherham.gov.uk
Faster Payments	20 October 2022	March 2023	To determine whether to continue with the measures previously approved in relation to the immediate payment of invoices, which are in place until 31 March 2023.	Cabinet Member for Corporate Services and Finance.	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

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<b>REGENERATION AND ENVIRONMENT</b>								
Play Area Improvement Programme	21 November 2022	January 2023	To endorse the proposal for the remainder of the Play Improvement Programme.	<ul style="list-style-type: none"> <li>• Leader.</li> <li>• Cabinet Member for Social Inclusion.</li> <li>• Ward Members in areas where Play Improvements are recommended.</li> </ul>	Report and Appendices	All Wards	Open	Leanne Buchan leanne.buchan@rotherham.gov.uk
Application for Moving Traffic Enforcement powers under Part 6 of the Traffic Management Act 2004	16 January 2023	January 2023	Formal approval to submit an Application to the Department for Transport for Moving Traffic Enforcement powers under Part 6 of the Traffic Management Act 2004. This will enable Designation of traffic management powers to the local authority for enforcement of moving traffic offences under the above Act.	<p>Leader, Cabinet Member for Transport and Environment.</p> <p>Public Consultation was conducted from 11th – 23rd December 2022.</p>	Report and appendices	All Wards	Open	Andrew Moss andrew.moss@rotherham.gov.uk
Approval to spend the Multiply Grant for 2022/23	16 December 2022	January 2023	<p>The Council has been offered a grant of £200,000 by SYMCA, to deliver Multiply, a numeracy skills programme across the borough in 2022/23</p> <p>It is expected that a significant portion of this funding will be granted to Rotherham vol/comm organisations to deliver.</p>	Cabinet Member and Leader.	Report	All Wards	Open	Simeon Leach Tel: 0794 990 1043 simeon.leach@rotherham.gov.uk
A6021 Broom Road and Wellgate proposed amendments to waiting restrictions and speed limit - Active Travel Proposals	31 January 2022	February 2023	To seek approval from Assistant Director to implement a package of traffic regulation orders subject to no objections being received. If objections are received the report will be considered by Strategic Director	Cabinet and local Ward Members (Boston Castle), statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.) the public via notices on site and in the Rotherham Advertiser.	Report	Boston Castle	Open	Andrew Butler andy.butler@rotherham.gov.uk
To award a contract for consultancy services to provide feasibility studies for City Region Sustainable Transport Settlement (CRSTS) schemes	16 December 2022	March 2023	<p>To award a contract for consultancy services to provide feasibility studies for the CRSTS schemes.</p> <p>Wards affected: Bolton Castle, Rotherham East, Rotherham West, Sitwell.</p>	The Cabinet and Ward members have already been briefed about the CRSTS schemes.	Report and Appendices	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk

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New build housing development off Brecks Lane, Introduction of 20mph limit / zone	16 January 2023	March 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director.	Cabinet and local Ward Members (Wickersley North), statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Wickersley North	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
Cumwell Lane, Hellaby proposed no waiting at any time restriction.	16 January 2023	May 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director. The effect of the order would be to introduce a length of no waiting at any time restriction on Cumwell Lane, Hellaby.	Cabinet and local Ward Members (Hellaby & Maltby West Ward), Hellaby Parish Council, statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), and the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Hellaby & Maltby West	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
Bateman Road and Ridgway Close, Hellaby, time limited waiting restriction.	16 January 2023	August 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director. The effect of the order would be to introduce a length of time limited waiting restriction on Bateman Road and Ridgway Close, Hellaby.	Cabinet and local Ward Members (Hellaby & Maltby West Ward), Hellaby Parish Council, statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), and the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Hellaby & Maltby West	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
(R&E) Provision of Schools Catering Dried Goods	18 January 2023	January 2023	To appoint a supplier for the provision of Schools Catering Dried Goods.		Exempt Report	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk