

## **Sub-Scheme of Delegation Strategic Director of Finance and Customer Services**

The Strategic Director of Finance and Customer Services is authorised in accordance with the Officer Delegation Scheme to carry out functions on behalf of Council and the Executive. Each Strategic Director has the benefit of a number of delegations – these are set out separately in two schemes; one for Council functions (delegated by Council) and one for Executive Functions (delegated by the Leader of Council). Each scheme is further separated into the general functions which are shared so that all Directors can carry out those functions in relation to areas within their remit, and specific functions which may only be carried out by or on behalf of the named Director. Details of those delegations can be found in [Appendix 9 of the Constitution](#).

The Strategic Director has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the Strategic Director delegates functions to a fellow Strategic Director he/she makes it clear in this sub-delegation scheme whether that Strategic Director can sub-delegate those functions.

This scheme details the officers who can carry out each function on the Strategic Director's behalf, together with the details of any terms and conditions which the Strategic Director has imposed on that sub-delegation. All officers are bound by the Employee Code of Conduct ([Appendix 7 of the Constitution](#)) and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme.

Even though the Strategic Director has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme. An officer with sub-delegated authority may decide not to exercise that authority, or the Strategic Director may indicate that the authority should not be exercised, in respect of any individual matter. In either case that matter should be referred to the Strategic Director for a decision or for referral to the relevant Committee if appropriate.

In some circumstances not all Strategic Directors have functions delegated to him/her in the delegation scheme. In these cases the relevant part of this sub-delegation scheme is marked as 'not applicable'. Where the Strategic Director has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Strategic Director unless the absence provisions at the end of this scheme apply

## Group Delegations – Definitions and Priorities

The Strategic Director has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group.

<b>Group Title</b>	<b>Officers included in group authorisation</b>	<b>Order of responsibility</b>
Assistant Directors	Assistant Director – Customer, Information and Digital Services Assistant Director – Financial Services Assistant Director – Legal Services	<p>Each to act in relation to matters within their remit unless absent in which case any other Assistant Director may act.</p> <ol style="list-style-type: none"> <li>1. In respect of all financial matters: <ul style="list-style-type: none"> <li>• Authorisation to spend within approved budgets subject to the policies, Financial and Procurement Procedure Rules of the Council</li> <li>• Authorisation for the virement of revenue budgets in according with the Financial and Procurement Procedure Rules of the Council</li> </ul> </li> <li>2. In respect of departmental assets: <ul style="list-style-type: none"> <li>• 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 and Procurement Procedure Rules of the Council.</li> <li>• Declaring obsolete furniture and equipment, and other materials surplus to requirements provided that the estimated value of any one item or group of items is not more than £1,000.</li> </ul> </li> <li>3. In respect of procurement, contract administration and best value: <ul style="list-style-type: none"> <li>• In accordance with Financial and Procurement Procedure Rules, matters relating to the specification for works, goods and services, the seeking of estimates, quotations and tenders, the evaluation of the same and acceptance</li> </ul> </li> </ol>

		<p>of tenders relating to contracts for works, goods and services in accordance with approved budgets or supplementary estimates.</p> <ul style="list-style-type: none"> <li>• Where a contract for support and maintenance is renewed within five years of the original contract, authority to award such a contract.</li> </ul> <p>4. In respect of in-house service providers:</p> <p>5. Human Resources functions delegated:</p> <p>Subject to the next following bullet points, the following HR functions are delegated to Strategic and Assistant Directors:</p> <ul style="list-style-type: none"> <li>• Establishment of posts</li> <li>• Changes to establishment/restructuring</li> <li>• Transfer of posts between service sections and units</li> <li>• Approval to fill vacant posts within approved establishment, including posts externally funded (where directors delegate this responsibility to senior managers in the service a list of authorised officers for this should be maintained by the directorate HR manager)</li> <li>• Appointment to posts below Assistant Director, with approved establishment (where this is delegated to senior managers, a list of authorised officers should be maintained by the directorate HR manager)</li> <li>• Use of the re-location scheme for new appointments (the standard pro-forma should be used)</li> <li>• Transfer of staff internally to equivalently graded posts</li> <li>• Approving the recruitment of additional temporary staff for maternity leave cover</li> <li>• Approving the recruitment of additional temporary staff to meet work demands/ seasonal fluctuations (all arrangements should be registered and recorded appropriately by the service).</li> </ul>
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		<p>this responsibility to appropriate officers, this should be done in consultation with the directorate HR manager to ensure a consistent approach)</p> <ul style="list-style-type: none"> <li>• Monitoring of sickness procedures</li> <li>• Agreeing ill health terminations</li> <li>• Approving attendance on full time training courses, conferences etc. or to give lectures (not exceeding one week duration)</li> <li>• Authorising the acceptance of gifts/legacies and hospitality offered to staff</li> <li>• Authorising requests from staff to undertake additional employment (the authority delegated to Assistant Directors allows them to authorise additional employment for staff above SCP28)</li> <li>• Authorising overtime payments for staff (in accordance with corporate guidelines to ensure consistency and maintain equality)</li> <li>• Granting of special leave without pay</li> <li>• Granting of special leave with pay, including trade union time off</li> <li>• Considering applications to extend the period of paid sickness absence (this relates to the extension of the period of half pay; it is only at the point when employees are reaching the end of the period of half pay that such consideration can be given)</li> <li>• Approving early release of pension benefits – ill-health retirement (subject to the appropriate medical approval and in consultation with the Strategic Director and Cabinet Member with responsibility for employment issues)</li> <li>• Authorising payment of compromise agreements or other forms of settlement of the termination of contract of employment</li> <li>• Authorising payment of ‘buy-out’ compensation (any ‘buy-out’ arrangements must be consistently applied in line with the philosophy of a single employer)</li> <li>• Issuing compulsory redundancy notices (in consultation with the Assistant Director of Human Resources)</li> <li>• Approval of excess travel expenses (where council policy is not appropriate, any arrangements must be consistently applied in line with the philosophy of a single employer)</li> </ul>
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		<ul style="list-style-type: none"> <li>• Approving requests for re-employment from persons having previously taken early release from the Council’s employment.</li> </ul> <p>The HR functions listed above are delegated to Strategic and Assistant Directors subject to their consulting the Assistant Director of Human Resources in order to ensure that such functions are discharged in compliance with national/national agreements, equal pay requirements, and are consistent across directorates and accord with the philosophy of a single employer.</p> <p>The preceding general delegation only applies where the matter under consideration falls within the terms of an existing council policy. Where, the matter under consideration falls outside the particular council policy, in consultation with the Assistant Director of Human Resources, the Strategic or Assistant Director concerned must prepare and submit a report outlining the issues for consideration and his or her recommendations for consideration by the Strategic Leadership Team.</p> <p>6. Other functions</p> <p>Any 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, relevant to the Assistant Director’s portfolio.</p> <p>7. Powers not delegated to Strategic or Assistant Directors:</p> <ul style="list-style-type: none"> <li>• Determining requests for early release and flexible retirement</li> <li>• Compensation payments not exceeding £500, in accordance with the Council’s Customer Complaints Code of Practice for Officers and the Council’s Financial and Procurement Procedure Rules.</li> </ul>
Heads of Service	Head of Customer Services	

	Head of Digital Services Head of Information Management Head of Corporate Finance Head of Finance (Children and Young People's Services) Finance (Regeneration and Environment, Adult Care, Housing and Public Health) Head of Procurement Service and Development Manager – Revenues & Benefits Head of Legal Services Head of Internal Audit	
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## Delegation of Functions under the Articles of the Constitution

### Specific Delegation

The officer to whom these functions are sub-delegated may exercise these functions, which have been delegated to the Strategic Director of Finance and Customer Services alone, with general effect.

<b>Article</b>	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and conditions</b>
16.1	<p>After consulting with the Chief Executive and the Assistant Director of Legal Services, the Strategic Director of Finance and Customer Services will report to the full Council or to the executive (in relation to an executive function) and the District Auditor if he considers that any proposal, decision or course of action –</p> <ul style="list-style-type: none"><li>• will involve incurring unlawful expenditure;</li><li>• is unlawful and is likely to cause a loss or deficiency;</li><li>• will result in the Council entering an item of account unlawfully.</li></ul> <p>Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.</p>	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services
16.2	<p>The Strategic Director of Finance and Customer Services will have responsibility for the administration of the financial affairs of the Council.</p>	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services



<b>Article</b>	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and conditions</b>
16.3	The Strategic Director of Finance and Customer Services will advise the Cabinet in making its proposals for the budget and the Council upon setting the budget, including advice as to the level of reserves and balances that should be maintained by the Council. He/she will also advise on the establishment and use of reserves.	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services
16.4	The Strategic Director of Finance and Customer Services will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services
16.5	The Strategic Director of Finance and Customer Services will provide advice to all councillors on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and the budget and policy framework, and will support and advise councillors and officers in their respective roles.	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services
16.6	The Strategic Director of Finance and Customer Services will provide financial information to the media, members of the public and the community.	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services
18.1	The Chief Executive, the Assistant Director of Legal Services and the Strategic Director of Finance and Customer Services will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services

Article	Function Delegated	Officer to whom delegated	Terms and conditions
18.2	<p>In reviewing the operation of the Constitution, the Chief Executive, the Assistant Director of Legal Services and the Strategic Director of Finance and Customer Services may –</p> <ul style="list-style-type: none"> <li>• observe meetings of different parts of the member and officer structure;</li> <li>• undertake an audit trail of a sample of decisions;</li> <li>• record and analyse issues raised with them by members, officers, the public and other relevant stakeholders; and compare Council practices with national examples of best practice or with the practices of other comparable authorities.</li> </ul>	Assistant Director – Finance Services (as Deputy Chief Finance Officer)	To be exercised in the absence of the Strategic Director of Finance and Customer Services

## **Council (Non-Executive Functions)**

The functions set out in this part of the sub-delegation scheme are Council Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which have been delegated to the Chief Executive by Council, or by a Council Committee.

Decisions in relation to these functions should be categorised in accordance with Article 5 and taken in accordance with the Access to Information Procedure Rules which can be found in Appendix 5 of the Constitution.

Where a significant decision is taken using delegated powers from the Constitution, the Council or a committee, or this sub-scheme of delegation, in relation to a Council Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Record. The decision may be implemented immediately. The report supporting the decision should be published together with the Delegated Decision Record on the Council's website as soon as practicable after the decision has been taken.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Record to make this written record if it is helpful to do so. The decision may be implemented immediately.

**Council Functions  
General Delegations**

	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and Conditions</b>
<b>General</b>			
(a)	To make payments or provide other benefits in cases of maladministration	Not delegated	
(b)	Functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer	Not delegated	
<b>Personnel</b>			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	Not delegated	
(c)(ii)	To appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision.	Not delegated	<ol style="list-style-type: none"> <li>1. Subject to there being budgetary provision.</li> <li>2. Such staff should be employed on terms set out in the guidance issued by the Assistant Chief Executive.</li> </ol>
(c)(iii)	To determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.	Not delegated	

## **Council Functions Specific Delegations**

The sub-delegation scheme for Council functions set out below includes a number of powers authorising the named officer to make decisions in relation to approvals, licenses, permissions and registrations. In accordance with his/her general delegations, and unless otherwise stated, the Strategic Director of Finance and Customer Service includes in relation to those authorisations the power to:-

- (a) Impose conditions, limitation or restrictions;
- (b) Determine any terms to which they are subject;
- (c) Determine whether and how to enforce any failure to comply;
- (d) Amend, modify, vary or revoke; and
- (e) Determine whether a charge should be made or the amount of such a charge.

## **Executive Functions**

### Introduction

The functions set out in this part of the sub-delegation scheme are Executive Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which have been delegated to the Strategic Director of Finance and Customer Service by the Leader of Council.

If the Leader or relevant Cabinet Member directs that the Strategic Director of Finance and Customer Service should not exercise his/her delegated authority in respect of any Executive function, then the officer with sub-delegated authority may not exercise that authority, and the matter must be referred to Cabinet.

Decisions in relation to these functions should be categorised in accordance with Article 5 and taken in accordance with the Executive Procedure Rules which can be found in Appendix 4 of the Constitution.

Where a decision is proposed in relation to an Executive Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Record. Once the decision has been taken, it may be implemented immediately.

Where an Administrative Decision is taken in relation to an Executive Function you should keep a written record for audit purposes. You can use a Delegated Decision Record to make this written record if it is helpful to do so. There is no requirement to publish the decision and it may be implemented immediately.

**Executive Functions  
General Delegations**

	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and Conditions</b>
<b>Financial</b>			
(a)	To incur expenditure and to generate and collect income in line with Finance and Procurement Procedure Rules and within approved revenue and capital estimates.	Assistant Directors Heads of Service	
(b)	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Chief Finance Officer at the first opportunity.	Assistant Directors	
<b>Procurement</b>			
(c)	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Finance and Procurement Procedure Rules.	Assistant Directors Heads of Service	
<b>Communications and Media</b>			
(d)	To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework.	Not delegated	
<b>Authorising Officers</b>			

	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and Conditions</b>
(e)	To authorise officers possessing such qualification as may be required by law or in accordance with the Council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Council (however described) and to issue any necessary certificates of authority.	Not delegated	
<b>Corporate Procedures</b>			
(f)	To take any action remitted to the Assistant Chief Executive under corporate procedures	Not delegated	
<b>Local Choice Functions</b>			
(g)	Functions under a local act, unless specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000	Not delegated	
(h)	To obtain particulars of persons interested in land	Not delegated	
<b>Budget and Policy Framework</b>			
(i)	To canvas views of local stakeholders, formulate initial proposals within the budget and policy framework	Not delegated	
<b>Employment</b>			
(j)	To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service, as modified or extended by any local or national agreements	Assistant Directors	



	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and Conditions</b>
(k)	Decisions in relation to restructures, except where the decision: <ul style="list-style-type: none"> <li>(i) Involves changes to existing national or local agreements and policies; and/or</li> <li>(ii) Cannot be achieved within delegated powers in respect of budgets</li> </ul>	Not delegated	Decisions are subject to: <ul style="list-style-type: none"> <li>(i) Appropriate professional advice be sought</li> <li>(ii) Prior consultation with all appropriate parties affected by the decision, including all officially recognised trade unions, and</li> <li>(iii) Appropriate consideration of pay and grading requirements</li> <li>(iv) Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or appropriate committee.</li> </ul>
<b>Provision of Statutory Returns</b>			
(q)	To provide such statutory returns as are necessary within the Strategic Director of Finance and Customer Service's remit	Not delegated	



3	<p>Setting, supporting and monitoring the Council's policies and procedures for managing:-</p> <ul style="list-style-type: none"> <li>(a) Budgets</li> <li>(b) Information and communications technology and digital services</li> <li>(c) Information Governance</li> <li>(d) Procurement and purchasing</li> <li>(e) Legal Services</li> </ul>	<p>Assistant Director – Financial Services  Assistant Director – Customer, Information and Digital Services  Assistant Director – Financial Services  Assistant Director – Legal Services</p>	
4	<p>Supporting the corporate governance of the Council, particularly in respect of (delegated to the Assistant Director of Legal Services as Monitoring Officer, where appropriate):-</p> <ul style="list-style-type: none"> <li>(a) The requirements of the Members' Code of Conduct</li> <li>(b) Upkeep of the Constitution</li> <li>(c) Preparation of the Annual Governance Statement</li> </ul>	<p>Assistant Director - Legal Services</p> <p>Head of Internal Audit</p>	
5	<p>The council's corporate customer services functions including:-</p> <ul style="list-style-type: none"> <li>(a) The telephone contact centre</li> <li>(b) Digital access, including the Council's website</li> </ul>	<p>Assistant Director – Customer, Information and Digital Services</p>	

### Miscellaneous Functions

The functions set out in this part of the Sub-delegation scheme are derived from:-

- Legislation which provides that a function should be the specific responsibility of the Strategic Director of Finance and Customer Service;
- Policies and Procedures which form part of the Constitution of Rotherham Metropolitan Borough Council;
- Sub-delegations made by other Strategic Directors of Rotherham Metropolitan Borough Council to whom those functions have been delegated; and
- Delegations which have been made to the Strategic Director of Finance and Customer Service by Council or the Cabinet for a period less than 6 months which are not therefore reflected in the Constitution

<b>Place from where function derived</b>	<b>Function Delegated</b>	<b>Officer to whom delegated</b>	<b>Terms and Conditions</b>

### Absence Provisions

The table below sets out details of responsibility for those functions which are not sub-delegated by the Strategic Director of Finance and Customer Service in the usual course of business. These sub-delegations may only be exercised in the absence of the Strategic Director of Finance and Customer Service on leave or where the Strategic Director of Finance and Customer Service has confirmed in writing that he/she will be absent from the office and these provisions are to apply.

<b>Function sub-delegated by the Strategic Director of Finance and Customer Service</b>	<b>Officer with authority to exercise function in absence of the Strategic Director of Finance and Customer Service</b>	<b>Terms and Conditions</b>
All functions which are delegated to the Strategic Director of Finance and Customer Service, save for those mentioned specifically below	Assistant Director – Customer, Information and Digital Services	To, in the absence of the Strategic Director of Finance and Customer Service, exercise the functions of the Strategic Director of Finance and Customer Service in respect of Customer, Information and Digital Services
	Assistant Director – Financial Services	To, in the absence of the Strategic Director of Finance and Customer Service, exercise the functions of the Strategic Director of Finance and Customer Service in respect of Financial Services
	Assistant Director – Legal Services	To, in the absence of the Strategic Director of Finance and Customer Service, exercise the functions of the Strategic Director of Finance and Customer Service in respect of Legal Services

	Head of Internal Audit	To, in the absence of the Strategic Director of Finance and Customer Service, exercise the functions of the Strategic Director of Finance and Customer Service in respect of Internal Audit
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