

Scheme of Management: for the Corporate & Commercial Directorate

In accordance with the Council's Constitution (Section 3 - Responsibility for Functions Part 3 – Scheme of Delegations of Authority to Officers) all matters which have not been reserved to Council or a Committee are delegated to Officers. This document sets out how decision making powers are delegated at the appropriate level within the Growth Directorate. It is published on the Council's website and will be updated as and when delegations change.

General Notes: With the exception of matters that are delegated to an officer due to their Statutory Role or where a specified professional qualification is required, the authority delegated to an officer within a team for any matter is automatically delegated to any officer within the team at a more senior level.

Type of activity	Specific function or decision-making	Officer responsible for that function
Statutory Officers	Monitoring Officer	Assistant Director, Governance & Law
	Chief Finance Officer	Director of Corporate & Commercial
	Scrutiny Officer	Corporate Head of Democratic and Electoral Services

Type of activity	Specific function or decision-making	Officer responsible for that function
Proper Officers	Proper arrangements for the administration of the Council's financial affairs	Assistant Director, Shared Finance Service
	Provision of an Internal Audit Service	Assistant Director of Governance and Law
	Ensuring that the planned revenues of the Authority are sufficient to meet expenditure	Assistant Director, Shared Finance Service
	Electoral registration	Assistant Director of Governance and Law
	Returning Officer for Elections and Referenda	Assistant Director of Governance and Law
	Witnessing Declarations of Acceptance of Office by Councillors & the Mayor	Asst Dir. of Governance and Law and Chief Executive
	Maintenance of the Register of Gifts and Hospitality received by Members	Monitoring Officer
	Receiving notice of resignation from the Council	Assistant Director of Governance and Law
	Notice of political groups	Corporate Head of Democratic and Electoral Services
	Certification of copies of minutes, byelaws or other documents	Corporate Head of Democratic and Electoral Services
	Determination of exempt items under the Access to Information legislation	Assistant Director of Governance and Law
	Compilation of background paper lists under the Access to Information law	Appropriate Director / Head of Service
	Preparing and publishing the Authority's Forward Plan and other matters related to the Forward Plan	Assistant Director of Governance and Law
	Recording decisions	Assistant Director of Governance and Law
	Placing an item on a Committee agenda at the request of any Member	Assistant Director of Governance and Law
Calling additional meetings of Committees	Assistant Director of Governance and Law	

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Delegated Matter		Officer Level
Management of Staff	Authorising appointment of agency staff	Head of Service
	Authorising recruitment of permanent staff	Head of Service
	Authorising overtime & expenses payments	Line Manager
	Authorising loan payments (car, season ticket)	Head of Service
	Authorising acting-up payments and honoraria	Assistant Director (Head of for Support and Operations Service)
	Approval of special leave and unpaid leave	Assistant Director (Head of for Support and Operations Service)
	Approval of extension of sick pay	Director
	Approval of carry over and buy-out of annual leave	Head of Service
	Approval of career break applications	Assistant Director (Head of for Support and Operations Service)
	Approval of applications for additional employment	Assistant Director (Head of for Support and Operations Service)
	Service structure changes	Assistant Director (Head of for Support and Operations Service)
	Approval of changed and new job descriptions	Head of Service
	Authorisation for retirement, redundancy and pension transfer	Director
	Issue notices of termination – redundancy & retirement	Assistant Director (Head of for Support and Operations Service)
	Authorising the appointment of consultants	Assistant Director or Head of Service

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Contracts	To sign up to new EU compliant frameworks procured by another public body, a local authority consortium, a national agency which is recognised as carrying out procurement for the benefit of public bodies or another local authority as part of a joint purchasing arrangement of which the Council is permitted to use in accordance with the Public Procurement Regulations 2015	Assistant Director
	To authorise contract variations where the overall financial implications of the variation is contained within the agreed contract sum for a project and is compliance with conditions of the signed contract	Authorised Contract Officer
Contracts (applies to all contracts under £1m) – and must be processed in accordance with Contract Standing Orders	1. Contract awards between £500,001 – £1 million in total	Chief Executive or Section 151 Officer (this must be only after consultation with the Commissioning Board)
	2. Contract awards £100,001 -£500,000	Directors (for contract awards of £150k - £500k, this must only be after consultation with the Commissioning Board)
	3. Contract awards up to £100,000	Assistant Directors and Corporate Heads of Service
Contract variations (applies to all contract spend over £150,000 and under £1m) – and must be processed in accordance with Contract Standing Orders	1. Contract variations <u>less than 10%</u> (a) variation of value between £500,001 – £1 million in total (b) variation of value £100,001 - £500,000 (c) variation of value up to £100,000	(a) Chief Executive or Section 151 Officer (b) Directors (c) Assistant Directors and Corporate Heads of Service
	2. Contract variations of <u>10-25%</u>	As above, and in consultation with the Corporate Head of Commissioning
	3. Contract variations of <u>25-49%</u>	As above, and in consultation with the Commissioning Board

Type of activity	Specific function or decision-making	Officer responsible for that function
Authorisation of Expenditure	1. Authority to purchase (revenue and capital) and authorisation of invoices - £250,001 - £500,000	Chief Executive or Section 151 Officer
	2. Authority to purchase (revenue and capital) and authorisation of invoices - £100,001 - £250,000	Strategic Directors
	3. Authority to purchase (revenue and capital) and authorisation of invoices - up to £100,000	Assistant Directors and Corporate Heads of Service
New Capital Schemes	1. New Capital Schemes – £250,001 - £500,000	Chief Executive or Section 151 Officer
	2. New Capital Schemes - £100,001 - £250,000	Strategic Directors
	3. New Capital Schemes – up to £100,000	Asst Directors and Corporate Heads of Service
Capital virements	1. Capital virements - £250,001 - £500,000	Chief Executive or Section 151 Officer
	2. Capital virements - £100,001 - £250,000	Strategic Directors
	3. Capital virements - up to £100,000	Assistant Directors and Corporate Heads of Service
Variations to Capital Schemes	1. Variations to Capital Schemes - £250,001 - £500,000	Chief Executive or Section 151 Officer
	2. Variations to Capital Schemes - £100,001 - £250,000	Strategic Directors
	3. Variations to Capital Schemes - up to £100,000	Asst Directors and Corporate Heads of Service

Type of activity	Specific function or decision-making	Officer responsible for that function
Revenue virements	1. Revenue Virements - £250,001 - £500,000	Chief Executive or Section 151 Officer
	2. Revenue Virements - £100,001 - £250,000	Strategic Directors
	3. Revenue Virements - up to £100,000	Assistant Directors and Corporate Heads of Service
New Delivery models	1. New Delivery Models - £250,001 - £500,000 / 25 up to 50 staff	Chief Executive or Section 151 Officer
	2. New Delivery Models - £100,001 - £250,000 / 10 up to 25 staff	Strategic Directors
	3. New Delivery Models – up to £100,000 / up to 10 staff	Assistant Directors and Corporate Heads of Service
Acquisition and Disposal of land	1. To authorise the acquisition and disposal of land where value is £500,001 - £1m	Chief Executive or Section 151 Officer
	2. To authorise the acquisition and disposal of land where value is £100,001 - £500,000	Strategic Directors
	3. To authorise the acquisition and disposal of land where value is up to £100,000	Assistant Directors and Corporate Heads of Service
Debt Write-offs	1. To authorise write offs of value £50,001 - £100,000	Chief Executive or Section 151 Officer
	2. To authorise write offs of value £10,001 - £50,000	Strategic Directors or Assistant Director, Shared Finance Service
	3. To authorise write offs of value up to £10,000	Assistant Directors and Corporate Heads of Service

Type of activity	Specific function or decision-making	Officer responsible for that function
Reports sign off	Standing Committee	Director
	Regulatory Committees	Director
	Decision Notices	Director
	CMT	Director
	Member Briefings	Director
	Financial implications in reports	Senior Finance Business Partner / Finance Manager / Head of Service (Finance)
	Sign and serve statutory/non-statutory notices	Director/Assistant Director /Head of Support and Operations
	Compilation of background paper lists under the Access to Information legislation	Director / Assistant Director / Head of Service
Communications	Members' enquiries responses	Head of Service / Assistant Director
	FOI responses	Assistant Director / Head of Service
	Complaint responses	Head of Service, Service Manager
	Press releases – political or reputational impact	Director Assistant Director
	Press releases – without political or reputational impact	Assistant Director, Head of Service
Corporate Complaint Sign off procedure	Stage 1 Stage 2 Local Government Ombudsman	Head of Service Director/ Assistant Director & Customer Care Manager Chief Executive

Type of activity	Specific function or decision-making	Officer responsible for that function
Authorisations to enforce legislation and statutory regulations	Sign off of statutory notices	Head of Service
	Recommendations to Prosecute Offenders	Assistant Director, Head of Service
	Appointment of Counsel	Director / Assistant Directors
	To arrange legal representation, as may be considered appropriate, for Council employees in cases of assault while carrying out their duties of employment	Director / Assistant Directors
Land Charges	Authorisation to enforce/comply with legislation and undertake/implement statutory functions	Assistant Director
Treasury and Banking	Approval of changes to account mandates	Assistant Directors Corporate Heads of Service
	Approval of applications for GPCs or similar	Assistant Directors Corporate Heads of Service
	Approval of Treasury investments	Assistant Directors Corporate Heads of Service
	Approval of borrowing within Treasury Management Strategy	Director

Type of activity	Specific function or decision-making	Officer responsible for that function
Deputyships/ Appointeeships	Approval of paperwork for court protection orders	Deputy/Legal
	Signatory for paperwork on: <ul style="list-style-type: none"> ● Applying for access to bank accounts ● Applying for access to stocks ● Writing and confirming changes in details ● Applying for access to private pensions ● Reports to the Office of the Public Guardian 	Deputy
	Approval of paperwork for selling of property	Deputy
	Approval of paperwork for house clearances	Deputy
	Approval of paperwork to secure solicitors on behalf of appointeeships and deputyships	Deputy
	Approval of release of petty cash to appointeeship	Deputy
	Decision on the use of assets e.g. whether equity release is appropriate	Deputy
	Power to swear oaths and affidavits on behalf of the Council and do all acts necessary to obtain a grant of representation (or to renounce probate or administration)	Deputy
	Appointment of attorneys to deal with Grants of Representation in any and all estates in which the Deputy is appointed as the executor or is otherwise entitled to a grant of representation	Deputy

Type of activity	Specific function or decision-making	Officer responsible for that function
Service specific		
	Equalities Lead	Head of Service
Recycling and Waste Management Parks Tree Management Parking Council assets / buildings Street Cleansing	Authorisation to ensure compliance with legislation and undertake/implement statutory functions through instruction of third party contractors.	Assistant Director of Contracts and Commercial Operational delegation to Corporate Head of Contracts and Contract Managers
Regulation of Investigatory Powers Act 2000 (RIPA)	<p>To authorise officers in writing to represent the Royal Borough of Kingston upon Thames in proceedings before the Magistrates Court for the grant and renewal of authorisations relating to;</p> <ul style="list-style-type: none"> · directed surveillance · use of covert human intelligence sources and · acquisition of communications data <p>Pursuant to S23A, S23B, S32A, and S32B of the Regulation of Investigatory Powers Act 2000.</p> <p>In accordance with the RIPA Revised Codes of Practice on Directed Surveillance and use of Covert Human Intelligence Sources (CHIS)</p> <p>Nominate a Senior Responsible Officer (SRO) responsible for:</p> <ul style="list-style-type: none"> • the integrity of the process in place within the public authority for the management of CHIS and Directed Surveillance; • compliance with Part 2 of the Act and with the Codes; • oversight of the reporting of errors to the relevant oversight Commissioner and the identification of both the cause(s) of errors and the implementation of processes to 	Chief Executive and Director

	<p>minimise repetition of errors;</p> <ul style="list-style-type: none"> • engagement with the Office of Surveillance Commissioner (OSC) inspectors when they conduct their inspections, where applicable; and • where necessary, oversight of the implementation of post-inspection action plans approved by the relevant oversight Commissioner. <p>Where an inspection report highlights concerns about the standards of authorising officers, the SRO will be responsible for ensuring the concerns are addressed.</p>	
Type of activity	Specific function or decision-making	Officer responsible for that function
Council Tax / Non Domestic Rates	<p>To authorise officers to:</p> <p>Represent the council in the magistrates court for all matters relating to the recovery of council tax and non domestic rates. including;</p> <p>Institute or defend proceedings for the recovery of Council Tax, or in connection with liability for the application of discounts and exemptions,</p> <p>Requests for statutory information for distraint, attachment of earnings orders, attachment of benefit orders, committal to prison, application and issue of charging orders, issue proceedings for winding up or bankruptcy.</p> <p>Determine, impose and quash penalties on behalf of the charging authority.</p> <p>Refund overpayments plus interest, as appropriate.</p>	Director and Head of Support and Operations
Discretionary Rate Relief	<p>To authorise officers to:</p> <p>Grant discretionary rate relief under section 47, Local Government Finance Act 1988 in accordance with any council agreed scheme.</p>	Director
Housing Benefit / Local Council Tax Reduction Scheme	<p>To authorise officers to:</p> <p>Administer the Housing Benefit Scheme in accordance with prescribed regulations.</p> <p>Administer the local council tax scheme in accordance with the prescribed and locally agreed regulations.</p> <p>Accept applications and changes in circumstances online and by telephone.</p> <p>Represent the council at the Valuation Office Tribunal, Her Majesty's Courts and Tribunal Service or other Social Security related tribunals.</p>	Director

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Housing Benefit / Local Council Tax Reduction Scheme	<p>To authorise officers to:</p> <p>Administer the Housing Benefit Scheme in accordance with prescribed regulations.</p> <p>Administer the local council tax scheme in accordance with the prescribed and locally agreed regulations.</p> <p>Accept applications and changes in circumstances online and by telephone.</p> <p>Represent the council at the Valuation Office Tribunal, Her Majesty's Courts and Tribunal Service or other Social Security related tribunals.</p>	Director
Local Council Tax Reduction Scheme	<p>To authorise Officers in accordance with regulation 3 of the Council Tax Reduction Scheme (Detection of Fraud and Enforcement) Regulations 2013, for the purpose of information gathering, authorising cases for prosecution and to authorise other sanctions for lesser offences in respect of suspected Council Tax Reduction Scheme fraud.</p> <p>Regulation 11 of the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) Regulations 2013 provides for penalties as alternatives to prosecution.</p> <p>Minimum penalty of £100, maximum penalty of £1,000.</p>	Director of Corporate and Commercial and Head of Support and Operations
Local Welfare Provision (Crisis Loans and Grants Scheme)	<p>To authorise officers to exercise the Authority's discretionary powers in the implementation and administration of a local Social Fund Scheme in accordance with the scheme's eligibility criteria.</p> <p>And to:</p> <p>Decide Social Fund applications and provide a grant not to exceed £350 and up loans up to £1000 for individuals and families experiencing hardship Consider representations from claimants concerning the determination of support and to act accordingly.</p> <p>To make additional grant or loans outside of the criteria in exceptional circumstances.</p> <p>To make any necessary amendments to the scheme in order to ensure that claimants, if eligible, receive necessary support to prevent hardship or crisis.</p>	Director of Corporate and Commercial and Head of Support and Operations

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Insurance	<p>To assess the insurable risks of the Council and ensure the Council has adequate insurance cover.</p> <p>To authorise officers to make arrangements for the administration of insurance claims in conjunction with the Council's insurers and with their appointed legal representatives. And to determine the authorised financial thresholds for the settlement of claims against the Council.</p>	Director
	<p>To be responsible for promptly notifying the Strategic Director Corporate and Commercial of the extent and nature of new risks to be insured and of any alterations affecting insurable risks, insured property or assets or insured values in the Service Units concerned.</p> <p>To notify without delay the Strategic Director of Resources (and also the Police where appropriate) any incident or loss, which could give rise to an insurance claim.</p> <p>To consult with the Strategic Director of Resources where the Council is requested to give an indemnity.</p>	Directors, Asst Directors all Directorates and Heads of Service
	<p>To authorise officers in writing to join the ILC tender process for Property and Liability insurance. To approve interim arrangements on ancillary insurance covers, such as Engineering Inspection, Terrorism, Fidelity Guarantee, Personal Accident and Business Travel, whose individual tender lots would not exceed OJEU thresholds on an annual placement.</p>	Director
	<p>To enter into new Insurance Service arrangements such as integrated service delivery or other opportunities arising from the Localism Act and other statutory powers available to Local Government subject to the satisfactory outcome of a due diligence process.</p>	Director
	<p>To authorise officers to settle insurance claims up to £250,000, including but not limited to Tree Root Public Liability, Property Damage and Motor subject to agreed notification procedures with the Insurers.</p>	Director

Signed:



(Director, Corporate and Commercial)

Date: 02 April 2019