

APPENDIX 4

The Directorate of Customer Services Scheme of Delegation

1. Purpose

- 1.1 The Customer Services Directorate Scheme of Delegation sets out the post titles of those officers whom the Executive Director for Customer Services has nominated to take decisions on areas from the Council and Mayoral Schemes of Delegation where responsibility has been delegated to the Executive Director for Customer Services. The Executive Director for Resources and Regeneration delegates the financial matters listed in this scheme to the Executive Director for Customer Services unless otherwise stated.
- 1.2 This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Customer Services or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the Customer Services Directorate scheme of delegation is to be clear about which officer has been nominated to make delegated decisions within this directorate.
- 1.4 The scheme is subject to the Council's Constitution, the Council and Mayoral Schemes of Delegation, Financial Regulations and Standing Orders.
- 1.5 Heads of Service will continue to be responsible for running their own services and taking decisions in line with their service requirements, unless specifically required in this scheme of delegation or determined by the Executive Director for Customer Services to seek other agreement.
- 1.6 Some decisions in this scheme of delegation will still be required to be taken directly by the Executive Director for Customer Services, or, in their absence, they will nominate an appropriate officer/s to assume these responsibilities but, unless otherwise notified, the following nominations will apply:
 - Directorate financial decisions – Head of Financial Services
 - Legal Decisions – Head of Law or Deputy Monitoring Officer/Principal Lawyers as appropriately nominated by the Head of Law
 - Acts under authority delegated to the Executive Director for Customer Services in his/her absence - Head of Service with specifically delegated authority otherwise Head of Financial Services
 - Contract matters – Head of Corporate Resources
- 1.7 In addition to the above and as a result of the Executive Director acting in the position of the Chief Executive, the Executive Director for Resources and Regeneration has temporarily delegated all matters pertaining to Regeneration, including Planning, Traffic Management and Building Control, to the Executive Director for Customer Services. Please refer to the Resources and Regeneration Directorate Scheme of Delegation for details of delegated authority.
- 1.8 All matters pertaining to Resources have been temporarily delegated to the Head of Corporate Resources, acting as the Chief Finance Officer. The Head of Financial Services is temporarily acting as Deputy Section 151 officer.

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- 1.9 Where the word ‘nominee’ is used the nomination is to be made by the post holder referred to, in writing, and a record of all such nominations within the directorate must be kept in the directorate and be available for inspection at any time.
- 1.10 Where power is delegated to the Executive Director, and officers are nominated by him/her under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision-maker takes into account the broader corporate implications for the Council. If officers take key decisions, as defined in Article 16 of the Constitution of the London Borough of Lewisham, the law requires them to comply with prevailing access to information regulations. In addition, for key executive decisions which are to be taken by officers individually, the Chief Executive may, from time to time, put in place a procedure to ensure that officer decision making is exercised in a manner which reflects corporate considerations. Officers may only exercise delegated authority in relation to key executive decisions by complying with the procedures as stated in the Constitution.
- 1.11 Please note that when the DEP/CEP process is in place, the necessary authorisation as specified by the process is required before any spend can be initiated.

2. Scheme of Delegation

Unless required otherwise by law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for Customer Services nominates the following post holders to make the decisions set out in the table below as listed. Please note, throughout this document “Executive Director” refers specifically to the Executive Director for Customer Services unless specified otherwise. Where a Head of Service is referred to, it is the relevant and appropriate Head of Service that the authority is delegated to.

Mayoral Areas of Delegation

| Area of delegation | Officer with delegated authority |
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| Day to day control and regulation of the directorate’s finances. | Executive Director |
| Strategic oversight and monitoring of the overall directorate budget. | Head of Financial Services in consultation with the Group Finance Manager |
| Day to day control and monitoring of individual service budgets. | Budget holders |
| <p>Budget Virements</p> <p>A Budget Virement is a transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose. (E.g. from one service to another), or another use (e.g. from pay to non-pay or vice versa).</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> | |

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| <p>Within the same Service area</p> <p>a) Up to £20k</p> <p>b) Up to £100k</p> <p>c) Up to £500k</p> <p>Across Service areas</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>Cross Directorate</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>All Revenue Budget Virements above these limits are reserved to Members.</p> <p>Capital Budget Virements (on the Council's Capital Programme)</p> <p>Up to £500k</p> <p>Over £500k</p> | <p>Group Finance Manager in consultation with Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with Head of Service.</p> <p>Executive Director in consultation with Head of Financial Services or Head of Corporate Resources</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director in consultation with Head of Financial Services or Head of Corporate Resources</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director for Resources & Regeneration (via Executive Management Team)</p> <p>Executive Director for Resources & Regeneration</p> <p>Members</p> |
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| <p>Budget Adjustments</p> <p>A Budget Adjustment is a transfer of a budget from one cost centre to another whilst retaining the original purpose for which the budget was approved.</p> <p>Within the same Service area in the same Directorate</p> <p>Across Service areas in the same Directorate</p> <p>Across Directorates</p> <p>Budget transfers relating to technical accounting adjustments</p> <p>Any items that fall outside the above definitions must be referred to the Head of Financial Services or the Head of Corporate Resources for further clarification.</p> <p>Loans</p> <p>Approval of any loan for Treasury Management purposes and the Employee Loan Scheme (all other loan decisions are reserved to Members)</p> | <p>Group Finance Manager</p> <p>Group Finance Manager in consultation with the affected Heads of Service</p> <p>Executive Directors of both Directorates</p> <p>Executive Director for Resources & Regeneration or Head of Financial Services or Head of Corporate Resources</p> <p>Executive Director for Resources and Regeneration</p> |
| <p>Contracts</p> <p>Note:</p> <ul style="list-style-type: none"> Certain decisions relating to contracts are reserved to Members: see the Mayoral Scheme of Delegation Section R. <p>The Contract Procedure Rules in the Constitution set out what the 'Categories' of contract are: see Rule 5.1 of Contract Procedure Rules.</p> | |
| <p>(Note that some decisions are reserved to Members; and other decisions may be affected by the requirements set out at 2 – 15 below)</p> <p>1. Decisions relating to contracts</p> <p>a) where the estimated expenditure is £50,000 or less;</p> | <p>Head of Service</p> |

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| <p>b) where the estimated expenditure is over £50,000.</p> | <p>Executive Director or nominee in accordance with their delegated financial limits</p> |
| <p>2. Contract Pre-tender authorisations (Contract Procedure Rules 3.1) (Note: see reservations to Members)</p> | <p>Executive Director or nominee in accordance with their delegated financial limits</p> |
| <p>3. Contract Competitive Quotes and Tenders (Contract Procedure Rules 5.1) Decisions about 'Permitted method of competition':</p> <p>a) All decisions other than those set out in b)</p> <p>b) Decisions about Category A or Category B contracts where the proposal is for use of a Framework Agreement or use of a Dynamic Purchasing System (either of which must have been established by the Council or a public sector body or bodies, be competitively tendered and be EU compliant)</p> | <p>Executive Director or nominee in accordance with their delegated financial limits</p> <p>Executive Director for Resources and Regeneration upon the advice of the Head of Law.</p> |
| <p>4. Two Stage Procurement Process (Contract Procedure Rules 5.8) Decisions about agreement on the shortlist following expressions of interest</p> | <p>Executive Director or nominee in accordance with their delegated financial limits upon the advice of the Head of Law.</p> |
| <p>5. Liquidated and Ascertained Damages (Contract Procedure Rules 9.3) Decisions that it is not appropriate to provide for liquidated damages</p> | <p>Executive Director for Resources and Regeneration upon the advice of the Head of Law.</p> |
| <p>6. Security and Guarantee (Contract Procedure Rules 9.4) Decisions about the sufficiency of security and/or guarantee for the due performance of a contract In relation to contracts with a value above £50,000</p> | <p>Executive Director for Resources and Regeneration upon the advice of the Head of Law.</p> |
| <p>7. Submission of Tenders (Contract Procedure Rules 10.1) Where the proposal is to take a different approach to that set out in Table 2 of Contract Procedure Rules</p> | <p>Executive Director for Resources and Regeneration upon the advice of the Head of Law.</p> |

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| <p>8. Late Submissions, Errors etc. (Contract Procedure Rules 10.5) a) Decisions to accept late tender or quotation (Contract Procedure Rules 10.5.1)</p> <p>Decisions to allow alteration of tenders (Contract Procedure Rules 10.5.3)</p> | <p>Executive Director or nominee in accordance with their delegated financial limits upon the advice of the Head of Law</p> <p>Executive Director for Resources and Regeneration or nominee in accordance with their delegated financial limits upon the advice of the Head of Law.</p> |
| <p>9. Contract Award – Energy and Water Contracts (Contract Procedure Rules 13) Decisions about award of those Energy and Water Contracts which are not reserved to Members</p> | <p>Executive Director for Resources and Regeneration</p> |
| <p>10. Contract Award – Contracts Exceeding the Written Estimate (Contract Procedure Rules 13, and see Rule 4.1). (Note: see reservations to Members) Decisions about award of contracts where the difference between ‘Expenditure per contract’ and the original ‘Estimated expenditure per contract’ is greater than the levels set out below:</p> <ul style="list-style-type: none"> • Goods or Services: difference is more than 10% and less than 20% subject to a maximum of £100,000; Works: difference is more than 10% and less than 25% (subject to a maximum of £250,000). | <p>Executive Director for Resources and Regeneration upon the advice of the Head of Law.</p> |
| <p>11. Insurance arrangements Decisions about insurance arrangements where either:</p> <ul style="list-style-type: none"> • The value of the premium payable does not exceed £3 million or The insurance premium does not exceed the rate for the previous year by more than 10% | <p>Executive Director for Resources and Regeneration</p> |
| <p>12. Execution of Contract (Contract Procedure Rules 14.3) (Note: see Contract Procedure Rules) Execution of contracts where the cumulative value is £200,000 or below but above £50,000</p> | <p>Executive Director or nominee in accordance with their delegated financial limits</p> |
| <p>13. Commencement of Contract (Contract Procedure Rules 15.2) Works contracts only: Decisions about use of a letter of intent</p> | <p>Executive Director for Resources and Regeneration or nominee in accordance with their delegated financial limits</p> |

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| | upon the advice of the Head of Law. |
| <p>14. Permitted Extension or Variation of Contracts or Framework Agreements (Contract Procedure Rules 17.7)</p> <p>(Note: see reservations to Members)</p> <p>Decisions about Permitted Extensions or Variations of Contracts or Framework Agreements in relation to expenditure at the levels set out below, whichever is the greater of -</p> <ul style="list-style-type: none"> Where the value of an extension or variation is not more than 10% of the original contract, the value of that extension or variation; or The value of the extension or variation is £500,000 or less (Goods or Services) or £1,000,000 or less (Works). | Executive Director or nominee in accordance with their delegated financial limits upon the advice of the Head of Law. |
| <p>15. Exemption from the Contract Procedure Rules (Contract Procedure Rules 13 and 18)</p> <p>(Note: see reservations to Members)</p> <p>Decisions about exemption from the requirements of Contract Procedure Rules where there is no value involved or where the value is £500,000 or less (Goods or Services) or £1,000,000 or less (Works)</p> | Executive Director for Resources and Regeneration upon the advice of the Head of Law. |
| <p>Grants and Assistance to Voluntary Organisations</p> <p>Unless the law, the Constitution, or the Mayoral Schemes of Delegation requires otherwise, the following executive powers are delegated to the Chief Executive and to each Executive Director in relation to grants and assistance to voluntary organisations :-</p> <p>(a) the power to make a grant or to give other assistance (excluding loans) to a voluntary organisation within their area of responsibility, where the total value of the assistance in money or moneys worth does not exceed £10,000</p> <p>(b) the power to reduce or withdraw a grant or other assistance, and the power to award a grant or give other assistance to a voluntary organisation (irrespective of the value of the grant or assistance) within their area of responsibility if the value of the change in grant is no more than 10% or £5,000, (whichever is the greater), than the grant awarded in the previous year.</p> <p>All grants considered to be sensitive or controversial to be included in the forward plan</p> | <p>Executive Director</p> <p>Executive Director</p> |

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| <p>Application for External Funding</p> <p><u>Revenue and Capital</u></p> <p>Approval of any application for external funding which is below £1 million with no match funding and/or revenue implications, or</p> <p>a) Is below £1 million, and</p> <p>b) would require match funding from the Council of below £250,000, and</p> <p>c) would have revenue implications of below £250,000 per annum</p> <p>Note: All other applications must be approved by Members.</p> <p><u>Capital</u></p> <p>Before submitting a report to Mayor and Cabinet to seek approval to bid for funding, an initial agreement to proceed must be sought from the Regeneration and Capital Programme Board.</p> | <p>Executive Director and Head of Business Executive Director of Service Support services, Head of Council Resources Project Head of Financial Services (incessantly the Corporate Capital Programme Delivery Board for capital funding).</p> |
| <p>Subscriptions - affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.</p> <p>a) Within own area of responsibility up to £5k</p> <p>b) Above £5k up to £25k</p> | <p>Head of Service</p> <p>Executive Director (or in their absence the Head of Financial Services)</p> |
| <p>Bad Debt Write Off</p> <p>Recommendation for write-off of bad debts (excluding housing rents) to the Executive Director for Resources & Regeneration (up to £50,000) or the Mayor (£50,000 and over)</p> <p>Write off of bad debts in relation to housing rent arrears up to £10,000</p> | <p>Executive Director in consultation with the Head of Financial Services</p> <p>Executive Director for Customer Services or Executive Director for Resources & Regeneration</p> |
| <p>Write off of non-land and non-building assets</p> <p>Write off up to £20,000 (must be recorded in the directorate inventory log as stated in the Financial regulations)</p> | <p>Heads of Service in consultation with the Group Finance Manager.</p> |

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| <p>Directorate Employment Matters</p> <p>Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance</p> | <p>Head of Service</p> |
| <p>Housing - the housing management function shall include but not be limited to;</p> <ul style="list-style-type: none"> • the maintenance and management of all land and property held by the Council for housing purposes; • the provision of garden, open spaces and land for housing purposes, • decisions in relation to the right to buy under the Housing Act 1985 (or other relevant legislation in force from time to time, (but not decisions relating to market value and sale prices which are delegated to the Executive Director Regeneration), • responsibility for the management of the Housing Revenue Account and other revenue resources ensuring effective financial control of resources and the achievement of value for money, subject always to the approval of the Executive Director Resources & Regeneration in relation to decisions about the allocation of funds and expenditure to the Housing Revenue Account and General Fund. • dealings with housing associations, save to the extent that such decisions relate to housing development or capital schemes, which are delegated to the Executive Director Resources.& Regeneration. • responsibility for setting charges for heat, light and power to Council properties served by a communal supply in accordance with policies approved by the Mayor. | <p>Assistant Director of Housing Services</p> <p>Assistant Director of Housing Services</p> <p>Assistant Director of Housing Services</p> <p>Head of Financial Services</p> <p>Assistant Director of Housing Services</p> <p>Head of Financial Services</p> |
| <p>Housing – the housing function shall include but not be limited to;</p> <ul style="list-style-type: none"> • housing strategy and development, • housing need and homelessness including private sector housing, housing partnerships and • environmental health (housing). | <p>Assistant Director of Housing Services</p> |
| <p>Revenues & Benefits - all executive functions relating to the administration of revenues and benefits (Council Tax, NNDR and Housing Benefits), its one stop shop service, call centre services and cashiers.</p> | <p>Head of Public Services</p> |
| <p>Registration of births, deaths and marriages</p> | <p>Head of Public Services</p> |

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| Business Continuity - Responsibility for the corporate emergency planning and business continuity functions | Head of Public Services |
| Environment - The Environment function shall include, but not be limited to: Environmental Matters, Consumer Protection, Burial and Cremation, Refuse, Waste Management, Parks and Community Services, Community Hygiene, Animal Welfare and Pest Control, Street Trading, Fleet Services. | Head of Environment |
| Housing Benefit Overpayments Applications for judgement | Overpayments Manager |
| Information Management Technology | Head of Technology & Change |

Please refer to the Council Scheme of Delegation for all other matters reserved to the Licensing Committee and Licensing Sub-Committee.

3. General

All non-executive functions not reserved to Members, shall be delegated to the Chief Executive or such officer as he or she shall nominate in writing, unless there is a statutory requirement that the function be carried out by another officer, for example the personal statutory responsibilities of the Director of Children's Services and the Director of Adult Services.

4. Exemptions

The Mayoral Schemes of Delegation state that authority to exercise executive functions and make executive decisions is delegated to officers, except where there is an exemption to the contrary. Where such an exemption exists, the general rule is that those decisions will be made by the Mayor individually, in consultation with his colleagues in the Executive. Officers should refer to the Mayoral Schemes of Delegation; to Section I and Table 1 for general exemptions and to Section L and Table 4 for exemptions specific to Customer Services. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the Customer Services Scheme of Delegation, are repeated below.

1. Any matter in which the officer who would otherwise have delegated authority to act is aware that a councillor (or a person, company or organization with which the councillor is involved) has a personal interest under the Council's Member Code of Conduct.
2. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.
3. Any matter which in the opinion of the Executive Director for Customer Services, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members.

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Signed

Kevin Sheehan
Executive Director for Customer Services

Date