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The Directorate for Community Services Scheme of Delegation

1. Purpose

- 1.1 The Community Services Directorate Scheme of Delegation sets out the post titles of those officers whom the Executive Director for Community 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 Community Services. The Executive Director for Resources and Regeneration delegates the financial matters listed in this scheme to the Executive Director for Community 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 Community Services or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the Community 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 Community 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 Community 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 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.
- 1.8 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

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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.

- 1.9 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 the law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for Community 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 Community Services unless specified otherwise. Where a Head of Service are 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
<p>Day to day control and regulation of the directorate’s finances.</p> <p>Strategic oversight and monitoring of the overall directorate budget.</p> <p>Day to day control and monitoring of individual service budgets. The exception is care packages for individual service users which are subject to separate delegated arrangements set out below.</p>	<p>Executive Director</p> <p>Head of Financial Services in consultation with the Group Finance Manager</p> <p>Budget holders</p>
<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.</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> <p>Within the same Service Area</p> <p>a) Up to £20k</p> <p>b) Up to £100k</p>	<p>Group Finance Manager in consultation with Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation</p>

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<p>c) Up to £500k</p> <p>Across Service areas</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p>	<p>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</p>
<p>Cross Directorate</p>	
<p>a) Up to £100k</p> <p>c) Up to £500k</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>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>Executive Director for Resources & Regeneration</p>
<p>Over £500k</p>	<p>Members</p>
<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>Group Finance Manager</p>

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<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 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>There are three categories of contracts:-</p> <p>Category A - Building construction and engineering works contracts ('works contracts') with an estimated value of over £1m, all other contracts with an estimated value of over £500,000, and contracts that fall within the full provisions of the EU procurement regime (Works, Supplies and Part A Services).</p> <p>Category B - Works contracts with an estimated value of between £50,000 and £1m and all other contracts with an estimated value of between £50,000 and £500,000, and those that fall outside the full requirements of the EU procurement regime (Part B Residual Services).</p> <p>Category C- All other contracts or arrangements with an estimated value of less than £50,000.</p> <p>Inviting Contracts</p> <p>Category A – By public advert</p> <p>Authorise the Approved list</p> <p>Waiver</p>	<p>Executive Director and the Head of Law</p> <p>Mayor and Cabinet</p>

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<p>Category B – By public advert</p> <p>Authorise the Approved List</p> <p>Waiver</p>	<p>Executive Director</p> <p>Executive Director for Resources & Regeneration</p>
<p>Category C - No approved list or waiver required</p>	<p>Head of Service</p>
<p>Receipt of Contracts</p>	
<p>Category A</p>	<p>Chief Executive</p>
<p>Category B</p>	<p>Executive Director</p>
<p>Category C</p>	<p>Head of Service</p>
<p>Opening Envelopes (At least two officers)</p>	
<p>Category A</p>	<p>Chief Executive or nominated officer and Officer approved by Executive Director for Resources & Regeneration /Head of Law</p>
<p>Category B</p>	<p>Executive Director or nominated officer and Officer approved by Executive Director for Resources & Regeneration/Head of Law</p>
<p>Category C</p>	<p>Head of Service and an officer approved by the relevant Executive Director</p>
<p>Award of Contract</p>	
<p>Category A</p>	<p>Mayor and Cabinet (Contracts)</p>
<p>Category B</p>	<p>Executive Director in accordance with his or her delegated financial limits under the Mayoral Schemes of Delegation</p>
<p>Category C</p>	<p>Head of Service in consultation with the</p>

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<p>Contract Signing</p> <p>£200k or more</p> <p>Over £100k and less than £200k</p> <p>Less than £100k</p>	<p>Principal Lawyer (Contracts) or the Head of Corporate Resources</p> <p>Executive Director and attested by Head of Law or nominated legal officer and Sealed by Legal Services</p> <p>Executive Director in consultation with at least one other officer</p> <p>Executive Director</p>
<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 with the exception of the rent subsidies as noted in the directorate specific area of this scheme of delegation.</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>
<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>Executive Director or in his/her absence Head of Corporate Resources or Head of Financial Services (in consultation with the</p>

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<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 Only</u> 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>Regeneration and Capital Programme 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>Within own area of responsibility up to £5k</p> <p>Above £5k up to £25k</p>	<p>Heads of Service</p> <p>Executive Director (or in their absence the Head of Financial Services)</p>
<p>Bad Debt Write Off</p> <p>Recommendation of 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>Executive Director in consultation with the Head of Financial Services</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 Financial Regulations)</p>	<p>Heads of Service in consultation with the Group Finance Manager</p>
<p>Directorate Employment Matters</p> <p>Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance</p>	<p>Heads of Service</p>

Directorate Specific

<p>Spot contracts for care for individual clients</p>	
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Approval of RAS	Executive Director Community Services
All new placements and packages within RAS Indicative Allocation Value	Operational Manager
Variations where new value is within RAS Indicative Allocation	Operational Manager
New and varies placements where value is greater than RAS Indicative Allocation	Panel chaired by Head of Service or Service Manager
Placements or packages outside working hours – up to 7 days only.	Operational Manager
Community Occupational Therapy Services	
Adaptations or equipment from the standard list costing up to £500	OT
Specialist equipment costing up to £500 not on the standard list	Senior OT
Specialist or standard equipment costing between £500 - £1,000	Team leader
Adaptations costing between £500 - £1,000	Team leader
Major housing adaptations costing more than £1,000	OT team leader in consultation with private sector housing/ strategic housing Manager
Equipment costing more than £1,000	Service Manager
Services for adults with mental health problems	
Residential placements or care packages costing more than £200 per week	Joint Community Mental Health Services Manager
Placements or care packages costing less than £200 per week	Community Mental Health Team Manager
Changes to care packages or placement following a review – same thresholds as above.	Community Mental Health Team Manager
Integrated service provision	
Decisions relating to the integration of services under the provisions of the Health Act 1999 or other management arrangements where the value of the	Executive Director Community Services

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Council's contribution does not exceed £500k per annum.	
<p>Changes to service delivery</p> <p>Decisions relating to the introduction of a new service or the cessation of a service where the value of the service concerned is or would be if introduced less than £500k per annum.</p>	Head of Service
<p>Fees and Charges</p> <p>Library Service Reservations Photocopying Faxes Local History postcards and books Withdrawn stock Open learning Centre: hire of pc's.</p> <p>Hire of Halls/Rooms in Libraries:</p> <p>Applying charging policy</p> <p>Deviation from, or change to existing policy for charges</p> <p>Library fines (overdue items, lost items, replacement tickets)</p> <p>Adult Social Care Buildings</p> <p>Applying charging policy for use of day centres</p> <p>Deviation from, or change to existing policy for charges</p>	<p>Library Service Manager</p> <p>Head of service</p> <p>Mayor and Cabinet</p> <p>Mayor and Cabinet</p> <p>Service manager in consultation with Head of AA&CM</p> <p>Mayor and Cabinet</p>
<p>Community Centre Charges</p> <p>Apply charging policy in respect of:</p> <p>Facilities used by the voluntary sector</p> <p>Deviation from, or change to existing policy for charges.</p> <p>Office Premises</p> <p>Rent subsidies up to £10,000 to voluntary organisations in the following office premises:</p>	<p>Head of Culture and Community Services in consultation with the Director of Regeneration and Asset Management</p> <p>Mayor and Cabinet</p> <p>Head of Culture and Community Services in</p>

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	consultation with the Director of Regeneration and Asset Management.
Community Use Agreements (e.g. Sports Lottery)	Cultural Development & Community Resources Manager
Broadway Theatre : Setting ticket prices	Theatre Manager
: Policy for hire charges	Mayor and Cabinet
Leisure Centres	Charges to continue to be dealt with by reference to the terms of agreement (previously approved by M&C). Any changes not in line with terms of agreement would therefore be submitted to members as a variation to the agreement.
Fees & Charges for Adult Learning Lewisham	ALL Service Manager to apply charges within the charging policy
Any deviation from or change to existing policy for charges	Mayor and Cabinet
Rates of Pay	
Setting casual/seasonal rates of pay. EG Libraries, Sport and Active recreation.	Service manager in consultation with Head of Service
Environmental Matters	
Trading Standards, Environmental Health, Environmental Enforcement Public Health and Nuisance, Food Safety and Health and Safety.	Head of Crime Reduction and Supporting People
Public Health	
Contractual Arrangements	Director of Public Health

Council (Non-Executive) Areas of Delegation

Area of delegation	Officer with delegated authority
Non-executive Licensing matters from Licensing (Supplementary) Committee:	

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<p>Authority to exercise all of the Council's licensing and registration functions under all existing and future relevant legislation, and as amended from time to time, including (without limitation) the Acts set out in the Schedule of Delegation from the Licensing (Supplementary) Committee, save for those local choice functions reserved to the Executive and those matters reserved to the Licensing Committee and save for any licensing functions under the Licensing Act 2003. Nothing in this schedule prevents the Licensing (Supplementary) Committee exercising functions within their terms of reference.</p>	<p>Service Group Manager – Private Sector Housing and Regulatory Services</p>
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Non-Executive Licensing Matters Delegated by the Licensing Committee

To the Executive Director for Community Services or such officer as he/she may nominate authority to exercise all of the Council's licensing functions under the Licensing Act 2003, as amended from time to time, save for those matters reserved to the Licensing Committee or sub-committees.

The functions to be reserved to the Licensing Committee, sub-committees and those to be delegated to officers are as follows:

Matter to be dealt with	Licensing Committee	Licensing Sub-Committee	Officers
Application for Personal Licence	Any matter which the Head of Regulatory Services considers to be more appropriate for consideration by the main Committee	If a police objection is made	If no objection Made – Licensing Manager
Application for Premises Licence / Club Premises Certificate	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application for Provisional Statement	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application to vary Premises Licence / Club Premises	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application to vary Designated Premises Supervisor	Ditto	If a Police objection is made	All other cases – Licensing Manager
Request to be removed as Designated Premises Supervisor	Ditto		All other cases – Licensing Manager
Application for transfer of Premises Licence	Ditto	If a Police objection is made	All other cases – Licensing Manager

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Application for Interim Authorities	Ditto	If a Police objection is made	All other cases – Licensing Manager
Decision on whether a complaint is irrelevant frivolous, vexatious etc	Ditto		All other cases – Licensing Manager

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 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 states 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 K and Table 3 for exemptions specific to Community Services. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the Community 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 Community 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.

Signed

Aileen Buckton
Executive Director for Community Services

Date:

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