

NAME OF COMMITTEE	Council
DATE	17 February 2015
REPORT TITLE	Interim Delegation Scheme to Officers
REPORT OF	Monitoring Officer
WARDS AFFECTED	All

Summary of report:

To adopt an Interim Delegation Scheme to Officers during the transitional and implementation period to the new T18 officer structure.

Financial implications:

There are no financial implications arising from this report.

RECOMMENDATION:

That the Council:

- 1. adopts the Interim Delegation Scheme attached at Appendix 1**
- 2. delegates to the Executive Director of Strategy & Commissioning (Head of Paid Service) and the Monitoring Officer authority to amend the Delegation Scheme to ensure continuity during the implementation of the T18 structure.**

Officer contacts:

Catherine Bowen, Monitoring Officer (Catherine.Bowen@swdevon.gov.uk).

1. INTERIM DELEGATION SCHEME

- 1.1 At its Annual Meeting each year the Council formally adopts its Constitution for the forthcoming municipal year. The review and update of the Constitution is currently ongoing and the whole document (including changes to Governance arrangements) will be considered by the Audit Committee before adoption by the Council at the Annual Meeting in May.

- 1.2 In the meantime, there are significant staff changes taking place as part of the T18 implementation and transition, and it is necessary to adopt an interim delegation scheme to officers in order to ensure continuity of lawful decision-making.
- 1.3 The interim Delegation Scheme to Officers (attached at Appendix 1) is set out in two parts:
- Amendments to the existing Delegation Scheme to delegate the current Heads of Service functions to Middle Managers or other appropriate officers, pending appointments to the new T18 posts
 - A new Delegation Scheme to Senior Officers appointed under the new structure
- 1.4 As the new officer structure develops, further changes are likely to be needed and authority is requested to delegate to the Executive Director of Strategy & Commissioning (Head of Paid Service) and the Monitoring Officer to make the necessary amendments to the Delegation Scheme to ensure that the Council is acting lawfully.

2. LEGAL IMPLICATIONS

- 2.1 The Local Government Act 2000 requires the Council to have (and to maintain) a Constitution, which includes a Delegation Scheme.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications to this report

4. RISK MANAGEMENT

- 4.1 The risk management implications are shown at the end of this report in the Strategic Risk Template:

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Considerations of equality and human rights:	None directly arising from this report
Biodiversity considerations:	None directly arising from this report
Sustainability considerations:	None directly arising from this report
Crime and disorder implications:	None directly arising from this report
Background papers:	The Constitution
Attachments	Appendix 1 – Interim Delegation Scheme

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Fit for purpose Constitution	Failure to update the Delegation Scheme could lead to unlawful decisions being taken.	4	2	8	↔	The Council adopts an interim delegation scheme pending the adoption of the amended Constitution at the Annual Meeting.	Monitoring Officer

Direction of travel symbols ↓ ↑ ↔