

Bolsover District Council

Standards Committee on 29th January 2024

Proposed Amendment to the Scheme of Delegation for Officers

Report of the Director of Corporate and Legal Services & Monitoring Officer

Classification	This report is public
Report By	Jim Fieldsend Director of Governance and Legal Services & Monitoring Officer

PURPOSE/SUMMARY OF REPORT

- To propose a change to the officer delegation scheme relating to acceptance of external funding and its associated terms

REPORT DETAILS

1. Background

- 1.1 The Council receives funding from various organisation and there is no specific power for officers to accept such funding and therefore officers will use there general day to day administrative powers for amounts below the key decision threshold. However where the amount of the funding is over key decision threshold- £75,000 for revenue costs and £150,000 for capital- approval of the receipt of the funding and agreement of any funding conditions must be granted by the Executive. Recently the Executive approved £100,000 form Derbyshire County Council to support the emotional health and well-being of children and young people. Occasionally the deadline for agreeing to accept funding does not match the Executive schedule and the Chief Executive Officer is required to exercise urgency powers. This was done in October 2023 to accept an agreement to receive £583,500 for retrofit funding from Nottinghamshire County Council.

2. Details of Proposal or Information

- 2.1 It is proposed that the Officer Delegation Scheme be amended to enable all Assistant Directors, Directors and the Chief Executive Officer to accept all external grant funding below the key decision threshold. In addition it is proposed that the Chief Executive Officer to have the delegated power to accept all external grant funding including those that exceed the key decision threshold. Where the funding exceeds the key decision threshold a proposed decision will still need to be recorded on the Forward Plan for at least 28 days unless the exceptions in the

Constitution are invoked. Nevertheless delegating the ability to accept all external funding to the Chief Executive Officer will streamline the process and potentially result in the funding being received sooner than if a report to the Executive was required

- 2.2 The proposed wording of the delegation to Assistant Directors and Directors is “To agree to the receipt of any external funding below the key decision level and the acceptance of any associated funding conditions”.
- 2.3 The proposed wording of the delegation to Chief Executive Officer is “To agree to the receipt of any external funding and the acceptance of any associated funding conditions”.

3. Reasons for Recommendation

- 3.1 To clarify the delegated powers relating to the receipt of external funding and to streamline the process.

4 Alternative Options and Reasons for Rejection

- 4.1 Not to agree to the delegation. As the delegation will result in speeding up the process by which the Council can receive external funding there appears to be no reason not to approve the proposed addition to the delegation scheme.

RECOMMENDATION(S)

That the Committee consider the proposals for the amendment of the Scheme of Delegation for Officer as set out in the report and recommends the proposal to Council.

IMPLICATIONS:

Finance and Risk: Yes No

Details:

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council is required under the Localism Act 2011 to prepare and keep up-to-date a constitution that contains its standing orders, code of conduct, such other information that the Secretary of State may direct and such other information that the authority considers appropriate.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details: None

Staffing: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None arising from this report.	On behalf of the Head of Paid Service
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DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Details:

Links to Council Ambition: Customers, Economy and Environment.
Demonstrating good governance

DOCUMENT INFORMATION	
Appendix No	Title

Background Papers <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>