

Directorate Scheme of Delegations: Resources

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to the Executive Directors.

This is the Resources Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director of Resources, in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

It also summarises the powers and functions delegated directly to the Director - Legal and Democratic Services, the Director - Finance, the Director - Policy and Strategy, the Director - Digital Transformation and the Director - HR, Workforce and Organisational Design

This scheme is subject to the [Council's Constitution](#), including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director - Resources or via changes to the Council and Mayoral Schemes of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated under the Constitution to the Executive Director of Resources

Executive functions (part 3.4.B.5 of the Constitution)

'Executive' power rests with the Mayor. The Mayor delegates executive power to officers via the Mayoral Scheme of Delegation, which is part of the constitution. The following executive functions are delegated to the Executive Director of Resources:

Any function of the executive falling within the portfolio of the Executive Director of Resources including functions relating to:

- (a) Finance management;
- (b) Workforce and Change;
- (c) Legal and Democratic Services;
- (d) Digital Transformation;
- (e) Policy, Strategy and Partnerships;
- (f) Commercialisation.

Some executive functions are delegated directly to other officers within the Resources Directorate who remain responsible for and accountable to the Council for the exercise of his / her delegated powers:

- (a) Director: Legal and Democratic Services - to do all things necessary to perform legal services and ensuring that all decisions taken by the Council are lawful
- (b) Director: Finance - to do all things necessary in the performance of financial services and ensuring that the Council takes sound financial decisions and has adequate insurance arrangements, having due regard to any relevant Council policy or Government guidance.

Local Choice executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been decided to be executive functions and have been delegated to the Executive Director of Resources

- The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998

Non-executive functions (part 3.2.C of the Constitution)

'Non-executive' power rests with Full Council. Full Council can delegate non-executive powers to officers via the constitution. The following non-executive powers are delegated to the Executive Director of Resources:

- Some of the non-executive functions which are the responsibility of the **Public Rights of Way and Greens Committee** (specifically, all those set out in list A of the terms of reference, listed in 3.2.B of the constitution). The delegations are set out in Part 2 below.
- A set of miscellaneous functions listed in 3.2.C.6 of the Constitution, in relation to:
 - Marriages and registration
 - Elections

- Pensions and Finance
They are listed in detail in Part 2 below.

Local Choice non-executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been decided to be non-executive functions and have been delegated to the Executive Director of Resources:

- None

Part 2: Delegations to Officers from the Executive Director

Executive Functions

1. Finance

Note that there is a separate council-wide finance scheme of delegations, available on the Bristol City Council website, which details financial delegations to managers of all Directorates within the Council. All references to the Director Finance include the functions of the Chief Finance Officer (S151 Officer).

Function	Post authorised to carry out function
Responsibility for the provisions of the Accounts and Audit Regulations in respect of the need to maintain an adequate and effective system of internal audit of the Councils accounting records and of its system of internal control in accordance with proper internal audit practices.	Director of Finance
Insurance - Responsible for assessing the level of self-insurance, arranging necessary insurance covers and reviewing the adequacy of covers in ensuring the council's best interest is served. Handling insurance claims for and against the council	Director of Finance On a day to day basis this is delegated to the Risk and Insurance Manager

2. Legal and Democratic Services

Function	Post holder authorised to carry out function
Democratic Services and Scrutiny	Head of Democratic Engagement
Electoral services, Register office, Coroners, Mortuary	Statutory Registration Manager

Legal Services	Head of Legal Services
Information Assurance	Head of Information Assurance

Note that the following table details functions which the constitution delegates directly to the Director, Legal and Democratic Services.

Function delegated in the Constitution to Director, Legal and Democratic Services	Post holder(s) authorised to carry out functions
To prepare, negotiate and execute documents and otherwise take any action required to give effect to all resolutions and / or decisions of the full council, the executive, a committee or delegated officer.	Head of Service, Legal Services Team leaders, legal team
To institute, defend or act in respect of legal proceedings or other determinations involving the council including power to settle and compromise such matters where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests. This is with the exception of settlement agreements relating to employment claims in which proceedings have been issued, which will remain the responsibility of the Director – Legal and Democratic Services.	Head of Service, Legal Services Team leaders, legal team To such named officers outside Legal Services who the Director specifically authorises (list of individuals held by Business Manager, Legal Team).
To take decisions to institute prosecutions on behalf of the authority	Head of Service, Legal Services Team leaders, legal team (in relation only to Fixed Penalty Notices, educational non-attendance and microchipping of dogs).
To make and serve notices and other instruments where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests.	Head of Service, Legal Services Team leaders, legal team To such named officers outside Legal Services who the Director specifically authorises (list of individuals held by Director, Legal and Democratic Services).
Where any document is necessary to any legal procedure or proceedings on behalf of the council, it will be signed by the Director, Legal and Democratic Services, or other person authorised by them, unless any enactment otherwise authorises or requires, or the full Council has given requisite authority to some other person.	Head of Service, Legal Services

Function delegated in the Constitution to Director, Legal and Democratic Services	Post holder(s) authorised to carry out functions
Witnessing the Affixing of the City Council's Seal	See list of individuals authorised to witness the affixing of the City Council's Seal, held by the Business Manager, Legal Team.
To appear on behalf of the City Council, in proceedings before a magistrate's court and to conduct any such proceedings.	See list of individuals authorised, held by the Business Manager, Legal Team.
To address a Judge in Chambers in any civil proceedings in which BCC is a party and where the officer is acting under the supervision of a Lawyer	See list of individuals authorised, held by the Business Manager, Legal Team.
To address the county court in an action brought by the Council for either or both of the following— (a) the recovery of possession of a house / dwelling belonging to the authority; (b) the recovery of any rent, damages or other sum claimed by the authority in respect of the occupation by any person of such a house / dwelling	See list of authorised individuals, held by the Business Manager, Legal Team.

3. HR, Workforce and Organisational Change

Note that there is a separate council-wide HR Scheme of Delegations, available on the Bristol City Council website, which details HR Delegations from the Head of Paid Service to the Director HR, Workforce and Organisational Design and managers of all Directorates across the Council.

Function	Post authorised to carry out function
Functions related to internal communications and organisational development <ul style="list-style-type: none"> • Internal communications • Organisational development • Learning and Development 	Head of Internal Communications and Organisational Development or Director HR, Workforce and Organisational Design
Functions relating to Change Services, including: <ul style="list-style-type: none"> • PMO • Business Architecture & Design • Solution Architecture & Design 	Head of Change Services

4. Digital Transformation

Function	Post authorised to carry out function
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Functions relating to the governance and assurance of all internal and external IT solutions/systems	Director of Digital Transformation
Functions relating to the development and approval of policies which utilise technical controls for Information Management and/or Information Security	Director of Digital Transformation
Functions relating to the delivery of Operational IT	Director of Digital Transformation
Functions relating to the delivery of Digital Services to citizens	Director of Digital Transformation

5. Policy, Strategy and Partnerships

Function	Post authorised to carry out function
Functions related to Policy, Strategy and Public Affairs.	Director: Policy, Strategy and Partnerships or Head of Policy and Public Affairs
Functions related to Insight, Performance, and Intelligence	Director: Policy, Strategy and Partnerships or Head of Insight, Performance and Intelligence
Functions related to Intelligence	Director: Policy, Strategy and Partnerships or Head of Insight, Performance and Intelligence, or Director of Digital Transformation
Functions related to Public Relations, Marketing, Graphic Design, Consultation and Engagement	Director: Policy, Strategy and Partnerships or Head of External Communications and Consultation
Functions related to international work including Twinning	Director: Policy, Strategy and Partnerships or Head of International Affairs
Functions related to Equalities, Diversity and Inclusion	Director: Policy, Strategy and Partnerships, or Head of Equality and Inclusion.
Functions related to the One City Approach and City Office	Director: Policy, Strategy and Partnerships, or Head of Equality and Inclusion.

6. Commercialisation and Citizens Services

Function	Post authorised to carry out function
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Citizens Services	
To make all day-to-day management decisions relating to the Council's functions as they relate to customer services contact centres.	Head of Commercial Services, Head of Citizen Services, Contact Centre Manager
To make all day-to-day management decisions relating to the Council's functions as they relate to face to face Citizen Service Points.	Head of Commercial Services, Head of Citizen Services, Citizen Service Points Manager
To make all day-to-day management decisions relating to the Council's functions as they relate to corporate complaints and FOI.	Head of Commercial Services, Head of Citizen Services, Corporate Complaints Manager
To make all day-to-day management decisions relating to the Council's functions as they relate to the Translation and Interpreting Service.	Head of Commercial Services, Head of Citizen Services, Performance and Citizen Engagement Manager

Facilities Management

Functions relating to Facilities Management	Head of Commercial Services, Commercial Services Business Partner
To authorise changes under maintenance contracts	Head of Commercial Services, Commercial Services Business Partner

<p>City Docks and Port Authority functions</p> <p>Functions include those where legislation confers duties or powers upon the Council in its capacity to act as Port Authority for the Bristol City Docks, including the following acts and all other legislation of a like kind:</p> <p>Bristol Docks Acts and Orders 1848 to 1998, Harbours Docks and Piers Clauses Act 1847, The Bristol City Docks Harbour Revision Order 1998</p>	<p>Harbour Master (If this is referring to marine services only) or, Head of Commercial Services, Commercial Services Business Partner</p> <p>Markets and Estates Manager (if it relates to Docks Estate) or, Head of Commercial Services, Commercial Services Business Partner</p>
To issue licences for "works" within the provisions of the City Docks Harbour Revision Order 1998.	Harbour Master or, Head of Commercial Services, Commercial Services Business Partner
To licence Pilots and Hobblers	Harbour Master or, Head of Commercial Services, Commercial Services Business Partner
To be the Duty Holder under the provisions of the Port Marine Safety Code	Harbour Master or, Head of Commercial Services, Commercial Services Business Partner
Power for the enforcement of Local Harbour Byelaws	Harbour Master

	or, Head of Commercial Services, Commercial Services Business Partner
Power to license pleasure boats and pleasure vessels Section 94 of the Public Health Acts Amendment Act 1907 (c.53).	Harbour Master

Neighbourhoods and Communities Management

Community Development	Head of Commercial Services, Neighbourhoods and Community Services Manager Area Community Development Managers Community Development Practitioners
Community engagement and participation (formerly Devolved decision making - Area Committees Local CIL & Devolved s106	Head of Commercial Services, Neighbourhoods & Communities Service Manager Community Resources Manager
Bristol Impact Fund &– Prospectus approach to VCSE investment and VCSE infrastructure service	Head of Commercial Services, Neighbourhoods & Communities Service Manager Community Resources Manager
Cities of Service and Social Action Plan – volunteering & social action strategy & enabling	Head of Commercial Services, Neighbourhoods & Communities Service Manager Community Resources Manager
Public Health – Community Health functions	Head of Commercial Services, Head of Neighbourhood Management Community Health Managers

Trading with Schools

Function	Post authorised to carry out function
Trading with Schools	
To make all day-to-day management decisions relating to the provision of commissioned goods and services to schools directly through the Council's Trading with Schools service provider.	Head of Trading with Schools. Deputy Manager, Trading with Schools. Finance and Resource Manager, Trading with Schools
Coordinated admissions schemes To comply with any requirements made by the Secretary	Head of School

<p>of State to implement a scheme for co-ordinated arrangements for admissions in accordance with section 48 Education Act 2002 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012.</p>	<p>Partnerships(ACE) Head of Trading with Schools Deputy Manager, Trading with Schools. School Admissions Service Lead</p>
<p>Individual pupils and admissions appeals panels To administer arrangements for the admission of individual pupils to primary and secondary schools, including designated areas and other relevant factors and to present the case on behalf of the Local Authority.</p>	<p>Head of trading with Schools School Admissions Service Lead</p>
<p>Enforcement action relating to non-attendance To authorise any proceedings necessary to enforce any enactment relating to the non-attendance of pupils at school, or education other than at school with reference to the Education Act 1996 and the Anti-social Behaviour Act 2003.</p>	<p>Head of Trading with Schools Educational Welfare Service Lead</p>
<p>To make all day-to-day management decisions relating to outdoor education provision delivered directly through the Council's Trading with Schools service provider.</p>	<p>Head of Trading with Schools Trading with Schools Finance and resource Manager</p>

Non-Executive Functions

1. Finance

Function	Post authorised to carry out function
Functions relating to local government pensions etc. (Regulations under section 7, 12 or 24 of the Superannuation Act 1972). (<i>Constitution ref: 3.2.C.6(q)</i>)	Director, Finance
Functions under the Fireman's Pension Scheme relating to pensions, etc., as respects persons employed by the fire and rescue authorities pursuant to Section 1 of the Fire and Rescue Services Act 2004 (Sections 34 and 36 of the Fire and Rescue Services Act 1972). (<i>Constitution ref: 3.2.C.6(r)</i>)	Director, Finance
Duty to make arrangements for proper administration of financial affairs, ensuring that the Council operates within required financial policies and procedures to ensure the efficient and appropriate use of public money. etc. (Section 151 of the Local Government Act 1972) and (<i>Constitution ref: 3.2.C.6(s)</i>)	Director, Finance
Internal Audit - Responsible for the organisation's internal audit service, including drawing up the internal audit plan, giving the annual audit opinion, counter-fraud and promoting good corporate governance.	Chief Internal Auditor or deputy Chief Internal Auditor or other officers to which responsibility is further delegated within the Internal Audit Team.
Benefits	
Administration of Housing Benefits.	Head of Benefits
Administration of Council Tax Reduction.	Head of Benefits
Administration of Discretionary Housing Payments.	Head of Benefits
Administration of Local Crisis and Prevention Fund.	Head of Benefits
Revenues	
Administration of : <ul style="list-style-type: none"> • Council Tax • Business rates • BIDS (Business improvement districts) In accordance with: <ul style="list-style-type: none"> • Local Government Finance Acts and associated legislation. 	Head of Revenues Revenues Support Manager Council Tax Group Leader Council Tax Officer Business Rates Group Leader Business Rate Officer

<ul style="list-style-type: none"> • Local policies, including but not limited to <ul style="list-style-type: none"> ○ Discretionary Rate relief (not for profit/voluntary organisations) ○ S44a Partly occupied relief 	Valuation & Inspection Group leader Valuation Officer Visiting Officer Debt Management Group Leader Debt Management officer Systems and Information Group Leader Information Officer Information Support Officer Senior Systems Control Officer Systems Control Officer
Administration (Recovery) of Overpaid Housing Benefit	Head of Revenues Debt Management Group Leader Debt Management officer Revenues Support Manager Revenues Group Leaders
The adoption and implementation of national policies and relief schemes relating directly to business rates or council tax.	Head of Revenues
<p>Revenues Service – Recovery and write off</p>	
<p>The Director Legal and Democratic Services has delegated powers to officers:</p> <p>(a) to institute, defend or act in respect of legal proceedings or other determinations involving the council including power to settle and compromise such matters where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests</p> <p>(b) to make and serve notices and other instruments where necessary to give effect to a resolution and/or decision of the council or where necessary to protect the council's interests</p>	<p>A list of individual officer names is held by the Service Director, Legal and Democratic Services.</p>
<p>The write off/on of council tax, non-domestic rate, BID levies and overpaid housing benefit in accordance with the "Internal Code of Practice for Write Off" which has been signed off by the Director of Finance.</p>	Head of Revenues Revenues Support Manager Council Tax Group Leader Council Tax Officer Business Rates Group Leader Business Rate Officer Debt Management Group Leader

	Debt Management Officer Valuation and Inspection Group Leader
Function	Post authorised to carry out function
<p>Implementation of the City Council's Procurement Regulations, including:</p> <ul style="list-style-type: none"> - Protection of the City Council's position with regard to the Public Contracts Regulations 2015 (as amended). - Compliance with Procurement Regulations, including appropriate financial thresholds. 	Head of Procurement

2. Legal and Democratic Services

In the Constitution the following functions are delegated to the Executive Director of Resources.

Function	Post authorised to carry out function
Marriages and Registration (Constitution ref: 3.2.C.6)	
Power to approve premises for the solemnisation of marriages (S.46A of the Marriage Act 1949 (c.76) & the Marriages (Approved Premises) Regs 1995 (S.I. 1995/510).	Director, Legal and Democratic Services
Elections (Constitution ref: 3.2.C.6)	
Power to assign officers in relation to requisitions of the registration officer (section 52(4) of the Representation of the People Act 1983).	Director, Legal and Democratic Services
Duty to provide assistance at the European Parliamentary Elections (Section 6(7) and (8) of the European Parliamentary Elections Act 2002).	Director, Legal and Democratic Services
Duty to divide constituency into polling districts (Sections 18A and 18E of Schedule A1 to the Representation of the People Act 1983).	Director, Legal and Democratic Services
Power to divide electoral divisions into polling districts at local government elections (Section 31 of the Representation of the People Act).	Director, Legal and Democratic Services
Power in respect of holding of elections (Section 39(4) of the Representation of People Act 1983).	Director, Legal and Democratic Services
Power to pay expenses properly incurred by electoral registration officers (Section 54 of the Representation of the People Act 1983)	Director, Legal and Democratic Services
Power to fill vacancies in the event of insufficient nominations (Section 21 of the Representation of the People Act 1985).	Director, Legal and Democratic Services
Duty to declare vacancy in office in certain cases (Section 86 of the Local Government Act 1972).	Director, Legal and Democratic Services
Duty to give public notice of a casual vacancy (Section 87 of	Director, Legal and

the Local Government Act 1972).	Democratic Services
Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of People Act 2000 (Section 10 of the Representation of the People Act 2000).	Director, Legal and Democratic Services
Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of People Act 2000 (Section 10 of the Representation of the People Act 2000).	Director, Legal and Democratic Services
Duties relating to publicity (Sections 35, 41 and 52 of the 2007 Act).	Director, Legal and Democratic Services
Duties relating to notice to Electoral Commission (Sections 36 and 42 of the 2007 Act).	Director, Legal and Democratic Services
Power to alter years of ordinary elections of parish councillors (Section 53 of the 2007 Act).	Director, Legal and Democratic Services
Functions relating to change of name of electoral area (serving notice) (Section 59 of the 2007 Act).	Director, Legal and Democratic Services
Public Rights of Way and Greens (These comprise List A of the Public Rights of Way and Greens Committee terms of reference)	
Functions relating to the registration of common land and town or village greens (part 1 Commons Act 2006 and the Commons Registration (England) Regulations 2008)	Director, Legal and Democratic Services
Power to register variation of rights of common (Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471));	Director, Legal and Democratic Services
Power to apply for an enforcement order against unlawful works on common land (Section 41 Commons Act 2006);	Director, Legal and Democratic Services
Power to protect unclaimed common land and unclaimed town and village greens against unlawful interference (Section 45(2)(a) Commons Act 2006);	Director, Legal and Democratic Services
Power to institute proceedings for offences in respect of unclaimed registered common land or unclaimed town or village greens (Section 45(2)(b) of the Commons Act 2006).	Director, Legal and Democratic Services