

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services
TO: Civic Affairs Committee 25/6/2014
WARDS: None directly affected

EFFICIENT DECISION-MAKING AND SCHEME OF DELEGATION TO OFFICERS

1 INTRODUCTION

1.1 The Leader of the Council has asked Civic Affairs to consider a report regarding the need to make sure that the Council's scheme of delegation to officers allows for effective and timely decision-making at an appropriate level.

1.2 In particular, there is a need:

- To ensure that officers have adequate delegated powers to make operational decisions in respect of services for which they are responsible;
- To review consultation arrangements between officers and members to ensure that they are proportionate and do not unnecessarily inhibit prompt decision-making;
- To ensure that decisions are made when needed, and are not delayed unnecessarily by the committee cycle.

2. RECOMMENDATIONS

2.1 That the Head of Legal Services is asked to draft changes to the Council's constitution to allow Executive decisions to be made

between cycles where this is expedient in the interest of good decision-making, subject to appropriate safeguards.

- 2.2 That officers review delegations in respect of Finance, Human Resources and Property, and submit any proposed changes to the Executive Councillor for Finance and Resources.
- 2.3 That officers review practice and procedures for member consultation in relation to human resources decisions.
- 2.4 That officers undertake a wider review of delegated powers to ensure that decisions are being made at the appropriate level and report proposals for consideration by the appropriate executive councillor or committee.

3. **BACKGROUND**

3.1 The Leader of the Council has asked for specific consideration to be given to delegations relating to:

- Human Resources and staffing matters;
- Property transactions; and
- Finance.

He has also asked for consideration to be given to promoting greater flexibility for making decisions between committee cycles when expedient for ensuring effective and timely action.

3.2 **Human Resources and staffing matters**

The constitution contains extensive delegations in respect of HR and staffing matters. Directors have full delegated powers to manage the staff for the services for which they are responsible, subject to the Council's policies, procedures and financial targets, subject to consulting the Head of Human Resources where appropriate.

The Head of Human Resources has wide delegated powers to provide Human Resources services to the Council, including the formulation, approval and implementation of employment-related policies, corporate training and pay, terms and conditions,

The only areas explicitly requiring member involvement are:

- changes to the staffing structure which would result in job losses, involve changes to the first and second tier of management, have an effect on service delivery, have major implications for the operation of the department, or have implications for other departments.
- Appointment and dismissal of senior officers.
- Approval of the Council's Pay Policy Statement.

However, custom and practice, and some of the Council's internal policies, have meant in practice a much more extensive element of consultation with members. Officers will review practice and procedures with a view to recognising the responsibility of senior officers to run services and manage staffing (within the Council's budgetary and policy framework), limiting consultation to instances that are proportionate and add value.

3.3 Property Services

The Council's scheme of delegation in respect of the management of property owned by the Council is extensive and operational decisions do not routinely need member involvement, either in making decisions or through consultation. It is, however, less extensive in relation to acquisition and disposal of land and property.

Whilst the urgent decision route is available if decisions need to be made between committee cycles, the Head of Property Services will work with the Leader and Executive Councillor for Finance and Resources to determine whether further delegated powers are desirable.

A decision on further delegations would be made by the Executive Councillor for Finance and Resources after consideration by Strategy and Resources Scrutiny Committee.

3.4 Financial delegations

Whether some financial matters are decided at member level is determined by financial limits. Examples include authority to spend repairs and renewals budgets, approval of capital schemes and writing off debts. The financial limits have not been reviewed for many years and this will have led to a need for more decisions to be made at member level. The interim Head of Finance is reviewing the limits with a view to recommending increases for decision by the Executive Councillor for Finance and Resources after consideration by Strategy and Resources Scrutiny Committee.

3.5 Making decisions between committee cycles

The Council has four committee cycles annually. The dates of committee meetings do not necessarily coincide with the best time for making decisions. Giving primacy to the committee diary can lead to delay in projects and initiatives, and lead to missed opportunities.

The constitution allows for urgent decisions to be made without pre-scrutiny, but subject where possible to consultation with the Chair and spokespersons. Urgent decisions are also reported to the next meeting of the scrutiny committee.

The Committee is asked to request the Head of Legal Services to draft changes to the Council's constitution to allow decisions to be made between cycles where this is expedient in the interest of good decision-making. The consultation rules for urgent decisions would be applied, there would still be a need to comply with rules regarding publicity for decisions, and decisions would be reported to the next scrutiny committee meeting.

3.6 Future direction

This report looks at a limited range of delegations to officers. There is merit in a wider review to ensure that decisions are being made in the most effective manner, recognising the different roles and responsibilities of members and officers, and mindful also of the need for openness and transparency.

4. CONSULTATIONS

There has been discussion about the issues raised in this report with the Leader of the Council and between officers. The need for wider consultation will be considered as any proposals are developed.

5. IMPLICATIONS

This report does not have any implications for the areas set out below.

(a) Financial Implications

(b) Staffing Implications

- (c) **Equality and Poverty Implications**
- (d) **Environmental Implications**
- (e) **Procurement**
- (f) **Consultation and communication**
- (g) **Community Safety**

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

The Council's Constitution

To inspect this document please refer to the Council's website (<https://www.cambridge.gov.uk/constitution>) or contact Glenn Burgess on 01223 457169 or email glenn.burgess@cambridge.gov.uk

The author and contact officer for queries on the report is Simon Pugh, Head of Legal Services on 01223 457401 or simon.pugh@cambridge.gov.uk.

Report file:

Date originated: 17 June 2014
Date of last revision: 17 June 2014