

## Summary of key changes to General Delegations to Chief Officers within Powers Delegated to Officers (Appendix C)

The majority of substantive changes are contained within the General Delegations section. The old General Delegations section contained 29 powers compared to 39 powers contained in the proposed new version. Most of the additions or amended powers are outlined below:-

- 12) To incur expenditure not exceeding £500 on any one occasion on the provision of appropriate hospitality to members and officers of national government, local authorities or public authorities visiting the city, or to consultants or others assisting or co-operating with officers of the Council in carrying out any of the Council's functions provided that the expenditure can be met from existing budgets. **(This was previously in Standing Orders)**
- 13) To exercise all powers delegated to him/her as a Chief Officer in terms of the ACC Procurement Regulations. **(This replaces a number of delegated powers which simply duplicated what was contained within the Procurement Regulations)**
- 16) To take all decisions regarding employment, retirement, dismissal and training of staff in terms of the Council's Conditions of Service and the Council's employment policies.
- 17) To submit Business Cases to the Establishment Control Board in respect of proposed restructuring, including establishing new posts, converting or making changes to posts, changing grades and changing job titles, following consultation with the Chief Officer - People and Organisation and the Chief Officer - Finance and the relevant trades unions. **(This is not a new power however it has been modified to include reference to submission of business cases to the Establishment Control Board)**
- 20) To create and amend procedures, protocols and guidance.
- 21) To implement Council decisions and policies.
- 22) To authorise, following consultation with the Chief Officer - Governance, the entering into, variation, extension or termination of any:
  - (a) non-disclosure agreements in relation to commercial matters;
  - (b) confidentiality agreements in relation to commercial matters; or
  - (c) agreement, protocol, memorandum of understanding or other document relating wholly or mainly to the sharing or processing of information.
- 23) Following consultation with the Convener of the City Growth and Resources Committee, to approve applications for, and to accept, grant funding, provided that the terms and conditions of such funding have been approved by the Chief Officer - Finance and the Head of Commercial and Procurement Services before acceptance.
- 24) To approve the making of small grants of up to £10,000 for organisations and £2,000 for individuals, following consultation with the Chief Officer - Finance, and provided that sufficient budgetary provision exists and the grant is made subject to terms and conditions approved by the Head of Commercial and Procurement Services. Where the Chief Officer is minded to refuse an application for such a grant, he/she shall consult the relevant Convener and will thereafter either approve the application, refuse the application or report the application to the relevant Committee for determination.

**(Separate individual powers have been in place previously relating to grants - putting in place a general power should harmonise arrangements)**

- 26) Following consultation with the Chief Officer - Governance or the Head of Commercial and Procurement Services as appropriate, to approve the entering into of any contractual, legal or other documentation which may be necessary or expedient in connection with the proper exercise of any power, or the proper taking of any decision, by the Chief Officer in question.
  - 27) To purchase equipment, goods and services where the expenditure has been approved by the Council, in compliance with the ACC Procurement Regulations and ACC Financial Regulations.
  - 28) To approve responses to requests for information made under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 and to take any other action in connection with such requests; and to authorise other officers to approve such responses or take such action.
  - 29) To approve responses to complaints made to the Council and to take any other reasonable and proportionate action in relation to such complaints and to authorise other officers to approve such responses or take such action, all in terms of the Complaints Handling Procedure.
  - 30) To appoint persons (i) as interim Chief Officers; or (ii) to act up as Chief Officers.
  - 31) To produce and issue reports required of the Council by legislation, the UK or Scottish governments, regulatory bodies or other external bodies.
  - 32) Following consultation with the Chief Officer - Governance, to make:
    - amendments to Council policy in order to reflect the law, government guidance, regulators' guidance and other Council policies; and
    - minor or consequential amendments to Council policies including, but not restricted to, the correction of obvious, technical or clerical errors and taking account of changes to any names or titles.
  - 33) When acting as Duty Emergency Response Coordinator (DERC):
    - to take, or arrange for the taking of, any action on behalf of the Council which s/he considers necessary in the event of:
      - an emergency (as "emergency" is defined in the Civil Contingencies Act 2004); or
      - any incident that requires the implementation of special arrangements in order to:
        - maintain statutory services at an appropriate level;
        - support the emergency services and other organisations involved in the immediate response;
        - provide support services for the community and others affected by the incident;
        - enable the community to recover and return to normality as quickly as possible; and
        - provide aid to other local authorities,
- with any such action being reported to a future meeting of the Council or relevant committee or sub committee as an item on the agenda; and

- to implement, or arrange for the implementation of, the provisions of the Civil Contingencies Act 2004 and the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005.
- 34) Following consultation with the relevant Committee Convener(s) and, where relevant, ward members, to determine Participation Requests and the outcome improvement process to apply, and to report back to committee where necessary. **(This was approved by the CH&I Committee in January 2018)**
  - 35) To order the cessation of any work which is in breach of health and safety legislation or which otherwise poses an unacceptable risk of harm or loss.
  - 36) To operate the Scheme of Virement as set out within the ACC Financial Regulations.
  - 37) **Directors, Chief Officer - Governance, Chief Officer - Strategic Place Planning and Chief Officer - City Growth only**: To submit a Council response to an external consultation on an operational matter which, in the view of the Chief Officer, does not require elected member input, following consultation with the relevant Convener and Vice Convener and notification to all Group Leaders that the response has been submitted.
  - 38) **Directors, Chief Officer - Governance, Chief Officer - Strategic Place Planning and Chief Officer - City Growth only**: To submit a Council response to an external consultation on a policy matter where the timescale for responding does not permit an opportunity for approval by the appropriate committee. Any such response shall be submitted following consultation with the relevant Convener and Vice Convener and all Group Leaders and shall be reported to a future committee meeting.
  - 39) **Chief Executive and Directors only**: To transfer or reallocate staff, activities, responsibilities and functions within the Council's Functional Structure, whether on an interim or permanent basis. For the avoidance of any doubt, this delegated power does not cover such transfers to outside organisations.

A key substantive changes to a specific Directorate/Function power is outlined below:

#### **Chief Officer - Corporate Landlord**

- 14) To instruct the Chief Officer - Governance to acquire or sell land or property where the purchase or disposal price is less than £1million provided that such sale or acquisition represents the land or property's market value. **(This figure was previously £250,000)**