


Kirklees Council

People Services

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Approved by	 <i>Rachel Spencer Henshall</i> Strategic Director – Corporate Strategy and Public Health
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Delegated Powers

Purpose

To set out the delegations from the Strategic Director in accordance with the requirements of [paragraph 6 of Part 3, Section F of the Council's Constitution](#).

Related Policies & Documents

- [Council Constitution \(Part 2: Article 13: Decision Making\)](#)
- [Council Constitution \(Part 3: Responsibility for Functions\)](#)
- [Council Constitution \(Part 4: Rules of Procedure\)](#)

Key Statutes/Legislation

The following pieces of legislation are applied in the delegated decisions specified in this document:

- Employment Rights Act 1996
- National Minimum Wage Act 1998
- Working Time Regulations 1998
- The Pensions Scheme Act 2021
- Equality Act 2010
- Local Government Act 2000

Who is governed by this policy?

The scheme of delegations will apply to all permanent, contract and temporary officers working for the Council.

Summary

The Council's Constitution requires that each Director prepare service schemes of delegation which set out how decisions will be made in each of the Services for which they are responsible. Such schemes should clearly identify which officers have been authorised to make decisions under the delegated powers of the Director. All schemes of delegation will be lodged with the Council's Monitoring Officer and made available to the public on request.

Officers may only exercise the powers delegated to them in accordance with all relevant statutory requirements, the provisions of the Council's Constitution, the revenue and capital budgets of the Council, its Procurement Code, Financial Regulations and other relevant policies and procedures.

Delegation is simply a way of allocating matters to the levels appropriate to ensure that the Directorate's business is dealt with in the most efficient way possible. Delegated power will normally be exercised at the lowest level to which it has been given. However, all such powers will also be held by the Director.

Where an officer post to which any function has been delegated is renamed or is affected by a staffing reorganisation, then the relevant delegation shall be treated as applying to the renamed post or, as appropriate, to the post which has been allocated the same or substantially the same relevant duties as the original post following that reorganisation.

In exercising the powers delegated to them officers must observe any additional procedural requirements that apply within their services e.g., any requirement to consult local ward councillors, cabinet members and/or the leader. It is also good practice to keep local ward councillors informed of decisions made and implemented under delegated powers that significantly affect members of the community in their ward.

People Services Responsibilities – Applicable to All Council Services

General Employment

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Employee Terms and Conditions	Determine Part 3 Employee Terms and Conditions (section 12 Local Government Act 1972)	Head of People Services in consultation with Trade Union representatives Executive Team	Head of People Services	
Appointments - Chief Executive	Selection panel - Full Council	Full Council Head of People Services HR Manager – Operations	Full Council decision	
Appointments - Director (Grade 21+)	Selection panel - Elected Members	Chief Executive Strategic Director Head of People Services HR Manager – Operational	Elected Member Panel decision	
Appointments - Head of Service (Grade 18 to 20)	Selection panel led by Service Director	Strategic Director Service Director HR Manager – Operational	Service Director	
Appointments - up to Grade 17	Selection panel - Service Area led	Service Director Head of Service HR Partner	Head of Service	
General payroll procedures	To approve the method of: <ul style="list-style-type: none"> • payroll preparation • payment methods • document filing • records to be kept (including retention) 	Service Director Finance Head of People Services	Transactional Services Manager	

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
	<ul style="list-style-type: none"> payslip production 			
General pension obligations	To undertake all functions, roles, and responsibilities for the LGPS, Teachers and NHS pension schemes in accordance with (Regulations under section 7,12 or 24 of the Superannuation Act 1972)	Head of People Services	HR Partner - Pensions	
Pay as you earn (PAYE) and National Insurance contributions – IR 35 rule	Issue guidelines for managers to determine whether a new worker qualifies as self-employed or is trading as a limited company not subject to PAYE and NI deductions.	Guidance issued by Transactional Services Manager annually	N/A - HMRC assessment tool	
Media enquiries	To issue statements to the press and other news media about their delegated functions within the settled framework of council policy	Head of Strategic Communications	Head of People Services	

Position Management

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Create new position – Strategic Director and Service	Approval from Personnel Committee required	Chief Executive Head of People Services	Chief Executive	

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Director (Grade 21+)				
Create new position – Head of Service (Grade 18 - 20)	Business case submitted to Executive Team for approval	Chief Executive Strategic Director Service Director Head of People Services	HR Manager – Operational	
Create a new position or regrade an existing position - up to and including Grade 17	Business case submitted to Service Leadership Team (SLT) for approval	Service Director Head of Service HR Partner	HR Manager – Operational	
Approving honoraria Grade 18 and above	Business case to be completed and approved by Strategic Director. Submitted to HR Partner.	Chief Executive Strategic Director Service Director Head of People Services HR Partner – ensures within policy and job evaluation guidelines.	HR Manager – Operational	
Approving honoraria up to and including Grade 17	Business case to be completed and approved by Head of the Service. Submitted to HR Partner.	Head of Service HR Partner – ensures within policy and job evaluation guidelines.	HR Manager – Operational	

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Approving acting-up arrangements Grade 18 and above	Selection method to be considered for fairness of opportunity in line with the terms of the Employee Handbook	Chief Executive Strategic Director Service Director Head of People Services HR Partner – ensures within policy and job evaluation guidelines.	HR Manager – Operational	
Approving acting-up arrangements up to and including Grade 17	Selection method to be considered for fairness of opportunity in line with the terms of the Employee Handbook	Head of Service Service Manager HR Partner – ensures within policy and job evaluation guidelines.	HR Manager – Operational	
Approving accelerated progression	In line with the terms of the Employee Handbook	Head of Service Service Manager HR Partner	Head of Service of employee	

Exit Arrangements

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Resignations	Acceptance requires confirmation in writing of termination of employment from employee.	N/A	Service Manager	
Dismissal	Employee dismissed by reason of misconduct, unsatisfactory probation, or capability.	HR Manager – Operational HR Partner	In accordance with the Dismissal Register	

Responsibility	Activity	Consultation Required	Delegated Officer A	Delegated Officer B
Settlement Agreements	<p>Providing a resolution between disputing parties.</p> <ul style="list-style-type: none"> • Payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment • Payments of £100,000 and above must be approved by a vote of full council, as set out in the Localism Act 2011. 	<p>Service Director Head of Service Head of People Services HR Manager – Operational Legal Service Officer</p>	Head of People Services	HR Manager – Operational
Early retirement /voluntary redundancy/ severance	Business case submitted to Service Director.	<p>Service Director Head of Service HR Manager - Operational</p>	Head of People Services S.151 Officer	
Flexible retirement	Business case submitted to Service Director.	<p>Head of Service HR Manager – Operational HR Partner</p>	Head of People Services S.151 Officer	
Ill health retirement	Necessary medical certification	Employee Healthcare medical practitioner	HR Manager –Operational	