




**RECORD OF POWERS DELEGATED BY
THE STRATEGIC DIRECTOR FOR
GROWTH AND REGENERATION**

Draft Scheme of Delegate for Homes and Neighbourhoods Service

Date last reviewed:	N/A
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DELEGATED POWERS

Purpose

To set out the delegations from the Strategic Director for Growth and Regeneration in accordance with the requirements of Part 3.7, Scheme of Delegation to Officers, paragraph 6 of Section F of the Council's Constitution.

Related Policies & Documents

- ***Council Constitution - Part 2 - Decision making by Officers (Article 13.6)***
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-2.pdf>
- ***Council constitution - Part 3 - Responsibility for functions (Section F)***
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-3.7.pdf>
- ***Council Constitution - Part 4 - Financial Procedure Rules (Part 4.6)***
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-4.6.pdf>

Key Statutes/Legislation

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

Housing Act 1985

Housing and Regeneration Act 2008

Regulatory framework for Social Housing (April 2012)

Housing Act 2004

What 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 will 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.

Each Service Director or Monitoring Officer has the authority to make arrangements to the Scheme of Delegation necessitated by legislative changes as and when appropriate.

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 eg. 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.

Homes and Neighbourhoods

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
General						
In line with the Council's FPR and CPR rules approve orders up to agreed limits set within these procedures.			£25,000	£180,000	Unlimited within Service Budget	Unlimited within Directorate budget
Capital Expenditure including the signing of contracts – in line with the Council's FPR and CPR rules.			Nil	£180,000	Unlimited within Service Budget	Unlimited within Directorate budget
Virement within delegated budgets			Nil	10% of any delegated budget	10% of any delegated budget	10% of any delegated budget
Acceptance of tenders			£25,000	£180000	Unlimited within Service Budget	Unlimited within Directorate budget
If a legal documents signed under the Kirklees seal will be subject to legal services consideration.					Signature Direct legal to attest the seal	Signature Direct legal to attest the seal
To approve the Service's list of contractors or consultants for the delivery of services, making appropriate additions and deletions where necessary in line the Council's CPR and FPR rules		Approved by	Approved by			
Approval of any Service level policies and procedures			Approved by			
Approving disciplinary action against staff including dismissal				Approved by	Approved by	Approved by
Approval of the service establishment and structure					Approved by	Approved by
Authorisation of officers (or approved subcontractors) possessing such qualifications as may be required by law or in accordance with the council's policy, to take samples, carry out inspection, enter premises and generally perform the function of a duly authorised officer of the council and to issue any necessary certificates of authority.			Approved by			
To appoint staff within the approved establishment in accordance with the council's Recruitment and Selection Procedure		Approved by	Approved by	Approved by		

Homes and Neighbourhoods

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
Approval of the Services financial and business plans					Prepared By	Approved by
Provision of Statutory Returns as necessary with the Service Director's remit.		Approved by	Approved by	Approved by		
Business Assurance						
Submission of regulatory returns to the Regulator for Social Housing		Prepared by			Approved by	
Authorisation of any non statutory notice to the RSH				Prepared by	Prepared by	Approved by
Neighbourhoods						
Authorisation of annual rent setting letter (Following Authorisation of the rent increase by Cabinet)			Prep by		Approved by	
Issuing of an individual Tenancy Agreement in line with the Allocations Policy	Approved by					
Authorisation of the granting of any tenancy to an employee of the authority					Approved by	
Notice of Seeking Position / Notice of Possession Proceedings or any change to a tenancy agreement (eg demotion) in line with Allocation's Policy		Approved by	Approved by			
Issue a Notice to Quit on abandoned properties in conjunction with Legal Services			Approved by			
Introductory Tenancies – Notice of possession proceedings				Approved by		

Homes and Neighbourhoods

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
To authorise action in relation to the contravention of a condition of a tenancy, in line with Tenancy agreement and Allocations Policy		Approved by				
Set up and administer Direct Debits	Approved by					
Leaseholder Service charging, notification of raising of charges				Finance Approved by		
Invoking policies to allow permission to be granted to keep pets, allocate disturbance allowance and decoration allowance.		Approved by				
Granting permission for emergency access to a property		Approved by				
Issuing an instruction for Safer Kirklees to undertake ASB investigation and issue notices pertaining to cases		Approved by				
Authorise action to be taken for arrears recovery		Approved by				
Writing off of rent and re-charge arrears					Approved by	
Issue an instruction for a RTB case to proceed to Legal Services for evaluation and authorisation.		Approved by				

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
Assets						
To prepare bids on behalf of the Authority for national or regional resources to support the delivery of housing in the borough and undertake scheme viability analysis			Approved by			
To prepare planning applications for developments in the borough			Approved by			
Approval of the purchase of properties through the authorities buy back scheme			Approved by			
Approval of development scheme design and specification			Approved by			
Appointment of contractors for development programmes			Approved by			
Approve Adhoc permissions requests by tenants to make changes to property, e.g. shed construction, conservatories, kitchen/bathroom changes, erection of aerials/satellite dish.		Approved by				
Provide all records for a Disrepair Claim within 30 days to legal services	Approved by					
Partnerships						
Set and monitor the Services complaints policy and procedures including any compensation scheme and authorise payments from the same			Approved by			
Respond to Housing Ombudsman requests for information and restorative recommendations			Approved by			

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
Property Services						
To approve the services list of contractors or consultants for the delivery of services, and the management of supply chain of goods and services, making appropriate additions and deletions where necessary within the council's FPR and CPR rules.		Approved by				
Prepare planning applications as lead contractors for schools where required.		Approved by				
Approval of development scheme design and specification including ensuring CDM requirements are in place and fit for purpose		Approved by	Approved by			
Issue Gas and Electrical Safety certificates for all properties	Approved by					
Instruct legal services to proceed to obtain property access where necessary to conduct safety checks			Approved by			
Compliance						
Responsibility for discharging Compliance policies			X To be updated	X To be updated	X To be updated.	
Health & Safety						
To be responsible for legal requirements under the Health & Safety at Work Act:- a) To implement Authorities approved H & S Policies b) To ensure these policies are communicated and adhered to throughout the service. c) To allocate financial resources to enable the service to meet its Health & Safety obligations					Approved by	

Responsibility	Officer C	Officer B	Officer A	Head of Service	Service Director	Strategic Director
Approval of this scheme of delegation						Approved by

Key to authorised officers

***Note Officer A and above are able to delegate specific responsibilities provided they are documented and attached to this schedule.**

Officer A – General or Service Manager G13 or above*

Officer B – Officer G10 to G12 including Team Leader

Officer C – Officer G5 to Grade 9

General principles: That any more senior officer can take the decision in the absence of a junior officer.