

Executive Director for Communities, Communities, Adults & Health Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

General Provisions

Article 7 (Officers) of the [Constitution](#) details officers designated as Chief Officers and Statutory Officers. Article 7 sets out specific high-level functions and responsibilities of Chief Officers (section 7.3).

Part 2G sets out functions not to be the responsibility of the Executive – this details that certain functions must be undertaken by a committee or a council officer.

Part 4J is a Protocol for Recording Decisions made by Officers and details which type of decisions must be recorded. It also states that the Chief Officer's Scheme of Delegation will indicate whether a Delegated Powers Report (DPR) or an Officer Decision is required. Section 3 states:

“Chief Officers have the following delegated powers in respect of all matters which are not key decisions and not reserved for decision by the Council, Cabinet or by a Committee of the Council

a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary. They should also comply with (b) and (c) below. The sum expended must be within the approved budget for the Department and/or relevant portfolio, and the amount in relation to any single matter must not exceed £214,905.

b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100K.

c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 4 of the Constitution.

3.2 Where appropriate the Head of Paid Service may exercise any function delegated to any other officer, e.g., in case of absence.

3.3 Where a Chief Officer believes that a matter that is within their delegated authority is significant or sensitive they have the discretion to refer it to Members for decision.”

Whilst actions and decisions taken using authority delegated by a Chief Officer will be taken in the name of the individual officer with delegated authority, the Chief Officer is accountable for ensuring that decisions taken are lawful and in accordance with the

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Constitution. The Chief Officer should monitor the effectiveness of decisions taken under delegated powers, including ensuring that officers are appropriately skilled to exercise those powers.

Scheme of Financial Delegation

Chief Officers are required to ensure that all staff are aware of the Financial Regulations as required by Section 151 of the Local Government Act 1972, and to maintain a scheme of financial delegation. The scheme of financial delegation will define the authorisation limits in respect of ordering goods, services and works. The scheme of financial delegation applies to all officers within the Council, as well as joint employees of the Council, and is attached as an appendix to this document.

The Executive Director of Communities, Adults & Health is also responsible for ensuring that strategic partners and contractors who incur expenditure on behalf of the Council have appropriate schemes of financial authorisation in place. The schemes of financial authorisation should clearly define the limits that employees can approve expenditure for managed budgets, as specified in the contract. The scheme of financial authorisation for Your Choice Barnet (part of the Barnet Group Ltd) is attached as an appendix to the scheme of financial delegation.

Schemes of financial authorisation should be maintained by the strategic partners/contractors and approved by the Executive Director for Communities, Adults & Health on an on-going basis.

Director of Adult Adult Social Services

The Executive Director for Communities, Adults & Health is the Director of Adult Adult Social Services (DASS) who has responsibility under statutory guidance issued under section 7(1) of the Local Authority Social Services Act 1970 . The responsibilities of the DASS under this guidance include:

1. Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services
2. Professional leadership, including workforce planning
3. Leading the implementation of standards
4. Managing cultural change
5. Promoting local access and ownership and driving partnership working

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6. Delivering an integrated whole systems approach to supporting communities
7. Promoting social inclusion and wellbeing

(The full guidance is available on the Department of Health website: “Guidance on the statutory chief officer post of the Director of Adult Social Services”, May 2006)

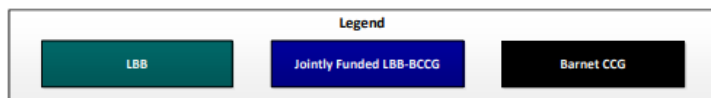
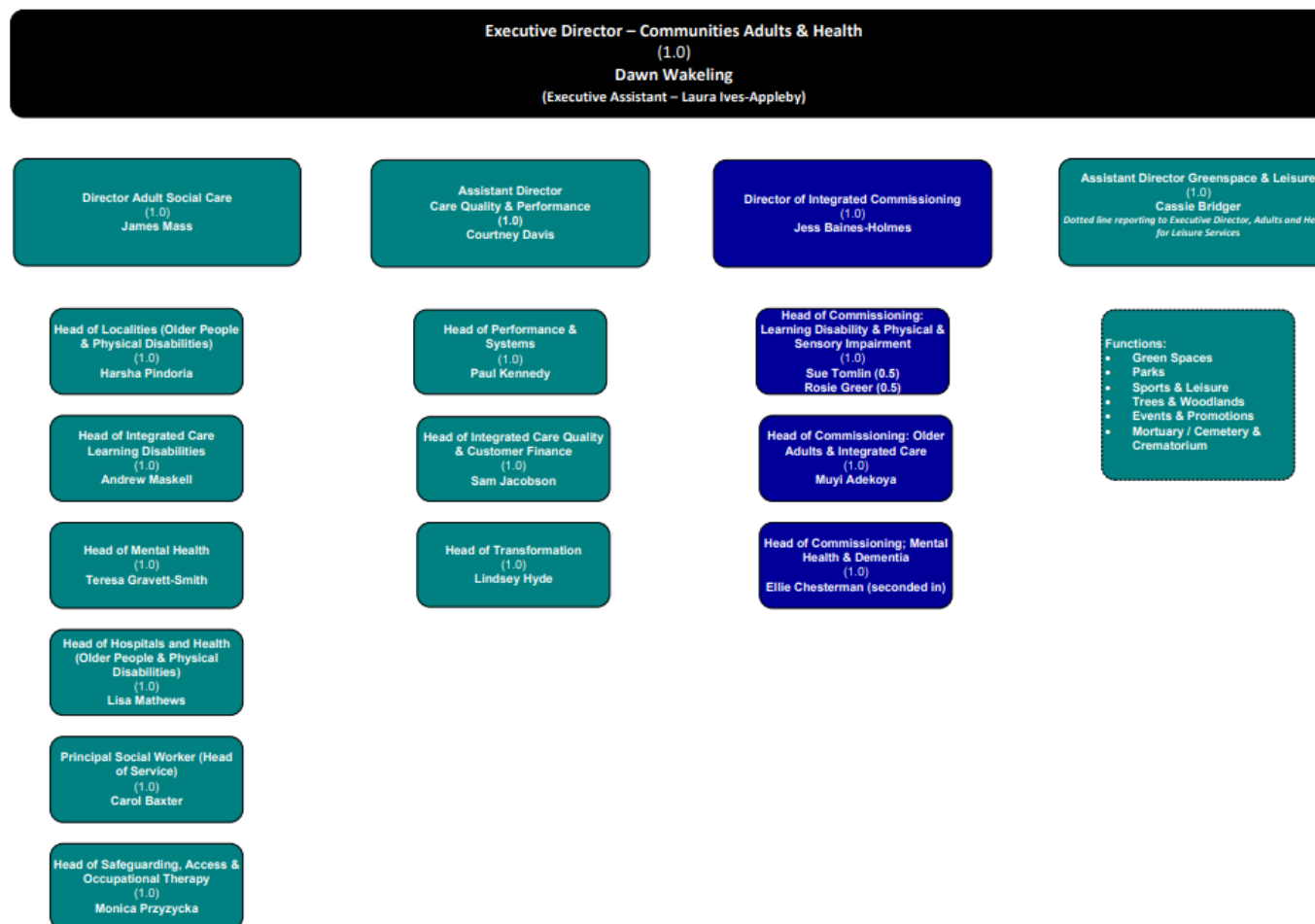
The Executive Director for Communities, Adults and Health also has responsibility for the leadership, strategy and direction of council functions in relation to: leisure; sport; physical activity; trees and woodland management; parks and open spaces; cemeteries and crematoria.

Review of Schemes of Delegation

Schemes of Delegation must be reviewed on annual basis. Chief Officers are responsible for reviewing and signing off their Scheme of Delegation. Where legislation is cited it is deemed to include the subsequent legislation and amendments to legislation. However, HB Public Law should be engaged in the annual review of the schemes to ensure that the scheme is updated as quickly as possible after any change in legislation. Following sign-off and publication to the website, Chief Officers are responsible to communicate the new schemes to services, external delivery partners and all other relevant parties.

If any urgent changes need to be made before the scheduled annual review (i.e. updates to legislation or constitutional changes which impact on the scheme) then schemes should be updated on an ad hoc basis (with HB Public Law engaged as appropriate) and published.

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Communities Adults and Health
Structure Chart
July 2023

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	Officer with Delegated Authority (to lowest relevant level)							Recording of Delegated Powers	
	Cabinet / Cabinet Member	Executive Director Adults, Communities and Health	Director	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	Recording of Decision
PROCUREMENT									
Decisions must be made in accordance with the delegated authority limits below and the provisions of the Contract Procedure Rules (Part 4B) and Land and Property Transaction Authorisation and Delegated Powers (Part 4B1): Agenda for Constitution on Tuesday 11th July, 2023 (moderngov.co.uk)									
Authorisation to commence a procurement process under £25,000		✓	✓	✓	✓	✓	✓	Procurement method and recording requirements as set out in Contract Procedure Rules	
Authorisation to commence a procurement process £25,000 - £60,000		✓	✓	✓	✓			Procurement method and recording requirements as set out in Contract Procedure Rules	
Authorisation to commence a procurement process £60,001 - £90,000		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules	
Authorisation to commence a procurement process £90,001 - £214,904		✓	✓						
Authorisation to commence a procurement process £214,905 - £500,000	Cabinet Member ✓ (or Procurement Forward Plan)							Portfolio Holder DPR or Procurement Forward Plan	

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Authorisation to commence a procurement process £500,000 and above	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Authorisation is via: Cabinet Report; or Procurement Forward Plan
Acceptance process below £25,000		✓	✓	✓	✓	✓	✓	Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £25,000 - £60,000		✓	✓	✓	✓			Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £60,001 - £90,000		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £90,001 - £214,904		✓	✓					Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £214,904- £500,000		✓	✓					Officer DPR
Acceptance process £500,000 and above if within budget		✓	✓					Officer decision only when within approved budget. If not within budget, Cabinet report required. Officer DPR
Variation or extension acceptance for contract value below £25,000		✓	✓	✓	✓	✓	✓	Procurement method and recording requirements as set out in Contract Procedure Rules
Variation or extension £25,001 - £214,904		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Variation or extension £214,905 - £500,000	✓ (If not within budget)	✓ (If within budget)	✓ (If within budget)	N/A	N/A	N/A	N/A	IF within budget, Officer DPR If not within budget, Portfolio Holder DPR

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Variation or extension acceptance £500,000 and above		✓	✓					<p>Officer decision only when witing approved budget. If not within budget, Cabinet report required.</p> <p>Officer DPR</p>
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***Authority is also delegated to the Assistant Director Commercial and Procurement (as the Service Lead for Procurement) and Assistant Director Finance**

Assistant Director of Commercial and Procurement - As per the Contract Procedure Rules this post holder has authority to approve a single tender action and the award of a contract. They may also waive the requirement to seek two written quotes under the OJEU threshold. These powers are delegated to the Deputy Chief Executive in the absence of the Assistant Director of Commercial and Procurement.

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HUMAN RESOURCES – all delegated powers to be exercised in accordance with the Council’s Human Resources Policies and Part 4C (HR Regulations) in the Constitution									
	Cabinet / Cabinet Member	Executive Director	Director	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	Recording of Decision
Agree advertisement and appointments to vacant posts at the same level or lower than the delegated officer (subject to the approval of Employment Sub-Committee in the case of Assistant Director and Director level or above posts)	N/A	✓	✓	✓	✓	✓	✓	HR Regulations Section 3.1.2 – No vacant posts at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by committee decision (Employment Sub-Committee) and not by delegated powers.	N/A
Officers to undertake arrangements and participate in recruitment selection panels	N/A	✓	✓	✓	✓	✓	✓	Officer to be 1 level above being recruited to	N/A
Recruitment selection decision for Assistant	N/A	✓	✓					N/A	N/A

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Directors and Head of Service									
New starters paperwork to be reviewed including pre-employee checks for official sign off	N/A	✓	✓	✓	✓	✓	✓	HR form/ Letter/Core HR	N/A
Changes to location / position of roles (and/or individuals) advised in writing to HR. For post within the directorate only and limited to posts below the notifying officers level	N/A	✓	✓	✓	✓	✓	✓	HR letter	N/A
Authorise loans and payments in advance to employees	N/A	✓	✓	✓				HR form/ Letter/Core HR	N/A
Recruitment or Retention Payments in accordance with Recruitment and retention payments policy	N/A	✓	✓ includes Assistant Director Human Resources and OD					CMT/ Employment Sub-Committee	N/A
Authorise salary change and accelerated pay progression (excluding national and annual increments and restructures) movement through the range and above where appropriate via pay policy	N/A	✓	✓	✓				HR form/ Letter/Core HR	N/A
Authorise overtime payments to Grade G	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A

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Authorise overtime payments above Grade G	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/ Core HR	N/A
Authorise car allowance claims	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Authorise season ticket loans	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise acting up allowances	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Sick absence return to work meeting	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise annual leave / flexi leave / TOIL	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise annual leave carry over within policy	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise special leave – unpaid	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise special leave – paid	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Authorise time off/ facilities for Trade Union officials (internal)	N/A	✓	✓	✓				N/A	N/A
Notification of leaver to HR	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Termination of agency employee contract	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Disciplinary or capability action up to and including final written warning	N/A	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A

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Hear appeal against dismissal and other disciplinary action as appropriate	N/A	✓	✓						
Dismissal	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Issuance of at risk and notice of redundancy letters in relation to major restructures and situations where TUPE would apply for 20 or more employees	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/ Core HR	N/A
Sign off establishment list changes within financial envelope	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/ Core HR	N/A
To make recruitment and appointment decisions (not for same level or above)	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	No
Change in designation of a post within the organisation structure without change in grade	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/ Core HR	Audit trial
Agree settlement/instruct lawyers to defend Employment Tribunal	N/A	✓	✓ includes Assistant Director Human Resources and OD and the Monitoring Officer					N/A	N/A

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Reporting Industrial injury in compliance with RIDDOR	N/A	✓	✓	✓ includes Head of Safety & Health at Work				N/A	N/A
Disclosure and Barring Service / Border agency / HMRC statutory bodies enquiries	N/A	✓	✓					N/A	N/A
Consultants: check status and compliance	N/A	✓	✓	✓				N/A	N/A
Agency worker deployment including placement of order and recruitment selection	N/A	✓	✓	✓				N/A	N/A
Finance and Business Planning – authorise change at end of Finance and Business Planning consultation	N/A	✓	✓					Incorporate into business planning report to P&R and Full Council	Yes
Service restructures - opening of service consultation	N/A	✓	✓	includes Assistant Director Human Resources and OD				N/A	Yes
Service restructures – authorisation (less than 20 officers)	N/A	✓	✓	includes Assistant Director Human Resources and OD				N/A	Yes
TUPE in and out (less than 20 officers)	N/A	✓	✓	includes Assistant Director Human				N/A	Yes

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			Resources and OD						
Authorise ad hoc Voluntary Redundancy, Compulsory Redundancy, Early Retirement, severance in line with Management Of Change and <100k including pension strain	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/HR Core Severance packages over £100K require Council approval	N/A
Redundancy and payment authorisation after consultation	N/A	✓	✓ includes Assistant Director Human Resources and OD					N/A	N/A
Write off monies owed by employees	N/A	✓	✓					HR form/ Letter/Core HR	N/A
UK Border Agency - Licence under the Home Office Certificate of Sponsorship Scheme (to take decisions on behalf of the Council as required)	N/A	✓	✓ includes Assistant Director Human Resources and OD					N/A	N/A
Authorisation of payroll – scheduled and adhoc payments	N/A	✓	✓ includes Assistant Director Human Resources and OD					N/A	N/A
Pensions discretions as defined and agreed	N/A	✓	✓ includes Assistant					N/A	N/A

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by the Pensions Fund Committee			Director Human Resources and OD						
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Decision/Power	Officer with Delegated Authority (to lowest relevant level)						Other requirements	Recording of Decision (DPR / Officer Decision)
	Chief Officer / Executive Director	Director	Assistant Director	Head of Service	Service Manager	Team Manager/ Team Leader		
HUMAN RESOURCES – all delegated powers to be exercised in accordance with the Council’s Human Resources Policy and Section 10 and 18 of the Constitution.								
Agree advertisement and appointments to vacant posts at the same level or lower than the delegated officer (with the exception of Assistant Director and Director level posts that require Employment Sub-Committee approval)	✓	✓	✓	✓	✓	✓	No vacant posts at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by committee decision (Employment Sub-Committee) and not by delegated powers.	N/A

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Officers to undertake arrangements and participate in recruitment selection panels	✓	✓	✓	✓	✓	✓	Officer to be 1 level above being recruited to	N/A
Recruitment selection decision for Assistant Directors, Public Health Consultants, Strategic Leads, Commissioning Leads and Head of Service	✓	✓				N/A	N/A	
New starters paperwork to be reviewed including pre-employee checks for official sign off	✓	✓	✓	✓	✓	✓	HR form/ Letter/Core HR	N/A
Changes to location / position of roles (and/or individuals) advised in writing to HR. For post within the directorate only and limited to posts below the notifying officers level	✓	✓	✓	✓	✓	✓	HR letter	N/A
Authorise loans and payments in advance to employees	✓	✓	✓	✓			HR form/ Letter/Core HR	N/A
Recruitment and Retention allowances in accordance with policy	✓	✓	✓				CMT	N/A
Authorise salary change and accelerated pay progression (excluding national and annual increments and restructures) movement through the range and above where appropriate via pay policy	✓	✓	✓	✓			HR form/ Letter/Core HR	N/A
Authorise overtime payments to Grade G	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise overtime payments above Grade G	✓	✓	✓ (may be required in some areas)	✓ (may be required in some areas)			HR form/ Letter/ Core HR	N/A
Authorise car allowance claims	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A
Authorise season ticket loans	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A

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Authorise acting up allowances (internal)	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A
Sick absence return to work meeting	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise annual leave / flexi leave / TOIL	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise annual leave carry over within policy	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise special leave – unpaid	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise special leave – paid	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A
Authorise time off/ facilities for Trade Union officials in agreement with the HR Director	✓	✓	✓	✓			N/A	N/A
Notification of leaver to HR	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Termination of agency employee contract	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Disciplinary or capability action up to and including final written warning	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Hear appeal against dismissal and other disciplinary action as appropriate	✓	✓	✓	✓				
Dismissal	✓	✓					HR form/ Letter/ Core HR	N/A
Issuance of at risk and notice of redundancy letters in relation to major restructures and situations where TUPE would apply for 20 or more employees	✓	✓	✓				HR form/ Letter/ Core HR	N/A

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To make recruitment and appointment decisions (not for same level or above)	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Sign off establishment changes within financial envelope / existing budget	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Change in designation of a post within the organisation structure without change in grade	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A
Agree settlement/instruct lawyers to defend Employment Tribunal	✓	✓					N/A	N/A
Reporting Industrial injury in compliance with RIDDOR	✓	✓					N/A	N/A
Disclosure and Barring Service / Border agency / HMRC statutory bodies enquiries	✓	✓					N/A	N/A
Consultants: check status and compliance	✓	✓	✓	✓			N/A	N/A
Agency worker deployment including placement of order and recruitment selection	✓	✓	✓	✓	✓	✓	N/A	N/A
Finance and Business Planning – authorise change at end of Finance and Business Planning consultation	✓	✓					Incorporate into business planning report to Cabinet and full council	No
Service restructures - opening of service consultation	✓	✓						Yes
Service restructures – authorisation (less than 20 officers)	✓	✓					N/A	COD
TUPE in and out (less than 20 officers)	✓	✓						Yes
Authorise ad hoc Voluntary Redundancy, Compulsory Redundancy, Early Retirement, severance in line with Management Of Change and <100k	✓	✓	✓				HR form/ Letter/HR Core	N/A
Redundancy and payment authorisation after consultation	✓	✓					N/A	N/A

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Write off monies owed by employees	✓	✓					HR form/ Letter/Core HR	N/A
UK Border Agency - Licence under the Home Office Certificate of Sponsorship Scheme (to take decisions on behalf of the Council as required)	✓	✓					N/A	N/A
Authorisation of payroll – scheduled and adhoc payments	✓	✓	✓					
Pensions discretions as defined and agreed by the Pensions Fund Committee	✓	✓					N/A	N/A

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FINANCE									
Approve changes to fees and charges within the Communities, Adults and Health Directorate annually where the change is broadly in line with inflation	✓	✓						N/A	DPR
<ul style="list-style-type: none"> - Manage the Communities, Communities, Adults & Health Directorate within the budget set by the council - Ensure that any expenditure incurred within their service is in accordance with both the purpose and objectives of the services being provided and provides value for money - Ensure that their revenue cost centre managers do not enter into commitments before satisfying themselves there is sufficient approved budget provision - Notify the Section 151 Officer of forecast revenue budget or capital project overspends - Submit proposals to the Section 151 Officer for offsetting any forecast revenue overspend - Notify the Section 151 Officer of all revenue underspend, over-recovery of income or windfall benefits arising within their revenue budgets - Ensure that their capital project managers do not enter into commitments before satisfying themselves there is sufficient approved budget provision - Notify the Section 151 Officer of all underspend, over-recovery of income or windfall benefits arising within their revenue and capital budgets - Submit accurate forecasts to the finance function in line with the monitoring timetable set out by the finance function 	✓	✓						N/A	N/A

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<ul style="list-style-type: none"> - Notify the Section 151 Officer if there is the possibility of expenditure slipping past a funding deadline - Explore all feasible options that maximise external funding available to the Council within the Communities, Communities, Adults & Health Directorate - Provide the Section 151 Officer with details of all bids for external funding within the Communities, Communities, Adults & Health Directorate - Advise the Section 151 Officer of all grant and subsidy notifications as soon as they are received - Ensure that all external funding is received from the paying body and, wherever possible, received ahead of the planned expenditure - Ensure that all conditions associated with external funding are met and that information and evidence required to complete grant and subsidy claims are provided on time - Ensure compliance with all requirements for the audit of external funding where applicable 	✓	✓					N/A	N/A
<ul style="list-style-type: none"> - Communicate forecast overspends on approved capital projects to the Section 151 Officer immediately and submit options to the Section 151 Officer for offsetting the forecast overspend 	✓	✓						
<p>Ensure all adequate financial controls are in place before entering into a partnership with another organisation that involves pooling some of the Council's budgets. A financial risk assessment must also be prepared and monitored over time</p>	✓	✓					N/A	N/A
<p>Ensure that the Communities, Adults & Health Directorate adheres to the timetable and</p>	✓	✓					N/A	N/A

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requirements set out by the Section 151 Officer for the closing of accounts, and provide any information and evidence required in relation to this								
Ensure that staff in Communities, Adults & Health Directorate who use the Procurement Cards adhere to the requirements of the LBB Purchasing Card (PCard) Guide and Terms and Conditions	✓	✓					N/A	N/A
Ensure the proper security of all buildings, stocks, furniture, equipment and cash etc. within their service	✓	✓					N/A	N/A
Notify the Section 151 Officer immediately of all new areas of risk and of any change of circumstances likely to affect existing insurance risks within Communities, Adults & Health Services	✓	✓					N/A	N/A
Agree financial settlement where recommended by the Ombudsman or a court.	✓						N/A	N/A
INFORMATION MANAGEMENT								
Authorisation of final responses and decision on redactions for Freedom of Information (FOI) requests within Communities, Adults & Health Directorate	✓	✓	✓	✓	✓	✓	Statutory requirement to respond within 20 working days	N/A
Approval of responses to Subject Access Requests (SAR) for Communities, Adults and Health	✓	✓	✓	✓	✓	✓	Statutory requirement to respond within 1 month	N/A
Business continuity decisions for Communities, Adults & Health Directorate	✓	✓	✓	✓			N/A	N/A

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LEGISLATION: The transition period for implementation of the Care Act means that some legislation that is to be repealed will continue to have effect where services are provided under those provisions, pending transition to Care Act services / first review and no later than 31 March – includes s21/s29 NAA1948, S2 CSDP act 1970 and carers legislation and charging provisions								
Decision / Power	Officer Responsible	Officer with Delegated Authority (to lowest relevant level)					In Consultation With / Other Requirements	Recording Requirement
		Executive Director / Director	Assistant Director	Head of Service	Service Manager	Team Leader		
National Assistance Act 1948 (c29)								
Sections 21-24 and s27: Provision of residential accommodation for the aged, infirm, needy, etc.	All adult social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to confirmation by relevant panel	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement - subject to confirmation by relevant panel	In MOSAIC
Sections 29 & 30: Welfare of persons who are blind, deaf, dumb or otherwise handicapped or are suffering from mental disorder; use of voluntary organisations for administration of welfare schemes	All adult social care social care workers staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Section 45: Recovery of costs in cases of misrepresentation or non-disclosure	Assessment & Income staff	✓	✓	✓	✓	✓	Team leader & Service Manager	In MOSAIC and Integra

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Agreed reduced charges for services		✓	✓				None	In MOSAIC
Section 48: Temporary protection of property belonging to persons in hospital or accommodation provided under Part III of the Act	Protection of Property Officer	✓	✓				None	In Protection of Property Officer's Records
Section 49: Defraying expenses of local authority officer applying for appointment by the Court of Protection as a deputy for certain patients.	Court of Protection Deputy Officer						Team Manager	In Court of Protection Deputy Officers' Records
Mental Health Act 1959								
Mental Health Act 1959 (c72) [section 8]: Welfare and accommodation of mentally disordered offenders.	All mental health social workers/social care workers including NHS staff working in any services subject to a S75 NHS Act 2006 agreement.	✓	✓	✓	✓		Team Managers, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	BEH MH Trust records
Health Services and Public Health Act 1968 (c. 46)								
Section 65 – Financial and other assistance to voluntary organisations	Communities, Adults and Health Managers	✓	✓	✓	✓		Assistant Directors	In MOSAIC and on Integra
Chronically sick and Disabled Persons Act 1970 (c44)								
Section 1 – Obtaining information as to need for, and publishing	Communities, Adults and	✓	✓	✓	✓	✓	Service Managers	Various – JSNA, HWB strategy,

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information as to existence of, certain welfare services.	Health Managers in conjunction with communications staff and public health staff							market position statement, MOSAIC & in Commissioning Strategies
Section 2 – Provision of certain welfare services	All social care workers staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Section 18 Provision of certain information required by the Secretary of State	Performance staff	✓	✓	✓	✓	✓	Assistant Directors	In statutory returns
Local Authority Social Services Act 1970 (c.42)								
Section 6 – Appointment of director of social services	Chief Executive						Remuneration Committee	Appointments Panel records
Section 7B – Provision and conduct of complaints procedure	Executive Director Communities, Adults & Health	✓						In Complaints files
Mental Health Act 1983 (c20)								
Parts II, III and VI – Welfare of the mentally disordered	All Social workers & Social Care, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	Mosaic and BEHMH Trust systems
Parts II, s7 guardianship of persons suffering from mental disorder	Executive Director						Head of Integrated Care Learning	BEHMH Trust systems

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	Communities, Adults & Health						Disabilities / Mental Health	
Parts II, s29 exercise of functions of nearest relative of person so suffering	Approved Mental Health Professionals						Approved Mental Health Professional supervisors	BEHMH Trust systems
Sections 66, 67, 69 (1) – Exercise of functions of nearest relative in relation to applications and references to the First-tier Tribunal	Approved Mental Health Professionals						Approved Mental Health Professional supervisors	BEHMH Trust systems
Section 114 - Appointment of Approved Mental Health Professionals	Assistant Director from Adult Social Care	✓	✓				Head of MH/LD	HR files
Section 115 – Entry and inspection	Approved Mental Health Professionals						Approved Mental Health Professional supervisors/Legal department	BEHMH Trust systems
Section 117 – After-care of detained patients	All MH social care workers including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	BEHMH Trust systems
Mental Capacity Act 2005								
Sections 4, 4A 4B, s15, s16 and s21A Schedule A1 Act		✓	✓				Audit trail, Best	In MOSAIC
Health & Social Services and Social Security Adjudications Act 1983								
Health & Social Services and Social Security Adjudications Act 1983 (c41) Section 17, so far as relating to services provided under the enactments mentioned in	Assessment & Income staff	✓	✓	✓	✓	✓	Team Manager & Service Manager	In MOSAIC & INTEGRA

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subsection (2) (a) to (c) – Charges for local authority welfare services								
National Health Service and Community Care Act 1990 (c19)								
Section 47 – Assessment of needs for community care services	All social care workers staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Carers and Disabled Children Act 2000 (c16)								
Assessment of carers' needs	All social care workers staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Provision of services to carers	All social care workers staff and relevant administrative staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Provision of vouchers	All social care workers staff and relevant administrative staff, including	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to	In MOSAIC

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	NHS staff working in any services subject to a S75 NHS Act 2006 agreement						a S75 NHS Act 2006 agreement	
Health and Social Care Act 2001								
Functions in relation to the provision of residential accommodation	All social care workers and related admin staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Sections 57-58 - Making of direct payments to person in respect of his securing provision of community care services or services to carers	All social care workers and related admin staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC
Community Care (Delayed Discharges etc.) Act 2003								
Community Care (Delayed Discharges etc) Act 2003 – Parts 1 & 2 – Functions relating to hospital patients likely to need community care services to be made available in order to be discharged safely.	All social care workers staff, including NHS staff working in any services subject to a S75 NHS Act 2006 agreement	✓	✓	✓	✓	✓	Team leaders, including NHS employees working in any services subject to a S75 NHS Act 2006 agreement	In MOSAIC

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Health and Social Care (Community Health and Standards) Act 2003	Complaints and Representation Lead						Service Managers	In Complaints files
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NHS Act 2006								
S75- Entering into extending and varying prescribed arrangements with the NHS in relation to the exercise of– (a) prescribed functions of the NHS bodies, and (b) prescribed health-related functions of the local authorities.	Executive Director Communities, Adults & Health							
S76 - Payments to a CCG or NHS England towards expenditure incurred or to be incurred by the body in connection with the performance by it of prescribed functions.	Executive Director Communities, Adults & Health	✓					Committee	

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CARE ACT 2014								
Strategic								
S2 Preventing needs for care/support	All social care staff	✓	✓	✓	✓	✓		
S3 Promoting Integration of care and support with health services etc.	Executive Director Communities, Adults & Health, Communities, Adults and Health leadership group	✓	✓	✓				
S5 Promoting diversity and quality in provision of services.	All social care staff	✓	✓	✓	✓	✓		
S6 Co-operating generally with relevant partners and appropriate persons in the exercise of their respective functions relating to (a) adults with needs for care and support and (b) carers	Executive Director Communities, Adults & Health, Communities, Adults and Health leadership group	✓	✓	✓				
S13 Eligibility criteria applied to an adults needs for care and support or a carers needs for support.	All social care staff	✓	✓	✓	✓	✓		
S14 Charging for meeting care and support needs,	Executive Director Communities, Adults & Health, Director Adult Social Care,	✓	✓	✓	✓	✓		

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	Assistant Director Community & Performance							
S47: Protecting property of adults being cared for away from home	Director Community & Performance Head of Care & Customer Finance	✓	✓					
General								
S1 Promoting wellbeing when carrying out care and support functions in respect of an individual.	All social care staff	✓	✓	✓	✓	✓		
S4 Providing information and advice relating to care and support for adults and support for carers.	All social care staff			✓	✓	✓		
S7 Co-operating in specific cases where an incompatibility with duties or an adverse effect on exercising functions arises	All social care staff	✓	✓	✓	✓	✓		
S8 Meeting (a) adults needs for care and support and (b) carers needs for support	All social care staff	✓	✓	✓	✓	✓		
S9-12 Assessing (a) adults needs for care and support and (b) carers needs for support	All adult social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to	✓	✓	✓	✓	✓		

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	confirmation by relevant panel							
S17 Assessment of financial resources.	All social care staff	✓	✓	✓	✓	✓		
S18-23 Duties/powers to meet (a) adults needs for care and support and (b) carers needs for support	All adult social care social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to confirmation by relevant panel	✓	✓	✓	✓	✓		
S24-30 Steps following needs or carers assessments including care and support planning and personal budgets	All adult social care social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to confirmation by relevant panel	✓	✓	✓	✓	✓		
S31-33 Direct payments	Finance and all social care staff	✓	✓	✓	✓	✓		
S34-36 Deferred payment agreements	Finance and all social care staff	✓	✓	✓	✓	✓		
S37-38 Continuity of care and support when an adult moves	All social care staff	✓	✓	✓	✓	✓		

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S39-41 Establishing ordinary residence and financial adjustments between local authorities	All social care staff	✓	✓	✓	✓	✓		
S42-47 Safeguarding adults at risk of abuse or neglect	All social care staff	✓	✓	✓	✓	✓		
S58-66 Transition for children to adult care and support.	All adult social care social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to confirmation by relevant panel	✓	✓	✓	✓	✓		
S67-68 Independent advocacy support	All adult social care social care workers (registered and non-registered) including NHS staff working in any services subject to a S75 NHS Act 2006 agreement – subject to confirmation by relevant panel	✓	✓	✓	✓	✓		
Miscellaneous								
S73 provision of regulated care or support etc is a public function	All social care staff	✓	✓	✓	✓	✓		

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S74 Discharge of hospital patients with care and support needs	All social care staff	✓	✓	✓	✓	✓		
S75 After-care under the Mental Health Act 1983	All social care staff	✓	✓	✓	✓	✓		
S76 Prisoners and persons in approved premises etc.	All social care staff	✓	✓	✓	✓	✓		
S77 Registers of sight-impaired adults, disabled adults, etc.	Communities, Adults and Health Leadership Group	✓	✓	✓	✓			
S78 Guidance, etc. acting under guidance of the Secretary of State	All social care staff	✓	✓	✓	✓	✓		
S79 Delegation of local authority functions	Executive Director Communities, Adults & Health						Relevant committee(s)	

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Sport & Physical Activity Decision/Power	Exec Director / Assistant Director	Service Manager	Officer(s)	Other requirements
Delivery of council capital investment programme for leisure. Including but not limited to monitoring, risk, finance and technical assurance.	✓	✓		Technical and cost assurance provided through external third party.
Contract management and performance monitoring of the Councils leisure management contract 2018-2028 as defined.	✓	✓	✓	
Review, approval and instruction of Payments in accordance with the leisure management contract.	✓	✓		
Ability to authorise and implement contract variations and amendments in line with the Councils Corporate Procurement Regulations, ensuring legal	✓	✓		
Responsibility to ensure compliance of asset functions (inc legislative) under the leisure management contract.	✓	✓		
Review and invoke commercial schedules in relation to the Councils Leisure Management Contract	✓	✓		
Review and ensure compliance of operator capital investment programme in accordance with leisure management contract.	✓	✓		
Ensure that all service contracts, commissions and projects have undertaken risk assessments; which are monitored as part of updated risk registers.	✓	✓	✓	
Approval and monitoring of operator facility improvements and enhancements and defined within operator proposal.	✓	✓		
Oversee and discharge functions in respect of Sport England Lottery Funding Agreements.	✓	✓		
Define and oversee the submission of funding applications, where applicable discharge conditions.		✓	✓	

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High level/strategic engagement with Planning and Regeneration relative to local, regional and national development frameworks	✓	✓		
Development, review and updating of Fit and Active Barnet Framework and Indoor Sport and Recreation Strategy.		✓	✓	
Engagement with local communities, the voluntary sector and other key partners relative to their involvement in and support of the Fit & Active Barnet Framework.		✓	✓	
Development and implementation of Fit & Active Barnet campaign: to include events programmes, sponsorship and activities.		✓	✓	
Management, delivery and review of service functions including but not limited to London Youth Games, Barnet Health Walks.		✓	✓	
Ensure that budget management (including capital programme) takes place with monthly budget monitoring and reporting. Addressing budget variances and agreeing virements where necessary	✓	✓		
Authority to undertake recruitment and employment processes in accordance with Council HR procedures.	✓			
Approval for any capital projects/expenditure over £500k	✓			
Approval for any capital projects/expenditure under £500k	✓			
Development and implementation of booking of sports activities; including but not limited to lettings within parks and open spaces and other facilities within the remit of the service.		✓	✓	

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Greenspace Development Decision/Power	Tier 1 Director/ Assistant Director	Tier 2 Service Manager	Tier 3 Manager	Other requirements	DPR/ COD
Maintain an oversight of environmental standards of parks and open spaces	✓				
Ensure compliance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012 for all trees within the borough that are the responsibility of LB Barnet.		✓	✓		
Ensure all bylaws made by the council of the London Borough of Barnet under the London Local Authorities Acts (various), section 164 of the Public Health Act 1875. Sections 12 and 15 of the Open Spaces Act 1906, and Section 15 of the Open Spaces Act 1906 with regard to public walks, pleasure grounds or open spaces are adhered to.		✓	✓		
Define and oversee the delivery of the strategic framework for the future development, improvement and maintenance of Barnet's parks and open spaces through the implementation and updating of the Council's Parks and Open Spaces, Playing Pitch and Tree Strategies.	✓				
Definition and ensuring the delivery of the standards to be maintained in the Council's parks and open spaces	✓				
Definition and ensuring the delivery of the standards to be maintained with regard to trees that are the responsibility of the Council	✓				
Determination of the relative values of and priorities for investment in sites by application of the value/condition matrix and other analytical techniques	✓				
High level/strategic engagement with Planning and Regeneration relative to local, regional and national development frameworks	✓				
Development, review and updating of individual site master/management plans within the context of the Parks and Open Spaces, Playing Pitch and Tree Strategies		✓	✓		
Engagement with local communities, the voluntary sector and other key partners (eg Sport/Physical Activity, Health, Community Safety) relative to their involvement in and support for the development and maintenance of the Parks and Open Spaces, Playing Pitch and Tree Strategies		✓	✓		

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Development and implementation of marketing plans and activities for parks and open spaces: to include events, programmes, sponsorship and the letting of concessions		✓	✓		
Implementation of an events and promotions programme within the facilities / areas defined within the remit of the service		✓	✓		
Authority to approve service commissions and contracts as outlined by the council's corporate procurement rules.	✓	✓			
Responsibility for risk management including updating risk registers, within greenspaces development and trees and woodlands management.	✓	✓	✓		
Authority to act as the principal contract management officer in relation to service contracts, exercising performance management and monitoring functions.	✓	✓	✓		
Responsible for the budgets delegated to them to deliver the service in line with the priorities contained in the Corporate Plan	✓	✓	✓		
Ensure that budget management (including capital programme) takes place with monthly budget monitoring and reporting. Addressing budget variances and agreeing virements where necessary	✓	✓			
Authority to undertake recruitment and employment processes in accordance with Council HR procedures.	✓				
Approval for any capital projects/expenditure over £500k	✓				
Approval for any capital projects/expenditure up to £500k	✓				
All external funding bids must be approved by the Chief Finance Officer with all relevant details of the bid	✓				
In relation to greenspaces functions and Trees and Woodlands management contracts, Authority to:- Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation	✓	✓			

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LB Barnet Scheme of Financial Delegation – Executive Director Adults, Communities & Health

	Purchasing		Debt
Role	Authorising Supplies and Service Order and Invoices	Purchase Cards	Bad Debt Write off
Cabinet Approval	Approval in accordance with the Constitution	New Purchase Cards must be approved by the Head of Service: Exchequer (or above) and the Senior Business Partner for Procurement (or above). As Budget Managers will have approved the business case for the allocation of a card to a member of staff within their service, Budget Managers are responsible for the spend on p-cards.	Individual debts over £5K
Chief Executive AND Deputy Chief Executive or S151 Officer	Over £10,000,000		Individual debts under £5K approved via Chief Officer DPR.
Two Chief Officers	£1,000,001 to £9,999,999		
Director	£500,001 to £1,000,000		
Assistant Director	£214,905 to £500,000		
Head of Service	£214,904		
Team Manager	£25,000		

Virement Rules

Amendments to the revenue budget can only be made with approval as per the scheme of virement table below:

Virements for allocation from contingency for amounts up to and including £250,000 must be approved by the Chief Finance Officer
Virements for allocation from contingency for amounts over £250,000 must be approved by Cabinet
Virements within a service in a Directorate that do not alter the approved bottom line are approved by the Service Director of that Directorate.
Virements between services within the same Directorate (excluding contingency allocations) must be approved by the relevant Chief Officer of that Directorate.
Virements between different Directorates (excluding contingency allocations) up to £50,000 must be approved by the relevant Chief Officers of both Directorates.

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Virements between different Directorates (excluding contingency allocations) over £50,000 and up to and including £499,999 must be approved by the relevant Chief Officer(s) and Chief Finance Officer in consultation with the Leader and reported to the next meeting of Cabinet

Virements between different Directorates (excluding contingency allocations) over £500,000 and up to £25m must be approved by Cabinet.

Article 7 - Table of Chief Officers details which posts within the council are designated as Chief Officers.

No revenue virement is allowed between the following budgets without approval of Cabinet:

- Financing charges
- Rates and other taxes

Amendments to the capital budget can only be made with approval as per the table below:

Capital Virements

Cabinet approval is required for all capital budget and funding virements and yearly profile changes (slippage or accelerated spend) between

approved capital programmes i.e., as per the budget book. The report must show the proposed:

- i) Budget transfers between projects and by year;
- ii) Funding transfers between projects and by year; and
- iii) A summary based on a template approved by the Chief Finance Officer.

Cabinet approval is required for all capital additions to the capital programme. Cabinet may only approve additions up to £50M. Additions above this should be approved by Council. All Capital additions are reviewed by senior officers prior to being recommended for approval to Cabinet. Capital additions should also be included in the quarterly budget monitoring report to Cabinet for noting.

Funding substitutions in order to maximise funding are the responsibility of the Chief Finance Officer.