Putting the Community First



Summary of Decisions Taken Under Delegated Powers – September 2015

This notice gives detail of decisions taken within the organisation in accordance with the London Borough of Barnet's Scheme of Delegation.

The decisions documented below are taken within the powers that the Council has delegated to Senior Officers. These decision makers are responsible for ensuring decisions are compliant with the decision making framework of the organisation which includes the Council's Constitution, the Officer Scheme of Delegation, and budget and policy framework, as well as compliance with all relevant Legal considerations.

Delivery Unit: Children's Service (Education and Skills)

Contacts

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Decision to allocate monies from the Transformation Challenge Award 2015-16 funding to secure places on 'Bridging the Gap' - Risk of NEET programme and work experience places for vulnerable NEET young people.	10.09.2015	Manager Post 16 Learning and Skills Commissioning Service	This report seeks approval to fund Love Burnt Oak £20,000 for 10-12 places on their 'Bridging the Gap' Programme a personalised employability programme to include funding for setting up 10- 12 work experience that Love Burnt Oak will commission.

Delivery Unit: Children's Service (Family Services)

Contacts

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Creation of a new 'CAF Health Coordinator' post	1 September 2015	Assistant Director Early Intervention and Prevention, Family Services	The creation of a new 'CAF Health Coordinator' post SCP 39 – 42. This is in line with Barnet's Early Intervention and Prevention Strategy and Phase 2 of the Families First programme to improve the physical and mental health of families in Barnet.
The Provision of a Return Home Interview Service	12 June 2015	Elaine Atkinson, Head of Safeguarding, Family Services	The approval to award a contract of £149,796 to Barnardo's for the provision of a Return Home Interview (RHI) over 3 years with a one year extension. The contract will commence from 1 September 2015.
			The Council has a statutory duty to provide a RHI service. This service will enable the Council to better meet its statutory duties, improve future decisions for similar cases and build confidence and competence within the team. The services will also provide value for money through skills and capacity building within the team, leading to a reduced need for specialist support in the long term.

Delivery Unit: Re.

Contacts

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Redevelopment of Land between Sweets Way And Oakleigh Road North, London, N20 – Stopping Up Order 1 – Stopping up of Highway at / adjacent to Sweets Way N20 under Section 247 of the Town and Country Planning Act 1990	24 September 2015	Assistant Director for Strategic Planning, Regeneration and Transport	That the Council make an Order for the Stopping up of highway land at/adjacent to Sweets Way, London N20 as per attached drawing no. 15-047-106 Rev A and schedule (or any subsequent revision approved by the Traffic and Development Section, Development and Regulatory Services), pursuant to Section 247 of the Town and Country Planning Act 1990. In the event that there is no opposition to the Notice of the making of the Order, to confirm the order. In the event that the proposal for the making of the Order is opposed, to notify the Mayor of London of the objection and to hold a public inquiry, if appropriate. To seek recovery of legal and other fees including advertising costs from the developer / developer's agent.

Delivery Unit: Commissioning Group

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Procurement of consultancy advice and support for future potential options for services provided to children	17th July 2015	Commissioning Director – Children and Young People	Authorisation to release an Invitation to Quote on the e-portal to invite organisations to submit a tender to provide consultancy advice and support for future potential options for services provided to children. Support is required to give us initial guidance to help shape and contribute to an initial options appraisal for how we could best provide a range of Children's services when considering using the new freedoms and flexibilities enacted in the Children and Young Persons Act 2008 (Relevant Care Functions) England Regulations 2014 which came into effect in September 2014 in the future, to get the best outcomes for service users and residents and savings for the taxpayer. A budget provision of up to £25,000 has been allocated. The funding of this contract will be met from the transformation reserve budget. For the budget available the works are not subject to the EU procurement regulations as the value is below the threshold. On the basis of the information contained in the report the relevant provisions of the council's Contract Procedure Rules have been met. In accordance with the council's Contract Procedure Rules there will be a need to enter into contract with the successful supplier. This decision is in line with the Council's constitution which includes the Council's Contract Procedure Rules.

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			Once tenders have been received and evaluated, if a decision is made to accept a tender and enter into a contract, a Summary DPR will be produced in accordance with the Council's Contract Procedure Rules.
Procurement of consultancy advice and support for a Joint Feasibility Study of Working Together between Barnet, Enfield and Harrow Children's Services – contract award	4th September 2015	Commissioning Director – Children and Young People	In August 2015, the council tendered the contract to provide consultancy advice and support for a Joint Feasibility Study of Working Together between Barnet, Enfield and Harrow Children's Services on Barnet's e-portal system. We went out to the market and this resulted in two tenders being submitted within the allocated timeframe. Following the evaluation of both tenders on cost and quality, the three councils were happy to proceed and award the contract to Mutual Ventures.
			A budget provision of up to £25,000 was allocated and this will be funded by the three authorities equally - Barnet's contribution will come from the transformation reserve. The Mutual Ventures tender does not exceed this allocated budget.
			This decision is in line with the Council's constitution which includes the Council's Contract Procedure Rules.
To support client-side for the review of the draft funding rate proposal from Barnet Council, to Barnet Homes for the delivery of 150, 2 and 3 bed affordable rent unit.	18/09/15	Chief Operating Officer	Acceptance of the attached proposal, submitted by 31ten Consulting, in order to best ensure that all relevant strategic, economic, commercial, financial and implementation considerations are appropriately considered for LBB's funding arrangement with Barnet Homes
Delivering a Waste	18th June	Commissioning	The Street Scene Alternative Delivery Model project needs to be based on
Strategy for Barnet	2015	Director –	a thorough understanding of the future needs of the service, including
project		Environment	how the Borough plans to deliver key statutory performance targets for

items such as landfill diversion and recycling.

The project affects two of the Councils most high profile services, refuse collection and recycling, which along with waste disposal, form a significant part of future cost savings in the PSR.

The project is at an early stage and an initial Draft Waste Strategy has been produced. This is a high profile project and so the Council has looked for ad-hoc external "critical friend" support and challenge to look at critically evaluating a number of the project products as well as assisting in the drafting of the final document.

The decision highlights the requirement for an additional resource to be acquired in order for the project to be delivered. It consider urgent to procure this service urgently.

This decision is in accordance with the Councils contract procedure rules documented in the Councils constitution.

The proposal attached is for a maximum of £25,000 and is a single source tender on the basis that the organisation proposed has technical expertise which is difficult to procure on a short term, immediate basis. This has the agreement of the Commercial & Customer Services Director. Funding is from the Environment transformation budget.

Procurement of specialist demand management advisory	08-Sep-15	Strategic Director for Commissioning	Approval of single-tender authorisation for £35.5k (excluding VAT) for specialist advisory on demand management approaches, from Impower Consultancy. The area of 'demand management' is a specialist area of consultancy advisory. Demand management is a set of disciplines and tools which we would like to investigate and build a stronger approach to be able to drive new additional savings in a tough climate. As a result of the above, Officers invited a proposal from Impower. Impower have developed expertise in the area and have published and contributed to policy literature in this domain. This has a set fee of £35.5k (excluding VAT) for this piece of work, funded from the Transformation Reserve and the work is fully funded. Should a further piece of work be required from external contractors, this is likely to focus on implementation delivery and would utilise a further
Procurement of consultancy advice and support for future potential options for services provided to children – contract award	2nd September 2015	Commissioning Director – Children and Young People	This action is approved by the Commercial and Customer Services Director, in accordance with section 9.1 of the Contract Procedure Rules. In July 2015, the council tendered the contract to provide consultancy advice and support for future potential options for services provided to children on Barnet's e-portal system. We went out to the market and resulted in one tender from (from Mutual Ventures) within the allocated timeframe. A budget provision of up to £25,000 was allocated and Mutual Ventures tender does not exceed this budget. The funding of this contract will be met from the transformation reserve budget.

Following evaluation on cost and quality the council was happy to proceed and award the contract to Mutual Ventures. As a result, this Summary DPR proposes a single tender action to appoint Mutual Ventures, as agreed by the Commercial and Customer Services Director.

This decision is in line with the Council's constitution which includes the Council's Contract Procedure Rules. The Contract Procedure Rules, as outlined in the Council's Constitution, state that under 'OJEU threshold the

for money.'

Commercial and Customer Services Director may waive the requirement of 2 written quotes subject to a Summary DPR provided, demonstrating that the market place has been fully tested and we have obtained value

To support client-side activity in the development of the LBB future accommodation requirements and office accommodation full business case (FBC).	27/08/15		At the council's behest, CSG Estates are considering the council's accommodation options. Savings profiled in the current MTFS, including savings put forward as part of the Priorities and Spending Review, assume a cumulative reduction of £45.1m in the cost of office accommodation up to 2023/24. A strategic outline case (SOC) was accepted by the Asset Regeneration and Growth committee on 16th Mar 2015. A outline business case (OBC) was presented to the Asset and Regeneration Growth Committee on 1st June 2015, in particular the Committee were asked to note that a Full Business Case (FBC) be prepared for consideration. The council therefore now requires a follow-on FBC that completes the case for the preferred option in more detail, for consideration by the Asset, Regeneration and Growth Committee, in November 2015, in order to inform final decisions. Requirement The OBC provided a good foundation on which to develop a FBC. This will require additional work relating to refreshing of the financial information, outcomes of the procurement in the commercial case, additional illustration of the income and expenditure and balance sheet impacts and a more detailed description of how the accommodation implementation and smarter working programmes will be managed to minimise risk within the management case. This DPR accepts the PA Consulting proposal to produce the FBC.
To support client-side activity in the development of the LBB future accommodation requirements and office accommodation full business case (FBC).	27/08/2015	Head of Estates	Acceptance of the attached proposal, submitted by PA Consulting, in order to best ensure that all relevant strategic, economic, commercial, financial and implementation considerations are appropriately considered for LBB's future office accommodation requirements.

4th September 2015	Commissioning Director – Children and Young People	Authorisation to release an Invitation to Quote on the e-portal to invite organisations to submit a tender to provide consultancy advice and support for a Joint Feasibility Study of Working Together between Barnet, Enfield and Harrow Children's Services. We are seeking a support to provide us with initial guidance to help shape and contribute to an initial options appraisal and feasibility study for how we could best provide services in the future, to get the best outcomes for service users and residents and savings for the taxpayer. A budget provision of up £25,000 has been allocated and will funded by the three authorities equally. Barnet's contribution will come from the transformation reserve.
		For the budget available the works are not subject to the EU procurement regulations as the value is below the threshold. On the basis of the information contained in the report the relevant provisions of the council's Contract Procedure Rules have been met. In accordance with the council's Contract Procedure Rules there will be a need to enter into contract with the successful supplier. This decision is in line with the Council's constitution which includes the
23/07/15	Commissioning Director, Growth and Development	Council's Contract Procedure Rules. Once tenders have been received and evaluated, if a decision is made to accept a tender and enter into a contract, a Summary DPR will be produced in accordance with the Council's Contract Procedure Rules. A Money Mentor project proposed by Future Path Development CIC and LB Barnet was successful in gaining £45,000 funding from DWP Flexible Support Fund Grant. This DPR confirms authorisation to transfer the £45,000 grant to Future Path Development CIC. The transfer is subject to an SLA signed off by the LB Harrow and Barnet Legal team and
	2015	2015 and Young People 23/07/15 Commissioning Director, Growth

Insurance Minor Restructure - September 2015	18-Sep-15	Assistant Director of Finance	To confirm the deletion of one post and the creation of a new post in the Insurance Team. This decision approves an amendment to structure of the Insurance Team. Following a comprehensive consultation process the following is resolved: - The deletion of Insurance Claims Technician - The creation of a second Insurance Claims Handler role This will lead to a small increase in the Section's salaries budget by approximately £1,295 (including on-cost) in year one, rising to £3,535 after three years allowing for spinal point increases. This decision is fully funded from an existing budget.
Area Committee Budgets – Release of Funding to Brunswick Park Primary and Nursery School	02.10.2015	Chief Operating Officer	On 15 January 2015, the Chipping Barnet Area Committee considered a number of applications to the 2014/15 round of Area Committee Budgets. A total of £100,000 was available to each area committee to allocate towards community focussed projects in their local areas. At the meeting, the Committee considered an application from the Brunswick Park Primary and Nursery School to fund a fence around a play area close to the School. Details of the application can be accessed here: http://barnet.moderngov.co.uk/ieListDocuments.aspx?Cld=711&Mld=7982 Following consideration of the item, the Committee made the following decision: "APPROVED (reversal of officers recommendation that the application should not be allocated funding as it failed the council's due diligence tests or contravened the conditions for funding) subject to:

- 1. an agreement is put in place between the Council and applicant that future maintenance costs are to be met by the Brunswick Park Primary School.
- 2. at least two quotes for the cost of the fence and installation are provided to the Council.
- 3. Should the final cost come in under the approved budget, the residual funds are returned to the Council.
- 4. the fence needs to be of the appropriate standard to be agreed with the Council's Greenspaces Team.
- 5. the Conditions of Grant as set out in Annex 3 of the report of officers.

Final approval is delegated to the Chief Finance Officer (or other officer as nominated by the Chief Executive) subject to the receipt of any supplementary information which has been requested in relation to 1, 2, 3 and 4, above.

Officers reiterated that as the fence is in a council park, there was a risk that at some juncture in the future it would require some repair/maintenance. The risk in this case being that these costs would be met by the Council. Section 4 of the guidance for the Area Committee Budgets states that 'projects must not require maintenance from the Council, or future expenditure'.

Mr White, Chairman of Governors, Brunswick Park Primary & Nursery School confirmed that any costs incurred for maintenance/repair would be met by the School. He further confirmed that he believed this level of funding being requested would be sufficient to build the fence."

Officers managing the Area Committee budgets process can confirm that the terms and conditions referred to above have been complied with. Details are set out below:

The school requested four quotes for the installation of the fence and received three quotes for a bow top style fence for play areas with low hoops. These contractors meet the required standards for installing equipment in public parks namely: Chas accreditation; and minimum public liability insurance of £5 million. Greenspaces officers have advised that the school will require a method statement from the winning contractor which includes safety measures and how they intend to carry out the work including:

- · Working area fenced off.
- No materials left on site unless locked away.
- Fencing if kept on site will be secured within a container or fencing.
- Site kept secure and our barrier gate kept locked to prevent unauthorised access.
- Any damage to the surrounding grass sward or infrastructure to be repaired and describe material to be used.

Greenspaces have specified that the fence should be in green RAL 6005 colour for the main fencing and vehicle gates around the play area as the colour blends in with the surrounding green areas. The pedestrian gate is specified as yellow.

In relation to condition 1. which requires the School to agree that the they will meet the future maintenance cost, Mr White, Chairman of Governors, Brunswick Park Primary & Nursery School, confirmed at the Chipping Barnet Area Committee on 15 January 2015 that any costs incurred for maintenance/ repair would be met by the School. In reliance on that confirmation, the Council consider that this condition has been complied with.

On the basis that the conditions imposed by the Chipping Barnet Area Committee have been complied with, I authorise the release of funding (£9,999) from the 2014/15 Chipping Barnet Area Committee budget to Brunswick Park Primary and Nursery School for the installation of the fence as detailed in this report.

Brunswick Park Primary and Nursery School will be responsible for:

Evaluating the tenders received;

Appointing a contractor;

Receiving the Method Statement;

Supervising the works (consulting with the council's Greenspaces Team as and when appropriate);

Making payments to the contractor in accordance with the contract that the school has entered into with the contractor; and Any costs incurred for maintenance/ repair of the fence would be met by the School

Delivery Unit: Adults and Communities

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Personal Assistants Service	25 th September 2015	Community and Wellbeing Assistant Director	The report seeks authorisation to run a procurement exercise to commission a partner organisation to deliver a Personal Assistants (PA) services across the borough. The London Borough of Barnet is looking for a provider to develop a Personal Assistant (PA) service across the Borough. The service will build on the shared commitment to develop a personal assistant strategy which increases the number of PAs across the borough outlined in the 2015/16 management agreement.

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
			The service will draw on principles underpinning a modern, 21st century system of social care as set out in the Government's 'A Vision for Adults Social Care'. This furthers the borough's Community Offer approach and drive towards personalised and preventative care, enabling and empowering individuals to maintain their independence and remain in their home for longer.
			The Adults and Communities Delivery Unit wishes to commission a partner to grow and develop a PA service which will offer residents increased choice and control over their own care and support.
			To ensure a stable, efficient and high quality service it is recommended that a single organisation leads on developing supply, matching service users with Personal Assistant and providing support.
			Alternative options were consider and rejected.
			Following approval to commission a partner the Delivery Unit will run a procurement exercise, inviting providers to bid for the PA service. All bid submissions will be evaluated in line with the agreed evaluation methodology and preferred bidder selected.
			The A&C Delivery Unit Management Agreement identified a shared commitment to develop a Personal Assistant strategy which increases the number of PAs across the borough.
			Working closely with a partner who has strong links in the local community will allow the Council to continue working towards its aims to deliver the best value services through a range of providers.

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
			The principles of a Personal Assistant service are to maximise independence an help people to help themselves. This contributes directly to the indicators set out in the corporate plan including that older people are supported to live safely and maximise their independence and that older adults with eligible adult social care needs receive services which enable them to live as independently a possible.
			The proposals set out in this project have no implications on staffing, IT, property or sustainability.
			The impact on finance and value for money has been calculating by forecasting the number of hours which could be delivered through developing the PA market and the net savings which could be achieved. The assumptions used show that the service could achieve the required MTFS savings whilst improving outcomes for service users.
			The projections make the assumption that person assistants will be paid the London Living Wage of £9.15 per hour.
			The price of the service is likely to vary with demand but the expected contract value is £120,000 for a 2 year fixed period.
			The Council's contract procedures Rules state that a full officer DPR is required to authorise a procurement between the value of £25,001 - £172,514. The value of this contract is expected to be under £172,514 and so this decision may be authorised by a DPR in the name of a Director or Assistant Director. A summary DPR is required to accept a tender.

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
			If PAs are directly employed by service users the user will be responsible for PAYE and national insurance of the PA.
			PAs and other staff employed by the provider (either directly employed, operating as self-employed individuals or employed directly by service users but recruited by the provider) are excluded from provisions of section 4 (2) of the Rehabilitation of Offenders Act 1974, by virtue of the Rehabilitation of Offenders Act 1974 (Exception) Order 1975.
			Section 4 (2) states that generally a person need not disclose spent convictions and cautions or other relevant conduct.
			Failure to comply with OJEU rules regarding tendering would place the council at risk of breaching European legislation regarding competitive tendering, however since the services fall within those listed in Schedule 3 (Social and Other Specific Services) of the 2015 Regulations the procurement of the services would only subject the Light touch regime if it had a value of £625,050 or more, since the value of the contract is below threshold, there is only a need to comply with the principles of transparency, fairness and equal treatment. Failure to award the contract to an appropriate provider would jeopardise the level of service provision across the borough's wards.
			The key driver for procuring a PA service is to offer more innovative service types which promote independence and enable our residents to self-direct their own care and support. Failure to procure a PA service would risk a continued reliance on traditional service types and an increased expenditure on social are which may negatively impact the council's ability to deliver against its savings

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
			targets or strategic aims. Permission to tender the PA contract and commission an organisation to manage the supply and demand of PAs will mitigate against this risk.
			The Public Sector Equality Duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
			The proposal to develop a Personal Assistants service are expected to have a positive impact on all clients groups as the service promotes independence, choice and personalisation. Service users will have the choice regarding Personal Assistant they employ and all staff will be expected to treat service users as individuals with personalised needs, irrespective of any of the protected characteristics.
			In addition all providers organisation contracted by the council are required to demonstrate that they have an equal opportunities policy covering users, staff and volunteers, which promotes equal treatment for all, irrespective of their age, disability gender, sexuality, ethnic background, faith and health, language or social and economic background. Scrutiny of compliance with these consideration, and how they contribute to promoting good relations between people and communities, form part of the evaluation methodology for all bids submitted for the PA service.

Delivery Unit: CSG/Estates

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Avenue House, East End Road, London N3	05.10.2015	Chief Operating Officer	The Council is the Corporate Trustee of the charity called The Avenue House Estate which owns the freehold interest in the Avenue House Estate. The state is let to the Trust for a term of 1225 years on full repairing and insuring terms. Landlord's consent is required from the Council for refurbishment and alterations of the estate stable block to provide new catering facilities, together with a restaurant and improvements to the planting of the extensive grounds. At the meeting of Council on 23 September 2014 the Council gave its consent as Corporate Trustee to the above works and delegated authority to the Chief Operating Officer to negotiate and execute a licence for the works. The draft licence has been agreed and authority is required to complete the licence.

Delivery Unit: Assurance

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TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
Amendments to Governance Service Establishment	Head of Governance	1	 The Governance Service establishment currently comprises: Head of Governance x1 Governance Team Leaders x 3 Governance Officers x 6 Business Support and Partnerships Governance Officer x1 Governance Support Officer The Business Support and Partnerships Governance Officer post has seen a number of changes to their responsibilities over time including: support for the council's partnership boards now being undertaken by officers in the People Team; and increased responsibilities relating to the management of the School Admissions Appeals process.
		Due to the changes, the role profile has been re-drafted to: reflect the current responsibilities of the post holder; and remove references in the job title to partnerships. The revised role profile has been evaluated by the Unified Reward team and the grading of the post has increased from SCP 20-23 to SCP 28-31. The post is now titled 'Governance Support Officer'. The additional costs associated with the re-graded post can be contained within the existing Governance Service staffing budget (10391) as the salary increase will be off-set by a reduction in agency costs. The Business Support and Partnerships Governance Officer post is	

TITLE	DATE OF DECISION	DECISION TAKER	SUMMARY OF DECISION
			currently vacant and being covered by a temporary member of staff meaning that there is no requirement to consult with affected staff.
			Governance Officer (Fixed Term to 31 March 2016)
			Due to the requirement to deliver a number of challenging projects during 2015/16 (including the Committee System/Constitution Review and Members IT and Telephony) and other service pressures, the Assurance Director has agreed that the Governance Service can recruit an additional Governance Officer on a secondment basis for a fixed-term (1 October 2015 31 March 2016). The post is SCP 43-46 and will be funded from a projected underspend in the Members Allowances budget (10396). This post would be an addition to the establishment detailed above.
Change in structure to regrade the Elections Project Manager post to Head of Electoral Services	18 September 2015	Assurance Director	After consultation with the Chief Executive, to amend the structure of electoral services, to have from 1st October 2015 instead of an Elections Project Manager post, a Head of Service responsible for all electoral services, rather than an Electoral Registration Manager and an Elections Project Manager both reporting to the Assurance Director. The existing Registration Manager to report into the new Head of Service post and the Head of Electoral Services to report to the Director of Assurance. The post will be at scale point LBB 7e. The Elections Project Manager was funded from cost centre 11163 (elections project team). The salary and on costs of this new post (£78,635.02) should be transferred from cost centre 11163 to cost centre 11366 (assurance management).