

## **Article 10 - Decision Making**

### **10.1 Principles of decision making**

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality / the action to be proportionate to the desired outcome;
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights and equalities;
- (d) presumption in favour of openness and transparency;
- (e) clarity of aims and desired outcomes
- (f) consideration of any alternative options;
- (g) the giving of reasons for the decision and the recording of reasons.

### **10.2 Decision making by Full Council**

Decisions reserved to Full Council are set out in Article 4. The Council meeting will follow the Full Council Procedure Rules in Part 2 of the Constitution when considering any matter.

### **10.3 Decision making by Committees**

Apart from matters reserved to Full Council, committees and sub-committees will be responsible under their terms of reference for all decisions which are key (as defined in Article 2). All Theme Committee reports (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults & Safeguarding; Environment; Assets, Regeneration & Growth; Housing; Community Leadership) will be in the name of the Chairman and approved by him/her and all reports for all committees will be cleared by the Chairman other than Planning and Licensing Sub-Committees.

### **10.4 Decision making by Chairmen of Theme Committees jointly with Chief Officers**

Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults & Safeguarding; Environment; Assets, Regeneration & Growth; Housing; Community Leadership) have delegated authority to make decisions which are not key decisions and which have a value between £181,302 and £500,000. A written report will be prepared for every decision.

### **10.5 Decision making by Chief Officers**

Chief Officers have delegated authority to make decisions in accordance with the powers delegated (see Article 9) and other Officers under the Schemes of Delegation maintained by Chief Officers and published on the council's website. A written report is not necessary (except for decisions which (i) grant a permission or licence; (ii) affect the rights of an individual; or (iii) award a contract or incur expenditure which, in either case, materially affects that

relevant local government body's financial position) but the Chief Officer will maintain a list of all decisions over £50,000 as required under Article 9.

#### **10.6 Decision making by Council bodies acting as tribunals**

The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

#### **10.7 Urgent Decisions**

If a decision on an issue is required as a matter of urgency an Urgency Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The Chairman of the relevant Committee should be consulted.

#### **10.8 Decisions relating to Property**

(See Table A below) Where the Council is required by law to sell or let or otherwise dispose of its property no decision is required to authorise the transaction.

#### **10.9 Decisions relating to Procurement**

(See Table B below).

**TABLE A – Land and Property Transactions Authorisation Delegated Powers**

	<b>Authorisation Level<sup>1</sup></b>	<b>Acquisitions</b>	<b>Lease in</b>	<b>Lease out for Rent or Consideration</b>	<b>Licences, Easements and Consents</b>	<b>Compensations, Settlements and Covenants</b>	<b>Disposals</b>	<b>Compulsory transaction</b>
<b>A</b>	<i>Less than £181,302</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Director of Resources (unless a Less Than Best transaction, which must be reported to Assets, Regeneration and Growth Committee (ARG))</i>	<i>Approved Officer</i>
<b>B</b>	<i>£181,302 to £500,000</i>	<i>Full DPR – Director of Resources in consultation with Theme Committee Chairman</i>	<i>Full DPR – Director of Resources in consultation with Theme Committee Chairman</i>	<i>Full DPR – Director of Resources in consultation with Theme Committee Chairman</i>	<i>Full DPR – Director of Resources in consultation with Theme Committee Chairman</i>	<i>Full DPR – Director of Resources in consultation with Theme Committee Chairman</i>		<i>As B</i>
<b>C</b>	<i>More than £500,000 (Key Decision)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>Report to Assets Regeneration and Growth Committee (ARG)</i>	<i>As C</i>
<b>D</b>	<i>'Non-Value' Variations post Authorisation</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR</i>	<i>Summary DPR – Director of Resources Report to next Asset Regeneration and Growth Committee (ARG)</i>	<i>As A above</i>

**Table B – Authorisation and Acceptance Thresholds**

	<b>Procurement value</b>	<b>Authorisation to commence a procurement process &amp; Documentation</b>	<b>Procurement method</b>	<b>Acceptance process &amp; Documentation</b>	<b>Variation or extension Acceptance &amp; Documentation</b>	<b>Supplier Notification method and contract</b>
<b>A</b>	Under £10,000 (Purchase Order)	Council Officer as designated by approved Scheme of Delegation  <b>Authorisation documentation:</b> Audit trail	Reasonable means of selection* and evidence of having sourced and considered the local Barnet supplier market	Council Officer as designated by approved Scheme of Delegation  <b>Authorisation documentation:</b> Audit trail	Must move to next threshold if £10,000 or above  <b>Authorisation documentation:</b> Audit trail	Purchase Order
<b>B</b>	£10,000 – £50,000	Council Officer as designated by approved Scheme of Delegation  <b>Authorisation documentation:</b> Audit trail; or Procurement Forward Plan	Minimum 2 written Competitive Quotations sought**	Council Officer as designated by approved Scheme of Delegation  <b>Authorisation documentation:</b> Chief Officer List of Decisions	Must move to next threshold if above £50,000  <b>Authorisation documentation:</b> Chief Officer List of Decisions	Purchase Order  Signed contract over £25k value

<b>C</b>	£50,001 – £181,301	<p><i>Approved Officer</i></p> <p><b>Authorisation documentation:</b> <i>Chief Officer List of Decisions</i></p>	<p><i>Minimum 2 written quotations</i></p> <p><i>No SQ - Suitability Assessment Questions only</i></p>	<p><i>Approved Officer</i></p> <p><b>Authorisation documentation:</b> <i>Chief Officer List of Decisions</i></p>	<i>Chief Officer List of Decisions</i>	<i>Signed contract</i>
<b>D</b>	£181,302 – £500,000	<p><i>Chief Officer in consultation with Theme Committee Chairman</i></p> <p><b>Authorisation documentation:</b> <i>Full DPR</i></p>	<p><i>Services/Goods – OJEU Tender</i></p> <p><i>Works – Competitive Quotation</i></p>	<p><i>Chief Officer in consultation with Theme Committee Chairman</i></p> <p><b>Authorisation documentation:</b> <i>Full DPR</i></p>	<i>If within Budget - Relevant Thematic Committee</i>	<p><i>Standstill Notification letter released following statutory officer report review</i></p> <p><i>Publication of report post standstill period</i></p> <p><i>Signed and sealed contract</i></p>

<b>E</b>	£500,000 and above	<p><b>Authorisation documentation:</b></p> <p>Relevant Theme Committee Decision; or Procurement Forward Plan</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,551,412</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,551,413</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender Health, educational, cultural and social care related services: Light Touch Regime Tender above. £615,278)</p>	<p><b>Authorisation documentation:</b></p> <p>If within Budget- Full DPR (Committee Chairman jointly with Chief Officer)</p> <p>If not within Budget: Relevant Thematic Committee Report; or Policy and Resources Committee Report</p>	<p>If within Budget - Relevant Thematic Committee</p>	<p>Standstill Notification letter released following statutory officer report review Publication of report post standstill period Signed and sealed contract</p>
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