

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; Housing & Growth; 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 Chief Officers jointly with Theme Committee Chairmen

Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership and Libraries) have delegated authority to make decisions which are not key decisions and which have a value between £189,330 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.

Reports to committees marked as urgent are exempt from referral to Council or parent committee (see Article 2, Section 2.3 (e)). Where a report is marked as urgent, the reason for urgency must be clearly stated in the body of the report and consultation must occur with the Chairman in the case of a committee report, or the relevant Chief Officer in the case of a delegated powers report.

10.8 **Key Decisions**

A key decision is one which will result in the council incurring expenditure or savings of £500,000 or more, or is significant in terms of its effects on communities living or working in an area comprising two or more Wards.

10.9 **Emergency Decisions**

The Chief Executive or relevant Chief Officer is empowered on behalf and in the name of the Council to take decisions in exceptional circumstances on emergency matters which would normally require a committee decision where it is not possible to convene a meeting of a committee provided that:

1. The Leader, or in his/her absence, the Deputy Leader are consulted on the reasons for it being an emergency matter;
2. In respect of matters falling within the terms of reference of a committee: the Chief executive or relevant Chief Officer will consult with the Chairman, or in his/her absence, the Vice-Chairman; and a report on the decision will be reported to the next meeting of the committee.

10.10 **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.

10.11 Decisions relating to Procurement
(See Table B below).

TABLE A – Land and Property Transactions Authorisation Delegated Powers¹

	Authorisation Level²	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals	Compulsory transaction
A	<i>Less than £189,330</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Deputy Chief Executive (unless a Less Than Best transaction, which must be reported to Housing and Growth Committee)</i>	<i>Approved Officer</i>
B	<i>£189,330 to £500,000</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>		<i>As B</i>
C	<i>More than £500,000 (Key Decision)</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>As C</i>
D	<i>'Non-Value' Variations post Authorisation</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision – Deputy Chief Executive Report to next Housing and Growth Committee</i>	<i>As A above</i>

¹ This Table applies to Land and Building activity NOT included in the approved Annual Work Plan

² These values may be either Capital or Annualised Income/Expenditure

Authorisation and Acceptance Thresholds

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
A	<u>Under £10,000</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Under £10k Audit Form</u>	<u>Reasonable means of selection * and evidence of having sourced and considered the local Barnet supplier market</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Under £10k Audit Form</u>	<u>Must move to next threshold if £10,000 or above</u>	<u>Under £10k Audit Form</u>	<u>Purchase Order</u>
B	<u>£10,000 - £24,999</u>	<u>Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan</u>	<u>Chief Officer Decision Report</u>	<u>Minimum 2 written Competitive Quotations sought**</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Must move to next threshold if £25,000 or above</u>	<u>Chief Officer Decision Report</u>	<u>Purchase Order</u>
C	<u>£25,000 - £189,329</u>	<u>Council Officer as designated by approved Scheme of Delegation; or Procurement Forward Plan</u>	<u>Chief Officer Decision Report</u>	<u>Minimum 2 written quotations</u> <u>No SQ – Suitability Assessment Questions only</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Chief Officer Decision Report</u>	<u>Signed Contract Contract Award Notice</u>
D	<u>£189,330 - £500,000</u>	<u>Delegated Powers Report; or Procurement Forward Plan</u>	<u>Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report</u>	<u>Services/Goods – OJEU Tender Works – Competitive Quotation</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>Officer Delegated Power Report</u>	<u>Council Officer as designated by approved Scheme of Delegation</u>	<u>If within Budget: Officer Delegated Power Report</u> <u>If not within Budget: Chief Officer in Consultation with Theme Committee Chairman Delegated Powers Report</u>	<u>Signed and sealed contract Contract Award Notice</u>

Article 10 - Decision Making

~~February~~ April 2021

	Procurement Value	Procurement Commencement Process		Procurement method	Bid Acceptance Process		Variation or Extension Acceptance Process		Contract Requirement
		Authorisation	Documentation		Authorisation	Documentation	Authorisation	Documentation	
E	£500,000 and above	Relevant Theme Committee Report; or Procurement Forward Plan	<p>For items authorised via the Procurement Forward Plan:</p> <p>Value between £500,000 and up to £1 million – Chief Officer in consultation with Theme Committee Chairman Delegated Powers Report; and</p> <p>Decisions more than £1 million subject to authorisation by appropriate theme committee.</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social car related services: Light Touch Regime Tender above £633,540</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Theme Committee Report</p>	Council Officer as designated by approved Scheme of Delegation	<p>If within Budget: Officer Delegated Power Report</p> <p>If not within budget: Committee Report</p>	Signed and sealed contract Contract Award Notice

Table B – Authorisation and Acceptance Thresholds

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

C	£50,001 – £189,329	<p><i>Approved Officer</i></p> <p><i>Authorisation documentation: Chief Officer List of Decisions; or Procurement Forward Plan</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><i>Authorisation documentation: Chief Officer List of Decisions</i></p>	<p><i>Chief Officer List of Decisions</i></p>	<p><i>Signed contract</i></p>
D	£189,330 – £500,000	<p><i>Authorisation documentation: Full DPR (Chief Officer in consultation with Theme Committee Chairman); or Procurement Forward Plan</i></p>	<p><i>Services/Goods – OJEU Tender</i></p> <p><i>Works – Competitive Quotation</i></p>	<p><i>Authorisation documentation: Full DPR</i></p>	<p><i>If within Budget: Full (Chief Officer) DPR</i></p> <p><i>If not within Budget: Relevant Thematic Committee</i></p>	<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>

£	£500,000 and above	<p>Authorisation documentation:</p> <p>Relevant Theme Committee Decision; or Procurement Forward Plan</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social care related services: Light Touch Regime Tender above. £663,540</p>	<p>Authorisation documentation:</p> <p>If within Budget—Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not within Budget: Relevant Thematic Committee Report; or Policy and Resources Committee Report</p>	<p>If within Budget: Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not 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>
---	--------------------	---	---	--	--	--