

**ADULT SOCIAL CARE AND HEALTH
SCHEME OF SUB-DELEGATION**

From: Penny Southern, Corporate Director, Adult Social Care and Health

To: Paula Parker, Transformation Programme Lead, OPPD
Helen Gillivan, Transformation Programme Lead, DCLDMH

The principals of the operation of this Scheme of Sub-Delegation are set out in Appendix A. Sub-Delegations are categorised as General and Specific delegations below.

1) GENERAL DELEGATIONS

See Appendix B for a summary of the general powers which have been delegated to Officers. These delegations cover Finance, Risk Management and Internal Control, Information Management, Employees, Health & Safety and External Arrangements.

These general delegations are in respect of the following services:

Cabinet Member for Adult Social Care and Public Health Portfolio

- Adults Portfolio Management Office

2) SPECIFIC DELEGATIONS

In accordance with the provisions of the Constitution of Kent County Council, I authorise the Portfolio Delivery Manager to undertake the following:

i. Functions delegated to me by the Council

Those powers which have been delegated to me by the Council in Appendix 2 Part 3 of the Constitution of Kent County Council, namely:


- None

ii. Functions delegated to me by the Leader and Cabinet

Those functions delegated to me by the Leader in Appendix 2 Part 4 of the Constitution of Kent County Council, namely:

- To exercise the relevant functions of the Cabinet Member for Adult Social Care and Public Health

Signed:  Date: 25/09/2018
Penny Southern
Corporate Director, Adult Social Care and Health

Signed:  Date: 20/9/18
Paula Parker
Transformation Lead, OPPD

Signed:  Date: 26/9/18
Helen Gillivan
Transformation Lead, DCLDMH

APPENDIX A – BACKGROUND AND GUIDING PRINCIPALS

1. Before exercising any authority, Officers must satisfy themselves that they have necessary delegated powers as specified in this Scheme either generally or in relation to their specific role.
2. The powers delegated to officers exclude the authority to take Key Decisions. Constitution, Executive Scheme of Officer Delegation, para 2.1
3. Decisions which an officer takes under delegated powers must:
 - implement a policy or decision previously approved or taken by the Cabinet or a Cabinet Member or
 - facilitate or be conducive or incidental to the implementation of a policy or decision previously taken by the Cabinet or a Cabinet Member or
 - relate to the management of the human, material and financial resources made available for the functions for which they are responsibleConstitution, Executive Scheme of Officer Delegation, para 2.3
4. Officers to whom matters have been sub-delegated may escalate the making of those decisions to the relevant Corporate Director, who can then (if appropriate) refer the matter to the Cabinet Member or Cabinet. Constitution, Executive Scheme of Officer Delegation, para 1.12
5. Officers must use the authority delegated to them:
 - a. in the interests of Kent County Council
 - b. in accordance with the provisions made in relevant revenue and capital budgets, Standing Orders, the Financial Regulations or other Procedure Rules contained in the Constitution; Constitution, Executive scheme of Officer Delegation, para 1.8 and
 - c. in accordance with the overall policies approved by the Council or its Committees. Constitution Appendix 2, para 1.2(a)
6. In exercising the authority delegated to them, Officers must
 - a. consult the relevant Corporate Director and/or the General Counsel in respect of matters which are sensitive or complex, or where legal, administrative, financial or other advice or guidance is necessary; No source
 - b. keep the relevant Cabinet Member properly informed of activity arising within the scope of these sub-delegations; and Constitution, Executive Scheme of Officer Delegation, para 1.6
 - c. advise local Members on any matter that appears to specifically affect their division or constituency interests. Constitution Appendix 2, para 1.8(1)
7. Any manager may exercise any power delegated to an officer for whom they have supervisory responsibility. Constitution Appendix 2, para 1.6
8. Officers are responsible for the management of their services and the implementation of Council and Cabinet policies and Executive Decisions. Constitution, Executive Scheme of Officer Delegation, para 2.2
9. Senior Managers must record and notify the General Counsel of arrangements made by them for the exercise on their behalf of delegated powers granted to them. Sub-delegations should be regularly reviewed and updated if appropriate. Constitution Appendix 2, para 1.4

APPENDIX B – GENERAL DELEGATIONS

The general delegations are drawn up with reference to the following Council documents:

- The Constitution of Kent County Council
- KCC Financial Regulations
- Scheme of Delegation
- Staff Terms and Conditions (the Blue Book)

The general delegations are as follows:

FINANCE

- To manage approved revenue budgets in accordance with the Council's Financial Regulations, including regular monitoring and forecasting. Financial Regulations Page 8/10/11/15
- Develop capital expenditure proposals that reflect agreed service plans and are approved in line with Capital Procedures. Financial Regulations Page 12/13/17/18
- To authorise iProcurement requisitions and approve invoices for payment in accordance with the Scheme of Delegation and the Council's Financial Regulations. Financial Regulations Page 29
- To ensure that best value is obtained from purchases by complying with the Council's code of practice for Tenders and Contracts, 'Spending the Council's Money'. Financial Regulations Page 29
- To ensure corporate cards are used only for agreed purposes. Financial Regulations Page 26

RISK MANAGEMENT AND INTERNAL CONTROL

- To identify and manage risk within the service area and regularly review the effectiveness of risk management arrangements. Financial Regulations Page 21 C.4
- Establish sound arrangements for planning, appraising, monitoring and controlling operations in order to achieve an efficient and effective service. Financial Regulations Page 21 C.6(i)
- Promote an effective system of internal controls. Financial Regulations Page 22 C.6(iii)
- Promote compliance with Council policy, Standing Orders, Financial Regulations and any statutory requirements. Financial Regulations Page 22 C.6(ii)
- Notify the Head of Internal Audit immediately of any suspected fraud, theft, irregularity or improper use or misappropriation of the Council's property or resources. Financial Regulations Page 22 C.11(i)

INFORMATION MANAGEMENT

- To ensure that staff are aware of their responsibilities under Data Protection and Freedom of Information legislation. Financial Regulations Page 27 D.3 (iv)
- Ensuring ensure proper arrangements for the preservation and management of the Council's financial records (including the use of Oracle Financials). Financial Regulations Page 27 D.3 (vi) (vii)
- To ensure that there is a documented and tested Business Continuity Plan to allow information system information processing to resume quickly in the event of interruption. Financial Regulations Page 27 D.3 (v)

EMPLOYEES

- To make decisions on the management of staff in accordance with the relevant procedures and conditions of employment set out in the Blue Book. Blue Book Section A
- To appoint employees within the approved establishment. Blue Book Section A
- To establish temporary posts, providing that there is adequate funding within the approved budget for the Service concerned. Blue Book Section C-3
- To make salary awards under TCP scheme, subject to any directions on assessment criteria and to progress the salaries of employees on career grades as part of a competency assessment. Blue Book Section B-2-G
- To conduct disciplinary proceedings in respect of employees within the terms of the Council's approved disciplinary procedures and to take decisions, in accordance with the Council's Conditions of Service and any consultations with the Corporate Director of Human Resources, with regard to the dismissal of employees due to gross misconduct. Blue Book Section L & Section D-4-J/K
- To authorise employees' attendance at training courses and events within the approved training budget. Blue Book Section F

HEALTH AND SAFETY

- Risk Assessments must be carried out to identify significant risks associated with work, to both staff and others affected by our undertakings. Blue Book Section H-2-A
- Risk Assessments cover matters such as: Display Screen Equipment, New and Expectant Mothers, Manual Handling. Guidance is available on Knet and Health and Safety Advisers should be consulted if further guidance is needed. Blue Book Section H-2

EXTERNAL ARRANGEMENTS

- To ensure that the Council's financial and operational interests are protected when operating in partnership with other bodies and that appropriate financial and legal advice is taken before entering into partnership agreements. Financial Regulations E.2 (i)(ii)
- To ensure that necessary approvals are obtained before negotiations are concluded in relation to partnership agreements. Financial Regulations E.2 (iv)
- To seek external funding which supports the Council's service priorities and ensure that all necessary approvals have been obtained before external funding agreements are concluded. Financial Regulations E.4 (i)(iii)
- Ensure work for third parties or external bodies does not adversely impact the services of the Council and guidance issued by the Corporate Director of Finance and Procurement is complied with. Financial Regulations E.6
- To ensure compliance with the 'Protocol relating to companies in which KCC has an interest'. Financial Regulations E.12