

<b>Subject:</b>	List of Delegations
<b>Reason for briefing note:</b>	To clearly set out the various HR delegations in one document.
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<b>Senior leader sponsor:</b>	Alison Alexander
<b>Date:</b>	Employment Panel 29 November 2016

## SUMMARY

This briefing note sets out a variety of HR delegations contained within the constitution, policies and practice provided to Employment Panel, the Head of Paid Service, Directors, Heads of Service and Head of HR. It identifies three recommendations for change to the constitution

## 1 BACKGROUND

- 1.1 There are a variety of delegations set out within the constitution and also through policies and practice. However, there is no one list of HR related delegations setting out the various aspects of recruitment, appointment, terms and conditions and other areas, for reference by members, residents or officers.
- 1.2 The table at appendix A sets out 25 areas under two designations:  
 Delegated via the constitution - 12  
 Delegated via policy or practice - 13  
 Of these 25 areas, 22 are recommended to continue as they are and three are recommended for change.

## 2 KEY IMPLICATIONS

### Changes to the constitution

- 2.1 There is a consistent theme to the areas recommended for change, which is to delegate authority to Directors, in conjunction with the Head of HR, for payments up to £25,000. The recommended delegations to change are shown in table 1 below

**Table 1 – delegations requiring a change to the constitution**

<b>Delegation</b>	<b>Current position</b>	<b>Recommendation</b>
3.3 To approve and/or resolve, having regard to affordability and sound decision making, all other staffing issues not covered by delegations to staff where the financial implications for the authority do not exceed £5,000.	Employment panel to approve all costs over £5,000	Employment Panel for sums over £25,000. Relevant Director (or nominated alternative), in consultation with Head of HR, for sums up to and including £25,000.

<b>Delegation</b>	<b>Current position</b>	<b>Recommendation</b>
7.1 To deal with matters where there are financial implications, employment tribunal complaints (and other formal employment law claims, notices or casework) and to settle potential and/or actual tribunal matters.	Employment panel to approve all costs over £5,000	Employment Panel for sums over £25,000. Relevant Director (or nominated alternative), in consultation with Head of HR, for sums up to and including £25,000.
7.2 Requests for early retirement or voluntary redundancy (Life Choices).	Employment panel to approve all costs over £5,000	Employment Panel for sums over £25,000. Relevant Director (or nominated alternative), in consultation with Head of HR, for sums up to and including £25,000.

- 2.2 All three recommendations are linked to the same area within the constitution, Part 6 D 5.1 (i), which is the decision level for officers regarding financial settlements for staff. The recommendations, if approved, will allow officers to make decisions up to a maximum of £25,000 and employment panel to approve amounts above this level. The reason for recommending the increase to £25,000 is the requirement, where necessary, to act quickly in situations such as employment tribunals, if a settlement is to be agreed within a very limited period of time.

### **Negotiated agreements**

- 2.3 There have been 14 agreements since August 2014, with eight for schools and six for the Royal Borough. It should also be noted there have been no settlement agreements since April 2016. Of the 14 agreements, one was at the current officer maximum of £5,000; nine were between £5,000 and £25,000 and four above £25,000. Full details are contained within appendix A.

## **3 NEXT STEPS**

- 3.1 Employment panel to:
- i) Note the delegation of HR duties as set out in Appendix A.
  - ii) Agree the three recommendations in table 1, increasing the settlement figure for officer approval from £5,000 to £25,000 and employment panel approval for sums in excess of £25,000, and seek full Council approval for the required changes to the constitution.

## Appendix A List of delegated HR functions

Function	Delegated via		Comments
	Constitution	Policy/Practice	
<b>1 Appointment</b> 1.1 Approve appointment, including level of remuneration, of: <ul style="list-style-type: none"> <li>• Managing Director,</li> <li>• Strategic Directors,</li> <li>• Deputy Chief Officers (Deputy Directors &amp; Heads of Service)</li> </ul>	<b>Constitution</b> –to Employment Panel Part 8 B 4	<b>Policy</b> Pay Policy Statement and Pay and Benefits policy	Retain current arrangements
1.2 Approve appointment, including level of remuneration, of staff below Deputy Chief Officer.	<b>Constitution</b> - Head of Paid Service or his/her nominee. Part 8 B 5	<b>Policy</b> Pay Policy Statement and Pay and Benefits policy	Retain current arrangements
<b>2 Recruitment</b> 2.1 Authorisation to recruit to a vacant role.	Constitution - Head of Paid Service or his/her nominee. Part 8 B 2, 3, 4 and 5.		Retain current arrangements.
2.2 Creation of temporary posts for 2 years duration.	Constitution – Head of Paid Service or his/her nominee. Part 8 B 2, 3, 4 and 5.		Retain current arrangements.
2.3 Engagement of temporary staff for periods under 4 weeks.	Constitution – Head of Paid Service or his/her nominee. Part 8 B 5.		Retain current arrangements.
<b>3 Staffing Actions</b> 3.1 To undertake any staffing related actions the Director considers appropriate in relation to staff in their Directorate, at Head of Service level, conducive to the efficient operation of the business.	<b>Constitution</b> – Head of Paid Service. Part 1 B Article 11		Retain current arrangements
3.2 To undertake any staffing related actions the Director or Head of Service considers appropriate	Constitution – Head of Paid Service Part 1 B Article 11		Retain current arrangements

Function	Delegated via		Comments
	Constitution	Policy/Practice	
in relation to staff in their Directorate, below Head of Service level, conducive to the efficient operation of the business. This could include: Minor nil cost restructures where teams are realigned; Temporary secondment of staff to a specific project or task.			
3.3 To approve and/or resolve, having regard to affordability and sound decision making, all other staffing issues not covered by delegations to staff where the financial implications for the authority do not exceed £5,000.	<b>Constitution to Employment Panel</b> Part 6 D 5.1 (i)		Amend to: Employment Panel for sums over £25,000. Relevant Director (or nominated alternative), in consultation with Head of HR, for sums below £25,000 <b>This recommendation requires a change to the constitution. Part 6 D5.1 (i)</b>
<b>4 Payment of Fees/Courses</b> 4.1 Certify payment for professional fees (membership to organisation for instance accountancy, planning and social work).		<b>Policy.</b> Expenses policy	Retain current arrangements
4.2 Attendance of staff on professional training		<b>Policy</b> Learning and Development	Retain current arrangements
<b>5 Leave</b> 5.1 Agreeing additional leave/special leave.		<b>Policy</b> Contained within Paternity and Parental Leave and Buying/Selling of Leave scheme	Retain current arrangements
<b>6 Waiver of payment</b> 6.1 Waiver of requirement to repay maternity payments.		<b>Policy</b> Maternity Guidelines	Retain current arrangements
<b>7 Payments</b> 7.1 To deal with	<b>Constitution to Employment Panel</b>		Amend to: Employment Panel for sums over

Function	Delegated via		Comments
	Constitution	Policy/Practice	
matters where there are financial implications, employment tribunal complaints (and other formal employment law claims, notices or casework) and to settle potential and/or actual tribunal matters.	Part 6 D 5.1 (i)		£25,000. Relevant Strategic Director (or nominated alternative), in consultation with Head of HR for sums below £25,000  <b>This recommendation requires a change to the constitution. Part 6 D5.1 (i)</b>
7.2 Requests for early retirement or voluntary redundancy (Life Choices).	<b>Constitution to Employment Panel</b> Part 6 D 5.1 (i)	<b>Policy</b> Redundancy and Early Retirement policy	Amend to: Employment Panel for sums over £25,000. Relevant Strategic Director (or nominated alternative), in consultation with Head of HR for sums below £25,000  <b>This recommendation requires a change to the constitution. Part 6 D5.1 (i)</b>
7.3 Authorise overtime.		<b>Policy</b> Pay and Benefits policy	Retain current arrangements
7.4 Reimbursement of travel expenses.		<b>Policy</b> Expenses policy	Retain current arrangements
7.5 Consider and approve applications from Directors for payment of honoraria and acting allowances.		<b>Policy</b> Honorarium scheme	Retain current arrangements
7.6 Staffing related payments, up to the maximum of the Inland Revenue rate, where conducive to the efficient operation of the Authority.		<b>Policy</b> Relocation scheme.	Retain current arrangements
7.7 Calculation of payment of salaries and expenses of staff in the authority.		<b>Policy</b> Contained within Pay and Benefits policy and Expenses policy	Retain current arrangements
<b>8. Job Evaluation/Design</b>		<b>Practice</b> Job Evaluation scheme	Retain current arrangements

Function	Delegated via		Comments
	Constitution	Policy/Practice	
8.1 Job (re)evaluation requests and regarding of posts below Director level			
8.2 Determine grades for staff in accordance with JE scheme for roles below Head of Service, subject to budget allocation.		<b>Practice</b> Job Evaluation scheme	Retain current arrangements
8.3 Change the establishment, subject to budget provision, in cases where a <b>full time post is converted to part time and vice versa.</b> For example Two 18.5 hour Part Time roles converted into one full time 37 hours role – no financial implication.	<b>Constitution – Head of Paid Service. Part 1 B Article 11</b>		Retain current arrangements
8.4 Approve changes to job responsibilities or accountabilities	<b>Constitution – Head of Paid Service. Part 1 B Article 11</b>	<b>Practice</b> Job Evaluation scheme	Retain current arrangements
<b>9. Employee Relations</b> 9.1 Undertake disciplinary action (subject to advice from Head of HR)		<b>Policy</b> Disciplinary procedure	Retain current arrangements
9.2 To implement all decisions of the Head of Paid Service on conditions of service and salary awards.		<b>Practice</b> Via Pay and Benefits policy and Pay Reward Scheme	Retain current arrangements

## Appendix B - Settlements from August 2014 to November 2016

	<b>Date</b>	<b>Directorate Or School</b>	<b>Amount</b>	<b>Reason</b>
1	Aug 14	RBWM	<b>£8,300</b>	Mutual agreement
2	Dec 14	Schools	<b>£7,000</b>	Mutual agreement
3	Jan 15	Schools	<b>£8,982</b>	Mutual agreement
4	Mar 15	RBWM	<b>£21,522.79</b>	Redundancy compromise
5	May 15	Schools	<b>£40,152.38</b>	Redundancy compromise
6	May 15	Schools	<b>£24,460</b>	Resignation
7	Jun 15	RBWM	<b>£16,150</b>	Mutual agreement
8	Aug 15	Schools	<b>£17,903</b>	Mutual agreement
9	Aug 15	Schools	<b>£30,000</b>	Resignation due to ill health
10	Aug 15	Schools	<b>£29,000</b>	Mutual agreement
11	Nov 15	RBWM	<b>£26,666.63</b>	Redundancy
12	Oct 15	RBWM	<b>£9,200</b>	Settlement of claim
13	May 16	RBWM	<b>£8,263.50</b>	Health issues
14	Apr 16	Schools	<b>£5,000</b>	Mutual agreement