

## ONESOURCE JOINT COMMITTEE

**18 MARCH 2016**

**Subject Heading:**

**Joint Committee Scheme of Delegation  
to Officers**

**Report Author and contact details:**

**Daniel Fenwick, Director of Legal &  
Governance**

**Financial summary:**

**Nil**

**Is this a Key Decision?**

**Not Applicable**

### SUMMARY

This report seeks the committee's approval for proposed delegations to officers of Bexley Finance functions that form part of the Joint Committee's delegated powers from 1 April. .

### RECOMMENDATIONS

For the reasons set out in this report, the Joint Committee is asked to agree the delegations below and to delegate authority to the Director of Legal & Governance to amend the Joint Committee Scheme of Delegation to reflect these changes.

### REPORT DETAIL

#### **1. Background**

- 1.1 The oneSource model is to delegate the powers to operate the shared services from both authorities to the Joint Committee. The Joint Committee then agrees a Scheme of Delegation of those powers to senior officers working for oneSource. Where further delegation of powers to frontline services is required, the Managing Director and Directors agree their own schemes of delegation. Bexley have delegated the

Finance functions set out in this report to the Joint Committee and these now need to be delegated to officers for operation from 1 April.

**2. Proposal**

- 2.1 It is proposed that the delegations follow the model agreed for Newham and Havering. In summary, all officer powers are delegated to the Managing Director and Directors, with the former being able to exercise any powers that are delegated to other officers, subject to legal exceptions. Directors are then responsible for agreeing their own scheme of delegation for their functions.
- 2.2 The Committee will retain the functions in the Scheme of Delegation that are currently reserved for both Newham and Havering and relate to the strategic management of oneSource.
- 2.3 The Bexley financial delegations are incorporated into the Scheme as follows:

<b>Bexley Financial Delegation</b>	<b>Scheme of Delegation Reference</b>
<b>Finance</b>  Corporate Finance / Business Partnering, Financial systems, Financial control & reconciliations, Finance Administration (inc. accounts payable, accounts receivable)  Internal Audit, Risk, Insurance and Fraud  Pensions administration	  B1-3, B10-12, B13-16, B30-31.  B25-29  B32-36
<b>Exchequer Services</b>  Benefits  Council Tax and Business Rates  Corporate Debt Recovery	  B4-6  B4-6  B7-9

- 2.4 The proposed Scheme delegates the powers to the relevant Directors so they can establish schemes of delegation for each service area.

## REASONS AND OPTIONS

3. To ensure the effective and lawful operation of oneSource activities, it is essential that the Joint Committee agree a Scheme of Delegation to officers.

**4. Reasons for the decision:**

4.1 The Scheme of Delegation must be approved by the Joint Committee as the body delegating powers.

**5. Other options considered:**

5.1 Not applicable. Delegation is required for the transferred functions to operate.

## IMPLICATIONS AND RISKS

**6. Financial implications and risks**

6.1 There are no financial implications to the proposals. Decisions are still subject to the financial and other regulations of participating authorities.

**7. Legal implications and risks**

7.1 The Joint Committee has statutory power to delegate its functions to officers.

7.2 For non-executive powers, Under Section 101(5) of the Local Government Act 1972 two or more authorities may discharge any of their functions by a joint committee of their functions by a joint committee of theirs. This empowers the Councils to delegate non-executive powers to the Joint Committee and s.101 also provides that the Joint Committee may delegate powers to officers.

7.3 For executive powers, section 9EB of the Local Government Act 2000 (as amended) and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 provide the power to delegate executive functions to a joint committee set up under section 101(5) of the Local Government Act 1972. Regulation 11(8) provides that a Joint Committee may arrange for the discharge of any of its function by an officer of one of the authorities concerned.

7.4 For information, most of the functions delegated are executive powers and the Scheme will be kept under review. If additional powers are required to carry out oneSource functions, they must be first delegated from the two authorities.

**Human Resources implications and risks:**

The Scheme of Delegation ensures officers have the necessary statutory authority to carry out their jobs.

**Equalities implications and risks:**

There are no direct equalities implications of this decision.

<b>BACKGROUND PAPERS</b>
--------------------------

**APPENDICES**

A – Current Joint Committee Scheme of Delegation to Officers