



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

ORIGINATOR: Chief Executive

DECISION NO. 4/2012

REASON FOR SUBMISSION: For Decision

SUBMITTED TO: Chief Executive

SUBJECT: Delegations by the Chief Executive

SUMMARY:

1. The paper provides for a decision to be made by the Chief Executive to delegate the performance of his functions as Chief Executive and Monitoring Officer to the Deputy Chief Executive and other officers to cover circumstances whenever the Chief Executive is unable to perform such functions.

RECOMMENDATION:

It is recommended that:

1. A delegation is made to the Deputy Chief Executive and other officers in the form attached at Appendix A.

OUTCOME/APPROVAL BY: CHIEF EXECUTIVE

Signature

Date 22 November 2012

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

- 1.1 The Chief Executive has statutory functions to perform as Chief Executive and Monitoring Officer. Further the Chief Executive has a number of responsibilities delegated to them by the Police and Crime Commissioner.
- 1.2 The Scheme of Delegation agreed by the Police and Crime Commissioner on 22 November 2012 provides that:

“In this Scheme, references made to the Chief Executive include officers authorised by them to act on their behalf and provided that such further delegation is documented in writing.”

- 1.3 The Scheme makes specific provision for delegations to the Chief Executive.

- 1.4 Under Section 5A(10) of the Local Government and Housing Act 1989:

“The duties of an authority’s monitoring officer under this section shall be performed by him personally or, where he is unable to act owing to absence or illness, personally by such member of his staff as he has for the time being nominated as his deputy for the purposes of this section.”

- 1.5 The PCC has a Deputy Chief Executive appointed to deputise for the Chief Executive.

- 1.6 In order to ensure continuity and discharge of the functions of the Chief Executive in the absence or illness of the Chief Executive, and to avoid any doubt as to the authority of the Deputy Chief Executive, the Chief Executive proposes to give a specific written authority to the Deputy Chief Executive as set out in Appendix A. This relates to the discharge of the Chief Executive’s statutory duties as Chief Executive and Monitoring Officer and inclusive of the various delegations to the Chief Executive included within the Scheme of Delegation.

- 1.7 The Chief Executive also proposes to authorise two further officers to execute formal documents on behalf of the PCC as set out in Appendix A.

2. FINANCIAL IMPLICATIONS:

- 2.1 There are no financial implications.

3. OTHER IMPLICATIONS AND RISKS:

- 3.1 There are no relevant other implications or risk.

PUBLIC ACCESS TO INFORMATION: Information contained within this submission is subject to the Freedom of Information Act 2000 and wherever possible will be made available on the OPCC website. Submissions should be labelled as ‘Not Protectively Marked’ unless any of the material is ‘restricted’ or ‘confidential’. Where information contained within the submission is ‘restricted’ or ‘confidential’ it should be highlighted, along with the reason why.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No – the author is a solicitor.
Has the PCC's Chief Finance Officer been consulted?	Yes
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes – there are no such implications.
Have human resource implications been considered?	Yes – there are no such implications.
Is the recommendation consistent with the objectives in the Police and Crime Plan?	N/A
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes – the PCC and the officers concerned have been consulted.
Has communications advice been sought on areas of likely media interest and how they might be managed?	Assessed as very unlikely.
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to PCC and DPCC).

Chief Executive/Chief Finance Officer/Deputy Chief Executive (delete as appropriate)

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the (add decision-maker's title i.e. PCC/DPCC).

Signature:

Date



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

Delegations by the Chief Executive to the Deputy Chief Executive and other officers

WHEREAS the Scheme of Delegation agreed by the Police and Crime Commissioner on 22 November 2012 provides:

“In this Scheme, references made to the Chief Executive include officers authorised by them to act on their behalf and provided that such further delegation is documented in writing.”

and further that the Chief Executive is authorised:

“To execute all contracts, agreements and other legal instruments either in writing or by affixing the common seal of the Commissioner, on behalf of the Commissioner in accordance with any decisions made by or on behalf of the Commissioner”,

I, CHRISTOPHER HARDING, Chief Executive of the Office of the Police and Crime Commissioner for Norfolk, hereby authorise:

- (i) **JENNY HAYES** as Deputy Chief Executive to undertake the roles and obligations of Chief Executive and Monitoring Officer when for reasons of absence or illness I am unable to discharge such roles and obligations and including the various delegations to the Chief Executive contained within the Scheme of Delegation referred to above;
- (ii) **BOB SUMMERS** to execute all contracts, agreements and other legal instruments either in writing or by affixing the common seal of the Police and Crime Commissioner, on behalf of the Commissioner in accordance with any decisions made by or on behalf of the Commissioner whenever I and the Deputy Chief Executive (as authorised by (i) above) are unavailable to do so.

In attesting the common seal **JENNY HAYES** will use the style “Deputy Chief Executive” and **BOB SUMMERS** will use the style “Duly Authorised Officer”.

C G Harding
Chief Executive

22 November 2012