



Haringey Council

**Report of the Governance Review Delivery Group
Council 19 July 2011**

Chair: Councillor Claire Kober

1. Introduction

- 1.1 This report outlines the proposed detailed text changes to the Council's Officer Scheme of Delegation. The proposed changes are to help enable the recently established Corporate Committee to function as intended by the Governance Review with a reduced number of meetings.
- 1.2 The proposals follow previous constitutional amendments adopted by full Council in May 2011.

2. Background

- 2.1 At the Council meeting in January 2011, in regard to the Governance Review the Council resolved to: 'establish an informal Delivery Group of Members, as described in paragraph 5.3.3 of the report and in accordance with Article 15.03(a) of the Constitution, to consider in detail all proposed text changes to the Constitution ... with a view to making recommendations for adoption by full Council.'
- 2.2 Following the establishment of the Corporate Committee members of the Delivery Group asked for consideration of the Scheme of Delegation to ensure that the committee could fulfil the core functions outlined in the constitutional changes agreed by full Council in May 2011.
- 2.3 The changes to the Officer Scheme of Delegation are proposed following consideration of these changes at the Delivery Group meeting on the 13 June 2011 and then further discussion which Delivery Group members held with colleagues on the Corporate Committee.
- 2.4 For information explanations of the proposed changes are provided beneath each change.
- 2.5 The only changes proposed in the report are to section 3 'delegations to the directorate of corporate resources and section 8 'general delegations'.

3. Proposals

- 3.1 The following changes are proposed:

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| APPENDIX E SECTION 3: DELEGATIONS TO THE DIRECTORATE OF CORPORATE RESOURCES |
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| Amendments to Non-Statutory Delegations: |
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| <p>Proposed amendment (Add to Payment of accounts)</p> <p><u>Power to approve the draft Council's Accounts and Accounting Policies by 30 June each year.</u></p> <p>Explanation This is as a result of legislative change brought about by the Accounts and Audit (England) Regulations 2011.</p> <p>The change will mean that rather than the draft statement of accounts going to members for initial approval after they are certified by the Chief Financial Officer in June, members will now be asked to approve the accounts after the findings of the audit are known in September.</p> <p>This will mean that members are aware of the findings of the audit and as such will ensure that they are better placed to make an informed decision on the statement of accounts. This change has been recommended by professional accountancy and audit organisations.</p> | <p>CFO</p> |
| <p>Proposed amendment (Add to Payment of accounts)</p> <p><u>Power to approve the draft Pension Fund Accounts by 30 June each year.</u></p> <p>Explanation Please see above</p> | <p>CFO</p> |
| <p>Proposed amendment (Add to Salaries, Wages, Pensions, Compensations etc)</p> <p><u>Authority to meet pensions fund managers, AVC scheme providers, custodians and other specialist external advisors on a regular basis for the purposes of performance monitoring and reporting findings back to the Corporate Committee on a quarterly basis.</u></p> <p>Explanation The Corporate Committee, in accordance with its terms of reference and Regulation 10 of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009, has a duty to monitor the performance of the investment managers it appoints and at least once every three months it must review the investments made by any investment manager and any other action that had been taken by the manager in relation to it.</p> <p>However, it is not necessary for these managers to appear directly before the Corporate Committee. It is therefore proposed that the CFO will conduct performance reviews and will report the findings back to the CC for consideration.</p> | <p>CFO</p> |
| <p>Proposed amendment (Add to Salaries, Wages, Pensions, Compensations etc)</p> | <p>CFO and Chair of CC</p> |



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| <p><u>Power to agree the admission and terms of admission and of the cessation of other bodies into the Council's Pension Scheme in consultation with the Chair of Corporate Committee.</u></p> <p>[Related additional amendment to Part 3 Section C Paragraph 1 (b)(iii)(D):]</p> <p>(D) — Agreeing the admission and terms of admission of other bodies into the Council's Pension Scheme</p> <p>Explanation This means that rather than all matters of admission and/or cessation being referred to Corporate Committee as a matter of course, only those matters that the Chair of CC and the CFO deem necessary will be referred to CC for determination.</p> | |
| <p>Proposed amendment (change to Salaries, Wages, Pensions, Compensations etc)</p> <p>Power to approve the terms of release of people aged 50 <u>55</u> or over and made redundant or retired early with a claim on the pension scheme provided this is within the limits of the Council policies and the decision applies to officers below Deputy Chief Officer level. This includes decisions on voluntary early retirement, early payment of deferred benefits, waiver of actuarial reductions on compassionate grounds, awards of increased membership on early retirement on efficiency grounds and reductions of contributions after 40 years service. Decisions which are outside Council policies or apply to Chief Officers or Deputy Chief Officers are referred to the General Purposes <u>Corporate</u> Committee.</p> <p>[Related additional amendment to Part 3 Section C Paragraph 2.1 (b)(iii):]</p> <p>(iii) Paragraph H – Pensions; Determining the Council's policies as "Employing Authority" and determining the terms of release of Chief and Deputy Chief Officers aged 50 <u>55</u> or over and made redundant or retired early with a claim on the pension scheme. <u>Exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension fund and the approval of all relevant policies and statement. This includes:"</u></p> <p>Explanation These amendments are as a result of legislative change increasing the "normal minimum pension age" from 50 to 55 with effect from 6 April 2010, in accordance with s 279 Finance Act 2004.</p> | <p>CFO</p> |

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| <p>SECTION 8: GENERAL DELEGATIONS</p> |
| <p>Proposed amendment</p> <p>This authorisation includes power:</p> |



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~~To make decisions on expenditure and project implementation under the “Making the Difference” Budget, and in accordance with the wishes of Area Assemblies, subject to an annual limit of £50,000, or agreed increase in this limit, when the officer is appointed as an “Area Liaison Officer”;~~

This authorisation includes the following powers in Personnel Matters:

- ~~• Extensions of service in accordance with agreed procedures, beyond the age of 65~~
- The establishment and deletion of Chief Officer and Deputy Chief Officer or equivalent level posts, the setting of the initial terms of employment including the level of starting salary, and any variation of the duties of such posts, are decisions delegated to the Chief Executive for determination in accordance with the decisions(s) previously made by the Cabinet on the service delivery aspects of a service restructuring. All appointments to such Senior Management posts must be made by an Appointments Panel, in accordance with Part 4, Section K of the Constitution, unless the Monitoring Officer advises a different procedure in any individual case for employment law reasons. The remuneration and other terms and conditions of Senior Management posts are subject to review by the Remuneration Corporate Committee;

Explanation

The removal of the delegation in relation to extensions of service beyond the age of 65 is a result of upcoming legislative change to the Employment Equality (Age) Regulations 2006.

The Default retirement Age ('DRA') of 65 years is presently being phased out and will be abolished from 1 October 2011. This means that from 1 October 2011 all employees reaching the age of 65 will be able to continue working if they choose to do so and the duty to consider requests to work beyond retirement age will no longer apply.

4. Recommendation

4.1 We recommend that members resolve:

- I. To approve the changes to the Officer Scheme of Delegation.