

PART THREE – RESPONSIBILITY FOR FUNCTIONS**Section E – Scheme of Delegation – Section 4 Proper Officer and Specified Officer Functions**

- (i) Determining whether the public interest in maintaining the exemption of information, or the exclusion of the duty to confirm or deny, outweighs the public interest in disclosure in relation to any request for information, or to any internal review after the refusal of a request, under section 2 and Part 2 of the Freedom of Information Act 2000;
- (j) Being the “qualified person” to form a reasonable opinion as to whether disclosure of information would be likely to inhibit the free and frank provision of advice or exchange of views or would be likely otherwise to prejudice the effective conduct of public affairs under section 36 of the Freedom of Information Act 2000;
- (k) In addition the Assistant Director of Corporate Governance is empowered to exercise powers to authorise directed surveillance or the conduct and use of a covert human intelligence source for the purpose of preventing or detecting crime pursuant to sections 28 and 29 Regulation of Investigatory Powers Act 2000

1.5 Democratic Services Manager

The Democratic Services Manager is appointed Proper Officer and specified officer in relation to:

- (a) Those proper officer functions relating to access to information not delegated to the Assistant Director of Corporate Governance above under Part VA and Schedule 12A of the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (Access to Information);
- (b) Section 191 of the Local Government Act 1972 (providing information to assist the Ordnance Survey);
- (c) Sections 225 and 229 and Schedule 14, Part II, Paragraph 25 (7) of the Local Government Act 1972, and Section 41(1) of the Local Government (Miscellaneous Provisions) Act 1976 (custody of, and certifying, documents);
- (d) Section 8 of the Representation of the People Act 1983 (the officer who will act as Deputy to the Electoral Registration Officer in the event of the latter's incapacity or a vacancy arising);
- (e) Section 2(2) of the Local Government and Housing Act 1989 (Maintenance of the list of politically restricted posts);

In addition the Democratic Services Manager is empowered:

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- (f) To determine the appointment of outside members to the “pool” from which the membership of School Admissions Appeals Panels and School Exclusions Appeals Panels are drawn;
- (g) To determine the membership of individual Appeals Panels (under (f) above) and the selection of Chairs of these Panels;
- (h) To make appointments of representative School Governors as notified by the Cabinet Member for Children or the Opposition Spokesperson, as appropriate;
- (i) To make appointments to vacancies on the Standing Advisory Council on Religious Education and Conference Committees;
- (j) To make appointments to the membership of Special Licensing Sub-Committees from among the Members of the Regulatory Committee;
- (k) To appoint an additional Member or Members to any scheduled meeting of a Licensing Sub-Committee from among the Members of the Regulatory Committee whenever the appointment of a substitute Member under the Committee Procedure Rules (Part 4, Section B) would be impracticable and the meeting would otherwise be inquorate;
- (l) The exercise of the delegated powers in (j) and (k) above shall be, so far as practicable, in consultation with the Chair of the Regulatory Committee and the Chief Whip of each Group and with a view to achieving political balance in the membership of Licensing Sub-Committees.
- (m) To appoint the membership of Assessment Sub-Committees, and Hearing Sub-Committees in accordance with the arrangements for dealing with allegations that a member or co-opted member has failed to comply with the Members’ Code of Conduct and the decisions of the Standards Committee and in consultation with the Chair of the Standards Committee and the Monitoring Officer.

1.6 Assistant Director for Human Resources

The Assistant Director for Human Resources is authorised to provide the “Certificate of Opinion” for an employee on SCP44 or above making application to the Standards Committee for exemption of his/her post from political restriction under section 3 of the Local Government and Housing Act 1989 – (Opinion as to whether the duties of the post involve regularly giving advice to Members or speaking to journalists/broadcasters).