

## DIRECTOR OF CORPORATE SERVICES HR, LEGAL AND PERFORMANCE

1. Exercise of the discretion contained within the National Conditions for sick payment entitlements.
2. Extension of industrial accident pay (in consultation with the Director of Finance and Resources and IS).
3. Arrange insurance cover for the Council.
4. To implement the Council's disciplinary and grievance procedures in accordance with Council's Conditions of Service.
- ~~5. To make ex-gratia payments in respect of claims not exceeding £1,000 in respect of damage or injury resulting from the actions of clients looked after by the Council both in relation to young people and adults.~~
- ~~6.5.~~ To approve compensation and other payments to all current and former employees of the Council (other than employees in maintained schools) by way of a settlement agreement in consultation with the relevant director to an amount not exceeding £50,000.

### 7.6. Honoraria

- a. If honoraria payments of £1000 or over or paid to 5 or more staff for the same reason, then must be authorised by Director of HR, Legal and Performance Corporate Services. Director for HR, Audit and Performance Corporate Services must be consulted in advance and authorise the payment.

### 8.7. Acting up allowance

- a. For periods of less than 4 weeks must be agreed in advance by the Director of HR, Legal and Performance Corporate Services.

### 9.8. Career Break Scheme

- a. Consideration to be made initially by manager and then in conjunction with Director of HR, Legal and Performance Corporate Services.

### 10.9. Early termination of employment payments

- a. Decisions on redundancy or early retirement in the interests of efficiency of the service of any member of staff other than those employed under JNC Conditions of Service will be taken by the relevant Director in consultation with the Director of HR, Legal and Performance Corporate Services and the Director of Finance ~~and IS~~.

### 11. Emergency Management guidelines

- ~~a. The decision to implement this policy will be undertaken by the Director of HR, Legal and Performance Corporate Services liaising with the Chief Executive or Deputy Chief Executive.~~

- ~~b. The decision to deactivate this policy will be taken by the Director of HR, Legal and Performance Corporate Services in consultation with the Chief Executive and subsequently communicated to managers.~~

#### 42.10. Exit interviews

- a. The Director of ~~HR, Legal and Performance Corporate Services, the Deputy Chief Executive~~ or Chief Executive will conduct the exit interview where an employee is on JNC for chief officer grade.

#### 43.11. Flexible retirement

- a. Staff on JNC Terms and Conditions of Employment
- i. Where flexible retirement results in a pension strain cost or the reduction in salary following 'retirement' is less than 20%, approval will be required by the Employment Committee. The Director responsible for ~~HR Corporate Services~~ or ~~his / her their~~ representative will present a report to the committee detailing the facts of the case.
- b. All other staff
- i. For approval where there is no pension strain and the reduction is met - line manager and relevant director.
  - ii. For approval where there is a pension strain and /or the reduction is not met - the relevant Director and Director of Finance ~~and IS.~~ (refer to Flexible Retirement Policy section 4.4.2).

#### 44.12. Grading

- a. Grades for posts will be assessed under the JESS job evaluation scheme.
- b. There will be a delegation to directors in consultation or with the agreement of the Director of ~~HR, Legal and Performance Corporate Services~~ to ensure equity of treatment and effective process.

#### 45.13. Policies

To manage and approve any deviation from the following policies:

- a. Ill health retirement;
- b. Job share
- c. Recruitment and retention
- d. Relocation
- e. Special leave
- e-f. Managing Absence

#### 46.14. Staff Joint Committee consultation

- a. On the employer's side, the Director of ~~HR, Legal and Performance Corporate Services~~ (or nominated deputy) shall attend.

Audit Function<sup>[WC1]</sup>

~~17. To refer cases of suspected dishonesty on the part of council employees to the police for investigation after consultation where necessary with the City Solicitor.~~

### **IS Function**

- ~~15. To ensure that the following arrangements meet the required security standards and that the intended systems are compatible with the Council's technical standards and infrastructure:-~~
- ~~a. to authorise where data is to be hosted external to the PCC infrastructure (i.e. in the Cloud);~~
  - ~~b. to authorise the purchase of systems that are to be hosted on the PCC infrastructure~~
- ~~16. The Director of Corporate Services, or their delegated representative, to authorise any departure from standards regarding point 17 above. The determination and interpretation of adherence to standards is at the sole discretion of the Director of Corporate Services or theirhis delegated representative.~~

### **Democratic Service**

~~The Monitoring Officer has concurrent powers to act in respect of the delegations set out regarding Democratic Service.~~

- ~~17. In consultation with the Chair of the Employment committee, to appoint members to serve on senior officer appeals and sub-committees under the authority's disciplinary code for teachers and disciplinary boards established in accordance with the disciplinary code adopted by the Diocesan Schools Commission of the Arch-Diocese of Portsmouth for teachers in Voluntary Aided Roman Catholic Schools.~~
- ~~18. Authorised to establish and maintain lists of persons -~~
- ~~a. eligible to serve as lay members of education appeals committees; and~~
  - ~~b. with experience in education.~~
- ~~19. Authorised to appoint individual education appeals panels from amongst the members and persons set out below -~~
- ~~c. persons on the list maintained by the Local Democracy Manager who have experience in education, are acquainted with the educational conditions of the City or are parents of registered pupils at schools; and~~
  - ~~d. persons on the list maintained by the democratic services manager who are eligible to serve as lay members.~~

### **Freedom of Information**

- ~~20. To ensure all requests made under the Freedom of Information Act (FOI) / Environmental Information Regulations (EIR) are responded to in accordance with the relevant legislation.~~

21. To ensure the Council remains up to date with changes in the legislation.
22. To develop and disseminate corporate policies and procedures in relation to FOI / EIR.
23. To provide advice to all areas of the Council on FOI / EIR matters.

### **Data Protection**

24. To handle all Data Subject Access requests (excluding requests for Social Care information) and requests for personal data from third parties (e.g. the Police)).
25. To ensure the Council remains up to date with changes in the legislation.
26. To ensure the Council remains compliant with Data Protection legislation including the designation of a Data Protection Officer within the Directorate
27. To develop and disseminate corporate policies and procedures in relation to Information Governance and Data Protection.
28. To provide advice to all areas of the Council relating to Information Governance and Data Protection to ensure its obligations under the Data Protection Act are met.

### **Corporate Complaints**

29. To monitor and manage complaints to ensure Council and Local Government Ombudsman (LGO) timescales are adhered to.
30. To investigate complaints, ascertain the facts and assess whether maladministration exists.
31. To decide on suitable local settlements and ensure that measures are in place to improve service areas and prevent reoccurrence.
32. To manage information regarding complaints figures and escalate any identified trends accordingly.
33. To ensure the Council remains up to date with changes in the legislation.
34. To develop and disseminate corporate policies and procedures relating to complaints.
35. To provide advice to all areas of the Council.

### **Council tax**<sup>[WC2]</sup>

- ~~18. To approve or otherwise deal with applications for Council Tax Benefit under the following regulations –~~
  - ~~a. Council Tax (Administration and Enforcement) Regulations 1992~~

~~All Local Authority powers/duties contained within regulations except those within Sections 25 and 26 (discounts).~~
  - ~~b. Council Tax (Administration and Enforcement) Regulations 1992 and Schedule 4 Local Government Finance Act 1992~~
    - ~~i. Representing the Council at all proceedings in connection with the collection of Council Tax~~
    - ~~ii. All Local Authority powers/duties contained within the Regulations.~~

~~c. Council Tax (Situation and Valuation of Dwellings) Regulations 1992~~

~~All Local Authority powers/duties contained within the Regulations.~~

~~d. Council Tax (Reductions for Disabilities) Regulations 1992~~

~~All Local Authority powers/duties contained within the Regulations.~~

~~e. Local Authorities (Calculation of Council Tax Base) Regulations 1992~~

- ~~i. Regulations 3 to 5 – calculation of the amount of a billing authority's council tax base for the purposes of the calculation of its council tax.~~
- ~~ii. Regulation 6 calculation of a billing authority's council tax base for a part of its area for the purposes of the calculation of its council tax similarly to the way in which the council tax base is to be calculated for the whole of a billing authority's area under regulations 3 to 5.~~
- ~~iii. Regulation 7 the calculation of the council tax base of the area or part of the area of a billing authority for the purposes of the calculation of a major precepting authority's council tax and the amount payable by a billing authority to a major precepting authority, based on the rules set out in regulations 3 to 6.~~

### **Revenues and benefits**<sup>[WC3]</sup>

~~19. To implement and operate the housing benefit scheme.~~

~~20. To approve or otherwise deal with applications for Council Tax Benefit.~~

~~21. Under the powers given to the Authority by section 223 of the Local Government Act 1992, all permissions for the granting, varying reviewing and revocation of discretionary relief under the Local Government finance Act 1988, the Local Government and Rating Act 1997 the Local Government Act 2003 and the localism Act 2011 (and any other relevant legislation).~~

### **Elections Services**

36. To support the Returning Officer in undertaking all functions and responsibilities for local, national, European and any other elections and referenda, in accordance with UK and European legislation and regulations.

37. To support the Electoral Registration Officer in undertaking the electoral registration functions and duties in accordance with legislation.

### **Community Engagement**

38. To oversee the corporate consultation process accepting, revising or declining proposals submitted and placing all approved consultations on the web.

39. To support neighbourhood forums

## **Trading**

To trade those services within the directorate where it is appropriate and where a commercial case can be made to do so. ~~services within the directorate.~~

## **Recovery of costs**

Where services are provided externally to the Council, the power to recover the full cost of the provision of those services.

Work on behalf of other public bodies

Power to carry on work on behalf of other public bodies.

## **Equalities**

To ensure compliance with the Council's Equality Policy and the public sector equality duty in so far as it concerns the Council as a provider of services to the public and to ensure compliance with all current antidiscrimination and equal opportunities legislation in relation to decisions actions or proposals made by the City Council.

To establish and maintain appropriate access to all the Council's facilities and services in order to ensure compliance with the public sector equality duty.