

3.4 - Hull and East Yorkshire Combined Authority Officer Delegation Scheme: Non-Mayoral and Mayoral General Functions

Introduction

General Roles and Responsibilities of Officers

1. The Combined Authority and the Mayor approve strategies and policies which determine the framework in which operational decisions are made - see further the Budget and Policy Procedure Rules in Part 4 of the Constitution.
2. Officers implement decisions made by the Combined Authority (or any decision-making committee of the Combined Authority) and the Mayor. Officers also take measures to carry out these policies and decide day-to-day operational matters within the framework of these decisions. Senior Officers have a set of general accountabilities, expressed through their objectives to deliver against the policies set out by the Combined Authority relating to their functional areas. This delegation therefore covers specific delegations or requirements for compliance where officers are fulfilling these accountabilities.
3. Officers must comply with Article 13 (Decision-making) in Part 2 of the Constitution when exercising authority delegated to them.
4. Decision-making by officers is subject to other control measures. These include:
 - Standing Orders including the Contracts Standing Orders and Financial Regulations in Part 4 of the Constitution,
 - Officers' Codes of Conduct, gifts and hospitality policy and the Conflicts of Interest Policy and Protocols in Part 5 of the Constitution,
 - policies of the Combined Authority
 - organisational values,
 - an anti-fraud, bribery and corruption policy, and
 - internal audit and risk management arrangements.
5. When exercising their delegated authority, an officer must:
 - ensure that the decision conforms with and furthers strategies and policies approved or endorsed by the Combined Authority and the Mayor, and
 - follow approved practices and procedures of the Combined Authority including the Assurance Framework, relevant Government guidance and industry/professional best practice.

Delegations to Officers

6. This Officer Delegation Scheme sets out:
 - Non-Mayoral Functions delegated to officers by the Combined Authority, and
 - Mayoral Functions delegated to officers by the Mayor.
7. The Combined Authority or the Mayor may also delegate decisions outside of this Scheme to a Combined Authority officer in relation to any specific matter, subject to statutory restrictions.
8. The Combined Authority's Standing Orders in Part 4 of the Constitution including Contracts Standing Orders and Financial Regulations also delegate to specified officers.
9. Where the Combined Authority has appointed a committee to discharge functions, that committee may also delegate any of those functions or a decision in relation to a specific matter within the committee's terms of reference, to an officer – see further Article 7 (Ordinary Committees) in Part 2 of the Constitution.
10. The Combined Authority (or a committee) or the Mayor may continue to exercise any function which it has delegated to an officer.

Sub-Delegations

11. Unless required by law or expressly indicated in the Scheme, an officer is not required to discharge their delegated authority personally, (although they will remain accountable for any decision taken on their behalf). Such an officer may arrange, by way of a designation in writing, for another officer, with suitable qualifications, experience and seniority to exercise the delegated authority on their behalf.

Referral of Matters to the Combined Authority or Relevant Committee - Non-Mayoral Functions

12. An officer may decide not to exercise their delegated authority in relation to any matter. If so, the officer shall refer the matter to the Combined Authority or a relevant committee.

Referral of Matters to the Mayor - Mayoral General Functions

13. An officer may decide not to exercise their delegated authority in relation to any matter. If so, the officer shall refer the matter to the Mayor.

Key Decisions

14. The Access to Information Rules in Part 4 of the Constitution apply where an officer exercises their delegated authority to take a Key Decision.

Call-in of Officers' Decisions

15. Any Key Decision taken by an officer under delegated authority is open to call-in, in accordance with the Scrutiny Standing Orders in Part 4 of the Constitution.

Recording Officer Decisions

16. An officer is required to complete a written record of their decision in accordance with the Access to Information Rules in Part 4 of the Constitution.

Concurrent Functions and Statutory Consents

17. An officer proposing to exercise their delegated authority in respect of any Concurrent Function must follow any Protocol agreed by the Combined Authority with Constituent Councils relating to Concurrent Functions, including in relation to consultation processes - see further Section 5 of Part 3 of the Constitution.
18. No officer may exercise their delegated authority in relation to any function which requires a Statutory Consent required by the 2025 Order, where that Statutory Consent has yet to be given - see further the Access to Information Rules in Part 4 of the Constitution.
19. An officer should exercise their delegated authority in relation to any function in respect of which a Statutory Consent has been given, in accordance with the terms of that Statutory Consent.

Officer Delegation Scheme: Delegations

Directors and the Chief Executive and includes any interim appointments into those roles.

Any reference to a Director within this Officer Delegation Scheme is to be construed as a reference to any officer (including any interim postholder) to whom Functions are delegated by the Combined Authority under the General Delegations section of this Scheme, except where the context requires otherwise.

Any reference to a Function delegated under this Officer Delegation Scheme should be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate, or is conducive or incidental to, the specified Function.

Any reference to Director should also be taken to include Executive Directors and the Chief Executive and includes any interim appointments into those roles.

20. Subject to the Proper Officer Functions referenced at paragraph 2.8 below, and the delegations set out in this Officer Delegation Scheme to the:

- Head of Paid Service
- Section 73 Chief Finance Officer
- Monitoring Officer

there are no general delegations to Directors in this Officer Delegation Scheme, as these flow directly from the Chief Executive's Scheme of Sub-Delegation.

21. The Head of Paid Service, the Section 73 Officer and the Monitoring Officer are authorised to incur expenditure and enter into contracts within the agreed revenue budget in accordance with the Financial Regulations and Contracts Standing Orders in Part 4 of the Constitution within the following approval limits:
- 21.1 Above £1m The Chief Executive or the Section 73 Officer in consultation with the Mayor provided it is within budget and the policy framework of the Combined Authority.
- 21.2 Between £0.5m and £1m Chief Executive or Section 73 Officer provided it is within budget and the policy framework of the Combined Authority
- 21.3 Up to £0.5m Executive Directors (and Statutory Officers) in consultation with the Section 73 Officer provided it is within budget and the policy framework of the Authority
- 21.4 Expenditure on capital schemes within agreed scheme budgets, in accordance with the Financial Regulations, provided that expenditure has been authorised in accordance with the Hull and East Yorkshire Combined Authority Assurance Framework and the Constitution.

Proper Officer Functions

22. Each Director is appointed the Proper Officer for any function within their remit. The Monitoring Officer is also a Proper Officer under the Local Government & Housing Act 1989.
23. Each Proper Officer has authority to implement and ensure compliance with requirements relating to:
- health and safety
 - data protection, freedom of information and transparency,
 - surveillance activities,
 - human rights,
 - risk management,
 - equity and diversity, and
 - Safeguarding.

Chief Executive

24. The Chief Executive is designated the Head of Paid Service of the Combined Authority - see further Article 12 (Officers) in Part 2 of the Constitution.
25. With the exception of any matter which the Mayor or the Combined Authority has directed should be referred to the Combined Authority for determination, the Chief Executive is authorised to exercise any Non-Mayoral Function which is not:
- expressly reserved to the Combined Authority,
 - a function of any other officer in their capacity as a statutory officer,
26. The Chief Executive is further authorised to take decisions which would have been taken by a committee and where, for exceptional circumstances, that committee has been unable to meet, and the decisions are of an urgent nature and cannot wait until the next scheduled meeting.
27. The Chief Executive is also authorised with the exception of any matter:

- expressly reserved to the Combined Authority or
 - expressly within the terms of reference of a Combined Authority committee to carry out any function in relation to:
 - human resources. Including granting voluntary redundancy requests and releasing preserved pension benefits on ill health grounds (in consultation with the Section 73 Chief Finance Officer) and payments up to £250 to officers for loss or damage to property arising out of their employment with the Combined Authority but excepting those statutory functions which fall to the Head of Paid Service, and those functions delegated to any Director under the General Delegations above
 - knowledge and information management,
 - strategic risk management, insurance, and business continuity, and
 - health and safety policy and strategy development, monitoring and reporting.
28. To negotiate and to settle claims for or against the Combined Authority whether or not legal proceedings have begun subject to:
- the value of the settlement not exceeding £150,000, and

S73 Chief Finance Officer

29. The Section 73 Officer is the Chief Finance Officer of the Combined Authority and as such exercises any statutory function of the Chief Finance Officer, including making arrangements for the proper administration of the Combined Authority's financial affairs¹³ - see further Article 12 (Officers).
30. The Section 73 Chief Finance Officer is authorised to exercise the following Non-Mayoral functions:
- making arrangements for the proper administration of the Authority's financial affairs; this includes authority to approve Financial Regulations and Contracts Standing Orders;
 - procurement and purchasing, and
 - establishing internal audit arrangements.
31. With the exception of any matter expressly reserved to the Combined Authority, or which the Head of Paid Service has directed the Section 73 Chief Finance Officer to refer to the Combined Authority or any Committee for determination.

Monitoring Officer

32. The Monitoring Officer for the Combined Authority exercises any statutory function of the Monitoring Officer - see further Article 12 (Officers) in Part 2 of the Constitution.

33. With the exception of any matter:
- expressly reserved to the Combined Authority or
 - which the Head of Paid Service has directed the Monitoring Officer to refer to the Combined Authority or any Committee for determination to carry out the following functions:

Legal Proceedings and Settlements

34. To take any legal action to implement a decision of the Combined Authority.
35. To institute, defend or participate in any proceedings or disputes where such action is necessary to give effect to a decision of the Combined Authority or to protect the interests of the Combined Authority, and to take all necessary steps in relation to such proceedings or disputes.
36. To enforce byelaws.
37. To make payments or provide other benefits in cases of maladministration.
38. To negotiate and to settle claims for or against the Combined Authority whether or not legal proceedings have begun subject to:
- the value of the settlement not exceeding £100,000, and
 - professional advice being obtained, where appropriate, that the settlement represents good
 - value for money, and
 - consultation with the Mayor and Section 73 Chief Finance Office about any settlement value over £20,000.
39. To certify documents on behalf of the Combined Authority.
40. To authenticate the seal of the Combined Authority and keep custody of it.
41. To sign certificates for contracts in accordance with Local Government (Contracts) Act 1997.
42. To sign any contract on behalf of the Combined Authority provided that the Contract Standing Orders and Financial Procedure Rules of the Combined Authority have been complied with.

Authorising Officers

43. To authorise officers possessing such qualifications as may be required by law or in accordance with the Combined Authority's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Combined Authority (however described) and to issue any necessary certificates of authority.

Governance

44. To discharge secretarial and other functions in relation to meetings of the Combined Authority and its committees.
45. To make any changes to any governance document of the Combined Authority which are required:
 - as a result of legislative change or decisions of the Combined Authority or the Mayor,
 - to enable them to be kept up to date, or
 - for the purposes of clarification only.
46. To make any changes to the Hull and East Yorkshire Combined Authority Assurance Framework which are required:
 - as a result of legislative change or decisions of the Combined Authority or the Mayor,
 - to enable it to be kept up to date, or
 - for the purposes of clarification only.
47. In relation to Local Authority Co-optees (and only in accordance with any nomination by the relevant Constituent Council and the Non-Constituent Bodies) to make any change to the membership of any committee of the Combined Authority, provided that the appointment has no impact on the political balance for the committee.
48. Where in-year vacancies for independent members arise, the Monitoring Officer is authorised to progress recruitment, including the convening of an interview panel as necessary, to make recommendations to a subsequent meeting of the Combined Authority.

Members' Allowances

49. To administer the Members' Allowances Scheme in Part 6 of the Constitution.

Interests in Land

50. To obtain particulars of persons interested in land.

Senior Information Risk Officer

51. To act as Senior Information Risk Officer.