



Report of: Acting Director of Law and Governance and Monitoring Officer

Meeting of:	Date:	Ward(s):
Annual Council	20 May 2021	All

Delete as appropriate:	Exempt	Non-exempt
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SUBJECT: Constitution Update

1. Synopsis

- 1.1 This report proposes a number of changes to the Council's Constitution to ensure it reflects changes in legislation and council policy and remains fit for purpose.

2. Recommendations

- 2.1 To approve the amendments to the Constitution set out in the appendices.

3. Background

- 3.1 The appendices contain extracts from the Constitution in which proposed changes are marked, by crossing through in the case of deletions and by underlining in the case of additions. The main changes proposed are described below.

4. Main proposed changes

New corporate management structure and associated amendments

- 4.1 Islington Council adopted a new corporate management structure in April 2021. A number of amendments are required to throughout the document to reflect recent changes to the officer structure.

4.2 Terms of Reference

The terms of reference of the Grievance Committee and Grievance Appeal Committee specify which Executive Members should be appointed to these committees. Following recent changes to Executive responsibilities, it is proposed to revise which Executive member is appointed to these committees. It is also proposed to make a correction to a paragraph reference the Terms of Reference of the Personnel Sub-Committee.

4.3 Code of Conduct for Members

Following the Local Government Association's publication of a new Model Code, the Islington Code of Conduct for Members has been updated. The proposed new version is attached as Appendix C.

4.3 Standards Matters

A number of amendments are proposed to ensure that the Constitution reflects the legislation governing member conflicts of interest and authority to grant dispensations.

5. Implications

5.1 Financial implications:

There are no direct material financial implications associated with the amendments to the Constitution as set out in this report.

5.2 Legal Implications:

The Council must keep its Constitution up to date (section 9P Local Government Act 2000).

5.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:

There are no direct environmental implications resulting as a result of this report.

5.4 Resident Impact Assessment:

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

An initial assessment has been undertaken and it has been concluded that a full assessment is not required as there are no direct impacts on residents.

5. Reason for recommendations

5.1 This report proposes a number of changes to the Constitution to ensure that the document remains up to date and fit for purpose.

Appendices:

- Appendix A – Proposed Amendments to the Constitution
- Appendix B – New organisation structure chart
- Appendix C – Proposed new Code of Conduct for Members

Background papers:

None

Final report clearance:

Signed by:

Peter Fehler,
Acting Director of Law and Governance
Monitoring Officer

17 May 2021

Date

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APPENDIX A

Proposed Amendments to the Constitution

(i) New corporate management structure and associated amendments

Part 2, Article 6.03 – Overview and Scrutiny

Within the Democratic Services Section, the ~~Democratic Services Manager~~ Head of Democratic Services and Governance is designated the Scrutiny Officer with the role of providing support and guidance on the work of the Overview and Scrutiny Committees and to the members of those committees and promoting the role of the Policy and Performance Scrutiny Committee and the Scrutiny Committees. In addition, departments will appoint lead officers to assist the Policy and Performance Scrutiny Committee and Scrutiny Committees in specific aspects of their work programmes.

Part 2, Article 8.02 – Audit Committee and Sub-Committees

The Audit Committee will appoint a number of sub-committees whose terms of reference are set out in Part 3 of this Constitution. Those sub-committees are as follows:

- (a) A Personnel Sub-Committee whose functions shall include the terms and conditions of employment of staff; the appointment of the Chief Executive (subject to confirmation by Council), Corporate Directors and ~~Service~~ Directors, in each case unless direct assimilation without competition applies under the applicable organisational change procedures; health and safety at work matters, and the making of recommendations to Council on the appointment of the Independent Person under the Localism Act 2011.

The Audit Committee may decide to appoint different members to this sub-committee in order to deal with appointments to different posts.

- (b) A Pensions Sub-Committee whose functions shall include all matters relating to the Local Government Pension Fund, but not the allocation of council resources to that Fund, which shall be the responsibility of the Executive in accordance with the budget and the Financial Regulations.

Part 2, Article 12.01 – Management Structure

(b) Chief Officers

The Council will engage persons for the following posts, who will be designated chief officers:

Chief Executive;
Corporate Director of ~~Housing;~~ Homes and Neighbourhoods
Corporate Director of People;
Corporate Director of Environment ~~and Regeneration;~~
Corporate Director of Resources;
Corporate Director – Community Wealth Building
Director of Public Health;
Director of Law and Governance;
~~Director of Finance and Property~~
Partnership Director – Fairer Together

Part 2, 12.04 Functions of the Chief Finance Officer

(e) Deputy Arrangements

The Chief Finance Officer may appoint a deputy to carry out their functions in their absence. The Director of Finance is appointed as the Deputy Chief Finance Officer.

Part 3, Paragraph 4 – Matters Reserved for Executive Decision

4.3 – Sustainability

- (f) Monitoring the performance of services within the Environment ~~and Regeneration~~ Department (including monitoring against local and national performance indicators) and reporting issues to the Executive where appropriate.
- (i) Agreeing for consultation and adopting site specific planning briefs or other similar documents which, in the opinion of the Corporate Director of Environment ~~and Regeneration~~, have significant or strategic implications.

Part 3, Paragraph 8 – Officer Delegations

8. OFFICER DELEGATIONS

- 8.1 All matters not reserved to a decision-making body or individual above or by Financial Regulations, are deemed to be delegated to the Chief Executive, relevant Corporate Director, the Director of Public Health or the Partnership Director Fairer Together and notwithstanding the reservations of matters, such bodies shall be entitled to delegate decisions to Directors or the Chief Executive on a case by case basis unless prohibited by legislation from doing so. All references within the Constitution to Corporate Directors, also refer to the Director of Public Health and the Partnership Director Fairer Together.
- 8.2 The relevant Corporate Director may be determined as follows:
 - (a) all matters within the Environment ~~and Regeneration~~ Department (including all functions under the Licensing Act 2003 and the Gambling Act 2005 not within the terms of reference of sub-committees of the Licensing Committee or reserved to the Council at Part 3 Section 6 of the Constitution, other than the fixing of fees under the Gambling Act 2005.) to the Corporate Director of Environment ~~and Regeneration~~;
 - (b) all matters within the People Department, to the Corporate Director of People;
 - (c) all matters within the ~~Housing~~ Homes and Neighbourhoods Department, to the Corporate Director of ~~Housing~~ Homes and Neighbourhoods;
 - (d) all matters within the Department of Resources to the Corporate Director of Resources, (with the exception functions specifically designated to the Chief Finance Officer, if the Corporate Director is not also appointed as Chief Finance Officer);
 - (e) all matters within the Public Health Department, to the Director of Public Health;
 - (f) all matters within the Community Wealth Building Department to the Corporate Director – Community Wealth Building;

(g) all matters within the Fairer Together Department to the Partnership Director – Fairer Together;

8.14 Corporate Directors may designate a deputy /deputies from amongst the **Service** Directors in their department who shall have all the powers of the Corporate Director or in their absence which do not relate just to a specific service. Corporate Directors shall be responsible for informing the Monitoring Officer and the Chief Finance Officer of their designated deputy from time to time.

Part 4, Officer Employment Procedure Rules

99.1 In these rules, references to heads of service shall include references to **Service** Directors and Heads of Services and to all those other senior officers who with respect to most or all of their duties, report directly to Corporate Directors or to the Chief Executive.

100.5 The Personnel Sub-Committee shall also be responsible for the appointment (save on an interim basis) of Corporate Directors exclusively from existing officers and of all **Service** Director posts, in each case unless direct assimilation without competition applies under the applicable organisational change procedures.

100.6 No offer of appointment of the Chief Executive or a Corporate Director, (or any senior officer reporting directly to them), or **Service** Director shall be made until:

- (a) the Council (in the case of the Chief Executive), sub-committee or officer proposing to make the offer ("the Appointer") has notified the Proper Officer of the name and any relevant particulars of the proposed appointee; and
- (b) the Proper Officer has notified every Executive member of the authority of the name and relevant particulars of the proposed appointee and the period in which any objection ("the objection period") to the making of an offer of appointment is to be made by the Leader on behalf of the Executive and either:
 - (i) the Leader has, within the objection period, notified the appointer that neither he/she nor any executive member has any objection to the making of an offer; or
 - (ii) the Proper Officer has notified the appointer that no objection was received within the objection period; or
 - (iii) the appointer is satisfied that any objection is not material or is not well-founded.

101.3 No notice of dismissal (whether for misconduct, incompetence, redundancy or otherwise) shall be given to any Corporate Director, **Service** Director or Head of Service until:

- (a) the Council (in the case of the Chief Executive), sub-committee or officer proposing the dismissal ("the dismissor") has notified the Proper Officer of the name and any relevant particulars of the officer whom it is proposed to dismiss; and
- (b) the Proper Officer has notified every Executive member of the authority of the name and relevant particulars of officer whom it is proposed to dismiss and the period in

which any objection (“the objection period”) to the proposed dismissal is to be made by the Leader on behalf of the Executive; and either

- (c) the Leader has, within the objection period, notified the dismissor that neither he/she nor any Executive member has any objection to the proposed dismissal; or
- (d) the Proper Officer has notified the dismissor that no objection was received within the objection period; or
- (e) the dismissor is satisfied that any objection is not material or is not well-founded.

101.4 Where a Corporate Director, **Service** Director or Head of Service has a contractual right of appeal to elected members, that right shall be in addition to the process set out above and shall accrue once notice of dismissal has actually been given. The right of appeal shall lie to the Personnel Sub-Committee which for these purposes shall include at least one member of the Executive. The fact that the Executive member concerned may have been involved in the process set out above, shall not preclude him or her from hearing the appeal. The provisions of this paragraph do not apply to the Chief Executive, the Monitoring Officer and the S151 officer who shall be treated in accordance with a procedure complying with paragraph 102 below and all relevant statutory and contractual provisions.

Part 5, Terms of Reference: Licensing Sub Committees

20. To determine any application or variation which is capable of being determined by officers but which the Corporate Director of Environment **and Regeneration** considers appropriate for the Sub-Committee to consider.

Part 5, Terms of Reference: Environment and Regeneration Scrutiny Committee

1. To carry out the functions of an overview and scrutiny committee in respect of matters relating to the Environment **and Regeneration** Directorate.

Part 6, Protocol on Member Officer Relations

1.2 References in this protocol to Chief Officers are to the Chief Executive, Corporate Directors, **Service** Directors and Heads of Service and other non-administrative officers reporting directly to Corporate Directors.

Part 6, Financial Regulations

CHIEF FINANCE OFFICER **AND** (SECTION 151 OFFICER)

~~(DIRECTOR OF FINANCE AND PROPERTY)~~

2.7 The Chief Finance Officer has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- Section 151 of the Local Government Act 1972;
- The Local Government Finance Act 1988;
- The Local Government and Housing Act 1989;

- The Accounts and Audit Regulations 2015;
- The Local Government Act 2003.

3.1 The Chief Finance Officer ~~reporting to the Corporate Director of Resources~~ is responsible for the co-ordination of budget preparation, including the issue of budget preparation guidance and standardisation of the basis for the presentation of budgets.

3.7 Each Corporate Director, ~~Service~~ Director and Head of Service shall be responsible for monitoring and controlling his/her budget to ensure expenditure is contained within his/her net budget as set by Council.

DEBT WRITE-OFFS

3.25 All debt write-offs must be in accordance with this section:

- i) The appropriate Corporate Director has authority to write-off debt of up to £20,000 per individual case;
- ii) The appropriate Head of Service or ~~Service~~ Director is able to write off debt of up to £10,000 per individual case, if authorised in accordance with Appendix 3 of the Constitution;
- iii) Service Managers in the Resources department are able to write off debt of up to £10,000 per individual case and ~~Service~~ Directors in the Resources department up to £50,000 per individual case, if authorised in accordance with Appendix 3 of the Constitution;
- iv) The Chief Finance Officer ~~in consultation with the Corporate Director of Resources~~ is able to write-off individual debts up to £199,999. Any decision should be made in consultation with the Corporate Director of Resources, if these roles are not held by the same post-holder.
- v) Executive authority is required in order to write off individual debts of £200,000 or more.

4.26 The allocation of monies paid or payable to the council under the Community Infrastructure Levy Regulations 2010 or pursuant to agreements entered into under section 106 of the Town and Country Planning Act 1990 shall be recommended to the Executive where the particular allocation to a project of monies paid under a particular agreement or a number of separate agreements or from CIL contributions exceeds £1m but shall otherwise be recommended to and agreed by the Corporate Director ~~for Environment and Regeneration – Community Wealth Building~~ in consultation with the Chief Finance Officer. The recommendations to both the Executive and the Corporate Director ~~for Environment and Regeneration – Community Wealth Building~~ will be approved by the Borough Investment Panel, within the guidelines established in its Terms of Reference.

7.5 The powers of officers to acquire and dispose of land and real property are set out below.

Where a restriction applies the matter must be referred to the Executive, unless the decision is specifically reserved for another officer below.

Post	Power	Restriction
Corporate Director of Housing Homes and Neighbourhoods	<p>The declaration of street properties held under Part II of the Housing Act 1985 used solely for housing purposes as surplus to requirements</p> <p>(The Corporate Director of Housing must within 14 days of having made any such declaration, notify the leader of any political groups represented on the Council of their decision.)</p>	
Corporate Director of Housing Homes and Neighbourhoods	Disposals of void council owned homes where the best consideration reasonably obtainable is £3 million or less	

8.2 The Corporate Director of Resources ~~in Consultation with the Chief Finance Officer~~ is responsible for the Authority's risk management policies and for promoting them throughout the Authority. This should be carried out in consultation with the Chief Finance Officer, if they are not the same post-holder.

8.5 Corporate Directors, **Service** Directors and Heads of Services shall give prompt notification to the Corporate Director of Resources of the extent and nature of all new risks to be insured and of any alterations affecting insurable risks.

8.6 Corporate Directors, **Service** Directors and Heads of Services shall immediately notify the Corporate Director of Resources in writing, of any loss, liability or damage covered by insurance in connection with their service.

8.8 The Corporate Director of Resources ~~in consultation with the Chief Finance Officer~~ is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. The Corporate Directors should ensure that public funds are properly safeguarded and used economically, efficiently and in accordance with the statutory and other authorities that govern their use. This should be carried out in consultation with the Chief Finance Officer, if they are not the same post-holder.

8.16 The Corporate Director of Resources ~~in consultation with the Chief Finance Officer~~ shall agree maximum limits for cash holdings and these shall not be exceeded without his/her express permission. This should be carried out in consultation with the Chief Finance Officer, if they are not the same post-holder.

Part 6, Procurement Rules

- 3.5 Corporate Directors (and **Service** Directors and Heads of Service where appropriately authorised) can agree exceptions for Value Bands i), ii) and iii) contracts up to their delegated authority levels by approving a written waiver request.
- 3.6 Corporate Directors (and **Service** Directors where appropriately authorised) can agree exceptions for Value Band iv) contracts up to their delegated authority levels by approving a written waiver request.
- 4.5 Corporate Directors and (where they have appropriate authorisation) **Service** Directors and Heads of Service may agree an exception to insurance values for public liability and professional indemnity in respect of contracts up to Value Band iii). A Corporate Director or authorised **Service** Director may agree a variation to an insurance value at Value Band iv). All variations to agreed insurance levels must be made in discussion with the Insurance Section and the Director of Law and Governance (or their authorised representative). All variations must be recorded in writing in the contract file.
- 4.8 In the event of any doubt as to the Contractor's financial viability, or any non-availability of an external report, the Commissioning officer's finance contact shall provide expert advice. Consideration may still be made of the Contractor if the risk is deemed acceptable by Corporate Directors (or authorised **Service** Directors) and agreed with the Head of Strategic Procurement (or their nominated representative).

Part 8, Management Structure, is to be replaced with the organisation structure chart at Appendix B to this report

Appendix 2 – Functions which cannot be exercised by the Executive

<i>Function</i>	<i>Provision of Act or Statutory Instrument</i>	
<p>A. Functions relating to town and country planning and development control</p>		<p>All of the functions listed under this section A will be exercised by the Corporate Director of Environment and Regeneration <u>Community Wealth Building</u> or an officer within the Corporate Director's department to whom the function has been delegated under Part 3 UNLESS the function falls within the terms of reference of the Planning Committee or one of its sub-committees or is required to be undertaken by the Council itself</p>
<p>B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)</p>		<p>Except where specified all of the functions listed under this section B will be exercised by the Corporate Director of Environment and Regeneration or an officer within the Corporate Director's department to whom the function has been delegated under Part 3 UNLESS the function has been reserved to the Licensing Committee or its sub-committees or of the Licensing Regulatory Committee or is required to be undertaken by the Corporate Director of People or are required to be determined by the Council itself</p>

<p>C. Functions relating to health and safety at work</p>		<p>All of the functions listed under this section C will be exercised by the Corporate Director of Resources or an officer within the Corporate Director's department to whom the function has been delegated under Part 3 UNLESS the function relates to the enforcement of Health and Safety which will be exercised by the Corporate Director of Environment and Regeneration or the function has been reserved to the Audit Committee</p>
<p>F. Power to make, amend, revoke, re-enact or enforce bylaws</p>	<p>Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978</p>	<p>All of the functions listed in this section F will be exercise by Council (other than enforcement which will be exercised by the Corporate Director of Environment and Regeneration or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
<p>Part I: Functions relating to public rights of way</p>		<p>All of the functions listed under Part 1 of this section will be exercised by the Corporate Director of Environment and Regeneration or an officer within the Corporate Director's department to whom the function has been delegated under Part 3 UNLESS they have been reserved to the Audit Committee</p>
<p>Part II: Other miscellaneous functions</p>		

<p>42. Power to make closing order with respect to take-away food shops.</p>	<p>Section 4 of the Local Government (Miscellaneous Provisions) Act 1982.</p>	<p>The Corporate Director of Environment and Regeneration or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
<p>46. Powers relating to the protection of important hedgerows.</p>	<p>The Hedgerows Regulations 1997 (S.I. 1997/1160).</p>	<p>The Corporate Director of Environment and Regeneration <u>Community Wealth Building</u> or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
<p>47. Powers relating to the preservation of trees.</p>	<p>Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892).</p>	<p>The Corporate Director of Environment and Regeneration <u>Community Wealth Building</u> or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
<p>47A. Powers relating to complaints about high hedges.</p>	<p>Part 8 of the Anti-Social Behaviour Act 2003.</p>	<p>The Corporate Director of Environment and Regeneration or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
<p>49. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.</p>	<p>Section 13(2) of the Criminal Justice and Police Act 2001 (S.I. 2007/806)</p>	<p>The Corporate Director of Environment and Regeneration or an officer within the department to whom the function has been delegated under Part 3</p>
<p>50. Power to make or revoke an order designating a locality as an alcohol disorder zone.</p>	<p>Section 16 of the Violent Crime Reduction Act 2006 (c. 38). (S.I. 2008/1430)</p>	<p>The Corporate Director of Environment and Regeneration or an officer within the department to whom the function has been delegated under Part 3</p>

<p>52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.</p>	<p>Section 45(2)(a) of the Commons Act 2006 (S.I. 2008/2787)</p>	<p>The Corporate Director of Environment and Regeneration <u>Community Wealth Building</u> or an officer within the Corporate Director's department to whom the function has been delegated under Part 3</p>
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(ii) Allocation of local choice functions to as executive or non-executive functions and delegation of functions to bodies and individuals

(1) Function	(2) Executive or Council	(3) Delegated to
6. Any function relating to contaminated land.	Executive	Corporate Director of Environment and Regeneration
7. The discharge of any function relating to the control of pollution or the management of air quality.	Executive	Corporate Director of Environment and Regeneration
8. The service of abatement notice in respect of a statutory nuisance.	Executive	Corporate Director of Environment and Regeneration
9. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Council	Corporate Director of Environment and Regeneration
10. The inspection of the authority's area to detect any statutory nuisance.	Executive	Corporate Director of Environment and Regeneration
11. The investigation of any complaint as to the existence of a statutory nuisance.	Executive	Corporate Director of Environment and Regeneration
14. The making of agreements for the execution of highways works.	Executive, unless the need for the highways agreement has arisen from a planning decision in which case the responsibility shall be with the Council.	Corporate Director of Environment and Regeneration , or, if the matter does not fall within officers' delegated powers, a Planning Sub-Committee or the Audit Committee in accordance with the terms of reference of those committees.

APPENDIX 3, Additional Delegations to Officers

1. **Service** Directors, Heads of Service and Service Managers have delegated to them the powers specified in this Table (subject to the same restrictions as would apply to a Corporate Director to the extent that the Chief Executive or relevant Corporate Director has authorised them to exercise those powers, either specifically or generally).

1 Service Directors and Heads of Services (if authorised by their Corporate Director)

All the powers of their Corporate Director in so far as they relate to the service for which they are responsible, save in so far as that is inconsistent with any other part of the Constitution or is specifically excluded below and subject to the following additional restrictions in respect of the specified powers:

(i) To exercise discretion in writing off or remitting in whole or in part debts due to the Council not exceeding £10,000 in value and in the case of Service Directors in the Resources Department, not exceeding £50,000 in value.

(ii) To establish or re-organise the staffing structure of their department or service and to appoint, discipline and dismiss staff save that all new posts and any reorganisations affecting more than 5 posts must be approved by the relevant Corporate Director.

and in particular to exercise the power of the Council to appoint appropriate members of their staff as proper officer for any purpose in relation to any statutory function for which their service is responsible or to revoke such appointment.

2 Service Managers (if authorised by their Corporate Director)

All the powers of their **Service** Director or Head of Services in so far as they relate to the service for which they are responsible, save in so far as that is inconsistent with any other part of the Constitution or is specifically excluded below and subject to following additional restrictions in respect of the specified powers:

(i) To dispose of assets which are not land or buildings - up to the value of £1,000 and subject to obtaining the written approval of their Service Director or Head of Service if the disposal is to a member of staff.

(ii) To sign contracts on behalf of the Council – provided the value does not exceed £299,999.

(iii) The following powers may not be exercised by Service Managers:

- To exercise discretion in writing off or remitting in whole or in part debts due to the Council (save that Service Managers in the Finance departments may exercise discretion in writing off

or remitting in whole or in part debts due to the Council not exceeding £10,000 in value);

- To agree acting up or honorarium payments;
- To implement the council's job share scheme;
- To approve special leave, relocation expenses, free zone 1 and 2 travel cards, welfare loans or training and qualification loans, extensions of the sickness payment, compensation for redundancy or efficiency.

3 Heads of Service (if authorised by the Chief Executive)

All the powers of the Chief Executive in so far as they relate to the service for which they are responsible, save in so far as that is inconsistent with any other part of the Constitution or is specifically excluded below and subject to the following additional restrictions in respect of the specified powers:

(i) To exercise discretion in writing off or remitting in whole or in part debts due to the Council not exceeding £10,000 in value and in the case of Service Directors in the Resources Department, not exceeding £50,000 in value.

(ii) To establish or re-organise the staffing structure of their department or service and to appoint, discipline and dismiss staff save that all new posts and any reorganisations affecting more than 5 posts must be approved by the Chief Executive.

and in particular to exercise the power of the Council to appoint appropriate members of their staff as proper officer for any purpose in relation to any statutory function for which their service is responsible or to revoke such appointment.

ENFORCEMENT AND LICENSING FUNCTIONS

The post holders specified in column B below may exercise the Council's enforcement and licensing functions and powers (other than those specifically reserved to another person or body in the Constitution) falling within the area of responsibility of the team specified in column A if authorised by the [Service Director – Public Protection](#) [Director of Public Protection and Regulatory Services](#) in relation to specified legislation to do so.

A list of all such authorisations in respect of the following teams to be maintained by the [Service Director – Public Protection](#) [Director of Public Protection and Regulatory Services](#) and notified to the Proper Officer.

A – Specified team	B – Specified post-holders
Trading Standards	<ul style="list-style-type: none">• Assistant Trading Standards Officer• Trading Standards Officer• Senior Trading Standards Officer• Principal Trading Standards Officer• Trading Standards Manager

	<ul style="list-style-type: none"> • Service Manager, Street Trading and Trading Standards
Environmental Health	<ul style="list-style-type: none"> • Environmental Health Officer • Senior Environmental Health Officer • Principal Environmental Health Officer • Grants Team Manager • Grants Officer • Technical Officer • Senior Technical Officer • Principal Technical Officer • Noise Patrol Officer • Acoustics Officer • Pollution Officer • Pest and Animal Welfare Officer • Pest and Animal Welfare Manager
Street Trading	<ul style="list-style-type: none"> • Street Trading Officer • Street Trading Manager
Licensing	<ul style="list-style-type: none"> • Licensing Officer • Licensing Manager

The post holders specified in column B below may exercise the Council’s enforcement and licensing functions and powers (other than those specifically reserved to another person or body in the Constitution) falling within the area of responsibility of the team specified in column A if authorised by the **Service** Director - Planning and Development in relation to specified legislation to do so.

A list of all such authorisations in respect of the following teams to be maintained by the **Service** Director - Planning and Development and notified to the Proper Officer.

A – Specified team	B – Specified post-holders
Building Control	<ul style="list-style-type: none"> • Building Control Surveyor • Assistant Building Control Surveyor • Senior Building Control Surveyor • Principal Building Control Surveyor • Group Leader
Planning	<ul style="list-style-type: none"> • Enforcement Manager • Enforcement Officer • Tree Preservation Officer • Principal Tree Preservation Officer

The post holders specified in column B below may exercise the Council’s development management (including enforcement) functions and powers (other than those specifically reserved to another person or body in the Constitution) falling within the area of responsibility of the team specified in column A if authorised by the Corporate Director **Environment and Regeneration** Community Wealth Building in relation to specified legislation to do so.

A list of all such authorisations in respect of the following teams to be maintained by the **Service** Director - Planning and Development and notified to the Proper Officer.

A – Specified team	B – Specified post-holders
Development Management	<ul style="list-style-type: none"> • Deputy Head of Service (2 posts)

The post holders specified in column B below may exercise the Council’s enforcement and licensing functions and powers (other than those specifically reserved to another person or body in the Constitution) falling within the area of responsibility of the team specified in column A if authorised by the ~~Director Public Realm~~ Director – Environment and Commercial Operations in relation to specified legislation to do so.

A list of all such authorisations in respect of the following teams to be maintained by the ~~Director Public Realm~~ Director – Environment and Commercial Operations and notified to the Proper Officer.

A – Specified team	B – Specified post-holders
Lighting and Street Works Team	<ul style="list-style-type: none"> • Technical Assistant • Technical Officer • Senior Technical Officer • Senior Engineer • Team Leader • Street-works Coordinator • Principal Technical Officer • Lighting & Street-works Manager
Street Environment Services	<ul style="list-style-type: none"> • Street Environment Wardens • Senior Street Environment Wardens • Street Environment Officers • Senior Street Environment Officer • Area Street Environment Managers • Enviro-crime Manager

SCHOOL ATTENDANCE FUNCTIONS

The post holders specified below may exercise the Council’s school attendance functions and powers (other than those specifically reserved to another person or body in the Constitution) falling within the area of responsibility of the Education Welfare Service if authorised by the ~~Service Director – Strategy & Commissioning, Children, Employment and Skills~~ Corporate Director of People in relation to specified legislation to do so.

- Education Welfare Officers
- Education Welfare Service Team Managers
- Senior Education Welfare Service Team Manager
- Head of Targeted Services

A list of all such authorisations will be maintained by the ~~Service~~ Director and notified to the Proper Officer.

ADULT SOCIAL SERVICES FUNCTIONS

In respect of the following teams:

- Access Service
- North Locality Service
- South Locality Service
- Islington Learning Disability Partnership
- Hospital Social Work Team
- Services for Ageing and Mental Health Team
- Community Mental Health Team

the post holders specified in column A may approve Personal Budgets on behalf of the council if authorised to do so by the **Service** Director of Adult Social Care, with limitations as specified in column B.

A – Specified post-holders	B - Limitations
Assistant Director/ Service Director/Director	£750 and above per week, per user
Heads of Service	Up to £ 750 per week, per user
Team Managers	Up to £500 per week per user
Senior Practitioners (Social Workers and OT'S)	Up to £300 per week per user

Finance and Property Deputyships

The post holder specified in column B may exercise the Council's functions and powers as Finance and Property Deputies within the area of responsibility of the team specified in column A if authorised by the relevant Service Director.

A – Specified Team	B – Specified postholders
Client Financial Affairs	Principal Finance Officer

A list of all such authorisations will be maintained by the relevant **Service** Director of Adult Social Care and notified to the Proper Officer.

3 Legal Proceedings

The institution, defence, participation in, conduct or settlement any legal proceedings may be undertaken by any Corporate Director, **Services** Director, Head of Services, Service Manager or officer reporting to a Service Manager, where authorised by the Director of Law and Governance, subject to any conditions which she may impose.

Appendix 4, Proper Officers

<i>(1) statutory provision</i>	<i>(2) Function</i>	<i>(3) Proper Officer</i>
Births deaths and marriages	Any reference to the proper officer in any enactment relating to registration of births, death or marriages.	Service Director Public Protection Director of Public Protection and Regulatory Services
Public Health (Control of Diseases) Act 1984 and the Public Health (Infectious Diseases) Regulations 1988	All references to the proper officer	Corporate Director of Environment and Regeneration Director of Public Health

Appendix 6, Definitions

- **Service Director (or Director)** means an officer responsible for a service reporting to a Corporate Director who is designated a **Service Director (or Director)**.

(ii) Terms of Reference

Part 5, Terms of Reference: Grievance Committee

The Grievance Committee shall comprise of five members, as follows:

- Chief Whip of the Majority Group (Chair)
- ~~Executive Member for Health and Social Care~~ Deputy Leader of the Council
- Three other members.

Part 5, Terms of Reference: Grievance Appeal Committee

The Grievance Appeal Committee shall comprise of five members, as follows:

- Deputy Whip of the Majority Group (Chair)
- Executive Member for ~~Housing and Development~~ Environment & Transport
- Three other members

Part 5, Terms of Reference: Personnel Sub-Committee

4. To be responsible for the recruitment and appointment of Corporate Directors and ~~Service~~ Directors in accordance with Part 4, Rule ~~101.100.~~

(iii) Standards Matters

Part 2, Article 9 – The Standards Committee:

9.03 Role and function

~~(c) granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Islington Members' Code of Conduct;~~

Part 5 – Introduction:

INTRODUCTION

- The Council and the Executive have determined that their functions may be discharged by committees, sub-committees and joint committees as set out below.

Council Committees

The Council has appointed the following committees:

- Standards Committee
- Audit Committee and Audit Advisory Committee
- Planning Committee
- Policy and Performance ~~Review~~ Scrutiny Committee (which is designated as the Council's crime and disorder committee)
- Health and Care Scrutiny Committee
- Housing Scrutiny Committee
- Children's Services Scrutiny Committee
- Environment and Regeneration Scrutiny Committee (~~which is designated as the Council's crime and disorder committee~~)
- Health and Wellbeing Board
- Licensing Committee
- Licensing Regulatory Committee

Sub-Committees

- The Audit Committee has appointed the following sub-committees:
 - Personnel Sub-Committee
 - Pensions Sub-Committee
 - ~~Standards Committee~~

Part 5 – Terms of Reference for Standards Committee:

~~• To grant dispensations to councillors and co-opted members allowing them to vote in circumstances when they would not otherwise be entitled to do so following referral of a request by the Monitoring Officer.~~

Part 4 – Procedure Rules

96. RECORD OF DECISIONS

96.1 After any meeting of the Executive or any of its committees at which decisions are taken, the Proper Officer will produce a record of every decision taken at that meeting as soon as practicable. The record will include:

- (i) the decision including the date it was made;
- (ii) the reasons for the decision;

- (iii) details of any alternative options considered and rejected at the meeting at which the decision was made;
- (iv) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and;
- (v) in respect of any declared conflict of interest, a note of [the dispensations](#) granted by [full Council and](#) the Chief Executive.

96.2 Record of individual decisions

- (a) As soon as reasonably practicable after a key decision or an individual executive member recordable executive decision as defined in Appendix 6 of the Constitution has been taken by an individual member of the Executive, he/she will prepare, or instruct the Proper Officer to prepare, a record of the decision. The Proper Officer will make the record available at the Town Hall and on the council's website. The record shall include:
 - (i) the date it was made;
 - (ii) the reasons for the decision;
 - (iii) details of any alternative options considered and rejected by the member when making the decision;
 - (iv) any conflict of interest declared by any executive member who is consulted by the decision making member which relates to the decision; and
 - (v) in respect of any such declared conflict of interest, a note of [the dispensations](#) granted by [full Council and](#) the council's Chief Executive.

- (d) As soon as reasonably practicable after an officer has made a key decision or a recordable executive decision the officer must produce and send to the Proper Officer to be made available at the Town Hall and on the council's website a record of the decision which must include:
 - (i) the date it was made;
 - (ii) the reasons for the decision;
 - (iii) details of any alternative options considered and rejected by the officer when making the decision;
 - (iv) any conflict of interest declared by any executive member who is consulted by the officer which relates to the decision; and
 - (v) in respect of any such declared conflict of interest, a note of [the dispensations](#) granted by [full Council and](#) the council's Chief Executive.