



**CITY OF LONDON CORPORATION**

**SCHEME OF DELEGATIONS TO OFFICERS**

## **DIRECTOR OF COMMUNITY & CHILDREN'S SERVICES**

The following matters are delegated to the Director of Community & Children's Services.

1. The Director of Community and Children's Services (DCCS) is appointed as the Statutory Director of Children's Services in accordance with s18 of the Children Act 2004. Within the City of London, this post also has the additional responsibilities of Housing, Homelessness and Adult Social Care. Due to the volume of legislation and statutory duties that exist in relation to these functions, the Scheme of Delegation for the Director of Community and Children's Services has been founded on the principle of delegation "by exception". That is to say that the delegating body delegates everything that can lawfully be delegated, with the exception of those issues falling under Part A of the Scheme of Delegation to Chief Officers that may require a submission to be made to the relevant Committee or Sub-Committee.
2. The Director of Community and Children's Services may only exercise the delegated powers in this Scheme in accordance with Part A of the Scheme of Delegation to Chief Officers.
3. The Scheme provides for the delegation of authority to the Director of Community and Children's Services and (s)he may arrange for such delegated authority to be exercised on their behalf by an officer of appropriate experience and seniority. The Director of Community and Children's Services shall remain personally responsible for any decision taken on their behalf pursuant to the delegation arrangements. All delegated functions shall be deemed to be exercised on behalf of and in the name of the City of London Corporation
4. Key functions delegated to the Director of Community and Children's Services include, but are not limited to:

### **Services for Children**

5. To be the City of London Corporation's statutory Director of Children's Services under section 18 of the Children Act 2004
6. To carry out the functions of the Corporation as a Children's Services Authority including those functions referred to in Schedule 2 of the Children Act 1989, Section 18 of the Children Act 2004 and the Adoption and Children Act 2002(as amended from time to time), including:
  - a. education functions conferred on or exercisable by the authority including the functions of the Corporation relating to child employment and the youth service, and functions relating to adult learning and further education, set out in the Section 18(3) of the Children Act 2004 (as amended from time to time).;
  - b. functions conferred on or exercisable by the authority which are social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)), so far as those functions relate to children;
  - c. the functions conferred on the authority under sections 23C to 24D of the Children Act 1989 (After care arrangements etc.) (c. 41) (so far as not falling within paragraph (b));
  - d. the functions conferred on the authority under sections 10 to 12, 12C, 12D and 17A of the Children Act 2004.

- e. any functions exercisable by the authority under section 75 of the National Health Service Act 2006 on behalf of an NHS body (within the meaning of those sections), so far as those functions relate to children; and
  - f. the functions conferred on the authority under Part 1 of the Childcare Act 2006 in relation to Early Years
  - g. the functions conferred on the authority under any new or amended legislation in relation to education or children's social care.
7. To carry out the functions of the Council under section 31 of the Health Act 1999 (as amended from time to time) so far as those functions relate to children.
  8. To arrange the use of Sir John Cass School premises for adult education classes, youth work and other after-school activities.
  9. To submit responses on behalf of the Committee to consultative documents issued by Government and its agencies, subject to their being copied to the Chairman and Deputy Chairman (Education Committee 15.03.93).

### **Adult Services**

10. To be the Council's Statutory Director of Adult Social Services under section 6(A1) of the Local Authority Social Services Act 1970 as amended by section 18(1) of the Children Act 2004.
11. To carry out the functions of the Council in relation to Adult Social Services and Social Care including all social services functions under the Local Authority Social Services Act 1970 and the National Health Service and Community Care Act 1990 (as amended from time to time) so far as they relate to adults.
12. To be the principal point of contact for the conduct of business with the health service sector and carry out the functions of the Council under the Health Act 1999 and any other health legislation (as amended from time to time) so far as these functions relate to adults.

### **Adult Skills and Learning**

13. To manage and run the apprenticeship scheme
14. To prepare and submit funding bids to the Skills funding agency and other sources as appropriate.
15. To enter into partnerships with businesses and educational institutions on behalf of the apprenticeship scheme and skills and training.
16. To participate in regional and sub-regional programmes to enhance skills and learning.
17. To determine fees for adult education, youth and early years/out of school provision.

### **Housing**

18. To act on behalf of the Corporation in its capacity as a local housing authority on all matters relating to the Corporation's functions under the provisions of housing legislation, which include but are not limited to:
  - a. determining the strategic management and direction for Housing operational services;
  - b. exercising the Corporation's functions as Housing Authority in accordance with the Housing Strategy and other relevant housing policies and plans;

- c. exercising the Corporation's functions in respect of the preparation and development of appropriate strategies and plans, including those relating to housing investment, homelessness, social tenancy, tenancy related matters, leaseholders and allocations;
- d. undertaking the periodic reviews of housing needs and conditions within the City;
- e. preparing and reviewing an Asset Management Strategy for consideration by Members;
- f. maintaining the Housing Revenue Account in accordance with proper practices;
- g. discharging of all functions and responsibilities Procurement in relation to the Corporation's housing stock;
- h. incurring housing repair and improvement expenditure within budget levels and the programmed maintenance of City dwellings, garages and estates;
- i. incurring expenditure on adaptations to dwellings for people with disabilities within the approved budgets;
- j. securing effective housing and neighborhood management including the management of the Corporation's housing properties, housing estates and ancillary amenities, including rent collection, recovery of arrears and debit control;
- k. undertaking statutory and general consultations on housing matters with tenants, leaseholders and others
- l. exercising the powers of the Corporation relating to securing possession of City dwellings, demotion orders, eviction of secure tenants, introductory tenants, non-secure tenants and licensees in accordance with City of London policy;
- m. assessing and preventing homelessness in accordance with legislation;
- n. attending the Barbican Residents' Association meetings and discharging functions as set out in the agreed terms of reference of that Committee.

19. To institute proceedings and enforcement remedies in relation to part 1 -6 of the Anti-Social Behaviour, Crime and Policing Act 2014

### **Barbican Estate**

20. In relation to the Barbican Estate:-

- a. to approve lettings and sales between Committee meetings;
- b. to authorise sale prices above or below consultant values;
- c. to approve sales of residential property on the Estate;
- d. to approve assignments, sub-tenancies and tenancies at will to suitably qualified applicants between Committee meetings;
- e. to authorise signage on private areas of the Estate;
- f. to approve the occupation of accommodation by Estate Office staff in and around the Barbican;
- g. to approve the occupation of accommodation managed by the Barbican Estate to other City of London Corporation Departments.

21. To approve, where appropriate, filming and photography on the Estate.

22. To agree commercial rent levels in consultation with the City Surveyor, subject to reporting to the Barbican Residential Committee.

23. To approve valuations of flats submitted by consultant valuers.

24. To appoint consultants in accordance with Standing Orders.

### **Commercial Property**

25. To approve all new lettings of commercial property at market value for a term of 15 years or less, with a minimum of five yearly upward only rent reviews. Such lettings to accord with the relevant approved commercial estate strategy.
26. To conclude all commercial property rent reviews, except where:-
- a. it is proposed that the rent is reduced;
  - b. the review is determined more than 12 months after the review date unless either (a) interest is payable on the reviewed sum, or (b) the matter has been referred for determination by a third party and has been so determined.
27. To approve all lease renewals of commercial property, where the lease is renewed by negotiation or where the lessee is entitled to renewal in accordance with Part II of the Landlord & Tenant Act 1954. Such renewal will be at market value for a term of 15 years or less, with a minimum of five yearly upwards only rent reviews.
28. To negotiate terms and accept surrenders of commercial leases where the level of income is maintained by the simultaneous grant of a new letting to either the existing or a new tenant.
29. To approve the grant of short term periodic tenancies, tenancies at will, licenses, easements, and wayleaves in respect of cables, cranes, scaffolding and hoardings and similar arrangements of a non-permanent and determinable nature, other than those involving capital payments totalling in excess of £10,000.
30. To deal with Rights of Light and Party Wall matters and other items of a similar nature, including those where, in the opinion of the Director capital payments are not considered appropriate or the quantum of such payments has been determined by external advice.
31. To authorise formal minor amendments to any lease, tenancy, licence or other agreement relating to property which does not in the opinion of the Director materially affect the duration of, or income from such agreements.

[NB. The definition of 'market value', as referred to above, is as stated in the RICS Appraisal & Valuation Standards (7<sup>th</sup> edition) – Practice Statement 33:-  
*'The estimated amount for which a property, or space within a property, should lease on the date of valuation between a willing lessor and a willing lessee on appropriate lease terms in an arms-length transaction, after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion. Whenever Market Rent is provided the 'appropriate lease terms' which it reflects should also be stated.'*]

### **Proper Officer**

1. To act as the Proper Officer for the London City Registration District (Registration of Births, Deaths, Marriages, etc.) pursuant to Section 29 of the Local Government Act 1972.

2. To act as the Proper Officer for the Rent Act 1997 (as amended by the Housing Act 1980).

### **Public Health**

3. To discharge the responsibilities for public health within The City of London in accordance with the requirements of the Health and Social Care Act 2012 and the NHS Act 2006.
4. To manage the Corporation's Public Health functions (where these are not specially delegated to other Chief Officers).
5. Exercising the Corporation's functions in planning for, and responding to, emergencies that present a risk to public health.
6. To cooperate with the police, the probation service and prison service to assess the risks posed by violent or sexual offenders.
7. To provide the Corporation's public health response as a 'responsible authority' under the Licensing Act.
8. To develop and maintain the Joint Strategic Needs Assessment for the City of London and to discharge the responsibilities for research in relation to public health and wellbeing.
9. To produce an annual public health report

### **Miscellaneous**

10. To enter into Commissioning arrangements for the provision of any of the functions of the Director of Community and Adult Services in so far as this is compatible with Part A of the Scheme of Delegation
11. To consider representations from persons seeking access to their files under the Data Protection Act 1998, and to grant such access as appropriate.

### **Delegations to other Officers**

12. The following authorities are also delegated to the Officers as appropriate to the relevant skills and experience of each to be exercised either,

- (a) at the direction of the Director of Community & Children's Services; or,
- (b) in the absence of the Director of Community & Children's Services

Assistant Director People	- Items 5-11
Assistant Director Partnerships	- Items 14-18
(and other items relating to commissioning of services)	
Assistant Director, Housing & Neighbourhoods	- Items 18-19, 25-31
Assistant Director, Barbican & Property Services	- Items 20-31
Director of Public Health	- Items 34-40