

DELEGATED POWERS TO THE DIRECTOR OF ADULTS AND COMMUNITIES

The following Delegated Powers should be read in conjunction with all other relevant parts of the Constitution, in particular –

- The General Scheme of Delegation to Heads of Departments (Part 3)
- The Financial Procedural Rules and Standard Financial Instructions (Part 4F)
- The Contract Procedure Rules (Part 4G)

and Local Conditions of Service.

Officers should also have regard to any departmental rules and conventions before exercising these powers.

NOTE: -

- *Any exercise of a delegated power shall not involve a key decision.*
- *Any delegation to a head of department may be exercised on his or her behalf by any officer authorised by him or her either generally or specifically for the purpose.*

POWER

COMMITTEE/ SUBCOMMITTEE

Adult Social Care Accommodation and Care Services

1. **Provision of Accommodation & Services**

Power to take all necessary decisions in respect of the assessment and provision, suspension and withdrawal of services (including direct payments) and accommodation, whether directly or through others, for adults who are the County Council's responsibility, and to recover charges where appropriate within an agreed policy framework and in accordance with any statutory provisions in force for the time being.

CABINET
14/12/10

2. **Social Care Accommodation Development Plan and Investment Prospectus**

Power, in consultation with the Director of Corporate Resources, to annually review and update the Social Care Accommodation Development Plan and Investment Prospectus 2019 – 2037.

CABINET
25/06/19

3. **Domiciliary Care Services**

Power to compile and amend an approved list of providers of Domiciliary Care Services subject to the proviso that persons aggrieved by the proposal to refuse to place their names on or to remove their names from the list shall be entitled to make representations to a panel of members before the proposal takes effect.

CABINET
14/12/10

4. **Extra Care Development Schemes**

Power, in consultation with the Director of Corporate Resources and the Director of Law and Governance, to agree amendments to the criteria for assessing the potential investment in development opportunities for new extra care development schemes.

CABINET
16/01/13

Legal Matters

5. **Legal Authorisations**

Power to:

CABINET
14/12/10

- (a) authorise officers to institute and defend proceedings subject to the concurrence of the Director of Law and Governance relating to the welfare of, and charges for services provided to, older people and people with a mental illness or disability under the legislation in force for the time being;
- (b) approve and appoint officers as Approved Mental Health Professionals and to authorise the making of applications to court to exercise the functions of the nearest relative under the legislation in force for the time being;
- (c) apply for Deputyship or Appointeeship and to act as Deputy or Appointee for adults on behalf of whom the County Council has responsibility, including the power to manage property and financial matters on behalf of such persons in accordance with any statutory provisions in force for the time being;
- (d) approve and appoint Best Interests Assessors for the purpose of undertaking assessments on

matters relating to Deprivation of Liberty on behalf of supervising authorities in accordance with agreed policy and statutory provisions in force for the time being;

- (e) approve guardianship applications made under the provisions of the Mental Health legislation in force for the time being.

6. **Police Interviews**

Power to attend as an appropriate adult at interviews of suspects conducted by the Police in accordance with the Police and Criminal Evidence Act 1984. CABINET
14/12/10

7. **Licence to sell alcohol**

Power to authorise applications for a premises licence for the sale of alcohol on the premises of homes or day centres for adult service users. CABINET
14/12/10

Finance

8. **Financial Assistance**

Power to provide financial assistance by way of grants or loans to adults in respect of whom the County Council has responsibility and to recover such assistance, in respect of loans, in accordance with any agreed policy framework or statutory provision in force for the time being. CABINET
14/12/10

9. **Non-Residential Care Charges**

Power, following consultation with the Director of Corporate Resources and Cabinet Lead Member, to increase the level of charges set out in the Non-Residential Charging Policy for Adult Social Care in force for the time being, provided these are in line with the increase in the cost of living. CABINET
15/12/09

Communities

10. **Libraries / Museum Services**

Power to: CABINET
09/03/10

- (a) accept or reject unconditional or conditional

gifts, loans or bequests of any form of material, except in those cases which would involve a substantial change in or extension of an existing policy or have substantial financial implications;

- (b) grant permission for the reproduction and copying of any material held by the Department;
- (c) de-accession and dispose of items from the Museum Collection, except where: CABINET
12/06/18
 - (i) an item has particular public interest;
 - (ii) the original purchase, or cost of its conservation/restoration, was supported by external funding;
 - (iii) the disposal involves a sale;
 - (iv) the disposal of an item would result in a significant cost to the Authority.