

SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

With effect from 5 October 2017

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1. NOTES:

- 1.1 In accordance with Section 100G of the Local Government Act 1972 (as amended) , the following lists indicate specific authority delegated to Principal Officers by the Authority, its committees or sub-committees, on matters where the authority to act is for a period of 6 months or more.
- 1.2 This Scheme does not record authority given by virtue of the Authority's Standing Orders, Financial Regulations, Codes of Practice or the Staff Code nor by delegations granted to officers to act within a period for less than 6 months from the time that the delegation was granted.
- 1.3 The maintenance of the lists is the responsibility of the Head of Legal and Democratic Services and any queries regarding the lists should be addressed to the Clerk to the Authority, 169 Union Street (tel: 020 8555 1200 ext 30081) or at ed.williams@london-fire.gov.uk.
- 1.4 All references to 'Heads of Department' shall be deemed to be the following officers:

- AC Fire Safety;
- AC Fire Stations ;
- AC Operational Policy;
- AC Operational Resilience;
- AC Operational Response
- Head of Procurement and Technical and Service Support;
- Head of Communications;
- Head of Development and Training
- Head of Finance
- Head of Health and Safety;
- Head of Human Resource Management
- Head of Information and Communications Technology;
- Head of Legal and Democratic Services;
- Head of Strategy and Inclusion
- DAC Central Operations
- DAC Operational Review Team

2. PROPER OFFICER / MONITORING OFFICER FUNCTIONS

DIRECTOR OF FINANCE AND CONTRACTUAL SERVICES

Proper Officer for the purposes of section 127 of the Greater London Authority Act 1999 and the officer responsible for the administration of the Authority's financial affairs.

EACH OF THE ASSISTANT COMMISSIONERS AND DEPUTY ASSISTANT COMMISSIONERS

Proper Officers for the purposes of:

- The Regulatory Reform (Fire Safety) Order 2005
- The Health and Safety at Work etc. Act 1974
- The Petroleum (Consolidation) Act 1928

HEAD OF LEGAL AND DEMOCRATIC SERVICES

Monitoring Officer for the purposes of section 5 of the Local Government and Housing Act 1989

Proper Officer for the purposes of:

- Sections 84, 96(1) and (2), 100B, 100C, 100D, 100F, 225, 228, 229 and 234 and Schedule 12, paragraphs 4(2)(b) and 4(3) of the Local Government Act 1972 (as amended)
- Section 2(4) of the Local Government and Housing Act 1989
- Regulation 14 of the Local Authorities (Members' Allowances) Regulations 1991
- Local Government (Committees and Political Groups) Regulations 1990
- Section 116 of the Local Government and Finance Act 1988
- Section 41 of the Local Government (Miscellaneous Provisions) Act 1976
- Section 30 of the Local Government Act 1974
- Section 23 of the Landlord and Tenant Act 1927
- Local Government Area Changes Regulations 1976
- Regulation 13 of the Local Authorities (Members' Allowances) Regulations 2003
- Greater London Authority Act 1999
- Local Government Act 1972 s234 Signing of documents which the Authority is required or authorised to give, make or issue.
- Any other statutory provision for which other alternative arrangements have not been specifically made

CLERK TO THE AUTHORITY

Proper Officer for the purposes of:

Local Government Act 1972 (as amended), sections:

- 100B Exclusion of public access to all or part of any report (subs. (2)) or other Document supplied to Members (subs. (7)) for an Authority meeting which relates, in the Proper Officer's (PO) opinion, to items during which the public are likely to be excluded.
- 100C Making a written summary (for public reference) of a part of any meeting during which the public were excluded – where the minutes do not provide a reasonably fair and coherent record.
- 100D Compiling list of background papers
- 100F Deciding on requests by Members to see exempt information
- 225 Receipt of documents required to be deposited with the PO of the Authority.
- 228 Accounts of PO to be open to public inspection
- 229 Certifying that a photographic copy is a true copy of any document which is in the Authority's possession – or which has been destroyed while in the Authority's possession.

Schedule 12:

- paragraph 4(2)(b) Signing of summons to attend Authority meetings
- paragraph 4(3) Receipt of notice from any Member of the address to which such a summons should be sent.

Local Government (Committees and Political Groups) Regulations 1990

Receipt of notice of formation of group; receipt of notice of change of name of group; receipt of notice from Member that s/he is joining a group or resigning from it; receipt of notice that a Member has been expelled from a group; duty to notify groups of numbers of committee etc seats allocated to the group; receipt of expressions of a group's wishes; and receipt of notice requesting a further review of proportionality.

Local Government and Finance Act 1988, Section 116

Notifying Authority's auditor of date, time, place and outcome of meetings under s. 115, held to discuss any report of the chief financial officer, prepared re spending which is unlawful or would result in a loss or deficiency.

Local Government (Miscellaneous Provisions) Act 1976, Section 41

Certifying copies of resolutions or minutes of the authority or its predecessors.

Local Government Act 1974, Section 30

Giving public notice of an Authority meeting held to discuss a local ombudsman's report.

Landlord and Tenant Act 1927, Section 23

Receipt of notices etc to be served on the Authority under the Act.

Local Government Area Changes Regulations 1976

Provisions for transfer of statutory registers to successor authorities.

Local Authorities (Members' Allowances) Regulations 2003, Regulation 13

Receipt of notice from Member foregoing entitlement to any allowance.

Greater London Authority Act 1999

Schedule 28, paragraph 2(4) – receipt of notice of resignation.

Any other statutory provision for which other alternative arrangements have not been specifically made.

[*Authority (FEP 1638) – 18 November 2010*]

3. COMMISSIONER FOR FIRE AND EMERGENCY PLANNING

OVERSEAS TRAVEL FOR OFFICERS

The Commissioner for Fire and Emergency Planning be given delegated authority to approve overseas travel for officers to attend conferences, seminars, training courses and study trips and for fact-finding and information gathering purposes with the resultant travel and associated costs to be funded from within the provision in the budget for this purpose subject to such attendance/travel benefiting the Authority in the performance of one or more of its statutory functions.

[Policy and Resources Committee (FCD 4788) – 11 May 1995]

HEALTH AND SAFETY ACTION PLAN

The Commissioner for Fire and Emergency Planning be instructed to update and maintain as necessary the documents and to report to the Authority significant amendments and any change in timescales in the Action Plan.

[Authority (FEP 101) – 10 May 2001]

CONTINGENCY ARRANGEMENTS

In the event of any dispute involving a trades union, recognised by the Authority which is likely to lead to industrial action consisting of a strike, and in order to facilitate the effective discharge of the Authority's functions and the protection of the Authority's staff, premises and equipment, the Commissioner for Fire and Emergency Planning be given delegated authority subject to consultation with the Chair of the Authority or, in [his/her] absence, the Vice-Chair of the Authority or one of the Deputy Chairs¹, to take such action as he considers necessary and incur such expenditure as he considers appropriate, providing that the total costs of any such expenditure incurred does not exceed £1,000,000 and subject to the agreement of the Director of Finance and Contractual Services where the expenditure on any one item exceeds £20,000.

[Authority (FEP 594) – 22 July 2004] [Amended by HDA 28 – 10 February 2006]

EXPENDITURE ON CONTINGENCY ARRANGEMENTS IN CONNECTION WITH INDUSTRIAL ACTION

The Commissioner's delegation for contingency arrangements be extended to increase the limit on expenditure to £25m in connection with the industrial action being taken by the Fire Brigades Union (FBU) nationally in relation to its dispute on pensions with the Government, subject to the agreement of the Director of Finance and Contractual Services where the expenditure on any one item exceeds £20k;

[Resources Committee (FEP 2338) – 13 November 2014]

¹ Deputy Chairs are no longer appointed.

ISSUES ARISING FROM THE REMOVAL OF APPLIANCES TO SUPPORT THE EFC CONTRACT

The Commissioner be authorised to approve the return of the 13 appliances to normal service should, as a result of further discussions with the Fire Brigades Union, he be satisfied that the Authority's relevant legal, operational and staffing requirements can be achieved.

[Appointments and Urgency Committee (FEP 2333 and FEP 2333A)- 28 October 2014]

MEMBERS' CODE OF CONDUCT

The Commissioner as the Chief Executive of the Authority recognises his role in working with Members to maintain good governance and high standards of conduct and will take appropriate informal action if he becomes aware of conduct which may not be in breach of the Members' Code of Conduct but nevertheless falls short of the standards expected by the Authority.

[Authority (FEP 1339) –26 March 2009]

PROPERTY PFI PROJECT

The changes to the location of the high volume pump at Orpington, as set out in paragraphs 30 to 32 of the report ([FEP 1900](#)), be agreed and the Commissioner for Fire and Emergency Planning be given delegated authority to amend the continuity plans for vehicle locations as he considers necessary.

[Finance and Personnel Committee (FEP1898) – 12 March 2012]

VOLUNTARY SEVERANCE TRAWLS – FRS/NON-UNIFORMED STAFF AND UNIFORMED OPERATIONAL STAFF

If future Government regulations permit this, the Commissioner be given delegated authority to implement a severance lump sum payment redundancy compensation scheme for FRS/NFPS staff similar to that currently in place for LGPS staff, following consultation with the recognised trade unions. This would include the additional lump sum payment of £10,000 on a similar basis to recommendation (1) in the report (FEP 2023), i.e. this would apply to severances up to 31 March 2014 following a time-limited voluntary severance trawl.

[Authority (FEP 2023) – 21 January 2013]

ATTENDANCE POLICY

That delegated authority be given to the Commissioner to determine the implementation date for this policy; and

That delegated authority be given to the Commissioner to implement the managerial guidance for this policy (the "Managing Attendance Handbook") following consultation with the AJC trade unions.

[Appointments and Urgency Committee (FEP 2490/2490A) – 22 July 2015]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

BUSINESS CONTINUITY PLAN

In the case of a business continuity event making it impracticable, in the Commissioner for Fire and Emergency Planning's judgement, to apply the Authority's normal decision-making processes:-

- (i) in order to facilitate the effective discharge of the Authority's functions and the protection of the Authority's staff, premises and equipment, the Commissioner for Fire and Emergency Planning be given delegated authority to take such action as he considers necessary and incur such expenditure as he considers appropriate, providing that the total costs of any such expenditure incurred does not exceed £1,000,000 and subject to the agreement of the Director of Finance and Contractual Services where the expenditure on any one item exceeds £20,000;
- (ii) a drawing of up to £1,000,000 on the General Reserve Fund be approved in the event of these circumstances; and
- (iii) the Chairman of the Authority and the Leaders of the two² main Opposition Groups be advised, as soon as is practicable, of all action taken by the Commissioner for Fire and Emergency Planning under the delegated authority in (i) above.

[Authority (FEP 840) – 23 March 2006]

FIREFIGHTERS' PENSION SCHEME – DETERMINATION OF CASES UNDER H1

The Commissioner for Fire and Emergency Planning and each Assistant Commissioner be given delegated Authority to determine, where no material element of doubt or discretion is involved, individual cases under article 66(2)/Rule H1 of the Firefighters' Pension Scheme, in the light of the medical opinion of the Authority's nominated Medical Adviser and subject to consultation, as necessary, with the Head of Legal and Democratic Services.

[Personnel Committee (FCD13) – 9 April 1986]

[Disciplinary and Appeals Committee (FCD4058) – 27 May 1993]

[Authority (FEP 429) – 12 June 2003]

ASSISTANCE TO OVERSEAS GOVERNMENTAL ORGANISATIONS

The Commissioner for Fire and Emergency Planning be given delegated authority, subject to consultation with the Director of Finance and Contractual Services and the Head of Legal and Democratic Services and in consultation with the Chair of the Authority in each instance, to

accede to requests received from Government Departments for the provision of assistance overseas by Brigade Officers, subject to satisfactory assurances existing in respect of the following points:

- the request has to be in all respects reasonable and, in the Commissioner's view, a reasonable exercise of the Authority's discretion having regard to the Authority's fiduciary duty to those who provide its income to act in a reasonably business-like manner
- the Brigade is able to provide officers to meet the request without adversely affecting the provision of incident-handling and fire safety services within Greater London
- the officers selected to meet the request are known to have the requisite skills and experience necessary to deliver the assignment successfully and that additional instruction and training will be given, wherever possible, in advance of deployment
- officers selected are volunteers and are fully briefed on what is required by way of outcomes and on the conditions under which the assignment is to be carried out
- officers to be deployed are equipped adequately to meet the tasks expected and the local conditions known to appertain
- the safeguards put in place to protect the positions of individuals and of the Authority in connection with the UK Fire Service Search & Rescue Team scheme apply to and are complied with in respect of each Government request prior to final agreement being given by the Commissioner (these safeguards include issues such as pensions, pension enhancements, personal injury claims, salaries, salary on-costs, travel costs, vaccinations, insurance costs, accommodation arrangements, subsistence costs and out-of-pocket expenses).

[Policy and Resources Committee (FCD 4571) – 6 October 1994]

FIRE SERVICE CONTROL ROOMS AND MOBILISING SYSTEMS

The Commissioner for Fire and Emergency Planning, in consultation with Lead Members, be granted delegated authority to enter into joint procurement and/or service delivery arrangements with any other UK Brigade in connection with the provision of Control and mobilising services.

[Authority (FEP 1703) – 22 March 2011]

TOP MANAGEMENT STRUCTURE

The Commissioner for Fire and Emergency Planning, in consultation with the Head of Human Resource Management³, be given delegated authority to agree any necessary changes to the job specifications for the Deputy Commissioner⁴, Directors and Heads of Service posts in the new structure.

³ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴ This post has been deleted.

The Commissioner for Fire and Emergency Planning, Deputy Commissioner for Fire and Emergency Planning⁵ and Directors, in consultation with the Head of Human Resource Management⁶, be given delegated authority to make any necessary consequential changes to departmental organisation and staffing structures, including any necessary transfer of staff or resources between directorates provided that the costs are contained within existing budgets, subject to any further budgetary changes as agreed by the Authority as part of the 2011-2012 budget process.

[Authority (FEP 1602) – 16 September 2010]

REDUNANCY AND REDEPLOYMENT PROCEDURE

That the Commissioner, in consultation with the Head of Human Resource Management⁷ and the Director of Finance and Contractual Services, apply the Authority's redundancy and redeployment procedure as appropriate, including the issuing of notice to the postholders affected

[Authority (FEP 2426) – 15 March 2015]

BUDGET UPDATE

The Commissioner, in consultation with the Head of Legal and Democratic Services and the Director of Finance and Contractual Services, to negotiate and enter into sponsorship arrangements with potential sponsors to support the Authority's Rescue Challenge Team.

[Authority (FEP 2194) – 23 January 2014]

⁵ This post has been deleted.

⁶ The Head of Human Resources and Development was previously responsible for discharging this function.

⁷ The Acting Director of Operational Resilience and Training was previously responsible for discharging this function.

4. DIRECTOR OF FINANCE AND CONTRACTUAL SERVICES

TREASURY MANAGEMENT

Responsibility for the execution and administration of Treasury Management decisions be delegated to the Director of Finance and Contractual Services who will act in accordance with the Authority's Policy Statement on Treasury Management Activities and Treasury Management Practices and CIPFA's "Standard of Professional Practice on Treasury Management";

Should the Director of Finance and Contractual Services wish to depart in any material respect from the main principles of the CIPFA Code of Practice, the reasons should be disclosed, in advance, in a report to the Authority.

[Finance, Procurement & Property Committee/Authority (FEP 1514) – 8/18 March 2010]

The Director of Finance and Contractual Services be authorised to make use of balances to fund internal borrowing when it is considered advantageous, provided the overall borrowing limit, determined by the Mayor for the Authority, is not exceeded.

The Director of Finance and Contractual Services be authorised to borrow temporarily, under the provisions of Section 5 of the Local Government Act 2003, as required and to take up loans to meet short term cashflow needs, subject to the Resources Committee⁸ being informed at quarterly intervals and subject to a limit not exceeding £20m.

[Authority (FEP 1700) – 22 March 2011]

TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION POLICY STATEMENT FOR 2013/4

The Director of Finance and Contractual Services be authorised

- a) to approve borrowing by the Authority, for the purposes of financing capital expenditure and subject to the necessary statutory provisions, provided that the overall borrowing limit determined by the Mayor for the Authority is not exceeded;
- b) to make use of cash balances to fund internal borrowing when it is considered advantageous, provided that the overall borrowing limit determined by the Mayor for the Authority is not exceeded;
- c) borrow temporarily, under the provisions of Section 5 of the Local Government Act 2003, as required and to take up loans to meet short term cashflow needs, subject to the Resources Committee being informed at quarterly intervals and subject to a limit not exceeding £25m.

[Authority (FEP 2035 – 28 March 2013)]

⁸ The Finance and Personnel Committee Resources was previously responsible for discharging this function.

REVIEW OF FINANCIAL DELEGATIONS

- (1) The level of delegations be raised and that Members agree that Standing Order 63(h) be amended to raise the capital threshold delegated to Directors to £250,000 and the revenue limit to £125,000, within approved budgets and subject to the concurrence of the Director of Finance and Contractual Services;
- (2) The levels be adjusted annually in the light of inflation, subject to the agreement of the Director of Finance and Contractual Services;
- (3) An amendment to Standing Order 63(i) be made to provide for arrangements for the exercise of delegated powers by an officer to be specifically disclosed to the Chairman of the Resources Committee, replacing the current reports to the Committee; and
- (4) The Clerk to the Authority be authorised to make the consequential changes to Standing Orders and Delegations to Officers.

[Finance, Procurement & Property Committee (FEP 1171) – 10/20 March 2008]

FIREFIGHTERS' PENSION FUND

That the requirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year and discretion to submit revised information to the Secretary of State be delegated to the Director of Finance and Contractual Services.

[Finance and Personnel Committee (FEP 1856) – 16 January 2012]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

MEMBERS: INDEMNITY AND INSURANCE ARRANGEMENTS

The Director of Finance and Contractual Services jointly with the Head of Legal and Democratic Services be given delegated authority to consider and approve requests for indemnity from Members. If the Director of Finance and Contractual Services and Head of Legal and Democratic Services are of the view that an indemnity should not be provided, then the matter will be referred to the full Authority for a decision.

[Authority (FEP 1039) – 21 June 2007]

INTERNAL DISPUTE RESOLUTION PROCEDURES – FIREFIGHTERS' PENSION SCHEME

The Head of Human Resource Management ⁹, the Director of Finance and Contractual Services or their nominated representatives, in consultation with the Head of Legal and Democratic Services, be given delegated authority to determine Stage 1 appeals under the Firefighters' Pension Scheme which are considered under the Internal Dispute Resolution Procedures.

[Authority (FEP 1091) – 21 September 2007]

⁹ The Head of Human Resources and Development was previously responsible for discharging this function.

That the delegations already in place for stage 1 of the Independent Disputes Resolution Procedure (IDRP) for the Firefighters' Pension Scheme (FEP1091) are extended to the New Firefighters' Pension Scheme and the Local Government Pension Scheme.

[Finance and Personnel Committee (FEP 1856) – 16 January 2012]

Directors be given delegated authority to determine Stage 2 appeals under the Firefighters' Pension Scheme which are considered under the Internal Dispute Resolution Procedures.

[Authority (FEP 1091) – 21 September 2007]

That the delegations already in place for stage 1 and 2 of the Internal Disputes Resolution Procedures (IDRP) for the 1992 Firefighters Pension Scheme and 2006 New Firefighters Pension Scheme be extended to the Firefighters Pension Scheme 2015.

[Authority (FEP 2429) – 26 March 2015]

DISCRETIONS UNDER FIREFIGHTERS' PENSION SCHEME

That the delegations and discretions under the schemes as set out in appendices A to D to the report (FEP 1856) and attached as an appendix to this scheme of delegations be delegated to the Head of Human Resource Management¹⁰ in consultation with the Director of Finance and Corporate Services and that in reaching decisions they should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion.

[Finance and Personnel Committee (FEP 1856) – 16 January 2012]

That the discretions under the Firefighters Pension Scheme 2015, as set out in the Appendix of the report (FEP 2429), be delegated to the Head of Human Resource Management¹¹ in consultation with the Director of Finance and Contractual Services, and that in reaching decisions they should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion.

[Authority (FEP 2429) – 26 March 2015]

REDUNANCY AND REDEPLOYMENT PROCEDURE

That the Commissioner, in consultation with the Head of Human Resource Management¹² and the Director of Finance and Contractual Services, apply the Authority's redundancy and redeployment procedure as appropriate, including the issuing of notice to the postholders affected

[Authority (FEP 2426) – 15 March 2015]

¹⁰ The Head of Human Resources and Development was previously responsible for discharging this function.

¹¹ The Acting Director of Operational Resilience and Training was previously responsible for discharging this function.

¹² The Head of Human Resources and Development was previously responsible for discharging this function

TOP MANAGEMENT STRUCTURE

The Commissioner for Fire and Emergency Planning, Deputy Commissioner for Fire and Emergency Planning¹³ and Directors, in consultation with the Head of Human Resource Management¹⁴, be given delegated authority to make any necessary consequential changes to departmental organisation and staffing structures, including any necessary transfer of staff or resources between directorates provided that the costs are contained within existing budgets, subject to any further budgetary changes as agreed by the Authority as part of the 2011-2012 budget process.

[Authority (FEP 1602) – 16 September 2010]

BUDGET UPDATE

The Commissioner, in consultation with the Head of Legal and Democratic Services and the Director of Finance and Contractual Services, to negotiate and enter into sponsorship arrangements with potential sponsors to support the Authority's Rescue Challenge Team.

[Authority (FEP 2194) – 23 January 2014]

¹³ This post has been deleted.

¹⁴ The Head of Human Resources and Development was previously responsible for discharging this function.

5. DIRECTOR OF OPERATIONS

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle:

- (1) each Assistant Commissioner and the Directors of Operations and Safety and Assurance and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005

[Authority – 12 June 2003]

BUDGET 2011/12

The Head of Human Resource Management ¹⁵ be given delegated authority to draw on the earmarked hydrants reserve, subject to continuing to provide updates on expenditure in the quarterly monitoring.

[Authority (FEP 1698) – 22 March 2011]

LIFE SCHEME

In the event that agreement could not be reached with the trade unions on the proposal that all volunteer LIFE trainers should be employed on supplementary contracts of employment for the conduct of LIFE scheme duties, the Deputy Commissioner for Fire and Emergency Planning¹⁶ in consultation with the Head of Human Resource Management ¹⁷, be given delegated authority to implement the changes to the staffing establishment in line with this policy at the conclusion of that consultation.

[Community Safety Committee (FEP 1714) – 15 March 2011]

YOUTH ENGAGEMENT STRATEGY

The Director of Operations¹⁸, in consultation with other Heads of Service as appropriate, be given delegated authority to update and amend the Youth Engagement Strategy as necessary, reporting any major changes for prior approval by the Authority.

[Authority (FEP 857) – 23 March 2006]

OLDER PEOPLE'S STRATEGY

The Director of Operations¹⁹, in consultation with the Head of Human Resource Management²⁰ and other Heads of Service as appropriate, be given delegated authority to update and amend the strategy as necessary, reporting any major changes for prior approval by the Authority.

[Authority (FEP 961) – 11 January 2007]

COMMUNITY SAFETY AND FIRE REGULATION STRATEGIES

The Director of Operations²¹ and the Assistant Commissioner (Fire Safety)²² in consultation with other Heads of Service as appropriate, be given delegated authority to update and amend the strategies as necessary, reporting any major changes for prior approval by the Authority; and (3) the strategies be reviewed in 2010 to coincide with the expiration of the Authority's targets.*[Authority (FEP 1290) – 20 November 2008]*

¹⁵ The Head of Operations and Mobilising was previously responsible for discharging this function.

¹⁶ This post has been deleted.

¹⁸ The Head of Human Resources and Development was previously responsible for discharging this function.

¹⁸ The Head of Operations and Mobilising was previously responsible for discharging this function.

¹⁹ The Head of Operations and Mobilising was previously responsible for discharging this function.

²⁰ The Head of Human Resources and Development was previously responsible for discharging this function.

²¹ The Head of Operations and Mobilising was previously responsible for discharging this function.

²² The Head of Fire Safety Regulation was previously responsible for discharging this function.

SAFEGUARDING VULNERABLE ADULTS

The Director of Operations²³, in consultation with the Head of Human Resource Management²⁴ the Head of Legal and Democratic Services, be authorised to amend the policy as necessary.

[Community Safety Committee (FEP 1607) – 23 September 2010]

SAFEGUARDING CHILDREN

The Director of Operations²⁵, in consultation with the Head of Human Resource Management²⁶ and Head of Legal and Democratic Services, be authorised to make future amendments to the Safeguarding Children policy.

[Community Safety Committee (FEP 1608) – 23 September 2010]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

TOP MANAGEMENT STRUCTURE

The Commissioner for Fire and Emergency Planning, Deputy Commissioner for Fire and Emergency Planning²⁷ and Directors, in consultation with the Head of Human Resource Management²⁸ be given delegated authority to make any necessary consequential changes to departmental organisation and staffing structures, including any necessary transfer of staff or resources between directorates provided that the costs are contained within existing budgets, subject to any further budgetary changes as agreed by the Authority as part of the 2011-2012 budget process.

[Authority (FEP 1602) – 16 September 2010]

INTERNAL DISPUTE RESOLUTION PROCEDURES – FIREFIGHTER PENSION SCHEME

Directors be given delegated authority to determine Stage 2 appeals under the Firefighters' Pension Scheme which are considered under the Internal Dipute Resolution Procedures.

[Authority (FEP 1091) – 21 September 2007]

²³ The Head of Operations and Mobilising was previously responsible for discharging this function.

²⁴ The Head of Human Resources and Development was previously responsible for discharging this function.

²⁵ The Head of Operations and Mobilising was previously responsible for discharging this function.

²⁶ The Head of Human Resources and Development was previously responsible for discharging this function.

²⁷ This post has now been deleted.

²⁸ The Head of Human Resources and Development was previously responsible for discharging this function.

FIREFIGHTERS PENSION SCHEME 2015 – SCHEME OF DELEGATIONS OF FUNCTIONS TO OFFICERS, AND LOCAL PENSION BOARD

That the delegations already in place for stage 1 and 2 of the Internal Disputes Resolution Procedures (IDRP) for the 1992 Firefighters Pension Scheme and 2006 New Firefighters Pension Scheme be extended to the Firefighters Pension Scheme 2015.

[Authority (FEP 2429) – 26 March 2015]

6 DIRECTOR OF SAFETY AND ASSURANCE

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle:

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005

[Authority – 12 June 2003]

7. AC OPERATIONAL POLICY

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005

[Authority - 12 June 2003]

8. AC OPERATIONAL RESILIENCE

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005.

[Authority - 12 June 2003]

9. AC OPERATIONAL RESPONSE

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005.

[Authority – 12 June 2003]

10. AC FIRE SAFETY

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005.

[Authority – 12 June 2003]

FIRE PRECAUTIONS (SUB-SURFACE RAILWAY STATIONS) REGULATIONS 2009 – EXEMPTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle, the following officers in the Fire Safety Regulation Department be authorised to grant exemptions in accordance with the provisions of Regulation 12 of the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009:-

- Assistant Commissioner
- Deputy Assistant Commissioners
- Group Manager Transport Fire Safety
- Team Leader Transport Fire Safety Group

[Authority (FEP 304) - 25 July 2002]

ENVIRONMENTAL PROTECTION ACT 1990 (VAPOUR BALANCING AT PETROL FILLING STATIONS) - ASSISTANCE TO LONDON BOROUGHS

The AC (Fire Safety)²⁹ be given authority to authorise officers to determine whether the Environmental Protection (Prescribed Processes and Substances etc) (Amendment) (Petrol Vapour Recovery) Regulations 1996 are being complied with in those Boroughs who have agreed to the Authority undertaking on their behalf annual inspections under the Regulations.

[Operations Committee (FCD 5340) - 24 April 1997/Authority 29 May 1997]

LICENSED PLACES OF PUBLIC ENTERTAINMENT

The AC (Fire Safety)³⁰, or in his absence his Deputy Assistant Commissioner, be given delegated authority to determine the re-inspection regime for all Licensed Places of Public Entertainment.

[Authority (FEP 429) – 12 June 2003]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

PRIMARY AUTHORITY PARTNERSHIP SCHEMES

- (1) The Authority agrees in principle to act as a Primary Authority under the terms of Part 2 of the Regulatory Enforcement and Sanctions Act 2008, provided that any agreements entered into are on the basis of full cost recovery;
- (2) The AC (Fire Safety)³¹, in consultation with the Head of Legal and Democratic Services, be authorised to enter into, and terminate, Primary Authority Schemes agreements on behalf of the Authority. *[Authority (FEP 1464) - 19 November 2009]*

²⁹ The Head of Fire Safety Regulation was previously responsible for discharging this function.

³⁰ The Head of Fire Safety Regulation was previously responsible for discharging this function.

³¹ The Head of Fire Safety Regulation was previously responsible for discharging this function.

PRIMARY AUTHORITY SCHEME – EXTENSION TO THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005.

The Assistant Commissioner, Fire Safety, in consultation with the Head of Legal and Democratic Services, be authorised to enter into and terminate Primary Authority Scheme agreements involving the Regulatory Reform Order.

[Strategy Committee (FEP 2169) 12 November 2013]

11. HEAD OF HUMAN RESOURCE MANAGEMENT

NIL COST EMPLOYEE BENEFIT/SALARY SACRIFICE SCHEME

The Head of Human Resource Management³² be given delegated authority to implement Nil Cost Employee Benefit/Salary Sacrifice Schemes to provide a range of additional benefits to Authority staff.

[Human Resources, Equalities and Health and Safety Panel (HRE 220) – 13 September 2006]

EMPLOYMENT MONITORING DATA

The duty under the Race Relations Act to monitor and publish employment monitoring data by racial group (and any similar requirements introduced in 2011 under the Equality Act) be delegated to the Head of Human Resource Management³³, noting that officers will continue to report relevant monitoring data, once published, to the Resources Committee³⁴.

[Finance and Personnel Committee (FEP 1625) – 8 November 2010]

OUTSIDE EMPLOYMENT IN THE RESERVE FORCES AND THE ARMED FORCES COVENANT – PAY ARRANGEMENTS

The Head of Human Resource Management³⁵ be given delegated authority to make the required changes to Authority policy and procedures to ensure that for all occupational groups, during periods of paid special leave for reservist training, double payments do not occur, i.e. the Brigade makes deductions from salary equivalent to the daily payments received from the Ministry of Defence (MoD).

[Resources Committee (FEP 2344) – 13 November 2014]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE/CONSULTATION

ALCOHOL AND DRUGS POLICY

The Head of Human Resource Management³⁶, in consultation with the Commissioner, be given delegated authority to amend the Alcohol and Drugs Policy, following appropriate trade union consultation; and

The Head of Human Resource Management³⁷, in consultation with the Commissioner, be given delegated authority to agree implementation arrangements for the Alcohol and Drugs Policy, including the letting of a contract for 'for cause' and random testing.

³² The Head of Human Resources and Development was previously responsible for discharging this function.

³³ The Head of Human Resources and Development was previously responsible for discharging this function.

³⁴ The Performance Management Committee was previously responsible for discharging this function.

³⁵ The Head of Human Resources and Development was previously responsible for discharging this function.

³⁶ The Head of Human Resources and Development was previously responsible for discharging this function.

[Authority (FEP 1089) –21 September 2007]

IR MACHINERY - TOP MANAGEMENT GROUP

- (1) The proposed IR Machinery set out in Appendix A to the report (FEP 1095) be endorsed, and the Head of Human Resource Management³⁸ be empowered to conclude discussions with a trade union detailed in the report (FEP 1095) on a single union agreement for this group of employees subject to any changes being in accordance with the policies and principles set out in the collective bargaining procedures for all other grade groups as agreed (FEP 710), and that the Head of Human Resource Management³⁹ be given delegated authority, in consultation with the Commissioner, to make any subsequent amendments subject to full consultation with the staff side;
- (2) The Head of Human Resource Management⁴⁰, in consultation with the Commissioner, be given delegated authority to make any consequential amendments to the procedures set out in (FEP 710);
- (3) The current procedure agreement with the Association of Professional Fire Officers be agreed until either (a) the new procedure agreement is operative or (b) 1st December 2007, whichever is the earlier
- (4) The Head of Human Resource Management⁴¹ in consultation with the Commissioner be delegated to make any consequential amendments to the staff code; and
- (5) The Head of Human Resource Management⁴², in consultation with the Commissioner, be given delegated authority to extend the scope of the agreement to other grade groups where appropriate.

[Authority (FEP 1095) – 21 September 2007]

INDUSTRIAL RELATIONS PROCEDURES FOR LFEP A

- (1) The Head of Human Resource Management⁴³, in consultation with the Director of Finance and Contractual Services where financial implications arise, be given delegated authority to implement decisions reached within LFEP A Joint Council, the Authority Joint Committee and any of the Joint Committees established between the Authority and its recognised trade unions provided such decisions are in accordance with Authority policy and approved budgets; and
- (2) The Head of Human Resource Management⁴⁴ be given delegated authority to make consequential amendments to the Staff Code and other Authority policies/instructions which arise from recommendations (1) [the implementation of the new industrial relations

³⁷ The Head of Human Resources and Development was previously responsible for discharging this function.

³⁸ The Head of Human Resources and Development was previously responsible for discharging this function.

³⁹ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴⁰ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴¹ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴² The Head of Human Resources and Development was previously responsible for discharging this function.

⁴³ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴⁴ The Head of Human Resources and Development was previously responsible for discharging this function.

procedures] and (3) [to implement decisions reached with the new machinery] of the report (FEP 710).

[Authority (FEP 710/A) – 16 June 2005]

TRADE UNION FACILITIES – FIRE BRIGADES UNION AND FIRE OFFICERS ASSOCIATION

The Head of Human Resource Management⁴⁵, in consultation with the Commissioner, be given delegated authority to implement revised trade union facilities arrangements for the Fire Brigades Union and the Fire Officers Association, and, in future, to amend trade union facilities arrangements for the Fire Brigades Union and the Fire Officers Association, in line with the proposals set out in Appendix 1 to the report (FEP 711), following consultation with these trade unions.

[Authority (FEP 711/A) – 16 June 2005]

UNIFORMED OPERATIONAL PROBATIONARY POLICY

The Head of Human Resource Management⁴⁶, in consultation with the Commissioner, be given delegated authority to amend the Probationary Procedure, consistent with Authority policies, and following appropriate trade union consultation.

[Authority (FEP 923) – 21 September 2006]

OUTSIDE EMPLOYMENT AND PECUNIARY INTERESTS

The Head of Human Resource Management⁴⁷, following consultation with the recognised trade unions, be given delegated authority to amend Appendix A to the report (FEP 991), consistent with other policies of the Authority.

[Authority (FEP 991) – 22 March 2007]

PAY AND GRADING

The Head of Human Resource Management⁴⁸ be given delegated authority, in consultation with the Commissioner, to amend the implementation arrangements provided such amendments are within the approved budget and are consistent with the principles of the agreement.

[Authority (FEP 1063) – 26 July 2007]

WATCH MANAGER B PAY STRUCTURE

(1) The scheme as set out in Appendix 1 to the report (FEP 1258) be approved; and

⁴⁵ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴⁶ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴⁷ The Head of Human Resources and Development was previously responsible for discharging this function.

⁴⁸ The Head of Human Resources and Development was previously responsible for discharging this function.

- (2) The Head of Human Resource Management⁴⁹, in consultation with the Commissioner and the Director of Finance and Contractual Services as appropriate be given the authority to amend the scheme in line with principles set out in the scheme after discussion with the recognised trade union, and to extend to other staff groups.

Authority (FEP 1258) - 18 September 2008]

REVISED REDUNDANCY AND REDEPLOYMENT CODE (MAIN GRADE PRINCIPAL OFFICERS CRAFT AND MANUAL AND CONTROL STAFF)

The Head of Human Resource Management⁵⁰ in consultation with the Commissioner, be given delegated authority to amend the Code/Guidance following consultation with recognised trade unions.

[Authority (FEP 1064) – 26 July 2007]

INTERNAL DISPUTE RESOLUTION PROCEDURES – FIREFIGHTERS PENSION SCHEME

The Head of Human Resource Management⁵¹ and the Director of Finance and Contractual Services, or their nominated representatives, in consultation with the Head of Legal and Democratic Services, be given delegated authority to determine Stage 1 appeals under the Firefighters' Pension Scheme which are considered under the Internal Dispute Resolution Procedures.

[Authority (FEP 1091) – 21 September 2007]

That the delegations already in place for stage 1 of the Independent Disputes Resolution Procedure (IDRP) for the Firefighters' Pension Scheme (FEP1091) are extended to the New Firefighters' Pension Scheme and the Local Government Pension Scheme.

[Finance and Personnel Committee (FEP1856) – 16 January 2012]

TOP MANAGEMENT REVIEW

That all powers currently delegated to the Head of Human Resources and Development shall be transferred and delegated to the Head of Human Resource Management⁵².

[Authority (FEP 2382) – 27 January 2015]

LONDON WEIGHTING - UNIFORMED, FRS AND PRINCIPAL OFFICERS AND CRAFT AND MANUAL STAFF

⁴⁹ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵⁰ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵¹ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵² The Acting Director of Operational Resilience and Training was previously responsible for discharging this function.

The Head of Human Resource Management⁵³ be given delegated authority to implement London Weighting settlements for staff who are not covered by Whitley Council.

[Policy and Resources Committee (FCD 3946) - 8 October 1992]

STAFF DISCIPLINARY AND GRIEVANCE PROCEDURES

- (1) the Head of Human Resource Management⁵⁴ be given delegated authority, in consultation with the Commissioner, to amend these procedures, including the levels of investigation and decision-making, in consultation with the recognised trade unions; and
- (2) the Head of Human Resource Management⁵⁵ be given delegated authority to amend/delete relevant instructions, and to amend the Staff Code, so far as necessary.

[Authority (FEP 824) – 12 January 2006]

DISCRETIONS UNDER FIREFIGHTERS' PENSION SCHEME

That the delegations and discretions under the schemes as set out in appendices A to D to the report (FEP 1856) and attached as an appendix to this scheme of delegations be delegated to the Head of Human Resource Management⁵⁶ in consultation with the Director of Finance and Corporate Services and that in reaching decisions they should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion.

[Finance and Personnel Committee (FEP 1856) – 16 January 2012]

That the discretions under the Firefighters Pension Scheme 2015, as set out in the Appendix of the report (FEP 2429), be delegated to the Head of Human Resource Management in consultation with the Director of Finance and Contractual Services, and that in reaching decisions they should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion.

[Authority (FEP 2429) – 26 March 2015]

LOCAL GOVERNMENT PENSION SCHEME 2014 – SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

That the delegations and discretions under the Local Government Pension Scheme 2014 as set out in Appendices A-C of FEP 2234 be delegated to the Head of Human Resource Management⁵⁷, in consultation with the Director of Finance and Contractual Services, and that in reaching decisions they should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion;

⁵³ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵⁴ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵⁵ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵⁶ The Head of Human Resources and Development was previously responsible for discharging this function.

⁵⁷ The Head of Human Resources and Development was previously responsible for discharging this function.

That the delegations and discretions under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011, as set out in Appendix D of FEP 2234 be delegated to the Head of Human Resource Management, in consultation with the Director of Finance and Contractual Services, and that in reaching decisions they should apply the policy set out in Appendix D (the Authority is required to formulate and publish such a policy under Regulation 14(1) of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011).

[Resources Committee (FEP 2234) - 17.March 2014]

LOCAL GOVERNMENT PENSION SCHEME (TRANSITIONAL PROVISIONS, SAVINGS AND AMENDMENT) REGULATIONS 2014 – SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

That the two discretionary provisions under the LGPS Transitional Regulations 2014 as set out in paragraphs 4-9 of this report be delegated to the Head of Human Resource Management⁵⁸, in consultation with the Director of Finance and Contractual Services and that, in reaching decisions under any such delegation, the officers should take into account the cost to the Authority and the benefit to the individual and the Authority of the application of the discretion.

[Resources Committee (FEP 2318) – 18 September 2014]

⁵⁸ The Head of Human Resources and Development was previously responsible for discharging this function.

12. AC FIRE STATIONS

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioner's each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005.

[Authority - 12 June 2003]

13. HEAD OF PROCUREMENT & TECHNICAL AND SERVICE SUPPORT

RESIDENTIAL RENT REVIEWS

The Head of Procurement & Technical and Service Support⁵⁹, be given delegated authority to – fix individual rents;

(b) conduct full rent reviews every third year and, in intervening years, review rents in accordance with the retail price index, taking account of the weighting criteria set out below –

<u>Criterion</u>	<u>Weighting</u>	<u>Low/High</u>
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(i) Age, size, location of the premises and availability of amenities	H
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(ii) Condition of accommodation as originally leased	H
--	---

Condition of each dwelling at date of rent review as compared

with last review reflecting improvements made by the Authority	H
--	---

Restrictions imposed by the tenure of the premises because of –	L
---	---

the Authority's legal interest

the tenancy agreement

(v) Running costs	H
-------------------	---

(vi) Local authority rents in similar areas	L
---	---

(vii) Indication of market rentals in relevant locations	H
--	---

Information on the average income for adults in full-time

employment and the general index of retail price increases since the last review	L
--	---

Indication of assessments in relevant locations by the Rent Officer

Service since the last review	L
-------------------------------	---

(c) agree temporary reductions of up to 10% of the monthly rent (excluding local charges) in respect of –

a failure to provide a service(s) stipulated in the tenancy agreement; and/or

excessive disruption caused to the tenant by renovation or major building works.

[Authority - 12 June 2003]

FIRE SAFETY WORKS AT FIRE STATIONS

(1) a total project estimate of £1.1 million chargeable to the capital programme of £600,000 in 2011/12 and £500,000 in 2012/13 be approved; and

⁵⁹ The Assistant Commissioner, Technical and Service Support was previously responsible for discharging this function.

- (2) the Head of Procurement & Technical and Service Support⁶⁰, be authorised to invite competitive tenders for the proposed works to each station in accordance with the Public Contracts Regulations 2006 and to accept the most economically advantageous tenders received.

[Finance and Personnel Committee (FEP 1768) – 11 July 2011]

DISPOSAL OF 8 ALBERT EMBANKMENT AND THE STATIONS CLOSED UNDER LONDON SAFETY PLAN 5 – NEXT STEPS

The Head of Procurement & Technical and Service Support⁶¹, be authorised to complete the disposal process for 8 Albert Embankment and the stations closed under LSP5, subject to the approval of the recommendations in the Part II report (FEP 2238X).

[Resources Committee (FEP 2238) – 17 March 2014]

DISPOSAL OF 8 ALBERT EMBANKMENT – UPDATE

The Head of Procurement & and Technical and Service Support⁶² be authorised to proceed to an EU regulated procurement for the disposal of the 8 Albert Embankment site and to include the re-provision of a fire station and the Museum.

[Resources Committee (FEP 2467)- 16 July 2015]

PROPERTY PROJECTS 2015/16

- (1) The Head of Procurement & Technical and Service Support⁶³, be authorised to -
- (a) Invite competitive tenders in accordance with the Authority's Code of Practice on Tenders and Contracts for a framework agreement for redecoration works in four geographical packages to Authority premises over three years - 2015/16, 2016/17 and 2017/18 - at an overall budget cost of up to £3.5 million plus 5%; and
 - (b) Accept the most economically advantageous tenders and to enter into a framework agreement with multiple providers and to award "call offs" (individual contracts) under the framework agreement for redecorations, to be funded from the approved annual revenue budgets; and
- (2) The Head of Procurement & Technical and Service Support⁶⁴, be authorised to -
- (a) Invite competitive tenders in accordance with the Authority's Code of Practice on Tenders and Contracts for works to East Ham Fire station and ancillary offices, to

⁶⁰ The Assistant Commissioner, Technical and Service Support was previously responsible for discharging this function.

⁶¹ The AC, Technical and Service Support, was previously responsible for discharging this function.

⁶² The AC, Technical and Service Support was previously responsible for discharging this function.

⁶³ The AC, Technical and Service Support was previously responsible for discharging this function.

⁶⁴ The AC, Technical and Service Support. was previously responsible for discharging this function.

replace windows, carry out structural repairs and complete redecoration works at a total project cost of £650,000; and

- (b) Accept the most economically advantageous tender subject to the overall costs being within £650,000 plus 5% (improvement works at £450,000 to be chargeable to the approved 2015/16 Capital Programme and the remaining £200,000 repairs and redecoration works to the 2015/16 strategic non-cyclical revenue budget).

[Resources Committee (FEP 2466) -16 July 2015]

ENERGY SUPPLY CONTRACTS

The Head of Procurement & Technical and Service Support⁶⁵, be given delegated authority, where the action is supported by specialist consultancy advice, to enter into an individual contract or combined energy contracts and to extend or renew contracts with a single (or more than one) suppliers for the supply of energy whether or not the total value of any contract would exceed £1m over the terms of the contract.

[Authority (FEP 848 – 23 March 2006)]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

PROVIDING SPACE ON AUTHORITY SITES FOR COMMERCIAL COMMUNICATIONS EQUIPMENT

The Head of Procurement & Technical and Service Support⁶⁶, be authorised to agree terms for the siting of commercial communications, including 3G telecommunications, equipment and UK Broadband Ltd., radio communications equipment at Authority premises, where technically feasible and provided that operational efficiency is not adversely affected and the Head of Legal and Democratic Services be authorised to complete agreements with the network operators.

[Authority (FEP 174) – 25 October 2001]

[Authority (FEP 587) – 22 July 2004]

SQUATTING IN AUTHORITY PREMISES

The Head of Procurement & Technical and Service Support⁶⁷, in consultation with the Commissioner for Fire and Emergency Planning, be given delegated authority to take action to protect the interests of the Authority in all cases in which unauthorised use of Authority land or property takes place and where necessary to instruct the Head of Legal and Democratic Services to take proceedings for possession, subject to the delegated authority only being exercised after consultation with the three party Group Leaders⁶⁸ and a report being submitted to the Authority on each case in which action has been taken.

[Policy and Resources Committee (FCD 1351) - 2 February 1989]

⁶⁵ The AC, Technical and Service Support was previously responsible for discharging this function.

⁶⁶ The AC, Technical and Service Support was previously responsible for discharging this function.

⁶⁷ The AC, Technical and Service Support was previously responsible for discharging this function.

⁶⁸ There are now only two political Groups.

PROPERTY PFI PROJECT – FINANCIAL CLOSE AND CONTRACT AWARD

The Head of Procurement & Technical and Service Support⁶⁹, in consultation with the Head of Procurement and the Head of Legal and Democratic Services be given authority to enter into and execute contracts with the external advisors on behalf of the Authority.

[Resources Committee (FEP 2042) – 18 March 2013]

PROPERTY SERVICES REVIEW

Authorises the Head of Procurement & Technical and Service Support⁷⁰ Human Resource Management and Legal and Democratic Services, to enter into detailed contract negotiations with Kellogg Brown & Root (KBR), including all commercial terms and arrangements relating to the staff transferring and their pension arrangements, and agree any issues necessary to complete the contract for the Integrator services with KBR and with the second tier suppliers.

[Resources Committee (FEP 2443) -17 June 2015]

FLEET AND OPERATIONAL IMPROVEMENTS

The Head of Procurement & Technical and Service Support⁷¹, be authorised to accept the tender price obtained under the contract terms with Babcock Critical Services for the replacement of 52 fleet cars following a competitive procurement exercise on the basis of the following:- The Brigade's existing 52 existing diesel cars be replaced with range extender electric vehicles at a cost of £1,400k.

The Head of Procurement & Technical and Service Support⁷² be authorised to enter into lease agreements for up to 10 hybrid cars at a total revenue cost of £3.8k per annum, per vehicle, off set by 75% funding from the Office for Low Emission Vehicles (OLEV) for the first two years of the 5 year lease term.

The Head of Procurement & Technical and Service Support⁷³, be authorised to accept the tender price obtained under the contract terms with Babcock Critical Services for the delivery of 53 replacement pumping appliances at a total cost no greater than £12,455m, to be funded from within the approved capital programme for 2016/17

[Resources Committee (FEP 2465) -16 July 2015]

⁶⁹ The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function.

⁷⁰ The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function

⁷¹ The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function

⁷² The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function.

⁷³ The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function.

The Head of Procurement was previously responsible for discharging this function.

⁷³ The Head of Procurement was previously responsible for discharging this function.

VEHICLES AND EQUIPMENT CONTRACT UPDATE

The Committee agrees that the Head of Procurement & Technical and Service Support⁷⁴, be authorised to accept the tender prices obtained under the contract terms with Babcock Critical Services for the replacement of the age-related operational equipment items as set out at paragraph 21, Table 1, at a total cost not exceeding £2,721k, to be funded from within the approved capital programme for 2015/16 and the draft capital programme for 2016/17.

[Resources Committee (FEP 2508) -17 September 2015]

ISSUE OF CERTIFICATES OF OWNERSHIP FOR AUTHORITY VEHICLES

The Head of Procurement & Technical and Service Support⁷⁵ be given delegated authority to sign certificates of ownership for vehicles owned by the Authority.

[Fire Brigade Committee (FCD 2200) - 10 January 1991]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

VEHICLES AND EQUIPMENT PFI AND EMERGENCY FIRE CREWS CONTRACT UPDATE

Delegated Authority be given to the Head of Procurement & Technical and Service Support⁷⁶ after consulting with the Head of Legal and Democratic Services, to dispose of out of life fleet and equipment, giving due regard to environmental and charitable considerations.

[Resources (FEP 2048) – 18 March 2013]

⁷⁴ The Head of Procurement was previously responsible for discharging this function.

⁷⁵ The Head of Procurement was previously responsible for discharging this function.

⁷⁶ The Head of Procurement was previously responsible for discharging this function.

14. HEAD OF LEGAL AND DEMOCRATIC SERVICES

CLAIMS, APPEALS, PROCEEDINGS, OTHER ACTION, ETC.

The Head of Legal and Democratic Services is authorised to –

- (1) discharge the Authority's function under section 223(1) of the Local Government Act 1972 of authorising officers (not being solicitors with current practising certificates) to prosecute or defend on the Authority's behalf or to appear on the Authority's behalf in proceedings before a magistrates' court;
- (2) take such action as he would recommend the Authority to take in connection with claims or other proceedings by the Authority or against the Authority, its officers, servants or agents, or to settle such claims or proceedings;
- (3) take such action as he would recommend the Authority to take in connection with its statutory functions in proceedings in the magistrates' and Crown courts and in other judicial and quasi-judicial proceedings, including laying information, making complaints and otherwise representing the Authority;
- (4) act, or arrange representation, for a member of the London Fire Brigade who is prosecuted for an offence under the Road Traffic Acts committed whilst on duty, provided that it is considered to be a proper and suitable case and to arrange for the reimbursement of any fines and/or costs incurred by members of the Brigade who are prosecuted for traffic offences in cases where the Commissioner⁷⁷ is satisfied that the employee concerned acted reasonably in the course of duty;
- (5) comply with any requirement of a decision, order or direction of a court or tribunal;
- (6) pay reasonable costs and disbursements incurred in taking action or settling claims or proceedings as mentioned in (1) to (5) above;
- (7) employ Counsel, shorthand writers, inquiry agents, consulting engineers, surveyors and independent consultants and pay medical fees in relation to any matter in which he deems it necessary or expedient in the Authority's interests, up to £50,000 in respect of each item;
- (8) employ agency services on such terms as he considers necessary in the interests of the Authority, providing that the expenditure can be met from approved budgets; and
- (9) submit an appeal on behalf of the Authority where he considers it necessary in the interests of the Authority subject to a report on action taken being reported to the next available meeting of the Finance and Personnel Committee⁷⁸;

provided that this authorisation does not extend to –

- (a) settling any claim against the Authority where the amount of the settlement (excluding claimant's legal costs) exceeds £150,000 (or £250,000, if the settlement is supported by Counsel); or
- (b) settling any claim by the Authority where the amount of the claim exceeds £150,000 (or £250,000 if the settlement is supported by Counsel).

⁷⁷ The Deputy Commissioner was previously responsible for discharging this function.

⁷⁸ Now Resources Committee.

[Authority - 12 June 2003]

The limit on the delegated authority of the Head of Legal and Democratic Services to incur expenditure on counsel's fees be increased from £50,000;

1. To £75,000 in respect of imminent court proceedings on the challenge by certain London boroughs and an individual claimant to the fifth London safety Plan; and
2. To £200,000 in the event of future, potential prosecutions under the Regulatory Reform (Fire Safety) Order 2005 relating to the Lakanal House fire.

[Appointments and Urgency Committee (FEP 2161X) – 11 November 2013]

COUNSEL FEES

The Committee agrees an increase of £50k in the delegation to the Head of Legal and Democratic Services to incur expenditure on counsel's fees in respect of the case detailed in the Part 2 report.

That authorised expenditure on counsel's fees be increased by £50,000 from the present level of £200,000 up to a combined sum of £250,000 for the reasons outlined in the report.

[Resources Committee (FEP 2502/X) – 17 September 2015]

REPRESENTATION ON OUTSIDE BODIES

Vacancies arising on outside bodies during the year be filled by the Authority or the appointing body as appropriate, or by the Head of Legal and Democratic Services in consultation with the appropriate party representative and the Chair of the Authority.

[Policy and Resources Committee (FCD 988) - 19 May 1988]

POLITICALLY RESTRICTED POSTS – DESIGNATION - SECTION 2 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989

The Head of Legal and Democratic Services be given delegated authority to update and amend the list of politically restricted posts on a regular basis.

[Personnel Committee (FCD 1786) - 18 January 1990]

LONDON COUNCILS – APPOINTMENTS

If the Authority is permitted membership of any other Committees constituted by the Company, apart from the Leaders' Committee, the Head of Legal and Democratic Services be given delegated authority to make the necessary appointments, subject to consultation with the Leaders of the three⁷⁹ Party Groups.

[Policy and Resources Committee (4735/A) - 23 March 1995]

⁷⁹ There are now two party groups.

MEMBERS' ALLOWANCES – CONFERENCE FEES

The Head of Legal and Democratic Services be given delegated authority, subject to consultation in each case with the three⁸⁰ Party Group Leaders, to authorise payment of conference fees for attendance by members at conferences or meetings for the purpose of discussing matters which, in the opinion of the Head of Legal and Democratic Services, relate to the functions of the Authority or to any functions of local authorities in which the Authority has an interest.

[Authority (FEP 475) - 18 September 2003]

BUDGET 2011/12

The Head of Legal and Democratic Services be given delegated authority to draw on the earmarked compensation reserve, subject to continuing to provide updates on expenditure in the quarterly monitoring.

[Authority (FEP 1698) – 22 March 2011]

LAKANAL HOUSE

The Head of Legal and Democratic Services be authorised to use the unspent balance of the approved budget for Lakanal House prosecutions, on any judicial review proceedings which may arise, noting that he may need to seek authority from the Committee at a later date to incur further expenditure if prosecutions proceed and the current budget is exceeded.

[Resources Committee (FEP 2338) – 13 November 2014]

EMPLOYMENT TRIBUNAL JUDGEMENT IN NORRIS, HEARN AND ROWSON v LFEP A

The Head of Legal and Democratic Services be authorised to seek to settle the case of three claimants successful in the ET hearing and the potential claims of staff affected by the CM * deductions during the course of the industrial action in 2010.

[Appointments and Urgency Committee (FEP 2372X) – 15 December 2014]

The Head of Legal and Democratic Services be authorised to settle the case of the three claimants and the potential claims of staff affected by deductions from pay in respect of the CM* issue during the industrial action in 2010, and to incur expenditure of up to £5,000 on counsel's fees in respect of advice provided in the preparation of this report (and to include any further advice needed in the event of a wider settlement).

[Resources Committee (FEP 2415X) – 16 March 2015]

DEMOCRATIC SERVICES – SHARED SERVICES

The Authority enters into an "Instrument for Discharge of Functions" and "Arrangements for Discharging Functions" with the GLA to undertake the Democratic Services functions, to take

⁸⁰ Now two party groups.

effect from 1 January 2011 and that the Deputy Commissioner for Fire and Emergency Planning⁸¹ be given delegated authority to agree the terms of the "Instrument" and "Arrangements" and any subsequent revisions and any consequential amendments to Standing Orders.

[Authority (FEP 1638) – 18 November 2010]

MEMBER SUPPORT SERVICES –PROPOSALS FOR SHARED SERVICES

The Authority enters into an "Instrument for Discharge of Functions" and "Arrangements for Discharging Functions" with the GLA to undertake the Member Support Services functions, to take effect from 1 November 2012; and the Deputy Commissioner⁸² be given delegated authority to agree the terms of the "Instrument", "Arrangements", and financial arrangements and any subsequent revisions and any consequential amendments to Standing Orders.

[Authority (FEP 1973) – 27 September 2012]

DELEGATIONS OF LEGAL FUNCTIONS

To delegate to the new, interim Head of Legal and Democratic Services with effect from 19 October 2015 all functions currently delegated to the Head of Legal and Democratic Services either generally in his capacity as a head of service or specifically delegated to him.

[Appointments and Urgency Committee (FEP 2518) – 15 October 2015]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

MEMBERS' ALLOWANCES – DEPENDANT CARE ALLOWANCE

The Head of Legal and Democratic Services be given delegated authority, in consultation with the Director of Finance and Contractual Services, to revise the rate payable for Dependant Care Allowance to members at the commencement of each financial year in the light of the prevailing rate of inflation.

[Scrutiny Sub-Committee (FCD 4383) - 27 January 1994]

[Policy and Resources Committee (FCD 4491) - 7 July 1994]

MEMBERS: INDEMNITY AND INSURANCE ARRANGEMENTS

The Head of Legal and Democratic Services jointly with the Director of Finance and Contractual Services be given delegated authority to consider and approve requests for indemnity from Members. If the Head of Legal and Democratic Services and Director of Finance and Contractual Services are of the view that an indemnity should not be provided, then the matter will be referred to the full Authority for a decision.

[Authority (FEP 1039) - 21 June 2007]

REVISED ENFORCEMENT POLICY STATEMENT

The decision to prosecute is taken by the Head of Legal and Democratic Services, or a senior colleague, in consultation with the Assistant Commissioner (Fire Safety) or a senior colleague.

[Authority (FEP 1225) – 24 July 2008]

PROPERTY PFI PROJECT – FINANCIAL CLOSE AND CONTRACT AWARD

The Head of Procurement & Technical and Service Support⁸³, in consultation with the the Head of Legal and Democratic Services be given authority to enter into and execute contracts with the external advisors on behalf of the Authority.

[Resources Committee (FEP 2042) – 18 March 2013]

PROPERTY PFI PROJECT – FINANCIAL CLOSE AND CONTRACT AWARD

COURT OF APPEAL JUDGEMENT – THREE YEAR PAY AGREEMENT WITH GMB AND UNISON

Officers be authorised to try to settle the claims before the Employment Tribunal remedies hearing, with the settlement applying to –

- (a) All FRS staff employed at 1.4.2009, including anyone who has left (whether by retirement, redundancy or any other reason) or transferred out of the FRS group, the settlement to apply up until the date of leaving or transfer; and
- (b) All FRS staff who have joined after 1.4.2009, including any who have since left.

[Appointments and Urgency (FEP 2068) – 24 April 2013]

PRIMARY AUTHORITY SCHEME – EXTENSION TO THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005.

The Assistant Commissioner Fire Safety in consultation with the Head of Legal and Democratic Services be authorised to enter into and terminate Primary Authority Scheme agreements involving the Regulatory Reform Order.

[Strategy Committee (FEP 2169) 12 November 2013]

BUDGET UPDATE

The Commissioner, in consultation with the Head of Legal and Democratic Services and the Director of Finance and Contractual Services, to negotiate and enter into sponsorship arrangements with potential sponsors to support the Authority's Rescue Challenge Team.

⁸³ The Assistant Commissioner, Technical and Service Support, was previously responsible for discharging this function.

[Authority (FEP 2194) – 23 January 2014]

PROCUREMENT PROCESS FOR THE AUTHORITY'S VEHICLES AND EQUIPMENT CONTRACT AND THE PROTECTIVE EQUIPMENT SERVICES

That the Head of Legal and Democratic Services be authorised to enter into and execute all other documentation (*additional to that outlined in the full decision taken on this report as being the responsibility of the Head of Procurement & Technical and Service Support⁸⁴*) ancillary to the contract with Babcock Critical Services Limited (including property documentation and any funding documentation in connection with the vehicles) in consultation with the Head of Procurement & Technical and Service Support⁸⁵, the Principal Property Manager and the Director of Finance and Contractual Services where appropriate.

[Resources Committee (FEP 2237X) – 17 March 2014]

SHUT-IN-LIFT - DEBTS

The Head of Legal and Democratic Services, in consultation with the appropriate Borough Commanders, be authorised to take legal steps to try to recover outstanding debts related to 'shut in lift' incidents and automatic fire alarms (AFAs) where the Authority has a good legal case to do so; and, in other cases, officers seek to reach settlement with debtors or write off the debt in line with the provision for bad debts.

[Resources Committee (FEP 2310) – 18 September 2014]

⁸⁴ The Head of Procurement was previously responsible for discharging this function.

⁸⁵ The Head of Procurement was previously responsible for discharging this function

15. HEAD OF COMMUNICATIONS

SPONSORSHIP

The Head of Communications, in consultation with the Director of Finance and Contractual Services and the Head of Legal and Democratic Services, be authorised to negotiate and enter into Standard Sponsorship Agency Agreements with independent sponsorship brokers on non-exclusive commission only terms.

[Authority (FEP 104) – 10 May 2001]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE/CONSULTATION

2013-14 BUDGET – AUTHORITY'S ANNUAL CAROL SERVICE

The Head of Communications ⁸⁶, in consultation with the Head of Legal and Democratic Services and the Director of Finance and Contractual Services, be authorised to negotiate and enter into sponsorship agreements with potential sponsors to support the Authority's annual carol service, subject to it being delivered on a cost neutral basis.

[Resources Committee (FEP 2032) – 18 March 2013]

[Authority (FEP 2032 – 28 March 2013)]

SPONSORSHIP

The Head of Communications, in consultation with the Director of Finance and Contractual Services and the Head of Legal and Democratic Services, be authorised to negotiate and enter into Standard Sponsorship Agency Agreements with independent sponsorship brokers on non-exclusive commission only terms.

[Authority (FEP 104) – 10 May 2001]

⁸⁶ The Deputy Commissioner was previously responsible for discharging this function.

16. HEAD OF INFORMATION AND COMMUNICATIONS TECHNOLOGY

REPLACEMENTS OF LAPTOPS AND COMPUTER DISPLAY SCREENS AT FIRE STATIONS

That the Head of ICT, in consultation with the Head of Procurement & Technical and Service Support⁸⁷, be authorised to participate in a national collaborative procurement and subsequently to award a contract or contracts, as appropriate, to the organisations(s) that submit (s) the most economically advantageous proposal to replace the laptops and display screens with new equipment.

[Resources Committee (FEP 2462) – 16 July 2015]

REVISION OF THE AUTHORITY'S PUBLICATION SCHEME

The Head of Information and Communications Technology⁸⁸ be granted delegated authority to review and, from time to time, amend the Publication Scheme.

[Authority (FEP 1293) - 20 November 2008]

DELEGATIONS EXERCISED WITH OTHERS OR REQUIRING CONCURRENCE / CONSULTATION

FREEDOM OF INFORMATION ACT 2000 – FEES REGULATIONS AND GENERAL UPDATE

- (1) The Head of Information and Communications Technology⁸⁹, in consultation with the Director of Finance and Contractual Services, be given delegated authority to refuse to respond to a request for information where the estimated prescribed costs exceed the limit in the fees regulations; and
- (2) In relation to the Environmental Information Regulations, the Head of Information and Communications Technology⁹⁰, be authorised to charge for requests under the Environmental Information Regulations, up to the level of charges permitted under the Freedom of Information Act fees regulations for (a) prescribed costs where the estimated cost exceeds £450, and (b) for disbursements where the cost exceeds £10.

[Authority - 17 March 2005]

⁸⁷ The Head of Procurement was previously responsible for discharging this function.

⁸⁸ The Head of Strategy and Performance was previously responsible for discharging this function

⁸⁹ The Head of Strategy and Performance was previousl responsible for discharging this function

⁹⁰ The Head of Strategy and Performance was previousl responsible for discharging this function

17. CLERK TO THE AUTHORITY

SHARED SERVICES – DEMOCRATIC SERVICES

The GLA officer whom the GLA nominates from time to time, after consulting with the Authority, as Clerk to the Authority be appointed as an officer of the Authority, as Clerk to the Authority and the Authority's Proper Officer for the purpose of meetings and matters relating to Members including the proper officer functions listed in Appendix 2 to the report (FEP 1638) and be given delegated authority to exercise the proper officer functions listed in Appendix 2 to the report.

[Authority (FEP 1638) – 18 November 2010]

18 ASSISTANT COMMISSIONERS AND DEPUTY ASSISTANT COMMISSIONERS

STATUTORY PROVISIONS RELATING TO FIRE PREVENTION AND FIRE PRECAUTIONS

Subject to the directions of the Authority being sought on any matters involving a point of principle –

- (1) each Assistant Commissioner and, in his/her absence, the Deputy Assistant Commissioners each be authorised to –
 - (a) discharge the Authority's powers and duties (other than the institution and carrying on of legal proceedings, and other than under the Fire Precautions (Sub-Surface Railway Stations) Regulations 1989) arising by virtue of any statutory provision relating to fire safety including in particular:-
 - (i) authorising officers to exercise powers of entry to premises;
 - (ii) appointing inspectors under section 19 of the Health and Safety at Work, etc. Act 1974;
 - (iii) the maintenance of registers of all notices issued under articles 29, 30 and 31 of the Regulatory Reform (Fire Safety) Order 2005 and sections 21 & 22 of the Health and Safety at Work etc Act 1974;
 - (iv) granting or refusing licences under the Petroleum (Consolidation) Act 1928, provided that a licence may be refused unless one or more of the following applies:-
 - (a) new tank installations are proposed in proximity to underground tunnels, railway cuttings or public utility tunnels and he/she considers that one or more of the following special requirements have not been included for safeguarding tank installations: secondary containment; glass reinforced plastic tanks; stainless steel pipework or deep bored monitoring; or concrete encased tanks enclosed in a chamber and subject to continuous monitoring of the void between the tank case and chamber walls;
 - (b) he/she considers that there is a high risk of fire or explosion due to close proximity to underground tunnels, railway cuttings or public utility tunnels;
 - (c) he/she considers that satisfactory arrangements have not been made to install a good leak detection system;
 - (d) in respect of pressurised submerged and remote pumping systems at petroleum filling stations (where the licence shall include a requirement to provide a secondary containment system with leak detection and automatic shut down system) where he/she cannot agree with the licensee a timetable for implementing such systems which is to his/her satisfaction; and
 - (b) respond on behalf of the Authority to any consultation received in relation to fire safety in any premises, whether the consultation is voluntary or required by law; and
- (2) each Deputy Assistant Commissioner be authorised to sign notices of the Regulatory Reform (Fire Safety) Order 2005.

[Authority - 12 June 2003]

FIREFIGHTERS' PENSION SCHEME – DETERMINATION OF CASES UNDER H1

The Commissioner for Fire and Emergency Planning and each Assistant Commissioner be given delegated Authority to determine, where no material element of doubt or discretion is involved, individual cases under article 66(2)/Rule H1 of the Firefighters' Pension Scheme, in the light of the medical opinion of the Authority's nominated Medical Adviser and subject to consultation, as necessary, with the Head of Legal and Democratic Services.

[Personnel Committee (FCD13) – 9 April 1986]

[Disciplinary and Appeals Committee (FCD4058) – 27 May 1993]

[Authority (FEP 429) – 12 June 2003]

SAFEGUARDING VULNERABLE ADULTS

The duty Deputy Assistant Commissioner be responsible for making vulnerable adult referrals to the appropriate authority.

[Community Safety Committee (FEP 1607) – 23 September 2010]

SAFEGUARDING CHILDREN

In line with the proposed Safeguarding Vulnerable Adults policy, the duty Deputy Assistant Commissioner be responsible for making safeguarding children referrals to the appropriate authority.

[Community Safety Committee (FEP 1608) – 23 September 2010]

19. ALL DIRECTORS AND HEADS OF SERVICE HAVE THE FOLLOWING DELEGATED RESPONSIBILITIES

BUILDING WORKS AND/OR FIXTURES AND FITTINGS - EXPENDITURE

Heads of Departments be authorised to incur up to £100,000 on any one project relating to building works and/or fixtures and fittings, subject to there being the necessary provision in the appropriate budget, and where the project is chargeable to capital account or the expenditure exceeds £20,000, to the concurrence of the Director of Finance and Contractual Services.

[Policy and Resources Committee (FCD 4788) – 11 May 1995]

STAFFING

Heads of Department each be authorised, in consultation with their Director –

- (1) to determine the number and grades of posts in their departments subject to –
 - (a) the Head of Human Resource Management ⁹¹ concurring with the grades and numbers proposed;
 - (b) consultation with the Staff Sides, in accordance with agreed procedures and in any case where there is disagreement with the relevant trade union regarding the proposals and the trade union so requires, the matter be reported to the Authority before the restructuring is implemented;
 - (c) consultation with the Director of Finance and Contractual Services on the financial effects of the restructuring, the costs being contained within the overall budget for the department and the proposals not giving rise to additional commitments on future years' budgets;
 - (d) a full list of the final proposed numbers, grades and effective dates being provided to the Director of Finance and Contractual Services and the Head of Human Resource Management ⁹² before the changes become effective;
 - (e) the inclusion of any adjustments agreed in the annual report on the Authority's overall establishment; and
- (2) to take such action as is necessary, in consultation with the Head of Human Resource Management ⁹³, to implement any restructuring including applying the provisions of the Redeployment and Redundancy Codes whilst ensuring that any severance costs are contained within the relevant year's severance budget provision.

[Authority - 12 June 2003]

⁹¹ The Head of Human Resources and Development was previously responsible for discharging this function.

⁹² The Head of Human Resources and Development was previously responsible for discharging this function..

⁹³ The Head of Human Resources and Development was previously responsible for discharging this function.

SICK LEAVE ARRANGEMENTS FOR UNIFORMED STAFF

Any decisions on the exercise of the discretion on extension or reduction of sick pay entitlement to uniformed officers as provided for in the Grey Book be delegated to Heads of Department in consultation with the Head of Human Resource Management⁹⁴.

[Finance and Personnel Committee (FEP 1586) - 6.9.2010][Finance and Personnel Committee (FEP 1709) - 15.3.2011]

GOVERNMENT CONSULTATION DOCUMENTS

That all Heads of Service be given delegated authority to respond to Government consultation documents where responses are deemed to be solely for the purpose of outlining agreed Authority policy (where this is not the case, the matter should be reported to the appropriate committee or the Authority).

[Finance and Personnel Committee (FEP 1856) – 16 January 2012]

AUTHORITY POLICY ON CHARGES, FEES, INCREASES AND EXEMPTION ARRANGEMENTS

Each Head of Department concerned, in consultation with the Director of Finance and Contractual Services and if appropriate with the Head of Legal and Democratic Services, be given delegated authority to –

- (1) (a) increase the sale price of any Authority publication, video, film or photographic material; increase the charges for –
 - (i) use of or access to Authority facilities including meeting facilities;
 - (ii) provision of information on fires and special services; Chemical Information Retrieval and Updating System (CIRUS); information covered by the Publication Scheme or any other statutory public access right;
 - (iii) use of or access to Authority services including special services;
 - (iv) use of Authority publicity material;
 - (v) plan making and review under Control of Major Accidents Hazards Regulations (COMAH) and Pipelines Safety Regulations (PSR);
 - (b) increase the donation to the Salvation Army;
 - (c) in line with inflation and in the case of charges or sale prices, where appropriate and permissible to ensure that such charges or sale prices recover the Authority's costs and include such additional mark up as the market may bear; and
- (2) exempt from, waive or reduce charges for such persons or organisations as the head of department may decide in accordance with the Authority's approved policies.

[Authority (FEP 429) - 12 June 2003]

⁹⁴ The Head of Human Resources and Development was previously responsible for discharging this function.

[Note: The above delegation on Authority Policy on Charges, Fees, Increases and Exemption Arrangements replaces the following specific delegations:-

1. Charges for the Supply of Information on Fires and Special Service Incidents [Fire Brigade Committee (FCD 2268) – 28 February 1991 and (FCD 2315) – 25 April 1991]
2. Donations to the Salvation Army [Fire Brigade Committee (FCD 35490 – 19 September 1991]
3. Facilities offered to various Organisations [Policy and Resources Committee (FCD 2334) – 16 May 1991]