

## **Annex A- Criteria for recording of Officer Executive Decisions**

### West Berkshire Council

Any Executive decision which:

- Flows directly from a constitutional delegation
- Arises from the use of urgency powers
- Is of a nature which gives rise to reputational risks.

### LB Merton

*“... an executive decision that:*

- *Incurs expenditure of between £250,000-£499,999*
- or*
- *Is a significant one-off decision that would be a variation from council policy in respect of:*
    - i) the granting of a permission or licence; or*
    - ii) affecting the rights of an individual*

### Bristol City Council

- *All officer executive decisions involving a resource commitment of between £100,000 and £500,000 taken in consultation with the Mayor.*
- *Officer executive decisions are also published when a key decision has been to Cabinet and authority delegated to an officer to take the decision.*

### Tower Hamlets Council

- *Any decision taken and which would be contrary to the Budget and Policy Framework;*
- *Decisions taken that are likely to conflict with or result in a change or departure from any decision or policy agreed by the Executive;*
- *Decisions taken that are contrary to legal advice;*
- *Decisions taken that may incur significant social, economic or environmental risk (and this would include decisions that have significant impact on communities in a single ward);*
- *Decisions taken which have an impact both within and outside of the Borough;*
- *Decisions taken and which are likely to result in substantial public interest;*
- *Decisions specifically delegated to an officer at an Executive meeting;*
- *Decisions that would result in the setting up of a company or entering into a partnership arrangement with any other body;*
- *Major individual service reorganisation decisions likely to involve 20 or more redundancies;*
- *Decisions to waive the procurement rules in respect of contracts over the value of £250,000; and*
- *Urgent decisions on matters that are otherwise reserved to the Executive.*

### St Albans Council

Officers authorised to make delegated decisions will need to exercise judgement in determining whether decisions are significant enough to require formal recording in accordance with paragraph 2.6 below.

The following types of Officer decision shall be formally recorded subject to the limitations set out:

**Type of Officer Decision Limitation**

	Limitations
<p><i>Decision for financial expenditure or financial saving of £10,000 or more.</i></p>	<ul style="list-style-type: none"> <li>• <i>The expenditure or saving has already been approved by Cabinet/Cabinet Member and their decision has been published (in so far as possible without releasing Confidential or Exempt Information); or</i></li> <li>• <i>The expenditure or saving is already recorded and published under separate statutory requirements; or</i></li> <li>• <i>The decision is purely operational or administrative in nature.</i></li> </ul>

Worcestershire CC

- *Significant decisions which affect the public or a locality in Worcestershire (rather than individuals) which the public would reasonably expect to be recorded and published, are shown below.*

Examples

- *Significant changes in service delivery to the public or a section of it (falling within existing agreed policy)*
- *Decisions directly delegated by Cabinet other than mere operational implementation*
- *Change of use or disposal of buildings currently used by public*
- *Significant decisions which affect a locality, community or the public in general (but which do not significantly alter existing agreed policy)*

Blackpool Council

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Executive 'officer' decisions must be published on the Council's website using the appropriate template. These would be exempt for call-in. The regulations do not define which officer decisions this applies, to although the presumption is generally such decisions which an ordinary member of the public would expect to be aware of. The approach taken by other Authorities includes property matters between certain thresholds, specific one off delegations from the Executive and formal appointments and responses on behalf of the Council. On that basis the criteria below is put forward for these types of decisions. These decisions do not include administrative decisions (i.e. taken as a result of day-to-day operation of the service).

These types of decision would include:

- a) *One-off decisions delegated to an Officer following a previous Executive or Cabinet Member decision.*
- b) *Matters requiring political guidance such as issues affecting the public or employee relations issues which impact on a service or Council function.*  
*Examples: Smoking ban for employees; customer first opening hours; contingency plans for a series of strikes; naming of buildings and roads.*
- c) *Decisions relating to significant asset management matters. This would be where the sale, purchase, refurbishment, annual repair and maintenance or new build is between £100,000 and £199,999 and there is no other form of approval already in existence.*

d) *Formal responses on behalf of the Council to consultation by other bodies on matters that affect the Council as a whole or have a widespread effect across the borough.*

e) *The appointment of elected members to outside bodies and school and academy governing bodies.*

#### Southampton City Council

*Key Decisions must be formally recorded ..... Administrative Decisions although not required to be formally reported to the Proper Officer, must be recorded so as to provide an audit trail ...*

*(Administrative decisions are not defined!!)*

#### Chichester District Council

*[This] schedule ....records executive decisions made by officers under specific delegation from the Cabinet. This usually happens when the cabinet makes a decision in principle but authorises an officer, sometimes in conjunction with a cabinet member, to make a detailed decision.*

#### Middlesborough Council

*.... as a principle, significant organisational/operational decisions taken in relation to council/Executive functions which are not key decisions and which are not considered to be a routine organisational/operational decisions. These are namely decisions that:*

*a) are outside of an approved budget;*

*b) conflict with the Budget and Policy Framework or other approved policies approved by the council; and*

*c) raise new issues of policy; or*

*d) decisions which in the opinion of the Chief Executive, director or assistant director, are of such significance that a published record of the decision would ensure transparency and accountability in relation to decision making within the council.*