

Directorate Scheme of Delegations: Adults and Communities

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to Executive Directors.

This is the Adults and Communities Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director, Adults and Communities in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the [Council's Constitution](#), including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director, Adults and Communities or via changes to the Council and Mayoral Schemes of Delegation.

This Scheme of Delegation will need to be read in conjunction with the Finance Scheme of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated from the Constitution to the Executive Director

Executive functions (part 3.4.B.5 of the Constitution)

‘Executive’ power rests with the Mayor. They delegate executive power to officers via the Mayoral Scheme of Delegation, which is part of the Constitution. The executive functions delegated to the Executive Director, Adults and Communities can be found in paragraph 5.2 of the Mayor’s Scheme of Delegations.

Non-executive functions (part 3.2. of the Constitution)

‘Non-executive’ power rests with Full Council. The delegations to officers can be found at Part 3.2C of the Constitution.

Local Choice functions (part 3.3 of the Constitution)

In national legislation, ‘Local Choice’ functions can be either executive or non-executive decisions. Those functions delegated to the Executive Director – Adults and Communities can be found in the table at Part 3.3 of the Constitution.

Part 2: Delegations to Officers from the Executive Director

Governance	Post holder authorised to carry out function
Individual performance meetings will be set up in each directorate / division. The relevant director: HR Business Partner and a relevant quality assurance officer (where appropriate) will attend to monitor individual performance (absence management included) measures and actions taken; exception reports will be provided to Executive Director Meetings for senior team scrutiny.	Director Adult Social Care Director of Public Health
The Head of Quality Assurance and the Principal Social Worker in Adult Social Care will have a direct link to any Executive Director/Head of Paid Service to facilitate a non-confrontational discussion which can enable sharing of key information when it relates to organisational Directors.	Principal Social Worker Adults
Where an officer has identified a serious issue which could potentially present significant reputational risk to the council, the officer identifying the risk must inform their Director and the Director inform the Executive Director for discussion on next steps, which may include - Informing the relevant Lead Member - Informing the Head of Paid Service - Informing the Mayor / head of Mayors office	All officers

1. Adult Social Care

Function	Post holder authorised to carry out function
Functions related to Finance	
<p>Residential and Non-Residential Finance</p> <ul style="list-style-type: none"> - Write off of non-Residential Charges shall be in accordance with Appendix 1 of the Corporate Debt Management Policy - Power to register property charges by declaration or agreement in securing the eventual collection of debts owed to the City Council. - Power to enter into legally enforceable agreements for the repayment of loans and other debts due to the City Council, with or without the payment of interest, in accordance with established practice and in consultation with the Chief Accountant, Deputy s151 Officer - Power to administer statutory duty to provide care and protection of personal property. - Financial Assessments: <ul style="list-style-type: none"> • Power to vary from the prescribed allowance for personal requirements in special circumstances. • Authority to agree negotiated settlements, in liaison with the Executive Director, for disputed assessed charges. 	<p>Payments and Charging Finance Manager</p> <p>Head of Service</p> <p>Team Manager</p> <p>Head of Service</p> <p>Head of Service</p>
<p>Service Users Finances</p> <p>These shall be administered in accordance with Health & Social Care’s written criteria. Specific authorisations include:</p> <ul style="list-style-type: none"> a) Authorisation to act as Agent or Appointee for service user. b) Authorisation for an Application and to act as Deputy to the Office of the Public Guardian for the appointment of a Deputy for a service user. c) Authorisations falling outside of the written criteria. 	<p>Client and Carer Services / COFSS Panel</p> <p>Client and Carer Services / COFSS Panel</p> <p>Director Adult Social Care</p>
<p>Section 17 Payments</p> <p>Cash payments may be made to the families of Children in need under Section 17 of the Children Act 1989, limited to emergency/exceptional situations, which are not covered by national income maintenance arrangements:</p> <ul style="list-style-type: none"> a) Up to £20 per case per annum b) Up to £200 per case per annum c) Up to £2,000 per case per annum 	<p>Head of Service/Deputy Director Adult Social Care</p> <ul style="list-style-type: none"> a) Senior practitioner and above b) Team manager and above c) Head of Service and above

d) To make preventative aid payments up to the appropriate foster rate, inclusive of allowances, for a period of 12 months in any one case	d) Team Manager and above
Approval of Care Homes / Home Care Packages:	
Cases presented to Case Discussion Forum may receive 'in-principle' agreement subject to funding authorisation from a manager at the appropriate level.	
Approval for supported placement – Residential, Nursing Home or Supported Living on contract framework via DPS: a) Up to £500 per week b) Up to £1000 per week and any care home placement c) Up to £1500 d) Over £1500	a) Senior Practitioner and above b) Service Manager and above c) Head of Service and above d) Deputy Director/ Director Adult Social Care
Issue contract to home for supported residential or nursing care	Director Adult Social Care
Approval for placement in Local Authority Homes or Day Centres outside Bristol (at contract price and with contract)	Team Manager and above
Sign off new community care / support packages (including DPs). a) Up to £500 per week b) Up to £1000 per week c) Up to £1500 d) Over £1500	a) Senior Practitioner and above b) Service Manager and above c) Head of Service and above d) Deputy Director/ Director Adult Social Care
Sign off incremental increases to community care / support packages (including DPs). a) Total cost of package £500 or less b) Total cost of package £1000 or less c) Total cost of package £1500 or less d) Total package cost over £1500	a) Senior Practitioner and above b) Service Manager and above c) Head of Service & above d) Deputy Director/ Director Adult Social Care
Implementation of the City Council's Adult Social Care Charging Policy, including: - Accurate payments in line with authorised Care Package Line Items. - Financial assessment in line with the Care and Support Statutory Guidance as amended [last amended 24 February 2017], leading to accurate charges being levied. Financial protection in line with the Mental Capacity Act in line with direction from the Court of Protection.	Deputy Director (Commissioning)
Entering into contracts with Registered Providers for the provision of accommodation for service users where the rent is covered by housing benefit and the cost to the council is limited to the care package (dealt with	Director: Adult Social Care and Deputy Director (Commissioning)

separately in the scheme) and indemnifying the Registered Provider against void costs	
General Administration	
<p>Complaints Complaints are to be managed in accordance with the Department’s Complaints Procedure, in consultation with the Complaints Manager</p> <p>a) Initial response b) Review c) Final sign off</p>	<p>See Complaints Procedure</p> <p>Senior Practitioner and above Head of Service and above Head of Service and above</p>
Functions related to adults / older people	
Functions that relate to the Children and Family Act 2014 and Care Act 2014 re young people moving from Children’s to adult services	Preparing for Adulthood team manager
Chairing case conferences / strategy meetings and authority to decide on Care Plan etc.	Senior Practitioner and above
Approval for holiday sponsorship (private and voluntary placements)	Head of Service and above
Guardianship - Submission	Team Manager/AMHP /Principal Social Worker
To approve guardianship applications made under the provisions of the Mental Health Act 1983.	Team Manager/AMHP/Principal Social Worker
Authorisation of Approved Mental Health Professional under MH Act: <i>(On completion and passing AMHP training)</i>	AMHP/Principal Social Worker
Approval and re-approval of Approved Mental Health Professional: <i>(The AMHP has to attend approval/re-approval and complete a portfolio)</i>	AMHP/Principal Social Worker/ Director of Adult Social Care
Authorisation of small claims by service user or employee in the course of their duties (see ex-gratia claims)	Team Manager and above
Financial responsibility being sought from another Authority	Senior Practitioner and above
Visual Impairment Registration	Social Worker and above
<p>Equipment can be ordered through Integrated Community Equipment Service (ICES) only by authorised users.</p> <p>a) Authorisation levels for catalogue (stock) items and non-Catalogue items up to £170.01 b) Catalogue items up to £500 c) Catalogue items up to £600 d) Non catalogue up to £600 e) Catalogue items up to £999.99 f) Non catalogue up to £999.99 g) For beds, mattresses, hoists, mobility aids and any other equipment classed as “Health” items. h) Non catalogue items considered by a joint panel £1000 and over</p>	<p>a) Occupational Therapy Assistant b) Occupational Therapist c) Senior Practitioner d) Senior Practitioner e) Team Manager f) Team Manager g) CCG authorization h) Major equipment panel</p>
<p>Death of a vulnerable adult in receipt of care services – change to: unexpected death where there is a concern</p> <ul style="list-style-type: none"> - Notifying the Executive Director Adults and Communities’s - Notifying the lead member 	<p>Director Adult Social Care and Executive Director Adults and Communities</p> <p>Deputy Director Adult Social Care</p>

<ul style="list-style-type: none"> - Notifying the Head of Service - Notifying the Service Manager - Notifying the Team Manager - Notifying the Independent Chair of the Keeping Bristol Safe Partnership Board 	
Sign off - off framework placements and provision	Director Adult Social Care

2. Communities and Public Health

Function	Post authorised to carry out function
General administration	
Authority to exercise all functions relating to Public Health in accordance with approved policies and procedures	Director of Public Health Consultants in Public Health
Complaints are to be managed in accordance with the Council's Complaints Procedure, in consultation with the Complaints Manager Initial response Review Final sign off	Director of Public Health Consultants in Public Health Head of Service Communities, Head of Service, Public Health
Finance & Procurement	
Statutory responsibility and accountability (on behalf of the Council) for the proper deployment of the Public Health Grant.	Director of Public Health
To manage the Communities and Public Health general fund budget, complete monthly forecasting and reports.	Director of Public Health Public Health Business Manager Finance business partner
Produce at the end of each financial year ('the outturn statement') in accordance with the Public Health Grant Allocation.	Finance Business Partner Director of Public Health
Authorise the final end of year return to DLUHC and DHSC	Director of Public Health Section 151 officer
Set team budgets and commissioning plans in accordance with the conditions of the Public Health grant and in line with Public Health Priorities, Health and Wellbeing indicators and the City Plan.	Director of Public Health Consultants in Public Health Head of Service, Public Health Head of Service Communities
Procurement and contract management of Communities and Public Health services, via implementation of the council's Procurement Rules	Consultants in Public Health Public Health Principals and Specialists Head of Service, Public Health Head of Service, Communities Public Health Business Manager Director of Public Health
Health and Wellbeing	
Co-ordination of the work of the Health and Wellbeing Board	Director of Public Health Head of Service, Public Health Consultant in Public Health Democratic services

Co-ordination and delivery of the Joint Health and Wellbeing Strategy as a key function of the Health and Wellbeing Board	Consultant in Public Health Public Health Specialist Director of Public Health Head of Service, Public Health
Co-ordination and development of the Joint Strategic Needs Assessment as a key function of the Health and Wellbeing Board	Consultant in Public Health Public Health Principal – Health Intelligence Director of Public Health
Health Protection	
Ensure effective Health Protection arrangements are in place across the City	Director of Public Health
Provide oversight and mutual aid to the management of health protection issues and incidents as part of the specialist Public Health System in England in collaboration with UKHSA	Director of Public Health Consultants in Public Health Designated Public Health Principals
Provide public health expert support to incidents and emergencies as designated within national and local emergency planning and response arrangements in collaboration with UKHSA	Director of Public Health Consultants in Public Health Designated Public Health Specialists
NHS Core Offer	
Ensure the public health team delivers the Core Offer of support to the Bristol North Somerset & South Gloucestershire Integrated Care System. Ensure the annual action plan for the Core Offer is agreed and implemented.	Consultants in Public Health Designated Public Health Principals and Specialists in Public Health Director of Public Health
Clinical Governance	
Ensure that public health has a Clinical Governance process in place to manage clinical and other incidents arising from commissioned and delivered services. This will include a clear reporting system and governance pathway for resolution / learning from incidents.	Designated Consultant in Public Health Director of Public Health Head of Service, Public Health

Part 3 Regulatory Functions

This section contains all the regulatory functions within the Public Protection Team - Environmental Health element of the Adults and Communities Directorate and includes both executive and non-executive delegations. It must be read in conjunction with the limitations set out in Appendix 1.

For the avoidance of doubt, where legislation is not specified or identified, authorisation extends to all other legislation of a like kind under which the Council is authorised to exercise any of its functions.

A. Function: Animal Welfare Legislation and Relevant Licensing

Authorised Functions contained in this paragraph are those arising under legislation governing animal licensing and animal welfare, including the Animal Welfare Act 2006, the Veterinary Medicines Regulations 2006, the Animal Health Act 1981, the Animal Health and Welfare Act 1984, the Animal Boarding Establishments Act 1963, the Breeding of Dogs Act 1973 and 1991, the Breeding and Sale of Dogs (Welfare) Act 1999, the Performing Animals (Regulation) Act 1925, the Slaughterhouses Act 1974, the Dangerous Wild Animals Act 1976, the Pet Animals Act 1951, the Riding Establishments Act 1964 and 1970; The Dogs Act 1906; The Dangerous Dogs Act 1991; The Zoo Licensing Act 1981; and all other legislation of a like kind.

Postholders authorised to carry out function subject to limitations in Appendix

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Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

B. Function: Animal Welfare Legislation and Relevant Licensing

Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control. Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

C. Function: Food Safety Legislation and Relevant Licensing Provisions

i. Authorised functions contained in this paragraph include those arising under The Food Safety Act 1990, The General Food Regulations 2004, The Food Safety and Hygiene (England) Regulations 2013, The Official Feed and Food Controls (England) Regulations 2009, The Trade in Animals and Related Product Regulations 2011 and other legislation governing food and food hygiene, including all legislation which confers duties or powers upon the Council in its capacity as Food Authority as described under Section 5 of the Food Safety Act 1990 and in its capacity as enforcement authority for such legislation.

ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

D. Function: Agriculture Standards and Relevant Registration Provisions

i. Authorised functions contained in this paragraph are those arising under the Agriculture Act 1970 and legislation governing the importation, manufacture, storage and marketing of animal feed materials, animal feeding stuffs and related materials and fertilizers, and include all legislation which confers duties or powers upon the Council in its capacity as enforcement authority in accordance with Section 67 of the Agriculture Act 1970 or competent body in accordance with Regulation 3 of The Official Feed and Food Controls (England) Regulations 2007 and Regulation 4 of The Feed (Hygiene and Enforcement) (England) Regulations 2005. This officer is appointed as an inspector pursuant to section 67(3)(a) of the Act.

ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

E. Function: Food and Environmental Protection Act 1985 as amended (Part I)

Appointed by virtue of an authorisation issued by the Secretary of State to act as an investigation and enforcement officer under provisions specified by the Secretary of State.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

F. Function: Food and Environmental Protection Act 1985 as amended (Part III)

Authority to exercise the duties and powers contained in this part of the Act, and any delegated legislation made there under, concerning the control of pesticides etc.

This authority should be extended to all officers under HSWA74, although it may be extended to other officers authorised under a range of Acts.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

G. Function: Health and Safety at Work

i. Appointed in exercise of the power conferred upon the council by Section 19(1) of the Health and Safety at Work etc. Act 1974 to act as an inspector for the purposes of the Act.

ii. Para. 8a To sign, on behalf of the authority, authorisations of persons to accompany appointed inspectors in the exercise of their functions under the Act.

iii. Para. 8b To approve, on behalf of the authority, transfer and assignments of premises between Bristol City Council and the Health and Safety Executive in accordance with Regulations 5 and 6 of The Health and Safety (Enforcing Authority) Regulations 1998.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer

H. Function: Safety at Sports Grounds

Authorised Functions contained in this paragraph are those arising under the Safety of Sports Grounds Act 1975, the Fire Safety and Safety at Places of Sport Act 1987, the Fire Safety (Regulatory Reform) Order 2005.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

I. Function: Public Health legislation, Health Protection Regulations and Relevant Licensing or Registration

i. Public Health (Control of Disease) Act 1984 (as amended including as amended by the Health and Social Care Act 2008) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010, International Health Regulations 2005 and Health Act 2006.

ii.* Appointment of proper officers of the local authority

The local authority appoints a proper officer for the purpose of receiving and forwarding information about notifications within their area. In the majority of cases, local authorities have decided to appoint a consultant in communicable disease control/health protection based within the local UKHSA office as their proper officers.

iii. Appointment in exercise of the power conferred upon the council by section 7 of the Sunbeds (Regulation) Act 2010 to act as an “authorised officer” for the purposes of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer, Senior Contaminated Land Officer

Director of Public Health; Consultant in Public Health for Health Protection; UKHSA

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Consultants in Communicable Disease Control/Consultants in Health Protection appointed by BCC as proper officers

J. Function: Petroleum Licensing Authority

Authorised Functions contained in this paragraph are those arising under legislation governing petroleum licensing, including the Petroleum (Consolidation) Regulations 2014 and other legislation of a like kind.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer, Senior Contaminated Land Officer, Senior Public Protection Officer

K. Function: Pest Control

Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to pest control, disinfection disinfestations and public health, including but not limited to those contained in the Prevention of Damage by Pest Act 1949, Public Health Acts 1936 & 1961, The Environmental Protection Act 1990 (as amended), The Clean Neighbourhoods and Environment Act 2005.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer, Senior Contaminated Land Officer, Senior Public Protection Officer, Senior Pest Control Officer; Pest Control Officer.

L. Function: Dog Warden

i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to dog wardens, stray dogs, dog fouling, dangerous dogs, including but not limited to those contained in the Dogs Act 1871, Dogs Act 1906, Road Traffic Act 1988, Animal Health Act 1981, Environmental Protection Act 1990 (as amended), Dangerous Dogs Act 1991, The Clean Neighbourhoods and Environment Act 2005, The Animal Welfare Act 2006, and other legislation of a like kind.

ii. Paragraph 13a Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

M. Function: Port Health Authority Functions

i. Authorised functions contained in this paragraph comprise functions assigned to the Council as Port Health Authority under Paragraph 4 of SI 2010/1214, together with all other functions, rights and liabilities of the Council as Port Health Authority conferred by or under any other legislation.

ii. This officer is appointed, pursuant to Regulation 12(2) of The Trade in Animals and Related Products Regulations 2011 as an official veterinary surgeon.

iii. This officer is appointed, pursuant to Regulation 12(4) of The Trade in Animals and Related Products Regulations 2011 as an official fish inspector.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

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Senior Contaminated Land Officer.

Director of Public Health; Consultant in Public Health for Health Protection
UKHSA Consultants in Communicable Disease Control/Consultants in Health
Protection appointed by BCC as proper officers.

**N. Function: Environmental Protection, Nuisance, Clean Neighbourhoods,
Building safety and Relevant Licensing or Registration**

Authorised functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to any of the following: waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, and accumulations which are detrimental to the amenity of an area, Community Protection Notices, including but not limited to those contained in the Control of Pollution Act 1974, Refuse Disposal (Amenity) Act 1978, Highways Act 1980, Building Act 1984, the Town and Country Planning Act 1990, the Environmental Protection Act 1990 (as amended), the Clean Air Act 1993, Criminal Justice & Public Order Act 1994, the Noise Act 1996 (as amended), the Pollution Prevention and Control Act 1999, the Clean Neighbourhoods and Environment Act 2005, the Environmental Permitting (England and Wales) Regulations 2010 (as amended), Anti-social Behaviour, Crime and Policing Act 2014. All other legislation of a like kind under which the Council is authorised to exercise any of its functions.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer

Appendix 1

Schedule of Posts and Limitations of Regulatory Functions

Post	Limitation
Public Protection Manager	A, D, E, F, G
Lead Officer Food and Infectious disease control, Lead Officer Port Health, Lead Officer Pollution Control, Lead Officer Health and Safety, Lead Officer Food	A, D, E, F, G
Environmental Health Officer	A, B, D, E, F, G
Senior Enforcement Officer	A, B, D, E, F, G
Environmental Health Officer	A, B, D, E, F, G
Senior Environmental Health Officer	A, B, D, E, F, G
Consultants in Communicable Disease	A, B
Veterinarian	A, B, E, F, G
Senior Pest Control Officer	A
Pest Control Officer	A, B
Technician Pest Control Officer	A, B
Senior Contaminated Land Officer,	A, B, D, P, G
Senior Public Protection Officer	A, B, D, P, G
Student Environmental Health Officer	A, B, J, K, P
Contractor- Environmental Health Officer	A, B, E, F, G, J.

Limitations

Institution of Proceedings & Disposal.

- (A) This authorisation shall not extend to the institution of proceedings, save in respect of proceedings instituted by inspectors under Health & Safety Work, etc. Act 1974, where the power to institute proceedings shall be subject to prior consultation with the Council's Head of Legal Services or his duly authorised representative.
- (B) This authorisation shall not extend to the giving of Home Office cautions, such as Simple Cautions.

Environmental Protection, Clean Neighbourhoods etc

- (C) Save with the prior express permission of the Council's Executive Director: Growth and Regeneration, this authorisation shall not extend to the exercise of any power of the Council in its capacity as the Local Planning Authority other than enforcement action arising under Sections 215 & 330 of the Town and Country Planning Act 1990.

Food Safety, Agriculture and Port Health.

- (D) This authorisation shall not extend to the undertaking of any Food Hygiene activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained to satisfy the provisions of the Food Law Code of Practice.
- (E) This authorisation shall not extend to the undertaking of any Food Standards activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained having regard to the Guidelines contained in the Food Law Code of Practice.
- (F) This authorisation shall not extend to the undertaking of any Feed Law activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, experienced, and competent having regard to the Guidelines contained in the Feed Law Code of Practice.

Health & Safety.

- (G) This appointment shall not extend to sections 21, 22, 25 and 39 of the Health & Safety at Work etc. Act 1974, unless they are suitably qualified having regard to HSE guidance
- (H) This appointment is limited to the powers specified in section 20 (2) (a) (c) (d) (f) (g) (l) and (k) of the Health and Safety at Work etc Act 1974 for the express purposes of taking environmental, chemical or physical samples, as well as the making of any such scientific examination (including taking measurements, photographs, examining documentation, and the like) as may be required by a fully authorised Health and Safety inspector in the course of their investigations.

Trainee Officers & Contractors.

- (I) The exercise of any powers conferred upon the Officer by virtue of this Scheme shall only be exercisable when under the supervision or direction of a fully authorised and competent colleague.
- (J) This authorisation shall not extend to the service of any notices for which a failure to comply may result in an offence or the taking of any other legal action by the council, except under the supervision or direction of a fully authorised and competent colleague.

Coronavirus Regulations

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(K) This authorisation shall not extend to the issuing of directions in accordance with The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.