

BARNET

LONDON BOROUGH

CHIEF EDUCATION OFFICER'S DELEGATED AUTHORITY

PART I FUNCTIONS DELEGATED TO THE CEO

<u>FUNCTION</u>	<u>PROPER OFFICER</u>
<p>1. To exercise the day-to-day functions of the LEA with regard to the efficient and effective running of the education service, within the agreed policies and budget of the LEA.</p> <p><u>Education Act 1996 and Regulations made there under</u></p>	CEO
<p>2. To authorise assessments and statements determining the appropriate provision for children with special educational needs.</p>	SEN Performance Manager
<p>3. To authorise funding for placements of children in non-maintained schools.</p> <p><u>Education Act 1996 and Regulations made there under</u></p>	SEN Performance Manager
<p>4. To respond to appeals made by parents to the Special Educational Needs Tribunal.</p> <p><u>Education Act 1996 and Regulations made there under</u></p>	SEN Performance Manager
<p>5. Action on behalf of the Authority in performance of its duties in respect of the prevention of cruelty and exposure to moral or physical</p>	Principal Education Welfare Officer

FUNCTION

danger to persons of compulsory school age.

Education Action 1996

- 6. To institute proceedings on behalf of the Authority against the parent of a child who is a registered pupil at a school and is failing to attend regularly at the school.
 - a. where there has been a continuing pattern of failure by the child to attend the school regularly otherwise than by reason of absence with leave or for the reasons set out in sub-section (3)(a)&(b)(c) or 4 of the said Section 444 and such pattern of failure extends over a period of not less than one month and;
 - b. where there is evidence of a lack of co-operation in the matter of school attendance by the parent of the child or by both the parent and the child and;
 - c. where one written warning has been given on behalf of the Authority that proceedings may be instituted, provided that no proceedings shall be instituted until after the expiry of ten days from the date of the written warning.

Sections 437, 438 and 444 of the Education Act 1996

- 7. Provided the health of the child will not suffer, to grant licences to children resident in the Borough who are taking part in public entertainment, and to

PROPER OFFICER

Principal Education Welfare Officer

Principal Education Welfare Officer

FUNCTION

PROPER OFFICER

recommend institution of proceedings (under the Children Performances Regulations 1968) where such action is warranted or any other Act and the Head of Legal Services advises that there is sufficient evidence to do so.

Under the Children & Young Persons Act 1933 (Section 18) as amended by Section 1 (ii) of the Employment of Children Act 1933 or any other Act extending or amending this legislation

- 8. To issue licences in respect of the employment of children and to institute proceedings under any employment of children bye-laws.

Principal Education Welfare Officer

Section 521 of the Education Act 1996

- 9. To give directions in writing regarding medical examinations of persons and the clothing of pupils in attendance at all schools maintained by the Council in the interest of cleanliness.

Principal Education Welfare Officer

- 10. In schools without delegated budgets to decide on the suspension of a schoolteacher and whether the circumstances warranted suspension with or without pay.

CEO

School Standards & Framework Act 1998 and Regulations made there under

- 11. To appoint or dismiss the clerks of governing bodies of

Governor Services Manager

<u>FUNCTION</u>	<u>PROPER OFFICER</u>
county schools without delegated budgets.	
12. To authorise the implementation of the pay discretions for schoolteachers in accordance with the LEA schoolteachers Pay Policy.	Deputy CEO (Planning, Research and Research)
13. To amend charges temporarily for use of facilities.	Deputy CEO (Planning, Research and Research)
14. To approve Christmas and New Year and other holiday closures of facilities.	CEO
15. To approve the letting of facilities and the remission of charges in respect of booking fees.	Deputy CEO (Planning, Research and Research) ACEOs
16. To respond to outside bodies of including central Government Departments on matters of a professional or operational nature, within the service's remit and within established Council policy framework	CEO
17. To respond to Government circulars and new aspects of current legislation which fall within the service's remit and within established Council policy framework.	CEO
18. To appoint Technical Consultants	CEO
19. To deploy staff and other resources within their control.	EMT
20. To procure resources from other council services	EMT
21. To place advertisements and	ELT

<u>FUNCTION</u>	<u>PROPER OFFICER</u>
public and other notices	
22. To carry out training, take part in external events etc. on all matters within the remit of the service.	EMT
23. To change designation of a post within the organisation structure without a change in grade.	ELT
24. To create of temporary post for up to two years.	ELT
25. To delete a vacant post.	ELT
26. To advertise for and appointment to vacant posts.	ELT
27. To authorise overtime payments <ul style="list-style-type: none"> • up to SCP 28 • and over SCP 28 	EMT ELT
28. To authorise car allowance claims and season ticket loans	EMT
29. To authorise annual leave / flexi-leave / TOIL and annual leave carry over within policy	EMT
30. To authorise other leave (maternity, paternity, public duties, special leave and unpaid leave	ELT
31. To authorise injury allowance	ELT
32. To authorise salary adjustments, honoraria and acting up allowances	ELT
33. To authorise protective clothing	EMT
34. To authorise time off/facilities	CEO

<u>FUNCTION</u>	<u>PROPER OFFICER</u>
for TU officials (internal)	
35. To authorise attendance at training	EMT
36. To dismiss temporary/casual employees whose contracts are for less than a year	EMT
37. Disciplinary action short of dismissal	EMT
38. Dismissal under the disciplinary procedure	CEO
39. Extension of service beyond age 65	CEO
40. Additional increments/progression beyond bar	CEO
41. Approval of additional employment for staff below 3 rd tier and on grade SO1* or above	CEO
42. Instruct Legal Services to bring proceedings in case of violence against staff	CEO

PART 2 FUNCTIONS DELEGATED TO THE CEO IN CONSULTATION/ CONJUNCTION WITH DEPUTY AND/OR OTHER OFFICERS

<u>FUNCTION</u>	<u>IN CONSULTATION/ CONJUNCTION WITH</u>	<u>PROPER OFFICER</u>
<p>1. To serve school attendance orders on the parents of any children failing to perform their duty to secure the education of their children and to institute proceedings against any parent who fails to comply with the requirements of such an order.</p> <p><u>Sections 437, 438 and 443 Education Act 1996</u></p>	Borough Solicitor	Principal Education Welfare Officer
<p>2. To apply to the Family Proceedings Court for an Education Supervision Order.</p> <p><u>Section 36 & Schedule 3 (Part III) Children Act 1989</u></p>	Borough Solicitor	Principal Education Welfare Officer
<p>3. To exercise the powers of the LEA in respect of Education Supervision Orders and to institute proceedings in the Magistrates' Court if the parent fails to comply with the directions of the Order.</p> <p><u>Section 444 of the Education Act 1996 and Section 223 of the Local Government Act 1972</u></p>	Borough Solicitor	Principal Education Welfare Officer
<p>4. To undertake consultation and liaison relating to the nature of the service in the Borough and to proposed changes in any LEA policy.</p>	After consultation with the Cabinet Member	CEO
<p>5. To authorise the publication</p>	CPU	ELT

<u>FUNCTION</u>	<u>IN CONSULTATION/ CONJUNCTION WITH</u>	<u>PROPER OFFICER</u>
<p>and dissemination of information and publicity relating to the education service in the Borough, in accordance with the LEA PMP and any other policy agreed by the Council.</p> <p><u>1996 Education Act and Regulations made there under</u></p>		
<p>6. To determine the resourcing of educational establishments and Education in the creation of posts and consultation staffing complements in educational establishments which do not have delegated budgets within the approved budget and policies of the service.</p> <p><u>Local Government (Miscellaneous Provisions) Act 1982, Section 40</u></p>	<p>Head of Human Resources and Head of Education Finance</p>	<p>DCEO (PAR)</p>
<p>7. To institute legal proceedings against an individual who is unlawfully present on education premises and who is causing or permitting a nuisance or disturbance on said property.</p> <p><u>Protection from Harassment Act s222 Local Government Act 1972</u></p>	<p>Borough Solicitor</p>	<p>DCEO (PAR)</p>
<p>8. To authorise officers to appear on behalf of the Authority in proceedings being conducted in the Magistrates Court.</p>	<p>Borough Solicitor</p>	<p>CEO</p>
<p>9. To sign all legal and quasi-legal agreements between the Council and outside parties.</p>	<p>Borough Solicitor</p>	<p>CEO</p>

<u>FUNCTION</u>	<u>IN CONSULTATION/ CONJUNCTION WITH</u>	<u>PROPER OFFICER</u>
10. To enter into contracts for the provision of services to outside bodies including Governing Bodies.	Borough Solicitor	CEO
11. To appoint to School Governing Bodies in situations where a vacancy needs to be filled in less than three weeks and/or in exercising the LEA's powers in relation to schools causing concern.	Cabinet Member	CEO
12. To agree appointments to the Standing Advisory Council for Religious Education.	Cabinet Member	CEO
13. To set charges for services involving income between £10,000 and £50,000 per annum.	Cabinet Member	CEO
14. To agree affiliation to appropriate educational establishments.	Cabinet Member	CEO
15. To agree minor changes to the names of existing schools.	Cabinet Member	CEO
16. To establish temporary school governing bodies.	Cabinet Member	CEO
17. To settle small claims against the Council (by employees or third parties) by way of without prejudice ex-gratia payments, within such limited as the Council may prescribe.	Borough Treasurer	CEO
18. Power to accept, subject to the usual enquiries as to financial status, tenders for works or supplied where:	HOE	ELT

<u>FUNCTION</u>	<u>IN CONSULTATION/ CONJUNCTION WITH</u>	<u>PROPER OFFICER</u>
<ul style="list-style-type: none"> the scheme has Committee or Council approval, or is an annual or term contract for supply of goods and services the tenders are the lowest received the cost of the scheme is within an estimate previously approved by Committee or Council (Section 16 – 2.2.1 – Standing Orders) 		
<p>19. Power to decide to repeat or vary all or part of a tendering process under Appendix D (Contracts). (Section 16 – 2.2.3 – Standing Orders)</p>	<p>HOE</p>	<p>ELT</p>
<p>20. Official Orders – Every Head of Service shall nominate officers to be responsible for all orders emanating from his her service for supplies, work to be done or services to be rendered.(Section 16 – 17.1 – Standing Orders)</p>	<p>Refer to Financial Delegated Powers</p>	