

London Fire Commissioner (LFC) Scheme of Delegation

1. INTRODUCTION

1.1 Principles and Conduct

This scheme of delegation (“the scheme”) is based on the following:

- Managers and staff need to be empowered but accountable and responsible for decisions taken;
- Delegated powers and responsibilities must be read in conjunction and exercised in accordance with the LFC Scheme of Governance, the Mayoral Directions and any legislative responsibilities and/or relevant LFC policies and procedures.
- Any decision which meets the requirement for the prior approval of the Mayor and/or prior consultation with the Deputy Mayor, as part of the 2018 London Fire Commissioner Mayoral Direction, must be taken by the London Fire Commissioner only.
- Officers may delegate their powers under this Scheme to staff within their directorate or department but must ensure that any such delegation is done so in writing (email will suffice) and is subsequently included in the directorate’s or department’s scheme of delegation.
- The London Fire Commissioner may exercise any of the powers delegated to staff in this Scheme, except where prohibited by law;
- Directors may exercise any of the powers delegated to Heads of Service in this Scheme, subject to prior notification to the postholder with the delegated authority;
- Managers and staff must have authority to act in line with their levels of responsibility within the organisation;
- All existing and newly-appointed managers and staff must be advised of their personal levels of delegated authority by their directorate;
- Variations to the scheme must be approved by the London Fire Commissioner, other than where the variation is factual or administrative in nature whereby such minor change can be approved by General Counsel;
- Managers and staff are expected to act with the highest integrity and must not put the interests of the LFC at risk. Private interests must not interfere or conflict with work responsibilities.

- Managers and staff are expected to know the principles of the scheme and the requirements set out below.
- In the absence of a member of staff with delegated powers under this Scheme, his/her powers may be exercised by any post holder within his/her department at a more senior level or to any officer designated to perform the duties of the absent post holder.

2. **DELEGATIONS & RESPONSIBILITIES**

London Fire Commissioner

The London Fire Commissioner is both the Chief Fire Officer and the Fire and Rescue Authority for London and is responsible for:

- a) Leading and directing the strategic management of the brigade;
- b) Ensuring the effective delivery of the LFC's objectives;
- c) Ensuring the LFC's functions are discharged effectively and efficiently;
- d) Determining all matters that have a significant impact on the organisation or delivery of brigade services;
- e) Taking all decisions which would or would be likely to expose the LFC to a significant or unusual level of risk, financial or otherwise;
- f) Approving the annual budget of the LFC;
- g) Determining changes to terms and conditions which affect a significant number of staff, or matters which will have a significant impact on significant number of staff (*significant number of staff being more than 50 staff or 30% of that work force group, whichever is the smaller*);
- h) Approving all documents produced under the National Framework, and any documents which will be submitted to the London Assembly's Fire Committee;
- i) Agreeing all matters that require prior consultation and/or prior approval with the Deputy Mayor for Fire on the basis they are either novel, contentious or repercussive, or incur expenditure of £150,000 or above;
- j) Agreeing virements of £150,000 or above between any budget heads, following consultation with the Director for Corporate Services and the relevant Directors;

- k) Writing off of any debts above £100,000, in consultation with the Director for Corporate Services;
- l) Acquisition or disposal of freehold land or leasehold interest in land (or buildings) where the lease is for a term of seven years or more;
- m) Acquiring or disposing of leasehold property where the lease term is for under seven years and where the value is over £150,000 or over;
- n) Determining the terms for the grant or taking of licenses where the value is over £150,000 or over;
- o) Changes to the senior management structure, including Directors;
- p) Appointment of the Deputy London Fire Commissioner following prior approval with the Deputy Mayor for Fire;
- q) Appointment to the following posts following prior consultation with the Deputy Mayor for Fire:
 - ii. Directors
 - iii. Assistant Commissioners
- r) Any significant changes to the LFC Scheme of Governance and the Scheme of Delegation;

3. **DIRECTORS:**

3.1 **General Responsibilities**

- a) Leading and managing the directorate;
- b) Managing the overall co-ordination of the activities of the directorate and optimising the use of resources;
- c) Delivery and assurance of the commitments set out in the Community Risk Management Delivery Plan;
- d) Maintaining and regularly reviewing the directorate scheme of delegation. A copy of the directorate's scheme of delegation must be provided upon request to the Director for Corporate Services or General Counsel.
- e) To sign any document related to matters for which they are responsible and required to give effect to a Commissioner's or delegated decision.

3.2 **Financial Responsibilities**

- a) Maintaining a schedule of posts and financial responsibilities for staff in the directorate;
- b) Oversight of directorate spending, ensuring departmental spending plans align with the priorities of the Community Risk Management Plan and reporting any problems to the Director for Corporate Services;
- c) Approval of any single item expenditure of between £100,000 to £149,999 from any approved departmental budget within the directorate;
- d) Procurement of goods and services in accordance with the Standing Orders relating to Procurement (Part 3 of the London Fire Commissioner's Scheme of Governance)
- e) With the agreement of the Director for Corporate Services, transfer of up to £150,000 between budget heads within that department's approved budget (revenue only).

3.3 Human Resource Responsibilities

- a) Line management of staff
- b) Appointment to vacancies at Head of Service level;

4. HEADS OF SERVICE:

4.1 General Responsibilities

- a) Leading and managing the functions that the Head of Service is responsible for
- b) Making returns/reporting etc., as necessary, to satisfy Governmental and/or statutory and/or regulatory requirements that apply in relation to their areas of responsibility.
- c) Approval of new policies and minor changes to existing policies and procedures of which they are the designated custodian.
- d) To sign any document related to matters for which they are responsible and required to give effect to a Commissioner's or delegated decision

4.2 Financial Responsibilities

- a) Managing departmental revenue and capital budgets in accordance with Financial Regulations;

- b) Expenditure of up to £100,000 per transaction or item, or of a recurring nature, incurred at least annually and less than £150,000, from within approved departmental budget;
- c) Virement of up to £50k from a budget head within that department's approved budget to a budget head within another department's approved budget, but if those budget heads are in different Directorates the agreement of the appropriate Director or the Commissioner is required.
- d) Procurement of goods and services in accordance with the Standing Orders relating to Procurement (Part 3 of the London Fire Commissioner's Scheme of Governance)
- e) Processing of income and pursuance of debts (in accordance with the Financial Regulations with the London Fire Commissioner's Scheme of Governance and any guidance/direction produced by the Director for Corporate Services);
- f) The approval of expenditure to be reimbursed by the Commissioner's insurers or from some other source;
- g) The approval and waiver of charges for publications, information, service or facilities provided by the Commissioner following consultation with the Director for Corporate Services;
- h) Writing off debts of up to £500.

4.3 Human Resources Responsibilities

- a) Ongoing assessment of staffing requirements of department (and sections within it) and the assessment of staffing need whenever a post is due to/has become vacant
- b) Creation of new posts subject to the availability of ongoing revenue funding.
- c) Management of staff
- d) Filling of all permanent and temporary vacancies
- e) Notification to the Assistant Director, People Services in relation to staff (appointment, grading etc)
- f) Engagement at an appropriate level in disciplinary and other staff-related processes (in accordance with all relevant LFC policies and procedures)

4.4 Asset-Management Responsibilities

- a) Safe custody and control of departmental stores and to ensure that the stocks held at any one time reflect consumption needs and do not exceed an appropriate level necessary to service the appropriate operations;
- b) Completion of an annual stock check in accordance with a programme approved by the Director for Corporate Services;
- c) Prepare and maintain inventories of the Commissioner's property;
- d) In conjunction with the Director for Corporate Services, to determine what action is to be taken where deficiencies occur to property.
- e) Disposal of surplus stores, equipment, furniture etc., subject to prior consultation with the Director for Corporate Services and in accordance with any relevant LFC policy.

4.5 Risk Management Responsibilities

- a) Reviewing and updating risk profiles and implementing suitable arrangements to manage risks;
- b) Logging new risks and ensuring that mitigating controls are identified and allocated appropriately.

4.6 Performance Management Responsibilities

- a) Engaging appropriately in corporate performance management processes;
- b) Reporting on performance in a meaningful, timely and balanced manner

4.7 Internal Audit and Business Assurance Management Responsibilities

- a) Identify and regularly review key processes and assurance controls required as part of an effective enterprise assurance framework.
- b) Meaningful and constructive engagement and support with Internal Audit activities (risk and assurance, and advisory reviews) through:
 - i. engagement from scoping
 - ii. supplying of evidence
 - iii. receipt of assurance reports
 - iv. response to recommendations
 - v. progress of actions

5. PROGRAMME SENIOR RESPONSIBLE OFFICERS (SROs)

5.1 General Responsibilities:

- a) Provide strategic direction to the Transformation Programme, ensuring alignment with LFB's overall objectives, so that the Transformation Programme's goals and activities are closely linked to the CRMP's strategic priorities;
- b) Accountable for the effectiveness of the relevant programme board's governance,
- c) Ensures the programme business case, and individual project business cases are valid and align with the LFC's strategy, goals and objectives;
- d) Collaborates with key stakeholders, including government bodies, local authorities, and community representatives, so that effective stakeholder engagement contributes to successful CRMP delivery.
- e) Approval of programme-related project business cases where total expenditure does not exceed £149,999;
- f) Represents the programme at the Performance Risk and Assurance Board and relevant LFC and GLA governance boards so to ensure transparent reporting, clear accountability and informed decision-making

5.2 Financial Responsibilities

- a) Approval of any single item expenditure of up to £149,999 from within the approved programme budget.
- b) Virement of up to £149,999 between projects within the approved programme budget. Virements between projects in different programmes require Commissioner approval.

6. DELEGATIONS/RESPONSIBILITIES reserved to specific posts:

6.1 DEPUTY LONDON FIRE COMMISSIONER

- a) The authorisation in writing of employees of the Commissioner to exercise emergency powers under Section 44 of the Fire and Rescue Service Act 2004

6.2 DIRECTOR FOR CORPORATE SERVICES

- a) Terms for the acquisition or disposal of leasehold property where the lease term is for under seven years and where the value is £100,000 or over and under £150,000;

- b) Terms for the grant or taking of licenses and of leases where the value is £100,000 or over and under £150,000;
- c) Writing off debts of over £500 and up to £100,000;
- d) Any Scheme Manager decisions necessary, pursuant to the operation of the Firefighters' Pension Scheme 1992 (FPS 1992), New Firefighters Pension Scheme 2006 (NFPS 2006), and Firefighters Pension Scheme 2015 (FPS 2015), together the Firefighters Pension Schemes;
- e) Approval of treasury management action;
- f) Approval of borrowing;
- g) Amendment of service budgets to reflect income received;
- h) Exercising the Commissioner's powers as shareholder of London Fire Brigade Enterprises Limited;
- i) Determining Stage 2 Internal Dispute Resolution Procedure appeals under the Firefighters Pension Scheme

6.3 DIRECTOR FOR COMMUNICATIONS & ENGAGEMENT

- a) Terms of sponsorship arrangements and agreements with organisations external to the Brigade
- b) Approval of communications strategies and new communications tools in line with those strategies.

6.4 DIRECTOR FOR PEOPLE SERVICES

- a) Approval of nil cost employee benefit and salary sacrifice schemes;
- b) Implementation of agreements secured through joint negotiating arrangements;
- c) Approval of trades union facilities agreements;
- d) Approval of the grading of posts;
- e) Approval of redundancy, settlement and termination payments;
- f) Extension or reduction of sick pay to staff;

- g) Approval of the employment of Commissioner's staff by contractors to the Commissioner;
- h) Exercise of discretions under the Firefighters Pension Schemes and the Local Government Pension Scheme;
- i) Minor changes to terms and conditions.

6.5 ASSISTANT DIRECTOR (FINANCE)

- a) Determination of Stage 1 Internal Dispute Resolution Procedure appeals under the Firefighters and Local Government Pension Schemes

6.6 ASSISTANT DIRECTOR (PROPERTY AND TECHNICAL SUPPORT SERVICES)

- a) Terms for the acquisition or disposal of leasehold property where the lease term is for under seven years and where the value is less than £100,000.
- b) The approval of terms for the grant or taking of licenses and of leases (of up to seven years in length and where the value is less than £150,000)
- c) Declare property as surplus to requirements.
- d) Terms for the disposal of unwanted vehicles and associated equipment.

6.7 ASSISTANT DIRECTOR (PROCUREMENT AND COMMERCIAL)

- a) Renewal of a contract, or agreement for the purchase of works, goods or services (subject to consultation with the Director for Corporate Services with a value of under £150,000)

6.8 ASSISTANT COMMISSIONER (PREVENTION & PROTECTION)

- a) Authorisation of Fire Investigating Officers under Section 45 of the Fire and Rescue Service Act 2004
- b) Appointment of Fire Safety Inspectors under Article 26 of the Regulatory Reform (Fire Safety) Order 2005;
- c) Appointment of Inspectors under Section 19 Health and Safety at Work etc. Act 1974;

- d) Appointment of other statutory inspectors or enforcement officers as the Commissioner is empowered to appoint;
- e) Approval of enforcement action including statutory alteration, enforcement and other notices;
- f) Granting of exemptions in accordance with the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009;
- g) Approval and termination of primary scheme agreements and memoranda of understanding relating to fire safety.

6.9 CHIEF INFORMATION OFFICER

- a) Approval of the Commissioner's Publication Scheme.

6.10 DEPUTY ASSISTANT COMMISSIONERS

- a) Approval of prohibition notices under Article 31 of the Regulatory Reform (Fire Safety) Order 2005

6.11 GENERAL COUNSEL (who is also the Monitoring Officer)

- a) Authorisation of prosecutions by the Commissioner following consultation with the Assistant Commissioner (Fire Safety).
- b) Discontinuance of prosecutions following consultation with the Assistant Commissioner (Fire Safety).
- c) Authorisation of civil proceedings by the Commissioner.
- d) Taking of any action to support the statutory functions, or protect the assets, of the Commissioner, or to protect the community or its members, including the initiation and defence of any judicial or quasi-judicial proceedings, the laying of information and the submission and defence of appeals.
- e) Authorisation of officers (not being certificated solicitors, certificated barristers or chartered legal executives) to appear on the Commissioner's behalf in legal proceedings.
- f) Authorising, following consideration of a recommendation of a director, of legal representation for employees of the Commissioner who are involved in legal proceedings arising in connection with the discharge of their duties.

- g) Taking of any action to facilitate the compliance by the Commissioner with a decision of a court or tribunal.
- h) Act as Solicitor to the Commissioner taking such action as flows from that appointment.
- i) Instructing expert witnesses in litigation proceedings.
- j) Appointment of counsel, solicitors, transcribers, inquiry agents and agency services and consultants.
- k) Settle any claim, including claims for costs, by or against the Commissioner less than £150,000.
- l) Negotiation and approval of legal documentation, in accordance with any recommendations from a Director, Assistant Director or Assistant Commissioner, to give effect to any decision of the Commissioner.
- m) Affix the seal to any document which is required to be sealed to give effect to a Commissioner's Decision
- n) Approve minor amendments to the Scheme of Governance and Scheme of Delegation.