

# **County Council**

**20 May 2025**

**Annual Council**

**Agenda**

To: **Members of the County COUNCIL**

***Notice of a Meeting of the County Council***

**Tuesday, 20 May 2025 at 10.30 am**

**Council Chamber - County Hall, New Road, Oxford OX1 1ND**

If you wish to view proceedings, please click on this [Live Stream Link](#). Please note, that will not allow you to participate in the meeting.



Martin Reeves  
Chief Executive

May 2025

*Committee Officer:*            **Democratic Services**  
*E-mail:* [CommitteesDemocraticServices@Oxfordshire.gov.uk](mailto:CommitteesDemocraticServices@Oxfordshire.gov.uk)

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# AGENDA

1. **Election of Chair for the 2025/26 Council Year**
2. **Election of Vice-Chair for the 2025/26 Council Year**
3. **Minutes** (Pages 1 - 14)

To approve the minutes of the meeting held on 1 April 2025 (**CC1**) and to receive information arising from them.

4. **Apologies for Absence**
5. **Declarations of Interest - see guidance note**

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

6. **Official Communications**
7. **Returning Officer's Report** (Pages 15 - 18)

**Council is RECOMMENDED to note the return of persons elected as Councillors for Oxfordshire County Council on 1 May 2025.**

8. **Appointments**

Members are asked to:

- (a) elect the Leader of the Council;
- (b) note the names, addresses and electoral divisions of the people appointed to the Cabinet by the Leader of the Council for the coming year and their respective portfolios; and
- (c) note the Office of the Leader of the Opposition.

9. **Committees and Review of Political Balance** (To Follow)

The Council is required by the Local Government & Housing Act 1989 to review the

political balance on its committees after an election.

#### **10. Scheme of Delegation to Officers (Pages 19 - 62)**

At its Annual Meeting, Council is required to agree the officer scheme of delegation within the Council's Constitution.

**COUNCIL IS RECOMMENDED to amend the Constitution as follows:**

- a) approve amendments to Part 7.1: Officers as shown in Annex 1;**
- b) approve amendments to Part 7.2: Scheme of Delegation to Officers as shown in Annex 3.**

#### **11. General Dispensations (Pages 63 - 68)**

To approve a number of general dispensations under the Localism Act 2011.

**The Council is RECOMMENDED to**

- a) approve, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 5 of this report, for all elected and co-opted voting Members of Oxfordshire County Council;**
- b) agree that those general dispensations should remain in force for a period of four years;**
- c) agree that the granting of individual dispensations under Section 33 of the Localism Act 2011 and the Code of Conduct remains delegated to the Monitoring Officer**

#### **12. Annual Report of the Audit & Governance Committee (Pages 69 - 80)**

The Annual Report sets out the role of the Audit & Governance Committee and summarises the work that has been undertaken both as a Committee and through the support of the Audit Working Group in 2024/25.

**The Council is RECOMMENDED to note the contents of the Annual Report of the Audit & Governance Committee 2024/25.**

#### **13. Committee Meeting Dates for information (Pages 81 - 82)**

Provided here for information. The original calendar of dates was decided at the Council meeting on 5 November 2024. A number of committees have made changes since which are highlighted.

### **APPOINTMENTS OF CHAIRS AND DEPUTY CHAIRS OF THE COMMITTEES**

- At the conclusion of the Council's proceedings all members are asked to remain in their seats in the Council Chamber while Committees meet for the purpose of electing their chairs and deputy chairs;
- The Monitoring Officer will ask the members on each committee to stand in turn and the relevant members are asked to stand/sit as appropriate:
  - Audit & Governance Committee
  - Charlotte Coxe Trust Committee
  - Education & Young People Overview and Scrutiny Committee
  - People Overview and Scrutiny Committee
  - Pension Fund Committee
  - Performance and Corporate Services Overview and Scrutiny Committee
  - Place Overview and Scrutiny Committee
  - Planning & Regulation Committee
  - Remuneration Committee
- The Monitoring Officer will seek nominations for Chair;
- The Chair of each Committee will seek nominations for Deputy Chair.

**IT IS ALSO PROPOSED TO TAKE A GROUP PHOTOGRAPH OF COUNCILLORS IN THE COMMON HALL FOLLOWING THESE ELECTIONS.**

## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

### **Members Code – Other registrable interests**

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

### **Members Code – Non-registrable interests**

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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# Agenda Item 3

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 1 April 2025 commencing at 10.30 am and finishing at 3.40 pm

### **Present:**

Councillor Alison Rooke – in the Chair

Councillors:

Mark Lygo	Neil Fawcett	Michael O'Connor
Juliette Ash	Ted Fenton	Glynis Phillips
Brad Baines	Nick Field-Johnson	Susanna Pressel
Hannah Banfield	Donna Ford	Eddie Reeves
David Bartholomew	Andrew Gant	G.A. Reynolds
Tim Bearder	Andy Graham	Judy Roberts
Robin Bennett	Kate Gregory	David Rouane
Felix Bloomfield	Jane Hanna OBE	Geoff Saul
Liz Brighthouse OBE	Jenny Hannaby	Les Sibley
Nigel Champken-Woods	Damian Haywood	Nigel Simpson
Mark Cherry	Charlie Hicks	Roz Smith
Andrew Coles	John Howson	Ian Snowdon
Yvonne Constance OBE	Bob Johnston	Peter Stevens
Ian Corkin	Liz Leffman	Dr Pete Sudbury
Imade Edosomwan	Nick Leverton	Bethia Thomas
Trish Elphinstone	Dan Levy	Michael Waine
Duncan Enright	Dr Nathan Ley	Liam Walker
Mohamed Fadlalla	Kieron Mallon	
Arash Fatemian	Ian Middleton	

*The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.*

### **11/25 MINUTES**

(Agenda Item 1)

The minutes of the meeting held on 11 February 2025 were approved and signed as a correct record by the Chair

### **12/25 APOLOGIES FOR ABSENCE**

(Agenda Item 2)

Apologies for absence were received from Councillors Bulmer, Gawrysiak, Iott, van Mierlo, Miller, Murphy, and Povolotsky.

**13/25 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE**

(Agenda Item 3)

There were none.

**14/25 OFFICIAL COMMUNICATIONS**

(Agenda Item 4)

The Chair reported that Oxfordshire was the first county council in the country to achieve Council of Sanctuary status. This achievement underpinned the Council's commitment to supporting people fleeing war, persecution and serious human rights violations. She expressed thanks to the Migration team in Public Health and Communities, supported by colleagues in the county education team, as well as children's and adult social care for all their work in achieving this.

The Chair also referred to the new link between the county of Oxfordshire with the Royal Navy ship HMS Diamond which was sealed at a special ceremony at Blenheim Palace on Tuesday, 25 February with senior naval officers, including past commanders of HMS Diamond, and Lady Suzie Johns, the Lady Sponsor for HMS Diamond present. They were joined by civic and military representatives from across Oxfordshire including the Lord-Lieutenant Marjorie Glasgow, Oxfordshire County Council leader Cllr Liz Leffman and the Chair of the Council.

Other events attended by the Chair and Vice Chair since the last Council meeting were listed in the Schedule of Business. The Chair highlighted three:

The Chair's Charity Donation reception, County Hall on 25 March. raised £8,738 for Earth Trust, My Vision Oxfordshire, and Parkinson's UK Oxfordshire branches – Henley, Banbury, and Oxford.

Chipping Norton Branch Visit on 11 March.

Launch of the Standing with Giants VE Day event 26 March – especially Bert Courtney.

**15/25 APPOINTMENTS**

(Agenda Item 5)

Appointments were covered under Item 12 on the agenda – Committees and Review of Political Balance.

## **16/25 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 6)

### Petitions

Teresa Fieldwick presented a petition with 392 signatures to allow Carers through all LTNs and ANPR cameras

Bryony McCraw and pupils from Barton Park Primary School presented a petition with 376 signatures requesting the Council to adopt their road and implement traffic calming measures outside their school

Caroline Raine presented a petition with 1,133 signatures to extend the 3 and 3A bus routes to Oxford train station

Matthew Richardson presented a petition with 32 signatures opposing any plan to remove parking from the slip road off the Banbury Road at the Summertown shops

### Public Address

#### Item 9:

Summer Alston-Smith  
Claire Brenner  
Mina Fazel  
Emma Coles

## **17/25 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC**

(Agenda Item 7)

Two questions were asked. The questions, responses and supplementary questions are recorded in an Annex below

## **18/25 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 8)

Twenty-two questions were asked. The questions, responses and supplementary questions are recorded in an Annex below.

## **19/25 ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH**

(Agenda Item 9)

Directors of Public Health have a statutory duty to publish an annual report on a subject of their choice that they feel demonstrates the state of health

within their community. Council considered this report which focussed on children and young people's mental health and economic activity.

Before the report was proposed, Council heard from two experts on climate change and the health impacts, Mina Fazel, Chair of Child & Adolescent Psychiatry at the University of Oxford, and Emma Coles from Oxfordshire Inclusive Economy Partnership.

The report was proposed by Councillor Nathan Ley, Cabinet Member for Public Health, Inequalities & Community Safety and seconded by Councillor Liz Leffman, Leader of the Council. Following discussion, the recommendations were agreed unanimously.

**RESOLVED to note the Director of Public Health's Annual Report in Annex 1 and to take every opportunity to support actions and initiatives that will progress related work.**

## **20/25 REPORT OF THE CABINET**

(Agenda Item 10)

Council received the report of Cabinet covering the Cabinet meetings on 17 December 2024, 21 and 28 January 2025, and 25 February 2025.

Under Item 2, Councillor Bearder asked if he could raise Councillor Johnston's question in his stead. The Chair declined the request.

Under Item 3, Councillor Edosomwan and Councillor Elphinstone asked the Leader why bus gates, traffic filters, and low traffic neighbourhoods (LTNs) were not included in the Citizens' Assembly. Councillor Leffman said that they were included on the recommendation of a cross-party advisory committee and 15 hours were added specifically for the Assembly to talk about these issues. Councillor Smith asked whether those 15 hours were well spent, and Councillor Leffman said that they were.

Councillor Enright asked the Leader whether the Assembly had gone well in general and, secondly, whether Citizens' Assemblies would be pursued by the Council as a model in the future, especially with respect to controversial issues such as traffic filters. Councillor Leffman stressed that traffic filters were going ahead but reiterated that questions about them were included in the Assembly. She said that she attended the final session of the Assembly. Citizens' Assemblies were something she wanted to see again in the future as this Assembly had gone well and had been especially well-recruited. Nevertheless, she said that Citizens' Assemblies should be reserved for big issues such as transport because they are expensive and take time to implement. She added, other options such as Citizens' Juries were available to hear the people's voice.

Councillor Baines noted the success of the Assembly in bringing the public into the heart of decision making. He asked the Leader, if her administration were re-elected, what steps would be taken to change how the Council

operated to regain trust of communities and to ensure public buy-in for ambitious new transport schemes. Councillor Leffman said there were several ways the Council engaged with the public, including regular consultation that would continue into a second term.

Councillor Brighthouse asked for clarity on why the contract for the Assembly did not initially include the Central Oxfordshire Traffic Plan. Councillor Leffman said that the purpose of the Assembly had been to look forward to 2050, not back. She said that LTNs and traffic filters were included in the discussions of the Assembly because of representations by the Labour Group. She said that it was now clear that people endorsed those measures in Oxford to reduce traffic, make walking and cycling safer, and reduce air pollution.

Councillor Leffman mentioned the budget containing LTNs in her response to Councillor Brighthouse and noted that the administration that included the Labour Group at the time had approved that budget. Councillor O'Connor raised a point of order: Under 3.2, s.1 of the Constitution, the budget was the responsibility of the whole Council, not just the administration.

Under Item 7, Councillor Baines asked whether the Cabinet Member welcomed the decision by the new Labour government to extend the Warm Home Discount to a further 2.7 million eligible households and, secondly, of its action to reduce the cost of barriers for people to access the Boiler Upgrade Scheme and Warm Homes: Local Grant. Councillor Sudbury said it was difficult to object to any of this but stressed that the amount of money for retrofit in Oxfordshire needed to be proportionate to the government's ambitions in this area.

Under Item 8, Councillor Pressel said that she found the report far too bureaucratic and stressed that above all else the Council needed to effectively communicate with people in high-risk flood zones. Councillor Sudbury said he agreed with Councillor Pressel and that it was for this reason that flood wardens were included in the report.

Under Item 9, Councillor Coles welcomed the stance taken by the Cabinet and asked whether there had been a response from the Department for Environment, Food and Rural Affairs (Defra). Councillor Sudbury said, to his knowledge, Defra had not yet given a response.

Under Item 11, Councillor Baines asked if the Cabinet Member could explain why people must hire a petrol or diesel van to drop off waste at Redbridge Waste Recycling Centre and, secondly, why dropping waste off by foot or bike was not permitted as it was permitted in London Boroughs and other built-up areas around the country. Councillor Sudbury said that access to the site on foot or by bike was not allowed because of a problem with the site itself. He said that the site needed to be stabilised, after which construction work would take place to enable cycling and walking on to the site.

Councillor Enright asked what the Council could do to further reduce the amount of waste that is produced. Councillor Sudbury said that officers ran campaigns almost continuously on trying to reduce the amount of waste produced and, secondly, on having it correctly sorted so that more of it can be recycled. He said that he expected recycling as a proportion of waste to go up from 60 to 80 per cent under the new Labour government. He praised plans to have the polluter pay and Ed Miliband's ambition for a zero-waste society.

Under Item 12, Councillor O'Connor noted the controversy around the removal of short-stay beds in the Henley area. He noted the contract for the provision of short-stay beds expired last month and that a business model was being developed for their replacement. He asked the Cabinet Member to outline that case and evidence how it would avoid similar controversy. Councillor Bearder said that under the Oxfordshire Way, 23 per cent more people were being discharged into their own homes and hailed this as a success that was welcomed by residents and NHS staff. As a result of this, short-stay beds were being reduced. He said work had been undertaken to ensure people understand why this was important and added that he would follow up with a written answer to Councillor O'Connor containing details of the relevant contracts.

Under Item 13, 'Funding contribution towards a jointly commissioned Mental Health Contract 2025-2035', Councillor O'Connor asked whether Oxford Health as a provider would be subject to regular and formal performance review. Councillor Bearder said Oxford Health was already evaluated at regular intervals.

Under Item 14, Councillor Pressel asked whether the Cabinet had considered reporting on the disability pay gap. Councillor Fawcett said that it had been considered and discussed with officers, but it was a challenge to find a way to do so that was meaningful because the pay gap was not easy to define.

Under Item 15, Councillor Baines noted the increase in cost of several projects identified. He asked what steps the Cabinet Member was taking to ensure the Capital Programme continued to deliver value for money and, secondly, to ensure that the impact of inflation was mitigated to ensure the full programme was delivered. Councillor Levy said reports delivered to Cabinet were regularly monitored and made public. He said there was insufficient money to do all the things in the programme.

Under Item 16, Councillor Baines asked the Cabinet Member to provide an update to the Council on the final figures for the delivered savings in Children's Services and, secondly, to outline any additional steps he was taking to improve the financial resilience and efficiency of these services, drawing on national best practice. Councillor Levy said he would provide Councillor Baines with a written response. He added that the Council was doing an excellent job at delivering services more efficiently.

Under Item 17, Councillor Baines noted that delivering better public services through transformation and reform required upfront investment to deliver returns over the medium term. He asked what further efficiencies and invest-to-save options the Cabinet Member would be exploring in addition to those already agreed to in the budget. Councillor Levy assured Councillor Baines that these matters were kept under review but noted that it was difficult to find ways in which to achieve further savings, given legislative constraints. He said he wanted central government to address the power of local authorities in this area.

Councillor Baines noted increasing concern about modern slavery and forced labour in international production. He asked what steps the Cabinet Member was taking to eradicate modern slavery from Council supply chains. Councillor Levy said there was no modern slavery in the Council supply chains to the best of his knowledge and assured Councillor Baines that the procurement team continued to look at the issue when awarding contracts.

Under Item 19, Councillor Pressel asked for an update on the Council's plans to regenerate the area around Speedwell House. Councillor Levy noted that Councillor Pressel and all other councillors had recently been invited to an exhibition in the chamber on the plans for Speedwell House. He assured Councillor Pressel that more information on the regeneration of the area was forthcoming.

Under Item 23, Councillor Saul noted that Witney Rotary Club was recently deterred from holding a public event in the marketplace in Chipping Norton because of Council charges associated with blocking parking spots. Councillor Gant noted that Councillor Saul's question was not about civil enforcement procurement issues, but he said he would happily provide a written answer.

Councillor Enright noted that West Oxfordshire District Council had recently transferred powers for civil enforcement of parking restrictions to the County. He also noted that the community found it could not use public spaces because these were now being managed as parking and highway spaces. He asked if this could be looked at in the context of this particular contract and whether local authorities could get together to support making more spaces available for public events. Councillor Gant said he would happily provide a written answer.

Councillor Baines asked if the Cabinet Member believed that the levels of parking enforcement were sufficient to act as a consistent and effective deterrent against use by commuters and non-residents. Councillor Gant said he was glad to hear Councillor Baines acknowledge the benefits of controlled parking zones. He said that the frequency of visits was a matter for the contractor but that the Council wanted more enforcement as was made clear by other members. He said he wanted central government to enable local authorities to do more in this area.

## 21/25 CONSTITUTIONAL AMENDMENTS

(Agenda Item 11)

Council had before it a report and recommendations on proposed amendments to the Council's constitution. The cross-party Constitution Working Group had proposed a number of changes to the Constitution which had been reviewed by the by the Audit & Governance Committee at its meeting on 12 March 2025. The Oxfordshire Health & Wellbeing Board at its meeting on 13 March 2025 agreed further amendments to its Terms of Reference to reflect changes to the operating model and staffing structure of the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOB ICB).

The report was moved by Councillor Ted Fenton and seconded by Councillor Roz Smith.

The following amendment to the recommendations was proposed by Councillor Phillips and seconded by Councillor Baines:-

"Part 4.2 Cabinet Procedure Rules

Rights of Members to speak 4.1 which refers to Part 9.2 of the Constitution 'Protocol on Councillors' Rights and Responsibilities'

Part 9.2 of the Constitution Para 3 to be amended to include

*'All other members may request **by 9.00 a.m. on third working day before the meeting** to speak on a matter under consideration at meetings of the Cabinet or any committee of the Cabinet or when an individual member of the Cabinet is taking decisions in accordance with the rules of the Constitution and agreement to speak will be at the discretion of the Chair. Consideration will also be made for the relevant local member to speak if a matter under consideration relates to a specific Division. This request will be made by 9.00 am on the **third** working day before the meeting and shall not exceed 3 minutes.'*

Following debate, the amendment was lost with 17 votes in favour, 1 abstention and 32 against.

Following further debate, the recommendations were approved unanimously.

**RESOLVED to:**

- (a) **to approve amendments listed and tracked in Annex 1 (including Appendices 1 to 21) to the following Parts of the Council's Constitution, as proposed by the Constitution Working Group and, in the cases of (iii), (xii), (xiv) and (xvii), as amended by the Audit & Governance Committee:**



- (i) **Part 1.2 How Oxfordshire County Council Operates;**
  - (ii) **Part 1.3 Decision Making;**
  - (iii) **Part 3.1 Council Procedure Rules;**
  - (iv) **Part 3.1A Virtual Meeting Procedure Rules (delete);**
  - (v) **Part 3.3 Virement Rules;**
  - (vi) **Part 4.2 Cabinet Procedure Rules;**
  - (vii) **Part 4.4 Delegated Decisions by Individual Cabinet Members;**
  - (viii) **Part 4.6 Transport Advisory Panel (delete);**
  - (ix) **Part 5.1A Regulatory and Other Committees;**
  - (x) **Part 5.1B Health and Wellbeing Board;**
  - (xi) **Part 6.1A Overview and Scrutiny Committees;**
  - (xii) **Part 6.1B Oxfordshire Joint Health Overview and Scrutiny Committee;**
  - (xiii) **Part 6.1C Buckinghamshire, Oxfordshire, Berkshire West Joint Health Overview and Scrutiny Committee Terms of Reference (new Part);**
  - (xiv) **Part 6.2 Overview and Scrutiny Committee Procedure Rules;**
  - (xv) **Part 6.3 Protocol on Scrutiny Participation (delete);**
  - (xvi) **Part 7.2 Scheme of Delegation to Officers;**
  - (xvii) **Part 8.3 Contract Procedure Rules;**
  - (xviii) **Part 9.2 Protocol on Councillors' Rights and Responsibilities;**
  - (xix) **Part 9.4 Policy on IT Use by Members of the County Council (delete);**
  - (xx) **Part 9.6 Protocol on Member-Officer Relations;**
  - (xxi) **Part 10.1 Members' Allowances;**
  - (xxii) **correct erroneous references and update titles where they have changed;**
- (b) **to approve additional items in Annex 2 agreed by the Audit & Governance Committee;**
- (c) **to approve amendments in Annex 3 agreed by the Oxfordshire Health & Wellbeing Board to its Terms of Reference;**
- (d) **to delegate to the Director of Law & Governance and Monitoring Officer the ability to make any necessary additional changes to the Constitution to amend any inconsistencies arising from these proposed changes and where any existing drafting in the Constitution is inconsistent with the changes set out in this report and approved by Council.**

## **22/25 COMMITTEES AND REVIEW OF POLITICAL BALANCE**

(Agenda Item 12)

Council was requested to approve committee appointments based on revised political balance calculations following group membership changes.

The recommendations were proposed by Councillor Rooke and seconded by Councillor Lygo. The proposals were approved unanimously.

### **RESOLVED to:-**

- a) **note the review of political balance of committees to reflect the formation of the Green Group and Reform UK Group.**
- b) **appoint members to the committees of the Council as listed at Annex 1 to the report.**

## **23/25 THE USE OF URGENCY PROVISIONS**

(Agenda Item 13)

Council had before it a report on one urgent decision which had been exempt from call-in on the agreement of the Chair of the Council, in accordance with the Constitution.

The report was proposed by Councillor Leffman and seconded by Councillor Sudbury.

### **RESOLVED to note the exemption from Call-in of the following decision:**

- **Cabinet on 20 March 2025 - Initial Response to Government: Statutory invitation for Local Government Reorganisation and Devolution**

## **24/25 INTERIM ARRANGEMENTS FOR TAKING EMERGENCY DECISIONS IMMEDIATELY FOLLOWING THE COUNTY COUNCIL ELECTIONS**

(Agenda Item 14)

Council received a report seeking approval to a temporary variation to the delegated powers of the Chief Executive to aid effective decision making in the period between the retirement of councillors following the elections in May and the Annual Council meeting on 20 May 2025. A revised version of the report stating the correct dates during which the variation would apply had been published in the Schedule of Business.

The report was proposed by Councillor Rooke and seconded by Councillor Lygo.

The recommendations were approved unanimously.

**RECOMMENDED to agree a temporary variation to Part 7.2 of the Scheme of Delegation to Officers with effect that from 6 May to 20 May 2025 paragraph 6.3 (c) is to be read as follows:-**

**“(c) Any function of the Cabinet or of a Council committee or subcommittee, after consultation with the appropriate Director and thereafter with the Chair and Vice-Chair of the Council and the Leader, as appropriate.”**

**25/25 MOTION BY COUNCILLOR GLYNIS PHILLIPS - NATIONAL CARE SERVICE**

(Agenda Item 15)

The motion was proposed by Councillor Phillips and seconded by Councillor Edosomwan.

The following amendment proposed by Councillor Sudbury and seconded by Councillor Bennett was accepted by the proposer and seconder of the original motion and by Council.

**“A National Care Service funded through fair taxation** is required in England to provide consistent high-quality care and provide further support for unpaid carers by creating and implementing national standards.

There is a crisis in the adult social care workforce with the figures from Skills for Care showing that there are currently over 131,000 vacancies in the care sector. There are variations across the country in the way this vital workforce is treated with some care workers suffering from poor pay and conditions.

This council agrees for the Leader to write to the Secretary of State for Health and Social Care setting out our support for a National Care Service that will

- Improve the quality of care for everyone who needs it and providing further support for unpaid carers
- Support independent living and enable people to recover outside hospital and care homes with the right level of support
- Promote public sector and not for profit organisations delivering care services
- Support partnership working with care providers including the voluntary sector, unions and government
- Implement a fair pay agreement with all care providers including the voluntary sector.
- **End the current unjust funding lottery, with funding coming instead from progressive taxes on land, property, or extreme wealth.**

This council supports the setting up of a National Care Service and urges the Leader to write to the Secretary of State for Health and Social Care to prioritise this reform”

Following debate, the motion, as amended, was lost with 16 votes in favour, 4 abstentions and 27 against.

**26/25 MOTION BY COUNCILLOR DONNA FORD - BANKING HUBS**

(Agenda Item 16)

The motion was proposed by Councillor Ford and seconded by Councillor Fenton. Following debate, the motion was carried unanimously.

**RESOLVED:**

Councillors note the increasing number of vacant bank and building society buildings on our high streets, which are largely the result of technological change. The loss of community banking services is of concern to many residents, especially older constituents and those with disabilities and adaptive needs.

Buckinghamshire Council has set up a Banking Hub in Buckingham library for people to access banking services in the town centre.

Established in partnership with Buckinghamshire Council through its Buckingham and Villages Community Board, with the support of Buckingham Town Council and community representatives, the temporary Banking Hub provides local people with access to banking services. This offers a counter service operated by the Post Office, where customers of all major banks and building societies can carry out regular cash transactions. It also offers a Community Banker service where customers can talk to their banking provider about more complicated issues. Community Bankers work on rotation, with a different bank or building society available on each day of the week, to ensure fair and equitable access to major banking and building society customers.

Council requests the relevant Cabinet member for Community and Corporate Services and the Cabinet Member for Finance to take a lead from forward-thinking colleagues at Buckinghamshire Council and, working with its Town Council, and District Council partners, invite banks and building societies that have left – or are due to leave – our high streets to explore opportunities to work with this Council to set up similar banking hubs within appropriate Council libraries.

..... in the Chair

Date of signing .....



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**COUNCIL**  
**20 May 2025**

**RETURNING OFFICER'S REPORT ON THE ELECTIONS TO  
OXFORDSHIRE COUNTY COUNCIL ON 1 MAY 2025**

**Report by the Returning Officer**

**RECOMMENDATION**

1. **Council is RECOMMENDED to**

note the return of persons elected as Councillors for Oxfordshire County Council on 1 May 2025.

**Executive Summary**

2. The Annex includes the list of councillors elected for each division and the political party they represent (if any).

**Returning Officer**

3. Martin Reeves, Chief Executive, is the Returning Officer for elections to Oxfordshire County Council.

4. The elections were organised in partnership with Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council and West Oxfordshire District Council.

**NAME**

Martin Reeves, Returning Officer

Annex: Annex 1: Return of Persons Elected as Councillors for Oxfordshire County Council on 1 May 2025

Background papers: None

Contact Officer: Colm Ó Caomhánaigh, Democratic Services Manager

May 2025

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**Return of Persons Elected as Councillors for Oxfordshire County Council  
on 1 May 2025**

<b>Divisions</b>	<b>Elected candidates</b>	<b>Elected party or parties</b>
Abingdon East	Tom Greenaway	Liberal Democrats
Abingdon North	Nathan Benjamin Ley	Liberal Democrats
Abingdon South	Neil Fawcett	Liberal Democrats
Adderbury, Bloxham & Bodicote	David Richard Hingley	Liberal Democrats
Bampton & Carterton South	Ted Fenton	Local Conservatives
Banbury Calthorpe	Isabel Creed	Labour Party
Banbury Easington	Kieron Mallon	Conservatives
Banbury Grimsbury & Castle	Paul Austin Sargent	Conservatives
Banbury Hardwick	Andrew Crichton	Labour & Co-operative Party
Banbury Ruscote	Mark Cherry	Labour & Co-operative Party
Bartlemas	Emily Jane Elisabeth Kerr	The Green Party
Barton, Sandhills & Risinghurst	Glynis Mary Phillips	Labour & Co-operative Party
Benson & Crowmarsh	Gavin Ian McLauchlan	Green Party
Berinsfield & Garsington	Robin David Jones	Green Party
Bicester East	Sean Robert Martin Gaul	Liberal Democrats
Bicester North	Matt Webb	Liberal Democrats
Bicester South	Nicholas Michael Cotter	Liberal Democrats
Bicester West	John Shiri	Liberal Democrats
Brize Norton & Carterton East	Toyah Jade Leah Overton	Liberal Democrats
Burford & Carterton West	Nick Field-Johnson	Local Conservatives
Chalgrove & Thame West	Judith Geraldine Edwards	Liberal Democrats
Charlbury & Wychwood	Liz Leffman	Liberal Democrats
Charlton, Ardington & Hendreds	Jane Hanna	Liberal Democrats
Chesterton & Launton	William Boucher-Giles	Liberal Democrats
Chinnor	Georgina Heritage	Liberal Democrats
Chipping Norton	Geoff Saul	Labour & Co-operative Party
Cholsey & The Hagbournes	Johnny Hope-Smith	Liberal Democrat
Churchill & Lye Valley	Liz Brighthouse	Labour & Co-operative Party
Cowley	Saj Malik	Independent
Cropredy & Hook Norton	Christopher David Brant	Liberal Democrats
Deddington	Gareth Daniel Epps	Liberal Democrats
Didcot Ladygrove	Tony Worgan	Liberal Democrat
Didcot South	Hao Du	Reform UK
Didcot West	Ian Kenneth Snowdon	Local Conservatives
Drayton, Sutton Courtenay & Steventon	Peter Alexander Stevens	Liberal Democrat
Eynsham	Dan Levy	Liberal Democrats
Faringdon	Bethia Jane Thomas	Liberal Democrats
Goring & Woodcote	Maggie Filipova-Rivers	Liberal Democrats
Grove	Ron Batstone	Liberal Democrats
Hanborough & Hailey	Liam Walker	Local Conservatives

Harwell, Western Valley & Blewbury	Rebekah Jane Fletcher	Liberal Democrat
Headington & Quarry	Roz Smith	Liberal Democrat
Henley	Stefan John Gawrysiak	Henley Residents Group
Isis	Brad Todd Baines	Labour & Co-operative Party
Jericho & Osney	Susanna Pressel	Labour Party
Kennington & Radley	Diana Lugova	Liberal Democrats
Kidlington East	Ian Michael Middleton	The Green Party
Kidlington North & Otmoor	Laura Gordon	Liberal Democrats
Kidlington West	Lesley McLean	Liberal Democrats
Kingston & Stanford	Lee Evans	Local Conservatives
Leys	Imade Uzoma Edosomwan	Labour Party
Marcham & Cumnor	James Richard Plumb	Local Conservatives
Marston & Northway	Mark Robert Lygo	Labour Party
North Hinksey	Judy Roberts	Liberal Democrats
Parks	Emma Elizabeth Garnett	Green Party
Rose Hill & Littlemore	Dave Henwood	Independent Oxford Alliance
Shrivenham	Emma Markham	The Green Party
Sonning Common & Henley South	Leigh Rawlins	Liberal Democrats
Summertown & Walton Manor	James Fry	Labour & Co-operative Party
Thame	Kate Gregory	Liberal Democrats
Wallingford	James Barlow	The Green Party
Wantage West	Jenny Hannaby	Liberal Democrats
Watlington & Rotherfield	Benjamin James Higgins	Liberal Democrats
Wheatley	Tim Bearder	Liberal Democrats
Witney North & East	James Robertshaw	Local Conservatives
Witney South & Central	Andrew Stanley Coles	Labour Party
Witney West & Ducklington	Thomas Ashby	Local Conservatives
Wolvercote & Cutteslowe	Andrew John Gant	Liberal Democrats
Woodstock	Andy Graham	Liberal Democrats

Divisions: ALL

## **COUNCIL – 20 May 2025**

### **SCHEME OF DELEGATION TO OFFICERS**

**Report of the Director of Law & Governance and Monitoring Officer**

#### **RECOMMENDATION**

COUNCIL IS RECOMMENDED to amend the Constitution as follows:

- a) approve amendments to Part 7.1: Officers as shown in Annex 1;
- b) approve amendments to Part 7.2: Scheme of Delegation to Officers as shown in Annex 3.

#### **Executive Summary**

1. The Council is required annually to agree the Scheme of Delegation to Officers within the Constitution as it relates to Council functions.
2. Parts 7.1 and 7.2 of the Constitution are updated to reflect current officer titles and roles as well terminology. For example, the term 'directorship' is no longer used and is replaced with 'service' or 'area of responsibility' as appropriate.

#### **Financial implications**

3. None arising directly from this report.

Comments checked by: Kathy Wilcox, Head of Corporate Finance,  
[Kathy.Wilcox@oxfordshire.gov.uk](mailto:Kathy.Wilcox@oxfordshire.gov.uk)

#### **Legal implications**

4. The consideration of this report and subsequent decision on its content fulfils a legal obligation of the Council. A local authority is under a duty to prepare and keep up to date its constitution under s.9P Local Government Act 2000 as amended. As set out in The Local Government Act 2000 (Constitutions) (England) Direction 2000 the Constitution must include a description of those powers of the Council and of the local authority executive which are exercisable by an officer. This is set out in the Officer Scheme of Delegation and Council is requested to agree the Scheme of Delegation as it relates to Council functions.

Comments checked by: Kim Sawyer, Interim Head of Legal and Governance,  
[Kim.Sawyer@oxfordshire.gov.uk](mailto:Kim.Sawyer@oxfordshire.gov.uk)

### **Equality and inclusion implications**

9. None arising directly from this report

### **Sustainability implications**

10. None arising directly from this report

### **Risk management**

11. None arising directly from this report

**Anita Bradley**

**Director of Law & Governance and Monitoring Officer**

Annexes:

1. Revised Part 7.1 Officers with amendments indicated.
2. Revised Part 7.1 Officers after amendment.
3. Revised Part 7.2 Scheme of Delegation to Officers with amendments indicated.
4. Revised Part 7.2 Scheme of Delegation to Officers after amendment.

Contact Officer: Colm Ó Caomhánaigh, Democratic Services Manager,  
[colm.ocaomhanaigh@oxfordshire.gov.uk](mailto:colm.ocaomhanaigh@oxfordshire.gov.uk)

May 2025

# Officers

## 1. Management Structure

- (a) The full Council may engage staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) The Council has engaged officers to the following posts which, together form the Council's senior leadership team.

Post	Principal Areas of Service
Chief Executive	Head of the Council's Paid Service; corporate management and promotion of the Council's strategic objectives; overall responsibility for emergency planning, disaster recovery and resilience as defined in the Civil Contingencies Act 2004; overall responsibility for health and safety as it relates to the functions of the Council (Health and Safety at Work Act 1974).
Executive Director of People and Transformation	<del>Cross Council</del> Transformation programme <del>for people services (adults, children, public health and community safety)</del> ; line management of <del>Corporate Director: of</del> Public Health and Communities <del>Safety, Corporate Director: Adult Social Care and Corporate Director: Children's Services; Chief Fire Officer and Community safety,</del> community hubs; customer services; insight; digital and transformation.
Executive Director of Resources and Section 151 Officer	Corporate financial management and administration ( <del>Section 151 Officer</del> ); internal audit & counter fraud; procurement <del>&amp; commercial</del> ; Oxfordshire Local Government Pension Fund; ( <del>Section 151 Officer</del> ); human resources and <del>cultural change organisational development</del> ; health and safety; property services; <del>gypsy and traveller services</del> ; equalities, diversity and inclusion; corporate strategy; public affairs; marketing and communications; and IT <del>Services; Senior Information Risk Owner (SIRO).</del>

Director of Law & Governance and Monitoring Officer	Monitoring Officer; the Constitution and corporate governance framework; ethical governance; Legal Services and advice; support for councillors and the democratic process; <a href="#">access to information</a> ; elections; Local Government and Social Care Ombudsman; information governance; Data protection Officer and Data Controller qualified person pursuant to S36 of the Freedom of Information Act 2000; coroners service and Registration.
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Post	Principal Areas of Service
Director of Public Health & Communities	Statutory role including: delivery of the council's public health duties; steps to improve the health of the people in its area; planning for, and responding to, emergencies that present a risk to the public's health. Services in connection with teenage pregnancy; drugs and alcohol; Libraries and Heritage services, which includes libraries, history and museum services.
Director of Adult Social <del>Care</del> <u>Services</u>	Statutory role including: responsibility for adult social care including improving preventative services and delivering earlier intervention; tackling inequalities and improving access to services; increasing support for people with the highest levels of need; promoting social inclusion and wellbeing. Delivery of adult social care including residential and nursing care; supported living; intermediate care; home support; assessment and re-ablement; occupational therapy; sensory impairment; hospital teams; mental health; carers services; translation and interpretation shared lives (CQC registered); the employment service; print service community support services; AMPH services and transitions team. Responsibility for the joint commissioning team with the ICB which includes responsibility for the management of associated Section 75 agreements.
Director of Children's Services	Statutory role including: discharging the education and children's social services functions of the local authority; leadership, strategy and effectiveness of local authority children's services; securing the provision of services which address the needs of all children and young people. Delivery of social care and education including: early years and childcare; family support; fostering and adoption; looked-after children; residential and leaving care; asylum seekers; child protection; school performance; resourcing and support for schools; school governor support; school admissions; school transport (policy); special educational needs; behaviour support; youth service; youth justice.

Post	Principal Areas of Service
Director of Environment and Highways	Highways; network management; road safety; <del>and</del> travel planning; <del>mainstream school and special needs transport</del> ; bus services; nature policy; countryside and rights of way services; archaeological service; waste management; Lead Local Flood Authority and Transport Policy & Strategy <del>and rail links</del> .
Director of Economy and Place	Inclusive economic development; <del>environmental and</del> climate change policies and programmes; development plans and developer funding; strategic development schemes; place shaping, strategic and regulatory planning; transport development control; local highway authority responses to consultations on planning applications; minerals and waste; devolution, strategic partnership and business engagement; Innovation service; <u>flood risk management</u> .
Chief Fire Officer and Director of Community Safety	Fire and rescue services*; trading standards; animal welfare; emergency planning; community safety  *NB The Chief Fire Officer has statutory responsibility for the fire and rescue service
<u>Director of Transformation, Digital and Customer Experience</u>	<u>Public enquiries; Transformation programme; digital programme; data hub; performance and insights.</u>
<u>Director of Financial and Commercial Services</u>	<u>Commercial strategy; green finance initiatives; budget planning and forecasting; internal auditing; capital programme; local authority's pension fund; treasury management; procurement and social value.</u>
<u>Director of Property and Assets</u>	<u>Strategically manage and maintain council owned/operated buildings; manage and maintain fleet owned/operated by the council; Adults/Children's SEND home to school/facilities transport; supporting Adults &amp; Children's with associated property needs; gypsy and traveller services..</u>



<u>Director of Public Affairs, Policy and Partnerships</u>	<u>External communications, marketing and campaigns; consultations and engagement; public affairs; strategy and policy development, including equality, diversity and inclusion; key partnerships, including the voluntary and community sector and the civilian military partnership; councillor priority fund scheme.</u>
<u>Director of HR and Cultural Change</u>	<u>Human resources; recruitment and retention; cultural change (Delivering the Future Together); internal communications; staff training and development; apprenticeship management</u>

- (c) **Head of Paid Service, Monitoring Officer and Chief Finance Officer**  
The Council has designated officers to perform these statutorily prescribed roles as follows:

<b>Designation</b>	<b>Officer</b>
Head of the Council's Paid Service	Chief Executive
Monitoring Officer	Director of Law and Governance
Chief Finance Officer (Section 151 Officer)	Executive Director of Resources

The duties associated with these designations are set out in paragraphs 2 - 4 below.

## 2. Functions of the statutory post of Head of Paid Service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restrictions on functions.** The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.
- (c) **Urgency.** The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required. The Head of Paid Service, in so acting, will be guided by the Budget and the Policy Framework at Part 1.2 of this Constitution, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act. Key decision procedures and call in procedures (Parts 8.1 and 6.2(19) of the Constitution) will apply to any key decisions taken under the this authorisation.

## 3. Functions of the statutory post of Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available to councillors, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Full Council or, in the case of an executive function, to the Cabinet, if they consider that any proposal, decision or omission has or would be likely to give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such

a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.<sup>1</sup>

- (c) **Supporting the Audit & Governance Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support and advice to the Audit & Governance Committee.
- (d) **Receiving complaints.** The Monitoring Officer will receive and act on complaints about Councillor conduct.
- (e) **Reviewing complaints.** The Monitoring Officer will review complaints in accordance with the Council's arrangements for dealing with member complaints.
- (f) **Proper officer for access to information.** The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The Monitoring Officer cannot also hold the position of Chief Finance Officer or the
- (j) **Issue of Guidance.** The Monitoring Officer will issue guidance from time to time on the discharge of the above functions.

#### 4. Functions of the statutory position of Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or, in the case of an executive function, to the Cabinet, and to the Council's external auditor, if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.<sup>2</sup>
- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

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<sup>1</sup> Section 5 of the Local Government & Housing Act 1989

<sup>2</sup> Section 151 of the Local Government Act 1972

- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Giving financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

## **5. Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

## **6. Deployment and Management of Staff in General**

- (a) The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out at Part 8.4 of this Constitution.
- (b) The Head of Paid Service will determine and publicise a description of the overall structure of the paid service of the Council showing the management structure and deployment of officers. This is set out on the Council's Intranet.

## **7. Powers Exercisable by Officers**

Officers may exercise functions of the Council, the Cabinet and committees of the Council to the extent and subject to the conditions specified in the Officer Delegations set out in Part 7 of this Constitution.

## **8. Sub-Delegation to Designated Officers**

The Chief Executive's and other officers' powers conferred by this Part 7.1, including any proper officer functions, may be exercised by other officers designated in writing by the Chief Executive, (and the Executive Director of Resources in relation to financial delegations), either generally or in specific circumstances.

## **9. Conduct of Officers**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations.

# Officers

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- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Full Council or, in the case of an executive function, to the Cabinet, if they consider that any proposal, decision or omission has or would be likely to give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such

a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.<sup>1</sup>

- (c) **Supporting the Audit & Governance Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support and advice to the Audit & Governance Committee.
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- (j) **Issue of Guidance.** The Monitoring Officer will issue guidance from time to time on the discharge of the above functions.

#### 4. Functions of the statutory position of Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or, in the case of an executive function, to the Cabinet, and to the Council's external auditor, if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.<sup>2</sup>
- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

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<sup>1</sup> Section 5 of the Local Government & Housing Act 1989

<sup>2</sup> Section 151 of the Local Government Act 1972

- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Giving financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

## **5. Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

## **6. Deployment and Management of Staff in General**

- (a) The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out at Part 8.4 of this Constitution.
- (b) The Head of Paid Service will determine and publicise a description of the overall structure of the paid service of the Council showing the management structure and deployment of officers. This is set out on the Council's Intranet.

## **7. Powers Exercisable by Officers**

Officers may exercise functions of the Council, the Cabinet and committees of the Council to the extent and subject to the conditions specified in the Officer Delegations set out in Part 7 of this Constitution.

## **8. Sub-Delegation to Designated Officers**

The Chief Executive's and other officers' powers conferred by this Part 7.1, including any proper officer functions, may be exercised by other officers designated in writing by the Chief Executive, (and the Executive Director of Resources in relation to financial delegations), either generally or in specific circumstances.

## **9. Conduct of Officers**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations.

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# Scheme of Delegation to Officers

## 1. Introduction

- 1.1. This scheme of delegation authorises the relevant officers to exercise the functions of the Council as set out in this scheme and the Constitution. For the purpose of this scheme, 'officers' includes those officers included in Part 7.1 of the Constitution.
- 1.2. This scheme is without prejudice to the exercise of the Council's functions by the Council, the Cabinet, the Council's committees and sub-committees and their own powers of delegation and by the officers mentioned within 1.1 above.
- 1.3. For the avoidance of doubt anything which is not covered by this scheme, including the appointment of a proper officer for the purpose of any statutory function, will be determined by the Chief Executive.
- 1.4. The Council has given a General Indemnity to any officer acting in the purported discharge of any authority delegated to them for any action, costs, claim or liability incurred by them.
- 1.5. For the avoidance of doubt:
  - (a) the Chief Executive has over all other officers the powers which they are entitled to exercise under this Scheme;
  - (b) an officer may refer any matter to the Council, the Cabinet, or a committee of the Council as appropriate either:
    - (i) in lieu of exercising their powers in relation to that matter; or
    - (ii) for consultative purposes before exercising those powers;
  - (c) the power to exercise any function includes the power to exercise that function in a positive or negative manner or to refuse to exercise the function;
  - (d) nothing in this Scheme prevents the Council, the Cabinet or a committee of the Council from exercising a function in place of an officer;
  - (e) in this Scheme references to the Cabinet shall be taken to include the relevant Cabinet Member, or a committee of the Cabinet insofar as the function concerned has for the time being been delegated to such member or committee;
  - (f) any exercise of delegation making incorrect references to any part of the Constitution, relevant statute, legislation or bylaw shall not of itself invalidate the authorised delegation.

## 2. Principles of Delegation

2.1. The Chief Executive and other officers (as defined in paragraph 1.1 of this Scheme) – are empowered to make decisions on behalf of the Council in accordance with the following general principles:

- (a) If a function, power or responsibility has not been specifically reserved to the Council, a committee, or the Cabinet, the other officers within whose remit the matter falls is authorised to act.
- (b) The Council, its committees and the Cabinet will make decisions on matters of significant policy. The Chief Executive and the other officers have express authority to take all necessary actions to implement Council, committee and Cabinet decisions that commit resources, within agreed budgets in the case of financial resources, as necessary and appropriate.
- (c) The Chief Executive and the other officers are empowered to take all operational decisions, within agreed policies, in relation to the services for which they are responsible.
- (d) The Chief Executive and the other officers are empowered to take all necessary decisions in cases of emergency<sup>1</sup>.
- (e) In relation to all delegated authority conferred on the other officers by this scheme, the Chief Executive may allocate or re-allocate responsibility for exercising particular powers to any officer of the Council in the interests of effective corporate management as they think fit.
- (f) Where an officer is absent from the workplace for a period of time that requires others to exercise delegated authority in the officer's absence, another officer should be nominated by the Chief Executive. This nomination should be formally recorded in writing.
- (g) Where there is doubt over the responsibility for the exercise of a delegated power, the Chief Executive or their nominee is authorised to act;
- (h) All officers are empowered to act as deputies of the Chief Executive in their absence, subject to the following:
  - (i) In the first instance, the person deputised to act will be the other officer named on the duty rota operated by the Council

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<sup>1</sup> For the purposes of this scheme, emergency shall mean any situation in which the relevant officer believes that failure to act would seriously prejudice the Council's or the public's interests. Such interests are to be interpreted widely and include (but are not limited to) the risk of damage to property or threat to the health or wellbeing of an individual.

- (ii) In the absence of both the Chief Executive and the duty rota officer, any other officers may deputise for the Chief Executive in consultation with the Director of Law & Governance and Monitoring Officer and ~~Chief Finance Officer~~ the Executive Director of Resources.
  - (i) Anything delegated to an officer is also delegated to the Chief Executive;
  - (j) These delegations should be interpreted widely to aid the smooth running of the organisation, the effective deployment of resources, the efficient delivery of services, and the achievement of the Council's goals.
  - (k) The exercise of delegated functions shall be in accordance with the managerial requirements of the Chief Executive otherwise than in matters of professional expertise, and subject to the legal requirements of the Director of Law & Governance and Monitoring Officer and the financial requirements of the Executive Director of Resources.
- 2.2. In deciding whether or not to exercise such delegated powers, the Chief Executive and the other officers should consider whether to consult the appropriate Cabinet member(s) or committee chair and have regard to their views. Officers shall always be entitled to refer matters for decision to the appropriate member body where they consider it expedient to do so.
- 2.3. The Chief Executive and the officers may authorise officers in their service areas to exercise, on their behalf, powers delegated under this scheme.

### **3. Recording of Delegations and Decisions**

- 3.1. All delegations conferred under this scheme must be recorded in writing by the Chief Executive and the other officer in such a form as the Director of Law & Governance and Monitoring Officer may prescribe (including for the avoidance of doubt any delegation under paragraph 2.1(e) above). Any decision taken under such authority shall remain their responsibility, and must be taken in their name.
- 3.2. Each officer will maintain a separate record of sub-delegations pertaining to their directorate and will provide copies to the Director of Law & Governance and Monitoring Officer for retention.
- 3.3. The Director of Law & Governance and Monitoring Officer will maintain a central record of all delegations under this scheme and make this available for public inspection. The record shall be kept up to date according to any additions or other variations to the powers and functions which are delegated to officers.
- 3.4. Any decision of an officer having substantive effect shall be recorded in such a manner that all those who may have an interest in that decision have certain knowledge of its effect. Any key decision shall be recorded as required by the Access to Information Rules and notification given in accordance with the Scrutiny Procedure Rules at Part 6.2 of this Constitution.





## 4. Scope of Powers

- 4.1. In exercising these delegated powers the officers concerned shall have broad discretion, subject to complying with all relevant legislation, the Council's Constitution, including its contract and Financial Procedures Rules (at Part 8.2 of this Constitution) and regulations (and any guidance made in respect of these rules), and overall Council policy, to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources necessary, whether within or outside the Council.
- 4.2. Without prejudice to the generality of the foregoing the Chief Executive and the other officers shall have the power:
- (a) to take all lawful action consistent with overall Council policy to deliver agreed strategy, plans and policy within their area of responsibility and within approved budgets. This shall include, but not exhaustively:
    - (i) invitation and acceptance of tenders, subject to the Contract Procedure rules at Part 8.3 of this Constitution;
    - (ii) preparation and submission of bids for external funds or grants for purposes related to the provision of services and acceptance of such funds and grants on such terms and conditions as may be agreed, subject to consulting the Director of Law & Governance and Monitoring Officer where contractual obligations are involved;
    - (iii) write-off of irrecoverable amounts (including bad debts) up to such limit as may for the time being be prescribed by the Financial Procedure Rules at Part 8.2 of this Constitution subject in each case to the written approval of the Executive Director of Resources (or of a member of their staff nominated by him/her them for that purpose) and to such approval being shown in the accounting records;
    - (iv) virement (within the budget framework);
    - (v) disposal and acquisition of assets;
    - (vi) subject to the requirements of the Director of Law & Governance and Monitoring Officer given either generally or in a particular case, the issue of formal notices, orders, instructions and instruments required under any legislation relating to their functions and areas of service or otherwise to give legal effect to the exercise of the powers set out above;
    - (vii) authorising the institution, defence or appearance in criminal or civil proceedings in relation to any legislation which they are responsible for monitoring, enforcing or otherwise implementing

on behalf of the council, subject to authorisation by the Director of Law & Governance and Monitoring Officer;

- (viii) the negotiation of agreements or arrangements with other directoratservices of the Council or other companies or organisations relating to the provision of services for their directorate area of responsibility;
- (b) to put in place management arrangements, which define the area of responsibility of all officers under their area of responsibility;
- (c) in the case of any overspend to notify the Executive Director of Resources in the role of Section 151 officer in accordance with the Financial Procedure Rules and regulations;
- (d) subject to the Officer Employment Rules set out at Part 8.4 of this Constitution, to determine staffing arrangements within their directoratservice within approved budgets (except for staff employed in schools with delegated budgets), including:
  - (i) appointments, unless the power to appoint to a particular post rests with the Council or a committee of the Council;
  - (ii) dismissal of any employee subject to the concurrence of the Director of Human Resources (except where the power of dismissal is vested by law in the other officer);
  - (iii) the transfer of posts within the total establishment of their directoratservice;
  - (iv) all disciplinary matters;
  - (v) granting ex-gratia payments up to a limit determined by the Director of Law & Governance and Monitoring Officer to employees who have suffered loss of, or damage to, personal property in the course of their work;
  - (vi) extending an employee's sick leave on half pay for a period not exceeding the equivalent period of half pay already received; and
  - (vii) granting up to 10 days' additional paid leave on compassionate grounds, or up to twelve months unpaid leave;
  - (viii) granting unpaid leave beyond twelve months, and any other exceptional request for leave, subject to the agreement of the Director of Human Resources and Culture Change and the Executive Director of Resources.

- (e) to take all action to recruit, appoint, develop, manage and reward employees, in accordance with legislation and within approved Council policies and procedures (including operation of policies for voluntary severance, early retirement, redundancy and redeployment) and relevant conditions of service for staff.

## **5. Delegation in Practice**

5.1. In taking any decision, the officer concerned must be satisfied that the following issues have been properly considered and completed where appropriate. All of these issues should be considered at the earliest possible stage:

- (a) a key decision should be taken in accordance with the relevant requirements (including the requirements for the recording of such decisions under Rule 18 of Part 8.1 of this Constitution);
- (b) the views of the relevant Cabinet member(s) and committee chair following the application of the consultation criteria set out in paragraph (c) below;
- (c) the implication of any Council policy, initiative, strategy or procedure. Officers need to be aware of any potential impact of a delegated decision on other services. In such cases, consultation with officers, relevant Cabinet member(s) or committee chairs from any affected portfolio and local members, where the issue relates to a specific area, should take place;
- (d) consultation in accordance with the Council's consultation strategy and the views emanating from that process;
- (e) the range of available options;
- (f) the staffing, financial and legal implications;
- (g) the assessment of any associated risks in accordance with the Council's risk management strategy;
- (h) the involvement of appropriate statutory officers and/or other officers;
- (i) the relevance of any regional or national guidance from other bodies;
- (j) the Council's Constitution, including the Forward Plan, its contract and financial procedures and regulations, all relevant guidance, legislation, codes of practice and protocols.

- 5.2. Any member may request that executive decisions taken by officers under delegated powers are scrutinised by the appropriate scrutiny committee.

## 6. Specific Powers and Functions

- 6.1. Subject to the foregoing and without prejudice to the general effect of this scheme, the Chief Executive and the other officers designated for the purpose may exercise such specific powers and functions:
- (a) in the capacity of proper officer; or
  - (b) otherwise on behalf of the Council, the Cabinet or a committee of the Council

as may be delegated to them from time to time. The powers and functions which are for the time being delegated to the Chief Executive, Director of Law & Governance and Monitoring Officer and the Executive Director of Resources are listed in this section.

- 6.2. The Director of Law & Governance and Monitoring Officer shall keep this scheme of delegation up to date according to any additions or other variations to the powers and functions of the Chief Executive, Director of Law & Governance and Monitoring Officer, the Executive Director of Resources and the other officers.

- 6.3. The **Chief Executive** is authorised to undertake:

- (a) The functions under Section 4 of the Local Government and Housing Act 1989 as the Head of Paid Service of the Council, and in accordance with Part 7.1 of this Constitution.
- (b) Allocation of accommodation for the purposes of the Council, the Cabinet, committees, sub-committees and members.
- (c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate other officer and thereafter:
  - (i) in the case of an executive function, with the Leader of the Council or, in their absence, the Deputy Leader of the Council; or
  - (ii) in any other case, with the Chair of the relevant committee or sub-committee or, in their absence, the Deputy Chair of the relevant committee or sub-committee.

Any exercise of these functions shall be reported to the Cabinet or other relevant committee or sub-committee and shall be published on the website as soon as possible.

- (d) Following consultation with employees' representatives and with the Cabinet Member having responsibility for human resources and any other member(s) of the Cabinet whose responsibilities include a service particularly affected, approval of amendments to the County Council's

personnel policies and procedures, subject to reference being made to the Cabinet where either:

- (i) they would have material budget implications; or
  - (ii) material concerns about them have been expressed by the employees' representatives.
- (e) The powers and duties of County Returning Officer for the purposes of Section 35 of the Representation of the People Act 1983.
- (f) Overall responsibility for emergency planning, disaster recovery and resilience as defined in the Civil Contingencies Act 2004.
- (g) Overall responsibility for health and safety as it relates to the functions of the Council (Health and Safety at Work Act 1974).

6.4. The **Director of Law & Governance** and Monitoring Officer is authorised to:

- (a) take any action to implement any decision taken by or on behalf of the Council, including the signature and service of statutory and other notices and any document; and authority to apply the Common Seal of the County Council to deeds in order to execute them;
- (i) The Director of Law and Governance and Monitoring Officer will be responsible for the safe-keeping and secure administration of the Common Seal of the Council.
  - (ii) The Common Seal of the Council may be affixed either by physical means or by such electronic means as the Director of Law and Governance and Monitoring Officer may from time to time authorise. References in this Rule and elsewhere in the Constitution to the Common Seal (or the Seal) of the Council and to the sealing of documents shall be taken to refer to the official seal and any accompanying attesting signatures as being affixed either by physical means, or by the electronic means provided for in this Rule.
  - (iii) The Director of Law and Governance and Monitoring Officer or other person authorised by them may authenticate any document that may be required for legal proceedings.
- (b) institute, defend, settle or participate in any legal proceedings or disputes in any case where such action is necessary to give effect to decisions of the Council or in any case where the Director of Law and Governance and Monitoring Officer considers that such action is necessary to protect the Council's interests;
- (c) consult with and instruct counsel, solicitors and other experts for legal proceedings, public inquiries, and other matters involving the Council,

and the negotiation and settlement of legal disputes on behalf of the Council, the Cabinet, committees of the Council or officers and arrangements for their representation in any court, public inquiry or other forum where they consider formal representation to be proper, including the incurring of such fees in respect thereof as may be appropriate;

- (d) authorisations under Section 223 of the Local Government Act 1972 (appearance by persons other than solicitors in legal proceedings);
- (e) acting as trustee on behalf of the Council in respect of any matter whereon they consider such action to be appropriate;
- (f) enter objections to any proposal affecting the County, the Council or the inhabitants of the County;
- (g) undertake the following proper officer functions of the Council under the Local Government Act 1972:
  - (i) Declaration of Acceptance of Office (Section 83);
  - (ii) Notice of Resignation of Office (Section 84);
  - (iii) Convening of and Summonses to Meetings (Section 88 & Schedule 12);
  - (iv) Filling of Casual Vacancies (Section 89);
  - (v) Ordnance Survey (Section 191);
  - (vi) Charitable Trusts (Section 210);
  - (vii) Deposit of Documents (Section 225);
  - (viii) Certificate of Photographic Copies of Documents (Section 229);
  - (ix) Authentication of Documents (Section 234);
  - (x) Procedure etc. for Bye-Laws (Section 236);
  - (xi) Evidence of Bye-Laws (Section 238);
  - (xii) Enactments relating to Town & Country Planning (Schedule 16 where not repealed)
  - (xiii) Adaptations, Modifications and Amendments of Enactments (Schedule 29);
- (h) the functions of Monitoring Officer within the meaning of Section 5 of the Local Government and Housing Act 1989 and in accordance with Part 7.1 of this Constitution;
- (i) the proper officer functions of the Council for the purposes of giving public notice of the receipt of a report from the Local Government and Social Care Ombudsman, for the purposes of Part III of the Local Government Act 1974;
- (j) following consultation with the Executive Director of Resources and with the Leader and Deputy Leader of the Council, approval of new or amended operational policies and procedures for the governance of the Council, subject to reference being made to the Cabinet where either:

- (i) they would have material budget or substantive policy implications; or
- (ii) material concerns about them have been expressed by the employees' representatives;
- (k) such proper officer functions of the Council other than those specified in this section as are not specifically delegated to any other officer;
- (l) the functions under Section 16(1) and Section 16(2) of the Local Government and Housing Act 1989 to give effect to the wishes of the political groups as regards membership of overview and scrutiny committees and committees of the Council;
- (m) the proper officer functions of the Council for the purposes of Part VA of the Local Government Act 1972 (Access to Information);
- (n) making of appointments to outside bodies in accordance with the Council's published arrangements relating to representation on outside bodies;
- (o) making of appointments to school admission and exclusion appeal panels and school transport appeal panels;
- (p) to adjust the terms of reference of an n overview and scrutiny committee to reflect detailed changes in the remits of individuals or bodies which are specified in those terms of reference, consulting with the Overview and Scrutiny Chairs and Deputy Chairs in each case;
- (q) authorisation of the reproduction or display of the Council's armorial bearings or any part thereof;
- (r) as Monitoring Officer, the functions of the 'qualified person' under the Freedom of Information Act 2000 (Section 36(5)(o)(iii)) for determining whether the exemptions under Section 36 are engaged;
- (s) to put in place appropriate indemnity and insurance to enable councillors to undertake their functions;
- (t) make textual amendments to the Constitution to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments, along with updating job and group titles if those referred to in the Constitution are obsolete (insofar as the Director of Law & Governance and Monitoring Officer does not already have such a delegation);
- (u) approve councillor attendance at conferences and councillor claims for expenses including travelling, subsistence and accommodation.
- (v) The Monitoring Officer is authorised to make any changes to the Constitution which are required:

- a) to comply with the law; or
  - b) to give effect to decisions of the Council or (so far as within their powers) the Cabinet, scrutiny committees and ordinary committees; or
  - c) to correct errors and otherwise for accuracy or rectification.
- (w) to update Part 10.1 **of the Constitution** - Members' Allowances annually in line with any requirement under the Scheme of Allowances to apply indexation to Members' Allowances.

6.5. The **Executive Director of Resources** is authorised to undertake:

- (a) The proper officer functions of the Council for the purposes of Section 115 of the Local Government Act 1972 (Receipt of Money) and for the administration of the Council's financial affairs under Section 151 of the Act, and in accordance with Part 7.1 of this Constitution.
- (b) The proper officer functions of the Council for the purposes of Section 146 of the Local Government Act 1972 – Transfer of Securities.
- (c) The functions of 'responsible officer' for the purposes of financial administration under the Local Government Finance Act 1988.
- (d) Functions as the officer responsible for maintaining an adequate and effective system of internal audit.
- (e) Implementation of pay awards made nationally or locally under procedures recognised by the Council.
- (f) The making of investments of the County Pension Fund in accordance with the policies determined by the Pension Fund Committee.
- (g) Determination of cases of whether the education or training should be treated as continuous where an eligible child for the payment of a dependent's pension benefit under the Local Government Pension Scheme Regulations is over 17 and has been engaged continuously in full-time education or in training for a trade, profession or vocation has taken a gap year, subject to a report to the Pension Fund Committee on such determinations.

6.6. **Other Officers**

Each officer is authorised to act on behalf of the Council in relation to any operational matters within the service areas for which they are responsible as set out in Part 7.1, subject to the provisions of Part 7.2 of this Constitution. The Officer will maintain a separate record of sub-delegations pertaining to their directorate and will provide copies to the Director of Law & Governance and Monitoring Officer for retention under this Schedule.



- 6.7. For the avoidance of doubt, the delegation to the ~~Corporate~~ Director for Environment of Economy and Place includes the power, jointly with the Director of Law & Governance and Monitoring Officer, to determine applications for certificates of lawfulness of existing or proposed use or development.

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# Scheme of Delegation to Officers

## 1. Introduction

- 1.1. This scheme of delegation authorises the relevant officers to exercise the functions of the Council as set out in this scheme and the Constitution. For the purpose of this scheme, 'officers' includes those officers included in Part 7.1 of the Constitution.
- 1.2. This scheme is without prejudice to the exercise of the Council's functions by the Council, the Cabinet, the Council's committees and sub-committees and their own powers of delegation and by the officers mentioned within 1.1 above.
- 1.3. For the avoidance of doubt anything which is not covered by this scheme, including the appointment of a proper officer for the purpose of any statutory function, will be determined by the Chief Executive.
- 1.4. The Council has given a General Indemnity to any officer acting in the purported discharge of any authority delegated to them for any action, costs, claim or liability incurred by them.
- 1.5. For the avoidance of doubt:
  - (a) the Chief Executive has over all other officers the powers which they are entitled to exercise under this Scheme;
  - (b) an officer may refer any matter to the Council, the Cabinet, or a committee of the Council as appropriate either:
    - (i) in lieu of exercising their powers in relation to that matter; or
    - (ii) for consultative purposes before exercising those powers;
  - (c) the power to exercise any function includes the power to exercise that function in a positive or negative manner or to refuse to exercise the function;
  - (d) nothing in this Scheme prevents the Council, the Cabinet or a committee of the Council from exercising a function in place of an officer;
  - (e) in this Scheme references to the Cabinet shall be taken to include the relevant Cabinet Member, or a committee of the Cabinet insofar as the function concerned has for the time being been delegated to such member or committee;
  - (f) any exercise of delegation making incorrect references to any part of the Constitution, relevant statute, legislation or bylaw shall not of itself invalidate the authorised delegation.

## 2. Principles of Delegation

- 2.1. The Chief Executive and other officers (as defined in paragraph 1.1 of this Scheme) – are empowered to make decisions on behalf of the Council in accordance with the following general principles:
- (a) If a function, power or responsibility has not been specifically reserved to the Council, a committee, or the Cabinet, the other officers within whose remit the matter falls is authorised to act.
  - (b) The Council, its committees and the Cabinet will make decisions on matters of significant policy. The Chief Executive and the other officers have express authority to take all necessary actions to implement Council, committee and Cabinet decisions that commit resources, within agreed budgets in the case of financial resources, as necessary and appropriate.
  - (c) The Chief Executive and the other officers are empowered to take all operational decisions, within agreed policies, in relation to the services for which they are responsible.
  - (d) The Chief Executive and the other officers are empowered to take all necessary decisions in cases of emergency<sup>1</sup>.
  - (e) In relation to all delegated authority conferred on the other officers by this scheme, the Chief Executive may allocate or re-allocate responsibility for exercising particular powers to any officer of the Council in the interests of effective corporate management as they think fit.
  - (f) Where an officer is absent from the workplace for a period of time that requires others to exercise delegated authority in the officer's absence, another officer should be nominated by the Chief Executive. This nomination should be formally recorded in writing.
  - (g) Where there is doubt over the responsibility for the exercise of a delegated power, the Chief Executive or their nominee is authorised to act;
  - (h) All officers are empowered to act as deputies of the Chief Executive in their absence, subject to the following:
    - (i) In the first instance, the person deputised to act will be the other officer named on the duty rota operated by the Council

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<sup>1</sup> For the purposes of this scheme, emergency shall mean any situation in which the relevant officer believes that failure to act would seriously prejudice the Council's or the public's interests. Such interests are to be interpreted widely and include (but are not limited to) the risk of damage to property or threat to the health or wellbeing of an individual.

- (ii) In the absence of both the Chief Executive and the duty rota officer, any other officers may deputise for the Chief Executive in consultation with the Director of Law & Governance and Monitoring Officer and the Executive Director of Resources.
  - (i) Anything delegated to an officer is also delegated to the Chief Executive ;
  - (j) These delegations should be interpreted widely to aid the smooth running of the organisation, the effective deployment of resources, the efficient delivery of services, and the achievement of the Council's goals.
  - (k) The exercise of delegated functions shall be in accordance with the managerial requirements of the Chief Executive otherwise than in matters of professional expertise, and subject to the legal requirements of the Director of Law & Governance and Monitoring Officer and the financial requirements of the Executive Director of Resources.
- 2.2. In deciding whether or not to exercise such delegated powers, the Chief Executive and the other officers should consider whether to consult the appropriate Cabinet member(s) or committee chair and have regard to their views. Officers shall always be entitled to refer matters for decision to the appropriate member body where they consider it expedient to do so.
- 2.3. The Chief Executive and the officers may authorise officers in their service areas to exercise, on their behalf, powers delegated under this scheme.

### **3. Recording of Delegations and Decisions**

- 3.1. All delegations conferred under this scheme must be recorded in writing by the Chief Executive and the other officer in such a form as the Director of Law & Governance and Monitoring Officer may prescribe (including for the avoidance of doubt any delegation under paragraph 2.1(e) above). Any decision taken under such authority shall remain their responsibility, and must be taken in their name.
- 3.2. Each officer will maintain a separate record of sub-delegations pertaining to their directorate and will provide copies to the Director of Law & Governance and Monitoring Officer for retention.
- 3.3. The Director of Law & Governance and Monitoring Officer will maintain a central record of all delegations under this scheme and make this available for public inspection. The record shall be kept up to date according to any additions or other variations to the powers and functions which are delegated to officers.
- 3.4. Any decision of an officer having substantive effect shall be recorded in such a manner that all those who may have an interest in that decision have certain knowledge of its effect. Any key decision shall be recorded as required by the Access to Information Rules and notification given in accordance with the Scrutiny Procedure Rules at Part 6.2 of this Constitution.

## 4. Scope of Powers

- 4.1. In exercising these delegated powers the officers concerned shall have broad discretion, subject to complying with all relevant legislation, the Council's Constitution, including its contract and Financial Procedures Rules (at Part 8.2 of this Constitution) and regulations (and any guidance made in respect of these rules), and overall Council policy, to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources necessary, whether within or outside the Council.
- 4.2. Without prejudice to the generality of the foregoing the Chief Executive and the other officers shall have the power:
- (a) to take all lawful action consistent with overall Council policy to deliver agreed strategy, plans and policy within their area of responsibility and within approved budgets. This shall include, but not exhaustively:
    - (i) invitation and acceptance of tenders, subject to the Contract Procedure rules at Part 8.3 of this Constitution;
    - (ii) preparation and submission of bids for external funds or grants for purposes related to the provision of services and acceptance of such funds and grants on such terms and conditions as may be agreed, subject to consulting the Director of Law & Governance and Monitoring Officer where contractual obligations are involved;
    - (iii) write-off of irrecoverable amounts (including bad debts) up to such limit as may for the time being be prescribed by the Financial Procedure Rules at Part 8.2 of this Constitution subject in each case to the written approval of the Executive Director of Resources (or of a member of their staff nominated by them for that purpose) and to such approval being shown in the accounting records;
    - (iv) virement (within the budget framework);
    - (v) disposal and acquisition of assets;
    - (vi) subject to the requirements of the Director of Law & Governance and Monitoring Officer given either generally or in a particular case, the issue of formal notices, orders, instructions and instruments required under any legislation relating to their functions and areas of service or otherwise to give legal effect to the exercise of the powers set out above;
    - (vii) authorising the institution, defence or appearance in criminal or civil proceedings in relation to any legislation which they are responsible for monitoring, enforcing or otherwise implementing

on behalf of the council, subject to authorisation by the Director of Law & Governance and Monitoring Officer;

- (viii) the negotiation of agreements or arrangements with other services of the Council or other companies or organisations relating to the provision of services for their area of responsibility;
- (b) to put in place management arrangements, which define the area of responsibility of all officers under their area of responsibility;
- (c) in the case of any overspend to notify the Executive Director of Resources in the role of Section 151 officer in accordance with the Financial Procedure Rules and regulations;
- (d) subject to the Officer Employment Rules set out at Part 8.4 of this Constitution, to determine staffing arrangements within their service within approved budgets (except for staff employed in schools with delegated budgets), including:
  - (i) appointments, unless the power to appoint to a particular post rests with the Council or a committee of the Council;
  - (ii) dismissal of any employee subject to the concurrence of the Director of Human Resources (except where the power of dismissal is vested by law in the other officer);
  - (iii) the transfer of posts within the total establishment of their service;
  - (iv) all disciplinary matters;
  - (v) granting ex-gratia payments up to a limit determined by the Director of Law & Governance and Monitoring Officer to employees who have suffered loss of, or damage to, personal property in the course of their work;
  - (vi) extending an employee's sick leave on half pay for a period not exceeding the equivalent period of half pay already received; and
  - (vii) granting up to 10 days' additional paid leave on compassionate grounds, or up to twelve months unpaid leave;
  - (viii) granting unpaid leave beyond twelve months, and any other exceptional request for leave, subject to the agreement of the Director of HR and Culture Change and the Executive Director of Resources.

- (e) to take all action to recruit, appoint, develop, manage and reward employees, in accordance with legislation and within approved Council policies and procedures (including operation of policies for voluntary severance, early retirement, redundancy and redeployment) and relevant conditions of service for staff.

## 5. Delegation in Practice

5.1. In taking any decision, the officer concerned must be satisfied that the following issues have been properly considered and completed where appropriate. All of these issues should be considered at the earliest possible stage:

- (a) a key decision should be taken in accordance with the relevant requirements (including the requirements for the recording of such decisions under Rule 18 of Part 8.1 of this Constitution);
- (b) the views of the relevant Cabinet member(s) and committee chair following the application of the consultation criteria set out in paragraph (c) below;
- (c) the implication of any Council policy, initiative, strategy or procedure. Officers need to be aware of any potential impact of a delegated decision on other services. In such cases, consultation with officers, relevant Cabinet member(s) or committee chairs from any affected portfolio and local members, where the issue relates to a specific area, should take place;
- (d) consultation in accordance with the Council's consultation strategy and the views emanating from that process;
- (e) the range of available options;
- (f) the staffing, financial and legal implications;
- (g) the assessment of any associated risks in accordance with the Council's risk management strategy;
- (h) the involvement of appropriate statutory officers and/or other officers;
- (i) the relevance of any regional or national guidance from other bodies;
- (j) the Council's Constitution, including the Forward Plan, its contract and financial procedures and regulations, all relevant guidance, legislation, codes of practice and protocols.



- 5.2. Any member may request that executive decisions taken by officers under delegated powers are scrutinised by the appropriate scrutiny committee.

## 6. Specific Powers and Functions

- 6.1. Subject to the foregoing and without prejudice to the general effect of this scheme, the Chief Executive and the other officers designated for the purpose may exercise such specific powers and functions:
- (a) in the capacity of proper officer; or
  - (b) otherwise on behalf of the Council, the Cabinet or a committee of the Council

as may be delegated to them from time to time. The powers and functions which are for the time being delegated to the Chief Executive, Director of Law & Governance and Monitoring Officer and the Executive Director of Resources are listed in this section.

- 6.2. The Director of Law & Governance and Monitoring Officer shall keep this scheme of delegation up to date according to any additions or other variations to the powers and functions of the Chief Executive, Director of Law & Governance and Monitoring Officer, the Executive Director of Resources and the other officers.

- 6.3. The **Chief Executive** is authorised to undertake:

- (a) The functions under Section 4 of the Local Government and Housing Act 1989 as the Head of Paid Service of the Council, and in accordance with Part 7.1 of this Constitution.
- (b) Allocation of accommodation for the purposes of the Council, the Cabinet, committees, sub-committees and members.
- (c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate other officer and thereafter:
  - (i) in the case of an executive function, with the Leader of the Council or, in their absence, the Deputy Leader of the Council; or
  - (ii) in any other case, with the Chair of the relevant committee or sub-committee or, in their absence, the Deputy Chair of the relevant committee or sub-committee.

Any exercise of these functions shall be reported to the Cabinet or other relevant committee or sub-committee and shall be published on the website as soon as possible.

- (d) Following consultation with employees' representatives and with the Cabinet Member having responsibility for human resources and any other member(s) of the Cabinet whose responsibilities include a service particularly affected, approval of amendments to the County Council's

personnel policies and procedures, subject to reference being made to the Cabinet where either:

- (i) they would have material budget implications; or
  - (ii) material concerns about them have been expressed by the employees' representatives.
- (e) The powers and duties of County Returning Officer for the purposes of Section 35 of the Representation of the People Act 1983.
- (f) Overall responsibility for emergency planning, disaster recovery and resilience as defined in the Civil Contingencies Act 2004.
- (g) Overall responsibility for health and safety as it relates to the functions of the Council (Health and Safety at Work Act 1974).

6.4. The **Director of Law & Governance and Monitoring Officer** is authorised to:

- (a) take any action to implement any decision taken by or on behalf of the Council, including the signature and service of statutory and other notices and any document; and authority to apply the Common Seal of the County Council to deeds in order to execute them;
- (i) The Director of Law and Governance and Monitoring Officer will be responsible for the safe-keeping and secure administration of the Common Seal of the Council.
  - (ii) The Common Seal of the Council may be affixed either by physical means or by such electronic means as the Director of Law and Governance and Monitoring Officer may from time to time authorise. References in this Rule and elsewhere in the Constitution to the Common Seal (or the Seal) of the Council and to the sealing of documents shall be taken to refer to the official seal and any accompanying attesting signatures as being affixed either by physical means, or by the electronic means provided for in this Rule.
  - (iii) The Director of Law and Governance and Monitoring Officer or other person authorised by them may authenticate any document that may be required for legal proceedings.
- (b) institute, defend, settle or participate in any legal proceedings or disputes in any case where such action is necessary to give effect to decisions of the Council or in any case where the Director of Law and Governance and Monitoring Officer considers that such action is necessary to protect the Council's interests;
- (c) consult with and instruct counsel, solicitors and other experts for legal proceedings, public inquiries, and other matters involving the Council,

- and the negotiation and settlement of legal disputes on behalf of the Council, the Cabinet, committees of the Council or officers and arrangements for their representation in any court, public inquiry or other forum where they consider formal representation to be proper, including the incurring of such fees in respect thereof as may be appropriate;
- (d) authorisations under Section 223 of the Local Government Act 1972 (appearance by persons other than solicitors in legal proceedings);
  - (e) acting as trustee on behalf of the Council in respect of any matter whereon they consider such action to be appropriate;
  - (f) enter objections to any proposal affecting the County, the Council or the inhabitants of the County;
  - (g) undertake the following proper officer functions of the Council under the Local Government Act 1972:
    - (i) Declaration of Acceptance of Office (Section 83);
    - (ii) Notice of Resignation of Office (Section 84);
    - (iii) Convening of and Summonses to Meetings (Section 88 & Schedule 12);
    - (iv) Filling of Casual Vacancies (Section 89);
    - (v) Ordnance Survey (Section 191);
    - (vi) Charitable Trusts (Section 210);
    - (vii) Deposit of Documents (Section 225);
    - (viii) Certificate of Photographic Copies of Documents (Section 229);
    - (ix) Authentication of Documents (Section 234);
    - (x) Procedure etc. for Bye-Laws (Section 236);
    - (xi) Evidence of Bye-Laws (Section 238);
    - (xii) Enactments relating to Town & Country Planning (Schedule 16 where not repealed)
    - (xiii) Adaptations, Modifications and Amendments of Enactments (Schedule 29);
  - (h) the functions of Monitoring Officer within the meaning of Section 5 of the Local Government and Housing Act 1989 and in accordance with Part 7.1 of this Constitution;
  - (i) the proper officer functions of the Council for the purposes of giving public notice of the receipt of a report from the Local Government and Social Care Ombudsman, for the purposes of Part III of the Local Government Act 1974;
  - (j) following consultation with the Executive Director of Resources and with the Leader and Deputy Leader of the Council, approval of new or amended operational policies and procedures for the governance of the Council, subject to reference being made to the Cabinet where either:

- (i) they would have material budget or substantive policy implications; or
- (ii) material concerns about them have been expressed by the employees' representatives;
- (k) such proper officer functions of the Council other than those specified in this section as are not specifically delegated to any other officer;
- (l) the functions under Section 16(1) and Section 16(2) of the Local Government and Housing Act 1989 to give effect to the wishes of the political groups as regards membership of overview and scrutiny committees and committees of the Council;
- (m) the proper officer functions of the Council for the purposes of Part VA of the Local Government Act 1972 (Access to Information);
- (n) making of appointments to outside bodies in accordance with the Council's published arrangements relating to representation on outside bodies;
- (o) making of appointments to school admission and exclusion appeal panels and school transport appeal panels;
- (p) to adjust the terms of reference of an overview and scrutiny committee to reflect detailed changes in the remits of individuals or bodies which are specified in those terms of reference, consulting with the Overview and Scrutiny Chairs and Deputy Chairs in each case;
- (q) authorisation of the reproduction or display of the Council's armorial bearings or any part thereof;
- (r) as Monitoring Officer, the functions of the 'qualified person' under the Freedom of Information Act 2000 (Section 36(5)(o)(iii)) for determining whether the exemptions under Section 36 are engaged;
- (s) to put in place appropriate indemnity and insurance to enable councillors to undertake their functions;
- (t) make textual amendments to the Constitution to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments, along with updating job and group titles if those referred to in the Constitution are obsolete (insofar as the Director of Law & Governance and Monitoring Officer does not already have such a delegation);
- (u) approve councillor attendance at conferences and councillor claims for expenses including travelling, subsistence and accommodation.
- (v) The Monitoring Officer is authorised to make any changes to the Constitution which are required:

- a) to comply with the law; or
  - b) to give effect to decisions of the Council or (so far as within their powers) the Cabinet, scrutiny committees and ordinary committees; or
  - c) to correct errors and otherwise for accuracy or rectification.
- (w) to update Part 10.1 of the Constitution - Members' Allowances annually in line with any requirement under the Scheme of Allowances to apply indexation to Members' Allowances.

6.5. The **Executive Director of Resources** is authorised to undertake:

- (a) The proper officer functions of the Council for the purposes of Section 115 of the Local Government Act 1972 (Receipt of Money) and for the administration of the Council's financial affairs under Section 151 of the Act, and in accordance with Part 7.1 of this Constitution.
- (b) The proper officer functions of the Council for the purposes of Section 146 of the Local Government Act 1972 – Transfer of Securities.
- (c) The functions of 'responsible officer' for the purposes of financial administration under the Local Government Finance Act 1988.
- (d) Functions as the officer responsible for maintaining an adequate and effective system of internal audit.
- (e) Implementation of pay awards made nationally or locally under procedures recognised by the Council.
- (f) The making of investments of the County Pension Fund in accordance with the policies determined by the Pension Fund Committee.
- (g) Determination of cases of whether the education or training should be treated as continuous where an eligible child for the payment of a dependent's pension benefit under the Local Government Pension Scheme Regulations is over 17 and has been engaged continuously in full-time education or in training for a trade, profession or vocation has taken a gap year, subject to a report to the Pension Fund Committee on such determinations.

6.6. **Other Officers**

Each officer is authorised to act on behalf of the Council in relation to any operational matters within the service areas for which they are responsible as set out in Part 7.1, subject to the provisions of Part 7.2 of this Constitution. The Officer will maintain a separate record of sub-delegations pertaining to their directorate and will provide copies to the Director of Law & Governance and Monitoring Officer for retention under this Schedule.

- 6.7. For the avoidance of doubt, the delegation to the Director of Economy and Place includes the power, jointly with the Director of Law & Governance and Monitoring Officer, to determine applications for certificates of lawfulness of existing or proposed use or development.

**Divisions Affected - None**

**COUNCIL  
20 May 2025**

## **DISPENSATIONS**

**Report by the Director of Law & Governance and Monitoring Officer**

### **RECOMMENDATION**

1. The Council is **RECOMMENDED** to
  - a) approve, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 5 of this report, for all elected and co-opted voting Members of Oxfordshire County Council;
  - b) agree that those general dispensations should remain in force for a period of four years;
  - c) agree that the granting of individual dispensations under Section 33 of the Localism Act 2011 and the Code of Conduct remains delegated to the Monitoring Officer

### **Executive Summary**

2. This report proposes that Council approve a number of general dispensations under the Localism Act 2011, such dispensations to remain in force for a period of four years, in the interests of good governance and the effective conduct of public affairs. It also recommends that the power to grant individual dispensations be delegated to the Monitoring Officer

### **Background**

3. The Localism Act 2011 ('the Act') made significant changes to the Standards regime. Under the Act the Council has a statutory duty to promote and maintain high standards of conduct by both its Elected Members and co-opted Members. The Council is obliged to adopt a Code of Conduct setting out the conduct expected of elected and co-opted voting Members whenever they act in their official capacity as a Member

4. On 5 April 2022 the Council adopted a Member Code of Conduct ('the Code of Conduct') which was recommended by the Local Government Association.
5. The Act prevents Members from participating in any business of the Council where they have a Disclosable Pecuniary Interest (DPI) unless they have sought a dispensation under Section 33 of the Act. Applications must be made in writing and dispensations may be sought for a period of up to four years.
6. Dispensations may be sought on the following grounds:
  - a) That so many Members of the decision-making body have a disclosable pecuniary interest in a matter that the business of the meeting would be impeded
  - b) Without a dispensation the representation of different political groups on the body would be so upset as to alter the outcome of any vote
  - c) The dispensation is in the interests of persons living in the area
  - d) No Member of the Cabinet would be able to participate on the matter without a dispensation
  - e) It is otherwise appropriate to grant a dispensation.

### **General Dispensations**

7. It is proposed that general dispensations to speak and vote on the following items are granted to all Oxfordshire County Council Members and co-opted voting Members and that those dispensations remain in force until the next Ordinary Council elections in May 2029:
  - Determining an allowance (including special responsibility allowances), travelling expense, payment or indemnity given to Members
  - Housing Benefit/ Universal Credit: where the Councillor (or spouse or partner) receives housing benefit or universal credit;
  - Any Ceremonial Honours given to Members and former Members;
  - Setting the Council Tax precept under the Local Government and Finance Act 1992 (or any subsequent legislation).

### **Council Tax**



8. Guidance issued by the Department for Communities and Local Government (DCLG) in 2012 (updated September 2013): Openness and transparency on personal interests stated in summary that the DCLG view was that Members did not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support because this is a decision affecting the generality of the public in the area rather than Members as individuals.
9. If granted, the dispensation for council tax relates to a Member's DPI and does not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are two months or more in arrears with their council tax when voting on setting the Council's budget.
10. Historically the Council has relied on this DCLG guidance and has not sought dispensations for Members to speak and vote on matters relating to council tax. However, as the DCLG guidance is not statutory and has not been tested in court, the Monitoring Officer considers it prudent and transparent to include council tax in the general dispensations.

### **Delegation to the Monitoring Officer**

11. Council could be requested to grant individual dispensations, but to address concerns about the timely consideration of an application for a dispensation it is recommended that the granting of dispensations to an individual member under Section 33 of the Act remains delegated to the Monitoring Officer on application in writing.
12. Such delegation would operate on the following basis:
  - The Monitoring Officer would be the sole decision taker but would act in consultation with the Chief Executive
  - The delegation would apply to applications from an individual Member only.

### **Code of Conduct**

13. The Code of Conduct also requires councillors not to speak or vote where a matter directly relates to, or significantly affects, the financial interest or well-being of one of their Other Registrable Interests, or directly relates to, or significantly affects, a non-registrable interest of a councillor, relative or close associate and in all cases to leave the room. A proviso is made that they may speak but only if members of the public are allowed to speak on the matter. Although not included in s33, the Code refers to the Monitoring Officer being able to grant dispensations to allow Councillors with such interests to speak and vote. It is recommended that Council continues to authorise the Monitoring Officer to grant dispensations on the basis described in paragraph 12 above.

### **Corporate Policies and Procedures**

14. This report supports the Council's Strategic Plan 2022-25 of promoting a vibrant and participatory local democracy. The proposed dispensations and the ability of the Monitoring Officer to grant individual dispensations seek to promote participation by Councillors in matters where otherwise they would be unable to speak and vote, and unable to represent their constituents.

### **Legal Implications**

15. Any legal implications arising from the legislation (The Localism Act 2011, Section 33) are set out in the body of this report.

Comments checked by:

Kim Sawyer, Head of Legal and Governance  
kim.sawyer@oxfordshire.gov.uk

### **Financial Implications**

16. None

Comments checked by:

Drew Hodgson, Strategic Finance Business Partner  
drew.hodgson@oxfordshire.gov.uk

### **Staff Implications**

17. There are no staffing implications associated with this report

### **Equality & Inclusion Implications**

18. There are no direct equality and inclusion implications associated with this report.

### **Sustainability Implications**

19. There are no sustainability implications associated with this report

### **Risk Management**

20. Not putting in place the recommended general dispensations would mean that every Member would need to apply for a personal dispensation when the

relevant matters arose. Not continuing the recommended delegation would mean that it might not be possible for applications for a personal dispensation to be considered and acted upon in a timely manner. This would not be an efficient use of the Council's resources or in the public interest

## **Consultations**

21. There are no consultation implications associated with this report

Anita Bradley  
Director of Law & Governance and Monitoring Officer

Contact Officer: Chris Reynolds, Senior Democratic Services Officer  
[chris.reynolds@oxfordshire.gov.uk](mailto:chris.reynolds@oxfordshire.gov.uk)

May 2025

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**Council  
20 May 2025**

## **Annual Report of the Audit & Governance Committee 2024/25**

**Report by the Executive Director of Resources and Section 151 Officer /  
Director of Law & Governance and Monitoring Officer**

### **RECOMMENDATION**

**1. The Council is RECOMMENDED**

To note the contents of the Annual Report of the Audit & Governance Committee 2024/25.

### **Executive Summary**

2. The Audit & Governance Committee Annual Report 2024/25 is attached at Appendix 1. The Annual Report contains information relating to the work of Audit & Governance Committee during 2024/25. It is presented to Council, by the Chair of the Audit & Governance Committee.

### **Annual Report**

3. Within recommended practice for Audit Committees (CIPFA, Chartered Institute of Public Finance and Accountancy – Audit Committees Practical Guidance 2022), the committee should report on an annual basis to Council on how the committee has discharged its responsibilities.
4. The Annual Report 2024/25 was approved at the March Audit & Governance Committee.

### **Financial Implications**

5. There are no financial implications arising from this report.

Comments checked by: Lorna Baxter, Executive Director of Resources,  
[lorna.baxter@oxfordshire.gov.uk](mailto:lorna.baxter@oxfordshire.gov.uk)

## Legal Implications

6. There are no direct legal implications arising from this report although it should be noted that the effective operation of the Audit and Governance Committee plays an important role in the Council's compliance with its Code Of Corporate Governance based upon the CIPFA & SOLACE guidance and framework "Delivering Good Governance in Local Government: Framework 2016 Edition."

Specifically principles A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law and (G) Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

Comments checked by: Kim Sawyer, Interim Head of Legal and Governance, [kim.sawyer@oxfordshire.gov.uk](mailto:kim.sawyer@oxfordshire.gov.uk)

## Staff Implications

7. There are no staffing implications arising from this report.

## Equality & Inclusion Implications

8. There are no equality and inclusion implications arising from this report.

## Sustainability Implications

9. There are no sustainability implications arising from this report.

## Risk Management

10. There are no risk management implications arising from this report.

Lorna Baxter, Executive Director of Resources and Section 151 Officer  
Anita Bradley, Director of Law & Governance and Monitoring Officer

Annex: Annual Report of the Audit and Governance Committee 2024/25.

Background papers: None.

Contact Officer: Sarah Cox, Chief Internal Auditor,  
[sarah.cox@oxfordshire.gov.uk](mailto:sarah.cox@oxfordshire.gov.uk)

May 2025.

# **Audit & Governance Committee Annual Report**

## **Report of the work of the Audit & Governance Committee during 2024-25**

## Contents

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## **Chair's Introduction**

This is my first year as Chair of the Audit and Governance Committee. As Chair, I am very pleased to present this annual report which sets out the role of the Audit & Governance Committee and summarises the work we have undertaken both as a committee, and through the support of the Audit Working Group during the financial year 2024/25.

The Committee operates in accordance with the good practice guidance produced by the Chartered Institute of Public Finance Accountancy (CIPFA), revised 2022. The Committee is operating effectively in accordance with the standards, providing an independent and high-level resource which supports good governance and strong public financial management.

Members of the Committee continue to be well supported by Officers, providing a high standard of reports and presentations. I would like to thank the Internal Audit, External Audit, Law and Governance and Finance teams for their input.

I should like to take this opportunity to give my personal thanks to all the officers, Dr Geoff Jones, Chair of the Audit Working Group, the Deputy Chair Councillor Roz Smith and all fellow Committee members who have contributed and supported the work of the Committee in such a meaningful and positive way throughout the past year.

### **COUNCILLOR TED FENTON**

Chair, Audit & Governance Committee

## Role of the Audit & Governance Committee

The Audit and Governance Committee operates in accordance with the 'Audit Committees, Practical Guidance for Local Authorities' produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) 2022. The Committee complies with the CIPFA's position statement. The Guidance defines the purpose of an Audit Committee as follows:

***Audit committees are a key component of an authority's governance framework. Their purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance risk and control gives greater confidence to all those charged with governance that those arrangements are effective.***

***The committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.***

The key functions of the Audit and Governance Committee are defined within the Council's Constitution. In discharging these functions, the Committee is supported by the Audit Working Group.

## How the Committee has discharged its responsibilities during 2024/25

Key A&G Committee Activities	May 24	July 24	Sept 24	Nov 24	Jan 25	March 25
<b>Financial Reporting</b>						
Statement of accounts 2022/23 & 2023/24						
Review of Treasury Management Outturn 2023/24						
Treasury Management Performance Report						
Treasury Management Annual Investment Strategy 2025/26						
Treasury Management mid-term review						
Financial Management Code Compliance Assessment						
Financial Procedure Rules and Financial Regulations						
Accounting Polices						
<b>Internal Audit</b>						
Annual Report of the Chief Internal Auditor 2023/24						
Internal Audit Strategy and Plan 2024/25						
Reports from Audit Working Group						
Review of Internal Audit Reports and monitor of in-year progress						
Review of Internal Audit Charter and Quality Assurance Programme						
<b>External Audit</b>						
External audit updates						
Reforms to clear backlog in local audit. / Consultation Local Audit Strategy						
Pension Fund Audit						
<b>Governance &amp; Risk Management</b>						
Annual Governance Statement (AGS) for 2023/24						
Review of AGS action plan						
Risk Management update						
Oxfordshire Fire & Rescue Statement of Assurance						
Oxford Fire & Rescue Annual Report						
Local Government Ombudsman annual report						

<b>Key A&amp;G Committee Activities</b>	<b>May 24</b>	<b>July 24</b>	<b>Sept 24</b>	<b>Nov 24</b>	<b>Jan 25</b>	<b>March 25</b>
Monitoring Officer annual report						
Annual Report of A&G committee – draft						
Whistleblowing annual report						
Annual report of Health and Safety						
Constitutional changes from HR						
Constitution update						
Oxfordshire Code of Corporate Governance						
Policy on Councillor Training & Development						
Changes to Constitution of Pension Fund Committee						
RIPA policy						
Consultation – Strengthening the Standards and Conduct Framework						
Highways Contract Arrangements						
Electoral Fees and Charges						
<b>Counter-Fraud</b>						
Approval of Counter-Fraud Strategy and plan for 2024/25						
Counter-Fraud Plan update						

The Committee is supported by the Audit Working Group (AWG):

<b>Key Audit Working Group activities</b>	<b>July 24</b>	<b>Oct 24</b>	<b>March 25</b>
Internal Audit of Procurement Cards			
Internal Audit of Health Funded Payments			
Internal Audit of Adults Payments to Providers			
Internal Audit of Legal Case Management			
Internal Audit of Supported Transport – Contract Procurement & Contract Management			
Internal Audit of Strategic Contract Management			
Update on Counter Fraud Activity and Counter Fraud Risk Register			

## 2024/25 Key Achievements:

- The Committee and the Audit Working Group (AWG) have continued to review and monitor material weaknesses identified from the internal audit reports with Senior Managers attending to provide assurance on how the issues were being addressed. This has supported the implementation of the actions plans to deliver the required improvements in key areas for the Council.
- The Committee is pleased to note through review of the Internal Audit reports and monitoring by the Committee and AWG, of the agreed management actions that significant weaknesses in the system of internal control are being prioritised and addressed.
- The Committee has provided effective scrutiny of the treasury management strategy and policies. Receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management processes has contributed to good performance in this area.
- The Committee and AWG continue to consider key topics / areas of risk, seeking assurance from lead officers in the relevant areas that robust processes are in place. Areas considered during 2024/25 have included Whistleblowing, Highways Contract governance arrangements, Health & Safety, Risk Management and follow up of audits including Adults Payments to Providers, Procurement Cards, Legal Case Management and Supported Transport Contract Procurement and Contract Management.

## Our work in 2024/25

The key activities of both the Committee and the Audit Working Group are captured in the tables above. In summary:

### Financial Reporting

The Committee is responsible for the review and approval of the annual statement of accounts on behalf of the Council. The Committee has received regular updates on progress from the external auditors and officers.

The Committee receives and reviews the results of the Financial Management Code annual self-assessment.

The Committee receives reports from the Treasury Management Team, exercising its stewardship role. The Committee reviewed the Treasury Management Outturn Report 2023/24, the Treasury Management Mid-term Performance Report 2024/25 and the Treasury Management Strategy Statement and Annual Investment Strategy 2025/26.

## **Internal Audit**

The Committee approved the Internal Audit Strategy for 2024/25, including the annual audit plan. The Committee receives regular progress reports from the Chief Internal Auditor, including summaries of the outcomes from Internal Audit work. Through the Audit Working Group, the Committee monitors the progress with the implementation of management actions arising from audit reports.

Upon finalisation of an internal audit report, the executive summary is included in the quarterly update report to the Audit & Governance Committee. The Committee will request the Audit Working Group consider in more detail any internal audit reports which are graded Red and also any Amber reports where the Committee wants further assurance on. Senior Managers are asked to attend the Audit Working Group and explain how the issues identified are being addressed and the progress with implementation of the agreed management actions.

In response to Internal Audit reports the Committee and the Audit Working Group, has looked in detail at the following areas: Legal Case Management (overall conclusion graded red), Supported Transport Contract Procurement and Contract Management (overall conclusion graded red), Procurement cards (overall conclusion graded amber), Health Funded Payments (overall conclusion graded amber), Adults Payments to Providers (overall conclusion graded amber) and Strategic Contract Management (overall conclusion graded amber).

The Committee has continued to monitor the resourcing of Internal Audit. The Committee recognises the challenges in recruitment in this area and continue to be updated regarding the recruitment and retention strategies being adopted, which includes the recruitment of apprentice auditors within the team.

The completion of the Internal Audit Plan and the annual statement of the Chief Internal Auditor is produced for the Committee at the end of the financial year. Based on the evidence of the reports presented to the Audit Working Group and the Committee, the team continues to provide an effective challenge and therefore assurance on the key risk activities.

The Committee also met with the Chief Internal Auditor in a private session during November 2024 and is satisfied Internal Audit are free to carry out their duties without restrictions.

The Committee approve the Internal Audit Charter on an annual basis, this was approved at the July 2024 meeting.

(As previously reported: A review of the effectiveness of internal audit was undertaken by the Monitoring Officer during Autumn 2023 and reported to the November 2023 committee meeting. This concluded a strong level of satisfaction about the nature and effectiveness of the service. An external assessment of internal audit was also completed (this is undertaken once every five years) which was reported to the January 2024 committee meeting. The results of the external assessment were that internal audit are fully compliant with Public Sector Internal Audit Standards, and there were no recommendations arising.)

## **External Audit**

The Council's external auditors, Ernst and Young, attended committee meetings, providing regular updates on their work plan and any matters arising.

The Committee met with the external auditors in a private session in November 2024. The Committee is satisfied that they are free to carry out their duties without restrictions. The Committee are also assured that if identified, External Audit would bring any material issues to the attention of the Committee.

The statement of accounts for 2022/23 was published on 23 January 2024 following the resolution of the issues with the valuation of infrastructure assets. As a result of the delay, together with the wider requirements of the local audit reset the council's external auditors informed the council that they did not have the required resources available to complete the detailed audit procedures that would be needed to obtain sufficient appropriate audit evidence to issue an unmodified audit report. Therefore, the council has received a disclaimed opinion on the 2022/23 financial statements.

The 2023/24 accounts were published on 28 June 2024 and the external audit opinion was received in February 2025. Since it was not possible to have assurance over the brought forward balances from 2022/23 the council has received a disclaimed opinion on the 2023/24 accounts.

## **Governance & Risk Management**

The Committee approved the Annual Governance Statement (AGS) for 2023/24. This included improvement actions for 2024/25, within the following areas: Directorate Schemes of Delegation, HR Policies, Constitution Review, Information Commissioner's expectations when handling freedom of information requests, Review of CCTV and alarm monitoring arrangements, Review of Members and Officers fiduciary responsibilities, Governance Training Sessions.

The Committee and AWG receives and considers updates from officers on key topics/areas of risk such as seeking assurance that robust risk management, governance and internal control processes are in place. Regular risk management updates are provided to the Committee.

The Committee also considered the annual report of the Monitoring Officer; the annual report of the Local Government and Social Care Ombudsman; the annual report of Health & Safety; and the Fire and Rescue Service Annual Statement of Assurance, and the annual report of Whistleblowing. There were no material issues or concerns arising.

## **Counter-Fraud**

The Audit & Governance Committee receives annually the Counter Fraud Strategy and work plan. The Committee is regularly updated on progress on delivery of the work plan for counter fraud.

The Chief Internal Auditor provided regular updates to the Committee and the AWG on any reported matters of suspected fraud, including investigations. Outcomes of investigations are reported to and monitored by the Committee. The Committee plays a key role in monitoring the effectiveness of the Council's counter fraud arrangements.

The Committee received a report on Whistleblowing from the Monitoring Officer, that highlighted there have been few cases and where these have arisen, they have been investigated appropriately.

### **Audit & Governance Committee self-assessment 2023/2024**

At the end of 2022, CIPFA (The Chartered Institute of Public Finance & Accountancy), issued updated guidelines and a position statement to local authority audit committees. As part of those guidelines it is recommended that the committee undertakes a regular self-assessment exercise against the recommended standards set out in the CIPFA 2022 guidelines. The Audit & Governance Committee met in February 2023 and completed the self-assessment of good practice, which included a review of core knowledge and skills.

As previously reported, the self-assessment exercise concluded that the committee has a high degree of performance against good practice principles, that it is soundly based and has in place knowledge membership. The committee complies with the CIPFA position statement 2022 and has fulfilled its terms of reference, and the key issues escalated during the year.

One of the key recommendations of the CIPFA 2022 guidance is that all audit committees within local authorities have two independent members. The Audit and Governance Committee had already identified this as a required action. A recruitment exercise was conducted in 2024; however, the Council was unable to fill the roles. A further recruitment exercise is planned for early 2025. The Committee already has one independent member who has a well-developed knowledge of how the Council operates.



Council	Cabinet	People Overview & Scrutiny Committee	Performance & Corporate Services Overview & Scrutiny Committee	Place Overview & Scrutiny Committee	Education & Young People's Scrutiny Committee	Oxfordshire Joint Health Overview & Scrutiny Committee
Tuesday 10.30am	Tuesday 2.00pm	Thursday 10.00 am	Friday 10.00am	Wednesday 10.00am	Friday 10.00am	Thursday 10.00am
<b>2025</b> 8 Jul 9 Sept 4 Nov 9 Dec <b>2026</b> 10 Feb 24 Mar 12 May Annual Council	<b>2025</b> 17 Jun 15 Jul 16 Sept 21 Oct 18 Nov 16 Dec <b>2026</b> 27 Jan 24 Feb 17 Mar 21 Apr	<b>2025</b> 26 Jun 18 Sep 6 Nov <b>2026</b> 15 Jan 19 Mar	<b>2025</b> 18 Jul 12 Sept 5 Dec <b>2026</b> 16 Jan 17 Apr	<b>2025</b> 25 Jun 24 Sept 12 Nov <b>2026</b> 4 Feb 22 April	<b>2025</b> 13 June 1.00pm 11 July 26 Sept 21 Nov <b>2026</b> 27 Feb 27 March	<b>2025</b> 5 Jun 11 Sept 20 Nov <b>2026</b> 29 Jan 16 Apr

## Oxfordshire County Council Calendar of Meetings 2025/26<sup>1</sup>

Audit & Governance Committee	Planning & Regulation Committee	Pension Fund Committee	Health & Wellbeing Board
Wednesday 1.00pm	Monday 2.00pm	Friday 10.00am	Thursday 2.00pm
<b>2025</b> <a href="#">4 June</a> <a href="#">16 Jul</a> <a href="#">17 Sept</a> <a href="#">26 Nov</a> <b>2026</b> <a href="#">14 Jan</a> <a href="#">11 Mar</a>	<b>2025</b> <a href="#">16 June</a> <a href="#">14 Jul</a> <a href="#">1 Sept</a> <a href="#">13 Oct</a> <a href="#">24 Nov</a> <b>2026</b> <a href="#">12 Jan</a> <a href="#">23 Feb</a> <a href="#">13 Apr</a>	<b>2025</b> <a href="#">6 Jun</a> <a href="#">5 Sept</a> <a href="#">12 Dec</a> <b>2026</b> <a href="#">6 Mar</a>	<b>2025</b> <a href="#">26 Jun</a> <a href="#">25 Sept</a> <a href="#">4 Dec</a> <b>2026</b> <a href="#">12 Mar</a>

Teachers Joint Consultative	Employees Joint Consultative	Fire Service Joint Consultative	Local Pension Board
Thursday 2.00pm	Thurs 2.00pm	Friday 10.00am	Friday 10.30am
<b>2025</b> <a href="#">10 Jul</a> <a href="#">6 Nov</a> <b>2026</b> <a href="#">5 Mar</a>	<b>2025</b> <a href="#">12 Jun</a> <a href="#">2 Oct</a> <a href="#">27 Nov</a> <b>2026</b> <a href="#">5 Feb</a>	<b>2025</b> <a href="#">20 Jun</a> <a href="#">19 Sept</a> <a href="#">28 Nov</a> <b>2026</b> <a href="#">20 Mar</a>	<b>2025</b> <a href="#">4 Jul</a> <a href="#">17 Oct</a> <b>2026</b> <a href="#">23 Jan</a> <a href="#">24 Apr</a>

### Notes

<sup>1</sup> Dates are subject to change. The website will be updated and Members notified accordingly.