

Appendix 21 - Urgent Decision Making Protocol

- 1 In accordance with the Constitution, the Council undertakes its business via a range of functions, namely Council meetings (Full Council, Executive and Regulatory committees), Scrutiny meetings, Executive Member Decisions and Officer Decisions.
- 2 In response to national advice and guidance (as experienced during the COVID-19 Pandemic), where the Council is unable to sustain the above mentioned functions and an urgent Scheme of Delegation is required to enable business as usual decision making to still take place safely and as transparently as possible. This allows for there to be a mechanism in place which can ensure the Council can make urgent decisions so as to fully protect and meet the best interests of the Council, its Officers and residents.

Decisions to be taken using the Urgent Powers of the Chief Operating Officer

- 3 The Chief Operating Officer or their nominated deputy (see below) has the following delegations:
 - a) To take such immediate action as they consider necessary to implement the Council's peace time emergency planning scheme, or to take such decisions in the event that a constitutionally prescribed decision making meeting cannot be convened within the required timeframe or in direct response to Central Government guidance or direction;
 - b) The power to take any decision, including a key decision, in a situation where the matter is urgent and does not allow time for a report to be considered by the Council, the Executive, the relevant Executive Member or the appropriate Committee. Wherever possible, in the case of any key decisions, such decisions shall be made in consultation with the Leader of the Council or the Deputy

Leader. The decision shall be reported to the next appropriate and available meeting.

- 4 A nominated deputy to the Chief Operating Officer has the following powers:
 - a) The Chief Operating Officer will designate one of the Corporate Directors as the deputy to the Chief Operating Officer. Such designation shall carry with it the delegation to exercise all and any of the Chief Operating Officer's specific delegated functions, during any period where the Chief Operating Officer is absent in the sense that they are not in a position to exercise the powers of the Chief Operating Officer, for example due to sickness, incapacity, a position of conflict or being out of contact in the case of emergency.
- 5 Please note this excludes those decisions which are required to be made by the following Officers in their statutory capacity:
 - a) Corporate Director for People
 - b) Chief Finance Officer (s151)
 - c) Director of Governance (Monitoring Officer)
 - d) Director of Public Health

Process to be followed

- 6 When considering each decision, the Chief Operating Officer and / or their deputy will receive a sufficiently detailed report from the relevant/appropriate Chief Officer. As a mandatory minimum, each report will detail implications relating to Finance, HR, Legal and Public Health.
- 7 The Chief Operating Officer and / or their deputy prior to making the decision will consult with:
 - a) The Leader of the Council and in their absence the Deputy Leader;

- b) The Chief Finance Officer (s151 Officer);
 - c) The Director of Governance (Monitoring Officer);
 - d) Head of HR (where relevant and appropriate);
 - e) Director of Public Health (where relevant and appropriate).
- 8 Once the decision has been taken, the decision record and the detailed report will be provided to the Monitoring Officer and in their absence the Head Civic, Democratic and Scrutiny Services, and arrangements will be made for the decision to be published on the Council's website. The decision template will record the views offered by the Leader of the Council (or Deputy Leader) and other consultees.
- 9 All decisions made will be reported on a retrospective basis by the Monitoring Officer to the relevant Committee.