Annex 5

DELEGATIONS TO OFFICERS

PART A - INTRODUCTION

A1 The Railways and Transport Safety Act 2003 provides that the British Transport Police Force (BTP) shall be under the direction and control of the Chief Constable. This document sets out the scheme of delegated authorities between BTPA, the Chief Constable and Chief Executive and Clerk. This Scheme delegates power to the Chief Constable in respect of the operations of the force and for making appointments (other than the most senior appointments) to BTP. In order to secure administrative efficiency the Authority has also delegated a number of functions to the Chief Executive and Clerk. If there is an urgent decision to be made which is not covered by this scheme of delegations, the Urgency Procedure under Standing Order 12 will be used.

A2 The Authority has certain duties (see the Governance Statement).

The Chief Constable and the Chief Executive and Clerk (as the case may be) shall observe and comply with the constraints imposed by the Financial Framework document from DfT. The current key constraints/limits are shown in the Governance Statement.

A3 The delegations to the Chief Constable and the Chief Executive and Clerk are set out in Parts B and C; they do not include powers assigned to them by specific statutory provisions under Acts of Parliament. Part C contains the Financial delegations

A4 The duties and responsibilities are subject to compliance with other policies or regulations approved by the Authority, including:

(i) Management Statement & Financial Memorandum;

(ii) Authority Governance Statement;

(iii) Authority Financial Regulations;

(iv) Authority Procurement Regulations;

(v) agreed terms and conditions of employment;

(vi) approved budgetary provision; and

(vii) any Code of Practice relating to specific functions.

A5 In the absence of the Chief Constable the duties and responsibilities of that officer may be exercised by the Deputy Chief Constable. In the absence of the Chief Executive and Clerk the duties and responsibilities of that officer may be exercised by another person designated by the BTPA after consultation with the Chairman of the Authority.

A6 The Chief Constable may arrange for any of the duties and responsibilities set out in Part B to be exercised by other members of BTP.

PART B – MATTERS DELEGATED TO THE CHIEF CONSTABLE

AUTHORITY TO INCUR EXPENDITURE AND ENTER INTO CONTRACTS

B1 To be responsible for the management of the budget for the Force, including the following areas:

(a) to delegate the authority to incur expenditure and enter into contracts to ensure that the Force can operate effectively whilst retaining an adequate degree of control; and

(b) to ensure that all goods and services are purchased in accordance with Financial Regulations, Procurement Regulations, and budgetary provisions.

B2 To make arrangements for all authorised payments to be made from the budget and any other funds maintained by the Authority and to authenticate cheques bearing lithographic signatures where required under the Authority 's banking arrangements.

B3 To ensure that all items or schemes included in the Capital Programme are purchased in accordance with Financial Regulations and Contract Regulations.

B4 To renew existing insurance policies where the present insurers offer either reduced terms or the continuation of existing terms which must be accepted in accordance with long term agreements.

B5 To authorise payments without prior approval, irrespective of whether or not provision has been made in the revenue budget, in relation to:

(a) payments required by statute;

(b) payments ordered by a court; and

(c) payments due under any agreement entered into by or on behalf of the Authority.

AUTHORITY TO APPOINT AND MANAGE OFFICERS AND STAFF OF BTP

B6 To appoint police officers other than ACPO ranks to become officers of BTP.

B7 To manage and direct the Senior Officers of BTP including the Force Finance Director and Director of HR.

B8 To determine the number and grades of civilian staff other than the Force Finance Director and Director of HR.

B9 With the exception of the Force Finance Director and Director of HR, to appoint police staff to be members of BTP and to determine whether the appointments should be permanent, fixed term or temporary.

B10 To arrange for the management, training and development of police staff of BTP, and to determine any issues requiring decisions or the exercise of discretion under the terms and conditions applying to such appointments.

B11 To operate the agreed grievance and disciplinary procedures including authority to dismiss police staff other than in the case of posts designated as Authority appointments.

B12 To implement relevant national pay awards.

AUTHORITIES RELATING TO BUILDING, EQUIPMENT AND VEHICLES

B13 To make arrangements for the management, maintenance and security of all premises owned by, leased to or otherwise occupied by BTP, including finance leases for vehicles.

B14 To enter into or renew licences or leases for premises required by BTP and to make appropriate arrangements for premises owned or leased which are no longer required, subject to:

(a) the period of lease or tenancy not exceeding ten years; and

(b) the annual payment or receipt (exclusive of rates or service charges) not exceeding £200,000 pa.

B15 To grant or accept wayleaves.

B16 To settle dilapidation claims and compensation payments at the termination of leases and lettings.

B17 To arrange for the provision of telephones and radio communication and other technical services for operational purposes.

B18 To select and procure vehicles and equipment required by BTP and to dispose of vehicles and equipment, which are no longer suitable for operational use.

B19 To select and procure equipment, furniture and materials for use by BTP, and to:

(a) dispose of any surplus equipment, furniture, stocks and stores no longer required for operational use; or

(b) write off equipment, furniture, stocks and stores found to be damaged or obsolete.

AUTHORITY TO INITIATE OR DEFEND LEGAL ACTIONS

B20 To initiate legal proceedings and to arrange for legal actions to be defended in order to promote and protect the interests of BTP, including proceedings for the possession of property and recovery of debt.

B21 To authorise settlement of civil claims for loss or damages resulting from the operational activities of the BTP subject to a maximum of £40,000 in any one case.

B22 To represent the Force, or to arrange for the Force to be represented, at Employment Tribunals in relation to any appeals or claims from members or former members of BTP, and to authorise settlement of such appeals or claims subject to a maximum of £50,000 per claim.

B23 To seek Counsel's opinion or other specialist advice on matters falling within B20-B22 above.

B24 To exercise his functions under this heading in consultation with the Chief Executive and Clerk in accordance with a Litigation Protocol approved by the Authority.

MISCELLANEOUS AUTHORITIES

B25 To determine appropriate fees and charges for services provided to Police Services Users in accordance with the terms of the relevant Police services Agreement and the policy of the Authority, and for services provided to other organisations and individuals with a view to at least recovering the costs of such services having

B26 To write off irrecoverable debts up to a maximum of £30,000 in any one case (excluding debts arising under police services agreements).

B27 To accept gifts, loans or sponsorship not exceeding £50,000 in accordance with a Sponsorship Policy approved by the Authority.

B28 To invoice customers for services provided under Police Service Agreements or other arrangements and the recovery of charges

PART C - MATTERS DELEGATED TO THE CHIEF EXECUTIVE AND CLERK

C1 To obtain specialist advice including Counsel's opinion required to assist the work of the Authority, Committee, sub-Committee or working group.

C2 To initiate legal proceedings and to arrange for legal actions to be defended in order to promote or protect the Authority's interests.

C3 In consultation with the Chairman and in accordance with Standing Orders, to appoint Members to serve on Committees.

C4 To respond to consultations on proposals affecting the Authority if required in advance of meetings, having regard to the views of the Chairman and Chief Constable as appropriate.

C5 To authorise on behalf of the Authority interim delegation arrangements in respect of new legislation in cases where action may be required pending consideration by the Authority.

C6 To sign documents on behalf of the Authority or witness the Common Seal of the Authority to BTP matters.

C7 To decide cases of uncertainty in relation to a Member's expenses and allowances and, in consultation with the Chairman, to authorise in advance attendance by Members at meetings and conferences as approved duties.

C8 To place orders for goods and services and incur expenditure within the financial limits provided in the Authority's revenue budget.

C9 To arrange for the provision of an internal audit service (within the policy framework agreed by the Authority) including inviting tenders and entering into a contract where appropriate.

C10 To arrange for salary and other payments to be made to Authority staff in accordance with the terms and conditions applying to those posts, and to give effect to annual salary increases and national pay awards.

C11 To authorise payment of expenses and allowances for Members, officers and job applicants in accordance with the approved schemes.

C12 Conduct of legal proceedings and/or dispute processes in respect of charges for police services or other matters arising out of Police Services Agreements.

C13 Entering into, amending, terminating and signing Police Services Agreements for the provision of police services.

C14 Representing the Authority at and acting as Chairman of meetings of the Police Conference.

C15 Levying charges for police services in accordance with Police Service Agreements and in conformity with policies and guidelines established by the Authority.

C16 To determine appropriate fees and charges for services provided to Police Services Users in accordance with the terms of the relevant Police services Agreement and the policy of the Authority, and for services provided to other organisations and individuals with a view to at least recovering the costs of such services having

C17 To manage the BTPA budget.

PART D – SCHEME OF FINANCIAL DELEGATIONS

Note 1: Delegations of authority in respect of expenditure on capital programme/investment matters is subject to inclusion in the Capital Programme/Investment plan approved by the Authority. Exercise of delegated authority by the Chief Constable is subject to a report from the Chief Officers Group and consultation with the Chief Executive and Clerk to the Authority and the Treasurer.

Note 2: In these delegations "investment" means any expenditure in the pursuit of Force objectives, which is over and above the everyday running costs of the Force. It includes IT equipment and systems or other ad hoc corporate initiatives (e.g. accommodation issues); and feasibility or other studies undertaken by consultants.

Function	**Urgency Committee**	**Chief Executive and Clerk to Committee**	**Chief Constable**	**Force Finance Director**
Authority to incur expenditure				
(1) For operational purposes not otherwise provided for in the budget and in emergency	£1m	-	£0.5m	£50,000
(2) For capital programme and investment purposes (see Note 1)	£500K	-	£250K	£250,000
(3) Consultants, legal advice and services, and other professional services	£500,000	£100,000	£100,000	-
(4) Support services to Members of the Authority, conferences etc.	£20,000	£10,000	-	-
Banking Arrangements				
Changes in banking arrangements including the opening or closure of accounts				Subject to consultation with the Clerk to Authority and Treasurer
Approval of invoices for payment	-	Unlimited	Unlimited	Unlimited
Virement from revenue to investment (subject to approval by the	£500,000	-	£250,000	£50,000

Treasurer)				
Function	**Urgency Committee**	**Chief Executive and Clerk to Committee**	**Chief Constable**	**Force Finance Director**
Authorisation of Procurement (Contracts for Supplies and Services) (see Notes)				
(1) Acceptance of lowest tender after competitive tendering	£2M (see Note 3)	£1m	£1m	£250,000
(2) Acceptance of a bid for any contract other than the lowest	£500,000 (see Note 2)	£500,000	£500,000	£250,000
(3) Acceptance of a bid for a **capital** project or contract without competitive tendering (subject to OJEC limits)	£1m (or OJEC limit if lower (see Note 2)	£500,000	£500,000	£100,000
(4) Acceptance of a bid without competitive tender for a **revenue** contract	£500,000	£250,000	£250,000	£100,000
(5) Signing contracts		Unlimited	£1m	£500,000
Contracts for Sale of redundant assets				
(1) Acceptance of highest bid after competitive tender	£250,000	£100,000	£100,000	£50,000
(2) Other	£250,000	£100,000	£25,000	£12,500
Write off of assets				
(1) Stock	£100,000	-	£100,000	£50,000
(2) Third party debts (excluding debts arising under Police Services Agreements)	£50,000	£20,000	£20,000	-
Borrow or invest cash	**Nil**	**Unlimited**	**Unlimited**	**Unlimited**
Property and Estate matters				
Acquiring, surrendering or terminating leasehold premises for police operational purposes (excluding Force Headquarters) within budgeted finances	£500,000 p.a.	-	£150,000 p.a.	

Function	Urgency Committee	Chief Executive and Clerk to Committee	Chief Constable	Force Finance Director
Employee Matters				
Implementation of pay awards and bonus payments for police staff in accordance with PNB awards and Home Office approval	-	-	Unlimited	-
Implementation of Pay awards to civilian staff negotiated in accordance with pay parameters set by Police Authority	-	-	Unlimited (subject to consultation with Clerk and Treasurer)	-
Implementation of Pay awards to ACPO Officers in accordance with PNB awards and Home Office approval	Unlimited	-	-	-
Ex gratia payments to staff other than temporary payments due to grade changes	£10000	£5000	£5000	