



# Scheme of Delegation

Reviewed & Re-Adopted at the Meeting of 4 May 2021

## **1. Background and Purpose**

- 1.1. Local Councils may only do what legislation requires or permits them to do. With some specific exceptions, the Council may – in accordance with the Local Government Act (LGA) 1972 s.101 - delegate functions<sup>1</sup> to committees, sub committees, officers, or other authorities.
- 1.2. This document has been written to clarify who has responsibility for which activities of the Council, in order to:
  - 1.2.1. Help improve administrative efficiency (by delegating more routine tasks to officers, thus removing the hold-ups caused by having to wait for approval of routine matters at meetings);
  - 1.2.2. Reduce the volume of items being brought to each meeting for discussion;
  - 1.2.3. Allow meetings to focus on matters such as planning, policy, projects and the Council's long-term strategic objectives and in so doing;
  - 1.2.4. Facilitate shorter, more effective meetings which result in greater outputs;
  - 1.2.5. Aid transparency about how the Council works.

## **2. Responsibilities Vested in the Full Council**

- 2.1. Certain functions cannot be delegated and are therefore reserved to the full Council, although an appropriate committee, working group or officer may make recommendations thereon for the Council's consideration.
  - 2.1.1. Setting the precept and approval of the Council's budget
  - 2.1.2. Approval of the Annual Accounts
  - 2.1.3. Completion of the Annual Return including the Governance Statement
  - 2.1.4. Consideration of an Auditor's report made in the public interest
  - 2.1.5. The making, amending or revoking of Standing Orders, Financial Regulations and this Scheme of Delegation
  - 2.1.6. Adoption or revision of the Council's Code of Conduct.
  - 2.1.7. Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence
  - 2.1.8. Determination and review of the Bank Mandate

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<sup>1</sup> For the purpose of this scheme a function of the Council means any activity that the Council may lawfully perform under statute or common law.

- 2.1.9. Matters of principle or policy
- 2.1.10. Nomination or appointment of Council representatives to outside bodies
- 2.1.11. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
- 2.1.12. The making, amending or revoking of bye-laws
- 2.1.13. Agreement to write off bad debts
- 2.1.14. Approval by resolution, before payment, of any grant or single commitment in excess of £1,000.
- 2.1.15. Authorisation as to terms and purpose for any application for Borrowing Approval and subsequent arrangements for the loan.
- 2.1.16. Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (eg hire purchase or leasing of tangible assets)
- 2.1.17. Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property over £250.
- 2.1.18. Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land).
- 2.1.19. Approval of the virement of unspent and available amounts to other budget headings or reserves
- 2.1.20. Approval of changes in earmarked reserves as part of the budgetary process
- 2.1.21. All other matters which must, by law, be reserved to the full Council.

### **3. Parish Clerk**

- 3.1. The Parish Clerk shall be the Proper Officer and the Responsible Financial Officer of the Council as defined in law and shall carry out the functions of these roles as prescribed within statute and set out in the job description for this role.
- 3.2. The Clerk may delegate to the Assistant Clerk, to undertake functions delegated to the Proper Officer.
- 3.3. Delegated actions of the Clerk or other officer shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation.
- 3.4. In a situation where it is felt more guidance is needed, Officers may choose not to exercise delegated authority, but to refer a decision to a Committee or the Council.
- 3.5. The Parish Clerk is specifically authorised to:
  - 3.5.1. Issue all statutory notifications.
  - 3.5.2. Receive declarations of acceptance of office.
  - 3.5.3. Receive and publish members' Registers of Interests
  - 3.5.4. Receive and record notices disclosing pecuniary interests.
  - 3.5.5. Deal with dispensation requests from Members under the Code of Conduct.
  - 3.5.6. Receive and retain documents and plans.
  - 3.5.7. Sign notices or other documents on behalf of the Council.
  - 3.5.8. Receive copies of By-laws made by principal authority.
  - 3.5.9. Certify copies of By-laws made by the Council.

- 3.5.10. Sign summons to attend meetings.
- 3.5.11. Ensure compliance with Standing Orders and Financial Regulations.
- 3.6. In addition, the Clerk is authorised to undertake the day to day administration of the Council, to include:
  - 3.6.1. Day to day supervision and control of all staff employed by the Council.
  - 3.6.2. Implementing national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service as amended by Local Agreement.
  - 3.6.3. Managing the provision of Council services, buildings, land and resources.
  - 3.6.4. Expenditure of up to £100 (per item) in the course of undertaking 3.6.3 above and/or in implementing the resolutions of the Council. (This limit will only apply where no specific budget has been agreed in advance and where relevant budgetary provision exists).
  - 3.6.5. Incurring expenditure in an emergency up to £1000 whether budgeted or not.
  - 3.6.6. Acting on behalf of the Council in an urgent situation and reporting back to the Council as soon as practical.
  - 3.6.7. Dealing with matters specifically delegated by Council or Committee.
  - 3.6.8. Implementing the decisions of the Council – in relation to projects or initiatives requiring a financial commitment – in the way considered most appropriate, having regard to financial regulations, standing orders and any agreed budget.
  - 3.6.9. Organising in-house training as appropriate and authorising staff and councillors' attendance at externally run training courses and conferences, within the agreed budget.
  - 3.6.10. Authorising minor adjustments to contracts of employment.
  - 3.6.11. Dealing with all disciplinary hearings in accordance with the Council's Disciplinary Policy.
  - 3.6.12. Responsibility for the overall management of budgets in accordance with Council Policies.
  - 3.6.13. Issuing press releases on any Council activity or known policies, subject to the provisions of the Council's Communications with the Press and Media Policy.
  - 3.6.14. Updating and managing the content on the Council's website.
  - 3.6.15. Making arrangements for the maintenance of the office IT system.
  - 3.6.16. Co-ordinating the production of and preparing articles for the Council's quarterly newsletter.
  - 3.6.17. Disposing of Council records according to legal restrictions and an agreed retention and disposal policy.
  - 3.6.18. Acknowledging and handling all complaints regarding the council (except where the complaint relates to the clerk)
  - 3.6.19. Arranging payment of annual grants provided for within the budget without further recourse to the Council (save for the sums' inclusion on the accounts for payment schedule).

3.6.20. Making arrangements for the routine maintenance of the Parish Office and other assets.

3.6.21. Organising remedial work to broken or damaged assets as required up to the value of £1000.

3.6.22. Responding to planning applications on the Council's behalf in exceptional circumstances if the Council has been unable to meet to discuss an application, (having first sought the view of councillors via email).

#### **4. Assistant Clerk**

4.1. The Clerk may delegate to the Assistant Clerk, to undertake functions delegated to the Proper Officer.

#### **5. Revocation of Delegated Responsibility**

5.1. The Council may at any time, following resolution, revoke any delegated authority.

#### **6. Compliance with Other Frameworks and Documents**

6.1. It should be noted that all activities and functions of the Council (irrespective of who has responsibility for them) must be executed in accordance with the law, proper practices and the Council's key governing and policy documents (chiefly its Standing Orders, Financial Regulations and budget).