



Scheme of Delegation July 2020

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

Proper Officer and Responsible Financial Officer Duties and Powers

1. Responsible Financial Officer

The Parish Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Parish Council's accounting procedures, in accordance with the Accounts and Audit Regulations, financial regulations and other approved policies and instructions in force at any given time.

2. Proper Officer

2.1 The Parish Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- 2.1.1 Receive declarations of acceptance of office;
- 2.1.2 Receive and record notices disclosing pecuniary interests;
- 2.1.3 Receive and retain plans and documents;
- 2.1.4 Sign notices or other documents on behalf of the Council;
- 2.1.5 Sign summonses to attend meetings of the Council.

2.2 In addition, the Parish Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- 2.2.1 The day to day administration of services, together with routine inspection and control.
- 2.2.2 Day to day supervision and control of all staff employed by the Council.
- 2.3.2 Authorisation of routine expenditure within the agreed budget.

2.3 Delegated actions of the Parish Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

2.4 In the absence of the Parish Clerk, all the responsibilities of that post will be delegated to the Deputy Clerk.

3. Council

3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.

3.1.1 Setting the Precept;

3.1.2 Borrowing money;

3.1.3 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.

3.1.4 Making of Orders under any Statutory powers;

3.1.5 Matters of principle or policy.

3.1.6 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);

3.1.7 Any proposed new undertakings;

3.1.8 Prosecution or defence in a court of law;

3.1.9 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.

3.1.10 Approval of the Annual Return (Statement of Accounts)

3.1.11 Approval of the year end accounts.

4. Committees

4.1 The **Policy and Resources Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- All matters relating to Finance, except 3.1.10 and 3.1.11 above.
- Partnership Working
- To make recommendations to Council on matters of its own budget.
- All matters relating to Staff, based on recommendations made by the Personnel subcommittee. This Committee may decide that it wishes to refer such matters to the Council for final decision, subject to the matters reserved for final decision for legal reasons.
- General Administration
- Review of the effectiveness of the Council's policies and strategies
- Civic Activities/Local Democracy
- Maintenance and repair of all the buildings owned by the Council
- Personnel Policies
- Any other matter which may be delegated to it by the Council from time to time.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Corporate Management
- Financial management including the annual Budget
- Democratic Representation
- Civic and Ceremonial
- Health and Safety Policies and Procedures

The Committee may refer specific matters to the Council for a final decision if it so wishes.

4.2 **The Community and Environment Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Allotments
- Pensioners Gardening Service
- Play facilities, including Brookside Skate-Park
- Community Events
- Grants to community groups
- Community activities
- Youth Services
- Environmental Projects
- St James Closed Churchyard
- Footpaths and Bridle Ways
- Bus Shelters
- Licensing Matters
- Planning Applications
- Neighbourhood Plan
- Street Naming
- To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate.
- Any other matter which may be delegated to it by the Council from time to time

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year.
- Any funding required outside of the set budget in any given financial year.
- Any other matter which may be delegated to it by the Council from time to time.

4.3 **Emergency Committee**

In the event of any matter arising which requires an urgent decision (that is, one which cannot wait until a special meeting of the appropriate committee can be convened) and falls outside the delegated authority already herewith granted to the Clerk, the Parish Clerk shall forthwith consult with the Chair and Vice-Chair of the appropriate Committee (and also with the Chair and Vice-Chair of the Policy Committee if the matter involves expenditure not provided for in the annual budget).

4.3.1 Having thus consulted, the Clerk will decide if it is appropriate to call a meeting of the **Emergency Committee** at which the matter for urgent attention will be discussed. The Clerk will ensure that the opinions of the Chairs and Vice Chairs, with whom the matters have previously been discussed are expressed at the Emergency Committee.

4.3.2 The Emergency Committee has delegated authority to act on behalf of the Council in respect of the particular matter then under consideration.

4.3.3 Whenever any action is taken under this delegated authority, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

5. Sub Committees

5.1 The **Personnel Subcommittee** will make recommendations to the Policy and Resources Committee on all matters relating to the terms of employment and other employment-related issues and the health and safety of staff, members and the general public in relation to the Council's liabilities. Where a decision is required before a meeting of the Policy and Resources Committee the matter shall be referred, if possible, to the next meeting of the Council (if it pre-dates the Policy and Resources Committee), except where to do so would prejudice further action in the event of grievance, disciplinary or other action.

5.2 The **Personnel Subcommittee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure, including any decisions arising therefrom.
- Appraisal of the Parish Clerk.

Policies on the following are reserved to the Policy and Resources Committee, but the Personnel subcommittee will make recommendations:

- Salaries;
- Conditions of Service;
- Staff levels;
- Consideration of staffing reviews;
- Recruitment of staff
- Matters relating to the council's health and safety policies, procedures and liabilities.

It is vital that the Personnel Subcommittee keeps confidential its deliberations and decisions particularly in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.

In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of the Personnel Sub-committee must agree to undertake training in these matters.

5.3 The **Appeals Subcommittee** is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Personnel Subcommittee in Grievance, Disciplinary and Capability matters.
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.

In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of the Appeals Sub-committee must agree to undertake training in these matters.

Membership of the Appeals Subcommittee is not open to members of the Personnel Subcommittee.

The Personnel and Appeals Subcommittees are subcommittees of the Policy Committee.

- 5.4 The **Audit subcommittee** is delegated to undertake checks on the effectiveness of internal financial and audit systems as required by financial regulations and standing orders. Any recommendations will be referred to the Policy and Resources Committee.
- 5.5 There are no other Standing Sub-committees but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-committee is formed by means of a Minute detailing the Terms of Reference.
- 6. Working Groups/Parties**
- 6.1 Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it.
- 7. Delegation - Limitations**
- 7.1 Committees and Sub Committees shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.

Review: July 2021