Faldingworth Parish Council

Scheme of Delegation Policy

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

1. Responsible Financial Officer Duties & Powers

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 in force at any given time.

2. Proper Officer Duties & Powers

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

a) Receive declarations of acceptance of office;
b) Receive and record notices disclosing interests at meetings;
c) Receive and retain plans and documents;
d) Sign notices, agreements, licences or other documents on behalf of the Council;
e) Receive copies of By-laws made by another local authority;
f) Certify copies of By-laws made by the Council;
Sign and issue summonses to attend meetings of the Council.
g) Keep proper records for all Council Meeting
h) Notify the Returning Officer of any casual vacancies and liaise with him regarding the conduct of elections

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

a) The day to day administration of services, together with routine inspection and control.
b) Day to day supervision, recruitment and control of all staff employed by the Council, save where the Grievance & Discipline Procedures take precedence.
c) Authorisation of routine expenditure within the agreed budgets.
d) Emergency or necessary expenditure up to £500 outside of the agreed budget.
e) Where, and only where Council cannot make a valid comment within the time frame, the consideration, for consultation purposes, of minor planning applications in consultation with 2 Councillors, *(one of whom shall be the Chair or Vice Chair)*
f) Dealing with all press and public relations on behalf of the Council as per the adopted Media Policy

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.

3. Council

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

a) Setting the Budget & Precept;
b) Borrowing money;
c) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
d) Making, amending or revoking By-laws;
e) Making of Orders under any Statutory powers;
f) Matters of principle or policy.
g) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
h) Authorising the incurring of expenditure not provided within the approved budget;
i) Any proposed new capital undertaking;
j) Prosecution or defence in a court of law;
k) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
l) Creation of Committees and membership therein;
m) Consideration of eligibility to use the Power of Well Being;
n) Confirming the appointment of the Parish Clerk

Sections 102 & 103 Local Government Act 1972 allows for the discharge of the Council's functions by a Committee, a Sub-Committee or an Officer of the Authority.

Committees and Sub Committees where appointed shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations and this Scheme of Delegation where applicable and may only be exercised where sufficient budgetary provision exists or can be varied from which the approved budget of the Committee. The Committees must operate within the statutory framework of powers and duties granted by way of rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.

Committees, unless the Council otherwise directs, may arrange to devolve any of its functions to one or more Sub-Committees or to Officers of the Council

Committees shall appoint a Chairperson and Vice-Chairperson at their first meeting following the Annual Meeting of Council.

Committees shall meet within the timetable approved by the Council at its Annual Meeting.

The Minutes of the Committee Meetings shall be presented to the next meeting of Council for adoption.

Meetings shall be open to the public, although the Committee may resolve to exclude the press and public under s1 Public Bodies (Admission to Meetings) Act 1960 only when the following confidential matters are to be discussed:

a) Engagement, terms of service, conduct and dismissal of employees;
b) Terms of tenders, proposals and counter-proposals in negotiation for contracts;
c) Preparation for cases in legal proceedings; and
d) Early stages of any dispute.

All members of the Council shall receive agendas and supporting papers of Council and all Committees where appointed by e-mail except where it is not appropriate *(With the exception of*

Personnel, where only the members shall receive correspondence and pink papers will be handed out in person only and returned back to the Clerk). Members not on a committee will be treated as if they were members of the public in meetings, but may remain through closed sessions at the Chair's discretion.

4. Urgent Matters

In the event of any matter arising ***which requires an urgent decision*** notwithstanding delegated powers granted by paragraph 2.2.4 above the Parish Clerk shall forthwith consult with the Chairperson and Vice-Chairperson of the Council *(if the matter involves expenditure not provided for in the annual budget)* and those Members so consulted together with the Parish Clerk shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

Before exercising the delegated powers granted by paragraph 6.1 above, those Members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a Special Meeting of the Council.

Before exercising the delegated powers granted by paragraph 6.1 above, Chair and Vice Chairperson shall consider whether the matter is of sufficient importance to justify that a Special Meeting of the Council should be called.

Whenever any action is taken under this Standing Order, 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 Council.

5. Committees

Committees may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Committee is formed by means of a Terms of Reference Policy adopted by Council.

6. Working Groups / Parties

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.

- ADOPTED AS PER MINUTES OF COUNCIL 20 NOV 2024