



St Stephen Parish Council Scheme of Delegation

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Introduction

This Scheme of Delegation authorises the Clerk/Responsible Financial Officer, Assistant Clerk and Committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Parish Clerk

The Parish Clerk is designated and authorised to act as Proper Officer of the Council for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of Proper Office, and as such is specifically to act with delegated authority in the specific circumstances detailed below. Delegated authority to the Parish Clerk shall be conveyed to the Assistant Clerk when deputising for the Clerk. The Clerk may nominate another named Officer to carry out any powers and duties, which have been delegated to the Clerk.

Governance

- Receive declarations of acceptance of office
- Receive and record notices disclosing personal and prejudicial interests
- Receive and retain plans and documents
- Sign notices or other documents on behalf of the Council
- Sign summonses to attend meetings of the Council
- To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with him or her regarding the conduct of elections

Administration/Finance

- The day to day administration of services, together with routine inspection and control
- Day to day supervision and control of all staff employed by the Council
- To maintain a continuous internal audit
- To sign and publish the annual public notice that the Audit of Accounts is to take place and has taken place
- Authorisation of routine expenditure within the agreed budget
- Emergency expenditure of up to £5,000 outside the agreed budget
- To take any proceedings or other steps to enforce and recover any debt owing or other obligation to the Council
- To administer the Council's bank balances and undertake movements between accounts in line with Financial Regulations and Internal Controls
- To institute, defend and appear in any legal proceedings authorised by the Council
- To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of St Stephen)
- To alter the date or time of a Council/committee meeting but, before doing so, shall consult with the relevant Chair about the need for the change and about convenient alternative dates and times
- To maintain adequate insurance cover for the Council's activities and property
- To seek grants that aid the Council meeting its objectives

Facilities and Asset Management

- To decide the arrangements for the closure of the Council offices in the Christmas/ New Year period, subject to consultation with the Chair and Vice-Chair of the Council
- To manage the Council's facilities and assets in accordance with Financial Regulation and Risk Management
- To manage the sports pitches, play areas, open spaces, car parks, trees and street furniture for which the Council is responsible in a safe condition and in accordance with good practice
- To maintain, repair and renew the Council's motor vehicles, plant and equipment as required
- Enter into contracts for the supply of Utilities subject to receiving three quotations

Staff Management

The Parish Clerk is given delegated authority to manage the Council staff in accordance with the Council's policies, procedures and budget including:

- The employment of temporary employees
- The employment of permanent employees in conjunction with the HR Committee
- The authority to sanction and authorise payment of overtime in exceptional circumstances so long as the costs can be contained within the parameters of the approved budget
- Control of staff performance and discipline, including the power of temporary suspension from duties
- Monitoring, management and reporting of regular or sustained staff absence
- Payment of expenses and allowances in accordance with the Council's agreed policies
- To present to the HR Committee recommendations for employees' increments in accordance with the Council's staff appraisal system
- To report on HR matters to the HR Committee
- To book training courses for Members and Staff in accordance with the Training and Development Policy

As the Responsible Financial Officer the Parish Clerk shall be responsible for the Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

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

2. Council

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

- Setting the precept
- Approval and adoption of the budget
- Borrowing money
- Matters involving expenditure for which budget provision is not made or is exceeded
- Approve the statutory annual return
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Making, amending or revoking by-laws
- Making of orders under any statutory powers
- Matters of principle or policy
- Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting conferences or approved meetings)
- Any proposed new undertakings
- Prosecution or defence in a court of law
- Nomination or appointment of representatives of the council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- Agreeing the Council's priorities, strategy, aims and objectives including the Terms of Reference for the Council committees

3. Committees

The committees are defined in the Terms of Reference, agreed at the Annual Parish Council Meeting, and are delegated to operate within those terms. Any expenditure can only be approved within the available budget for that committee.

The committees may from time to time be delegated authority from the Full Council to deliver a service or project, with the exception of any items under section 2.

Members will be advised by the Clerk whether or not a particular item under discussion is within the Committee's delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDED" and will then be brought to the Council's particular attention by the Chair of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes. This item can be discussed in full by the Council.

A committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.

A committee chair may in conjunction with the Clerk cancel or call an additional meeting of the committee they represent.

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

4. Working Groups/Parties including Task and Finish Groups

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.

5. Urgent Matters

In the event of any matter arising which requires an urgent decision the Clerk shall consult the Chair and Vice Chair and the Chairs of any relevant committees and with the concurrence of those member(s) 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 5 (1) above, the Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of the Full Council (in accordance with Standing Order 6a) or appropriate committee. Where a meeting of a committee is so summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

Any action is taken under this provision must be recorded in writing and made available for inspection by any member of the Council. 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 and recorded in the minutes.

6. Delegation Limitations

Committees and working groups shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations and this scheme of delegation and, where applicable, any other rules, regulations and with any directions given by the Council from time to time.

7. Right of Recall

As referenced in Standing Order 7a - A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

ENDS