

Bickleigh Parish Council

Scheme of Delegation

**Adopted by Bickleigh Parish Council 24th May 2022
Min. 2022 69**

1. Introduction

The Local Government Act 1972, section 101, gives a parish council power to delegate decisions to a committee or the clerk, being the council's proper officer. Bickleigh Parish Council (BPC) recognises that it has a responsibility to ensure the effective running of the council and its services. In order to achieve this, some delegated functions and responsibilities have to be made and will be outlined within this scheme of delegation. The Council is committed to efficient working practises which minimise the impact on the local ratepayers and so this scheme has been tailored to try and balance control measures with effectiveness.

2. Objectives

The policy aims to:

- Further clarify the roles and delegated responsibilities of the clerk, members and committees
- Ensure adequate control measures are in place to protect the Council's finances
- Ensure the Council is acting in accordance with the Audit and Accounts Regulations.

3. General Delegations

3.1 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 in force at any given time. The Clerk may obtain advice and guidance from external professionals (which may bear a cost) in order to ensure this is achieved effectively.

3.2 Proper Officer

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

- Receive declarations of acceptance of office
- Receive and record notices disclosing personal interests
- Receive and retain plans and documents
- Sign notices or other documents on behalf of the Council
- Receive copies of bylaws made by a principal local authority
- Certify copies of bylaws made by the Council
- Sign summons to attend meetings of the Council
- Seal documents, deeds, contracts and agreements following a resolution to do so from Council

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

- Day to day administration of services, together with routine inspection, control and compliance

- Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Chair of the Council or the appropriate Committee
 - Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or one of its Committees
 - Authorisation of routine recurring expenditure within the agreed budget
 - Emergency expenditure identified in Financial Regulation 4.5
 - Authorisation of expenditure on works identified in Financial Regulation 4.1
- 3.2.3 Delegated actions of the Clerk to the Council shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and in line with directions given by the Council from time to time.

3.3 Council

The following are reserved matters for the Council to decide (the appropriate Committee(s) may make recommendations for the Council's consideration)

- Appointment of the Parish Clerk / RFO following a recommendation from the Staffing Committee
- Setting the Precept
- Borrowing money
- Approval of the Council's Annual Accounts and the Annual Return
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Nomination and appointment of representatives of the Council to any other authority, organisation or body
- Any proposed new undertakings (following a recommendation from the Clerk or a committee)
- Responses to legislative and other allied consultations
- Appointment of standing committees or other committees as may be necessary and determination of the terms of reference

3.4 Delegated Committees

3.4.1 To take responsibility for specific aspects of Parish Council business, build knowledge, experience and expertise in the Committee's subject, enabling Committee Chairs to present proposals and recommendations for the full Council to vote on and to answer any questions.

3.4.2 Where required, to have delegated authority to purchase goods and/or services up to an agreed maximum level per purchase solely for the purpose of executing the Committee's function, providing such expenditure was part of the approved annual budget. Once 50% of that budgeted expenditure was reached, further expenditure would require authorisation by the Council.

3.4.3 To delegate tasks and activities to working groups or sub-committees where appropriate.

3.4.4 Committees require at least 3 Council members to be quorate and must be chaired by a Parish Councillor.

3.4.5 Non-parish councillors can be co-opted onto committees but do not have voting rights.

3.4.6 The frequency and location of meetings shall be determined by the Committee Chair

- 3.4.7 Committee meetings are open to the public and therefore require an agenda to be published one week prior to the meeting
- 3.4.8 Minutes are required and must be circulated to Parish Council Members and posted on the Council's website
- 3.4.9 Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee
- 3.4.10 Can delegate its responsibilities to the clerk

3.5 Sub-Committees

- 3.5.1 Are appointed by the committee and is made up of members of that committee
- 3.5.2 Terms of reference are defined by the committee and must be within the responsibilities of the parent committee.
- 3.5.3 Can delegate its responsibilities to the clerk
- 3.5.4 Meetings are not tied to statutory notice periods

3.6 Working Groups

- 3.6.1 Are not formally appointed by the council, have no terms of reference and are not legally bound as are committees.
- 3.6.2 Can bring in specialists without formal appointment.
- 3.6.3 Meetings are not tied to statutory notice periods

3.7 The following delegated committees and their respective sub-committees and working groups currently undertake the delegated work of BPC:

a) Marketing and Communications Committee / Community Engagement Working Group

Lindy Scott, Carole Spencer, Larry Taylor

Terms of Reference:

- Responsible for communication of the Council's policies, actions and activities to the local community via print, online and other media where relevant
- Manage the Council's website and social media accounts
- Lead on council events to engage with the wider community of Bickleigh Parish

b) Staffing Committee

Wendy Haymes, Brian Hill, Jackie Taylor

Terms of Reference:

A minimum of 3 Councillors will be appointed by Council to make decisions about staffing matters.

Terms of Reference

- To oversee the recruitment and appointment of staff
- To recruit and appoint the Clerk/RFO
- To arrange implementation of employment contracts and changes to contracts
- To establish and review salary pay scales annually
- To supervise and performance manage the Clerk/RFO including regular performance appraisals
- To administer leave requests, record and monitor absences and handle grievance and disciplinary matters

- To appoint one member of the committee to seek advice for the committee in the event of a dispute between the Clerk and the Council
- To draft, implement, review and monitor staff policies
- To organise staff training programmes
- To review staff working conditions and health and safety matters
- To consider any Grievance or Disciplinary matters and organise an Appeals Panel who will not be members of the Staffing Committee.
- To consider recommendations from the Appeal Panel and take necessary action

c) Finance Committee

Wendy Haymes, Brian Hill, Nicky Hopwood, Carole Spencer

Terms of Reference:

- To work with the Clerk / RFO to ensure the council adheres to its financial regulations
- To monitor and review the requirements on the Annual Governance and Accountability review.
- To meet with the Clerk / RFO at least quarterly to review the budget monitoring reports.
- To work with the Clerk / RFO to monitor changes in legislation.
- To work with the Clerk / RFO in preparation of the annual budget and precept.

d) Woolwell Centre Working Group

Larry Taylor (Chair), Paul Blight, Brian Hill, Lynn Tamsett-White, Jackie Taylor

e) Asset and Green Spaces Working Group

Paul Blight, Carole Spencer, Lynn Tamsett-White and Larry Taylor

Terms of Reference:

- To monitor the Assets and Green Spaces (A&GS) under the responsibility and ownership of Bickleigh Parish Council. This excludes the Woolwell Centre, which is under the jurisdiction of a separate working group.
- To work with the Clerk / RFO who will source quotations and costings, as required.
- To monitor and review completed works.

f) Neighbourhood Plan Working Group

Full Council

4. Urgent matters

4.1 In the event of any matter arising which requires an urgent decision, the Parish Clerk shall consult with the Chair of Council (or if more appropriate the Chair/Vice Chair of the respective committee) before acting on behalf of the Council in respect of the particular matter then under consideration. If, for whatever reason, the Chair cannot be reached, then the consultation made with the Vice Chair shall be sufficient.

4.2 If, for whatever reason, both the Chair/Vice-Chair (or committee Chair/Vice Chair) cannot be contacted by all reasonable means of communication, then the Clerk is authorised to exercise their judgement and proceed if the matter is of such an urgent nature that timing is critical.

4.3 Before the Clerk exercises the delegated powers granted by the above paragraph, those Members consulted shall consider whether the matter is of sufficient:

- interest to justify the summoning of a Special Meeting of the appropriate Committee and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Council in Scheme of Delegation in respect of the particular matter then under consideration.
- Before exercising the delegated power granted by the above paragraph, the Chairman and Vice-Chairman of the Committee concerned shall consider whether the matter is of sufficient importance to justify recommending to the Chair of Council that a Special Meeting of the Council should be called.
- Whenever any action is taken in this way, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meeting of the Committee concerned and of the Council.

5. Representation on Other Bodies May 2022

Roborough Village Hall Committee

Cllr Carole Spencer