

# **PERRY PARISH COUNCIL**

## **Scheme of Delegation**

**This Scheme of Delegation authorises the Proper Officer/Responsible Financial Officer and Standing Committees to act with delegated authority in the specific circumstances detailed.**

### **1. Responsible Financial Officer**

The Clerk to the Council 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**

2.1. The Clerk to the Council 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 summons to attend meetings of the Council

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

2.2.1. Day to day administration of services, together with routine inspection and control

2.2.2. Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Chair of the Council, and/or the Chair of the appropriate Committee

2.2.3. 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 its Committees

2.2.4. Authorisation of expenditure within the agreed budget up to £500 excluding VAT, as specified in Perry Parish Council Financial Regulations item 5.15

2.2.5. Authorisation of emergency expenditure outside of the agreed budget up to £2,000 excluding VAT, as specified in Perry Parish Council Financial Regulations item 5.18

2.2.6. Respond to planning applications received and considered by the council. If the application deadline is before the next ordinary meeting of the council, and if the application is minor and non-contentious, the response may be sent after due consultation with Members.

Records of the consultation will be retained by the Proper Officer. If the application is major or contentious an extraordinary meeting of the Council shall be held.

- 2.2.7. Responsibility for all contact with the media, including the content and issue of press releases, following agreed procedures
- 2.2.8. 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. Council**

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. Setting the Precept
- 3.2. Borrowing money
- 3.3. Approval of the Council's Annual Accounts and completion of the Annual Return
- 3.4. Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- 3.5. Matters of principle or policy
- 3.6. Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings)
- 3.7. Any proposed new undertakings
- 3.8. Prosecution or defence in a court of law
- 3.9. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee

### **4. Urgent Matters**

- 4.1. In the event of any matter arising which requires an urgent decision the Clerk to the Council shall forthwith consult with the Chair of the appropriate Committee before acting on behalf of the Council in respect of the particular matter then under consideration.
- 4.2. Before the Clerk exercises the delegated powers granted by paragraph 4.1 above, the Member 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 respect of the particular matter then under consideration.
- 4.3.1 Before exercising the delegated power granted by paragraph 4.2 above, the Committee concerned shall consider whether the matter is of sufficient import to justify recommending

to the Chairman of the Council that an Extraordinary Meeting of the Council should be called in accordance with Standing Orders.

- 4.4 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. Committees**

### **5.1 Staffing Committee**

The **Staffing Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- 5.1.1 Approval of its Minutes as true and correct records
- 5.1.2 All matters relating to Staff, based on recommendations made or in line with contractual arrangements. 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.
- 5.1.3 To carry out the Annual Staff Development Review, finalise and approve action plans resulting from that review, prior to report to Council that review has been completed
- 5.1.4 Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure
- 5.1.5 Dealing with any Grievance, Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any Appeal has passed
- 5.1.6 Appointment of an Appeals Sub Committee, if necessary
- 5.1.7 It is vital that the Staffing Committee keeps confidential its deliberations and decisions 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.
- 5.1.8 The Committee may refer specific matters to the Council for a final decision if it so wishes.

### **5.2 Appeals Committee**

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

- 5.2.1 Appeals against decisions made by the Staffing Committee in Grievance, Disciplinary and Capability matters
- 5.2.2 Dealing with appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.
- 5.2.3 The Committee may refer specific matters to the Council for a final decision if it so wishes.
- 5.2.4 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.

## **5 Sub-Committees**

The Council's Standing Committees do not currently appoint any Sub-Committees, but may do so, if a Committee believes that it would be relevant to appoint a Sub-Committee (Perry Parish Council Standing Orders Section 4). Any powers to be delegated to such a Sub-Committee may be detailed at the time the Sub-Committee is formed by means of a Minute detailing the Terms of Reference but such delegated powers must be approved by the 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.

## **9 Delegation - Limitations**

Committees and Sub-committees 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, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.

Adapted from Denby Dale Parish Council, with thanks