

# Scheme of Delegation

## Introduction

This document sets out how Warfield Parish Council has delegated its powers.

The legal basis of the delegation conferred by this document is contained in s.101 Arrangement for the discharge of functions by local authorities of the Local Government Act 1972.

The council has established a series of committees, sub committees and working groups and has delegated functions to these bodies.

Committees may exercise delegated functions on behalf of the council under their terms of reference, subject to:

- a. The council's approved budget and financial regulations
- b. Any previously minuted decision by the council
- c. Any matters reserved to the council by law.

There are several limitations on the council's power to delegate functions to a committee. The following functions may only be exercised by the full council:

- Issue a precept for a rate under s.67 Local Government Finance Act 1992.
- Duty to consider an auditor's report.

## Delegations

### 1.0 General

- 1.1 Where powers of duties have been delegated to a Committee it shall be competent for that Committee in turn to assign functions or delegate powers and duties to the Parish Clerk or a sub-committee, provided that any action taken under delegated powers by the Parish Clerk, or a sub-committee shall be reported to the next meeting of the appropriate committee or full council.
- 1.2 A committee may set up a sub-committee to discharge its functions. The terms of reference and membership of the sub-committee shall be determined by the appointing committee.
- 1.2 A committee may set up a working group to investigate, consider and report back with recommendations on any issue. The committee shall determine the terms of reference for the working group.

- 1.3 A committee shall have the power to authorise expenditure up to the amounts in the approved budget as per financial regulation. The Parish Clerk may transfer funds between cost centres within a budget heading covered by the Committee.
- 1.4 Committee decisions do not need to be ratified by full council where a delegation applies. These are set out in the Terms of Reference document.
- 1.5 The council may at any time abolish a committee or withdraw or alter the powers delegated to it.

## **2.0 Chairman's powers**

- 2.1 The Parish Clerk may, in consultation with the Chairman and Vice-Chairman of a committee or sub-committee, on that committee's or sub-Committee's behalf deal with, decide or take action on such matters within the committee's or sub-committee's terms of reference in the interests of urgency, health and safety or legislative requirement, subject to a report indicating such action being submitted to the next meeting of the appropriate committee or sub-committee.

## **3.0 Delegations to the Parish Clerk**

- 3.1 The Parish Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.
- 3.2 The Parish Clerk is employed by the council under section 112 of the Local Government Act 1972 for the proper discharge of its functions.
- 3.3 The Clerk to the Council is designated and authorised to act as the Responsible Financial Officer (RFO) for the purposes of any statute requiring the designation of a Responsible Financial Officer. Local Government Act 1972 s151.
- 3.4 The following list of delegations to the Parish Clerk may, from time to time be further delegated to the council's officers at the discretion of the Parish Clerk.
  - i. To arrange and call meetings of the parish council and its committees and sub-committees and to implement decisions taken at these meetings.
  - ii. The general management of the Council's services in accordance with the policies determined from time to time by the council and its committees, including dealing with correspondence and handling complaints and requests for information.
  - iii. The management and letting of the parish council's facilities including the setting of charges and fees.

- iv. The initiation of new arrangements and revision of existing arrangements for the improved management of council establishments providing the estimated cost has been included in budget or to sums agreed.
- v. The determination of the use of existing office accommodation and IT, the purchase of equipment and the authorisation of repairs and maintenance to all buildings and equipment within the financial limit of the current budget.
- vi. The management, development, appraisal, and discipline of employees within the Council's approved staffing structure.
- vii. The delegation of staff to attend courses, seminars etc. relevant to their position with the Council.
- viii. The exercise of virement within a committee's budget, according to need.
- ix. Act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council and the relevant committee or sub-committee. The Chairman of the Council or Chairman of the appropriate Committee shall be informed as soon as practically possible of any action taken.
- x. Organise and arrange events activities
- xi. Be responsible for the content and delivery of council communications.

3.5 As Responsible Financial Officer the Parish Clerk shall do the following:

- i. Carry out the functions of the Responsible Financial Officer under the Local Government Act 1972, including the maintenance of the Council's accounts, arrangements for internal audit and the preparation of budget estimates for the forthcoming year.
- ii. Arrange to pay the salaries and wages of employees of the Council.

3.6 Further delegations

The Council may from time to time further delegate action to the Parish Clerk or to the Parish Clerk in consultation with the appropriate Committee Chairman. Such delegation will be clearly minuted and revised accordingly.

## **4.0 Review**

- 4.1 This document shall be subject to review every two years at the Annual Meeting of the Council.

## **Version control**

- 1.0 Version approved May 2021
- 1.1 Amendment made to the membership of the Staffing Committee until May 2023  
(temporary removal of chair of the council)
- 2.0 Rewrite of whole document February 2023 to split terms of reference to separate document.