



DATCHET PARISH COUNCIL

SCHEME OF DELEGATION

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Version 1	

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Introduction

This Scheme of Delegation authorises the Proper Officer (the Clerk) and Responsible Financial Officer in accordance with the Council's Standing Orders Committee/s, any Sub Committees and Working Groups of the Parish Council with delegated authority in the specific circumstances detailed. Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee or an Officer.
- A Committee may delegate its powers to an Officer.

Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, Financial Regulations, this Scheme of Delegation and any other policies or conditions imposed by the Council and within the law.

The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.

In an emergency, the Proper Officer is empowered to carry out any function of the Council. Where Officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

Delegation Safeguards

The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a committee or Officer.

Council Functions

The following matters are to be dealt with by the Full Council:

- Approval of Budget and setting the Precept.
- Approval of the Annual Return and Audit of Accounts.
- Authorisation of borrowing.
- Adopting all policies including Standing Orders, Financial Regulations, and the Scheme of Delegation.
- Making of Orders under any statutory powers.
- Making, amending, or revoking By-laws.
- Appointing Council representatives to outside bodies.
- All other matters which must, by law, be reserved to the Full Council.



Delegation to Clerk /RFO

The Clerk/RFO is designated and authorised to act as the 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.

- **In the case of an emergency**, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Chairman (if practicable in the circumstances).
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such **extreme urgency** that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of **£600.00**
- To take any action regarding minor repairs (up to a cost of **£300.00**) and to report minor matters to the relevant authority/person.
- The Clerk will deal with all routine correspondence which does not commit DPC to enter into a legal agreement or give an opinion. The Clerk will also deal with any correspondence which is covered by delegated authority.
- The Clerk is responsible for ensuring any disposal details including the disposal values are recorded in the assets register.
- The Clerk is the manager for all staff employed by the Council and is given delegated powers to manage the council staff in accordance with the Council's policies, procedures and budget.
- The authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget.
- Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees/ Councillors.
- Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council.
- Power to release urgent press statements on any activities subject to prior consultation with the Chairman.
- Power to act on own initiative to implement the Councils policies and objectives.
- Power to manage all the Council's resources in accordance with the Council's policies.
- Power to manage the Cemetery in accordance with the Cemetery Regulations
- Power to manage all open spaces within the Parish subject to budget.
- Power to engage with the community and stakeholders to raise the profile of DPC and foster good working relationships

The Clerk is authorised to:

- Undertake the day-to-day administration of the Council
- Receive declarations of acceptance of office
- Receive and publish Members' declarations of interest, and pass the originals to the Monitoring Officer of the Principal Authority
- Receive and determine Disclosable Pecuniary Interest (DPI) dispensations and report details of all dispensations received, and the decision on them, to the next available Council meeting.
- Take steps to fill a casual vacancy in the office of Councillor (in accordance with the Co-Option Policy and Procedure).



- Sign notices or other documents on behalf of the Council
- Receive, retain, and dispose of plans, notices, records, and documents in accordance with the document retention policy and the law.
- Certify copies of byelaws made by the Council if appropriate

The Responsible Financial Officer to the Council is responsible for the Council's accounting procedures and financial records and is accountable for the proper administration of its finances, in line with the current Account and Audit Regulations and the Council's adopted Financial Regulations.

The RFO is authorised to:

To undertake the day-to-day administration of the Council, which includes:

- Payment of all invoices and staff salaries etc, within agreed budget and subject to authorisation as per the bank mandate in place. (All invoices will be checked for accuracy and completion or receipt of services/goods by the Clerk in consultation with Lead members before they are paid. (*Signed off by the Clerk*) All Expenditure is recorded on the relevant database and emailed to all councillors (Pink Sheet) ready for the monthly parish council meeting. Once approved at full council meeting the pink sheet is signed off by the Chairman and two councillors who are bank signatories. The two bank signatories will authorise the online bank payments for release of funds.)
- Making VAT and other tax returns and claims to Her Majesty's Revenue and Customs
- Apply for grants
- Issuing tenders, obtain quotations, negotiate prices and contract terms
- Placing orders for approved capital projects
- Authorising routine recurring expenditure within the agreed budget (e.g. Software renewals, maintenance)
- Purchase basic office equipment and supplies
- Making arrangements for the maintenance of the IT systems where required.
- Paying the cost of holding an election or by-election, including the cost of polling cards, for the post(s) of parish councillor as determined by and charged for by the electoral officer of the relevant Principal Authority.
- Verifying and carrying out due diligence checks on applications to the Council for grant funding.
- Notifying insurers of changes in circumstances and, in the event of a loss, liaising with insurers appointed representative(s)

Finance & Governance Committee

Powers

- This committee is an advisory committee constituted to monitor and review the council's income, expenditure and investments. The committees have no decision-making powers but instead makes recommendations to the council for consideration

Staffing Committee

Delegated Powers



- The Committee will hold delegated powers to deal with all personnel, employment and recruitment issues with reports and recommendations made to the parish council as necessary. In cases of emergency that will not wait until the next council meeting, the committee will have full powers to act on behalf of the council.
- The Committee will have the authority to agree terms of employment, contracts and make offers of employment with the exception of the role of Proper Officer whose appointment shall be referred to Full Council. On making an offer of employment the Interview Panel shall offer no more than the base salary agreed for the job plus 10% without reference to Full Council.
- The Staffing Committee has delegated powers to act on behalf of the Council in relation to the defined terms of reference only; any recommendations outside the Staffing Committee's terms of reference shall be made to Full Council.
- The staffing committee have delegated powers to elect members to the committee.
- The Clerk to the Council/RFO in consultation with the Staffing Committee will have delegated authority to make all decisions relating to staff and their employment.

Planning

Delegated Powers

- Planning applications shall be received by the Clerk who will provide details to Councillors (Blue Sheet).
- The Lead/Deputy Members for planning to review the sheet and make their recommendations to be emailed to all other members.
- Where no queries arise, by joint decision of all Councillors, the Clerk shall be delegated to inform the Planning Department within the time allocated of the decision of the Council. Where queries arise, this shall be referred back to the Lead/Deputy Lead Members for planning.

Delegation Limitations

All decisions taken under delegated authority will be in accordance with the Councils Standing Orders and Financial regulations and this Scheme of Delegation, and where applicable any other rules/regulations and legislation.

All decisions will be reported to the first appropriate Council meeting.

The Council may delegate the power to make individual decisions on individual items to the Proper Officer/Responsible Finance Officer and its Committees as and when appropriate.

Signature:

A handwritten signature in black ink, appearing to be 'A. J.', written over a light blue horizontal line.

The Clerk

Date: 13.05.2024