



Sprotbrough and Cusworth Parish Council

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POLICY TITLE

Scheme of Delegation

ADOPTION DATE

18th January 2024

POLICY AIM

This Scheme of Delegations authorises the Proper Officer ('the Clerk') and Responsible Financial Officer ('the RFO') and committees of the Parish Council to act with delegated authority in the specific circumstances detailed. It will be reviewed annually at the Parish Council's Annual General Meeting.

POLICY

1. Proper Officer and Responsible Financial Officer - Duties and Powers

1.1. Responsible Financial Officer

The RFO to the Parish Council and shall be responsible for the Parish Council's accounting procedures in accordance with the Accounts and Audit Regulations and Financial Regulations in force at any given time.

1.2. Proper Officer

1.2.1 The 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.

1.2.2 The Clerk is specifically authorised (via legislation) to:

- Receive declarations of acceptance of office
- Receive and record notices from councillors disclosing interests
- Receive and retain plans and other documents
- Sign notices, licences and other documents on behalf of the Parish Council
- Receive copies of by-laws made by a principal council
- Certify copies of by-laws made by the Parish Council
- Sign and issue summonses to attend meetings of the Parish

Council

- Give public notice of the time, place and agenda at least three clear days before a meeting of the Parish Council (provided that the public notice with agenda of an extraordinary meeting of the Parish Council convened by councillors is signed by them)
- Convene a meeting of the Parish Council for the election of a new Chairman of the Parish Council, occasioned by a casual vacancy in that office
- To act as the Parish Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection Act 2018

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

- Notwithstanding any delegations to committees, to manage the day-to-day operation of the Parish Council's services and projects, buildings, land and all other assets for which the Parish Council has responsibility, in line with the budgets, policies approved by Members and legislation.
- Day-to-day management of the Parish Council's employees in accordance with the Council's policies, procedures and budget, including:
 - i. Staff performance and discipline
 - ii. Payment of expenses and allowances in accordance with the Council's adopted Financial Regulations
 - iii. The approval of increments in accordance with contracts of employment
 - iv. Implementation of national pay awards in line with the NJC Scheme of Conditions of Service (the 'Green Book') as amended by the Local Agreement.
 - v. Delegation of the day-to-day management of functions and services to the Deputy Clerk and other officers, in line with the approved duties of these posts, so as to most efficiently dispatch the Parish Council's business.
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Parish Council but not correspondence requiring an opinion to be taken by the Parish Council.
- Authorisation of routine and recurring expenditure within the agreed budget
- Emergency expenditure up to £5,000 outside of the agreed budget

1.2.4 To make any such applications for grant funding, on behalf of the Parish Council, as might, from time to time, become available from the National Lottery, City of Doncaster Council and any other grant funding bodies that may assist the Parish Council in maintaining its assets and delivering its services and special projects. Any such application will be reported back to the Parish Council or, where relevant, committee as soon as practicable thereafter.

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

2. Absence of the Clerk/ RFO

2.1 In the absence of the Clerk, the Deputy Clerk and/ or the RFO shall be authorised to deputise and undertake any of the functions of the Clerk's post.

2.2 In the absence of the RFO the Clerk/ Deputy Clerk shall be authorised to deputise and undertake the functions of the RFO's post.

3. Urgent Matters

3.1 Subject to consultation with two of the Chairman of Deputy Chairman of the Parish Council the Clerk is authorised to act on behalf of the Parish Council on any matter where, in her view, urgent action is needed to protect the interests of the Parish Council. Such action will be reported back to the Parish Council as soon as practicable thereafter.

4. Parish Council

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

- 4.1 Appointing the Chairman / Mayor
- 4.2 All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Town Clerk/ RFO following consideration of a recommendation from the Personnel Committee
- 4.3 Determination and setting of the precept
- 4.4 Borrowing money
- 4.5 Approving the end of year accounts and annual return
- 4.6 Appointment of an internal auditor
- 4.7 Co-option of councillors to the Council
- 4.8 Appointing committees, sub-committees and working parties/forums
- 4.9 Filling of councillor vacancies on any committee/working party/forum
- 4.10 Making, amending or revoking Standing Orders, Financial Regulations, policies and this Scheme of Delegations
- 4.11 Making, amending or revoking by-laws
- 4.12 Making of orders under any statutory powers
- 4.13 Agreeing the dates of meetings of the Parish Council,
- 4.14 Receiving and noting of all minutes approved by the Parish Council, its committees and sub-committees
- 4.15 Incurring capital or revenue expenditure which is over and above the Parish Council's approved budget and any virements required to give effect to this
- 4.16 Nomination and appointment of representatives of the Parish Council to any other authority, organisation or body (excepting approved conferences or meetings)
- 4.17 Prosecution or defence in a court of law
- 4.18 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- 4.19 Approval of application for Quality Council status or its equivalent
- 4.20 Confirming eligibility to exercise the General Power of Competence

5. Committees – Terms of Reference

The Terms of Reference for each of the Parish Council's committees shall be reviewed annually in their entirety.

6. Working Groups – Terms of Reference

Working groups may be formed by resolution of the Parish Council at any time. The remit of such a Working Group will be decided upon at the time it is formed by means of a minute detailing the Terms of Reference. The Terms of Reference for each of the Council's working groups shall be reviewed annually in their entirety.

7. Delegation – Limitations

Committees and sub-committees shall, at all times, act in accordance with the Parish Council's Standing Orders, Financial Regulations, 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 Parish Council from time to time.

8. Specific Delegations

To enable the Parish Council to fulfil its responsibilities efficiently at all times, the Clerk, in consultation with two of either the Chair and Deputy Chair is delegated to make decisions on behalf of the Parish Council where such decision cannot, in the Clerk's view, be reasonably deferred to a meeting of the Parish Council or one of its constituent committees. All councillors will be kept informed of any decisions made, which will be formally ratified at the first properly convened meeting of the Council thereafter.

Furthermore, the Clerk, is delegated to submit comments for planning applications to City of Doncaster Council on any applications received where the deadline for a response is before the application may be considered by the Parish Council.

IMPLEMENTATION

All staff and Councillors and hirers have a responsibility to ensure the policy is implemented reporting any breaches of the policy to the Clerk/ RFO. Failure to comply with the policy may lead to a complaint being raised to the monitoring officer or through the Parish Council's disciplinary policy if relating to a member of staff.

MONITORING

The policy will be monitored in the following ways:

Monitoring Activity	Person Responsible
Any breach of the policy to be reported to the Clerk/ Deputy Clerk/RFO	Anyone

Reports will be investigated and remedial action taken if required	Clerk/ Deputy Clerk/RFO
Changes in legislation	Clerk

POLICY CONSULTATION

A copy of the policy has been given to all relevant staff and councillors and is available to view on the Parish Council's website and Parish Council office.

POLICY REVISION DATE

Policy reviewed August 2024
 Next review date August 2025

This document shall be reviewed annually; or upon any changes to legislation; or subject to the requirements of Sprotbrough and Cusworth Parish Council.

RELATED POLICIES AND STRATEGIES

- Standing Orders
- Financial Regulations
- Councillor Code of Conduct
- Disciplinary Policy