



# **YAXHAM PARISH COUNCIL**

## **SCHEME OF DELEGATION**

**Reviewed and adopted by the Council in June 2018**

**Reviewed and agreed by the Council at its meeting in March 2021**

**Due to be reviewed by March 2024**

## Scheme of Delegation

### **1 Council Functions**

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

- 1.1 Appointment of the Parish Clerk/Responsible Financial Officer following a recommendation from the Staffing Committee.
- 1.2 Approval of Budget and setting the Precept.
- 1.3 Approval of the Council's Annual Accounts and the Annual Return
- 1.4 Approval of the Audit of Accounts.
- 1.5 Authorisation of borrowing.
- 1.6 Adopting or changing all policies including Standing Orders, Financial Regulations and the Scheme of Delegation.
- 1.7 Making of Orders under any statutory powers.
- 1.8 Making, amending or revoking By-laws.
- 1.9 Matters of principle or policy.
- 1.10 Appointment of Standing Committees.
- 1.11 All personnel matters not delegated to the Staffing Committee.
- 1.12 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings).
- 1.13 Any proposed new undertakings.
- 1.14 Responses to legislative and other allied consultations.
- 1.15 Prosecution or defence in a court of law other than an Employment Tribunal.
- 1.16 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to Committees.
- 1.17 All other matter which must, by law, be reserved to the full Council.

### **2 Delegation to the Council's Clerk and Responsible Financial Officer**

The following matters are delegated to the Council's Clerk (who is also the Parish Council's Responsible Financial Officer) to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

The Clerk may decide not to exercise responsibilities and may instead make a recommendation to the Council. Similarly where the Clerk has no delegated power to make a decision to report the matter to the Council for a decision.

The Parish Clerk as the Responsible Financial Officer of the Council as defined in law, is responsible for the Parish Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

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

- 2.1.1 Issue all statutory notifications
- 2.1.2 Receive declarations of acceptance of office
- 2.1.3 Receive and record notices disclosing pecuniary interests.
- 2.1.4 Receive and retain documents and plans.
- 2.1.5 Sign notices or other documents on behalf of the Council.
- 2.1.6 Receive copies of By-laws made by principal authority.
- 2.1.7 Certify copies of by-laws made by the Council.
- 2.1.8 Prepare and sign summons to attend meetings.
- 2.1.9 Authorisation to call any extra meetings of the Council as necessary, having consulted with the Chairman of the Council.
- 2.1.10 Ensure compliance with Standing Orders and Financial Regulations.

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

- 2.1.11 Ensure that all activities carried out by the Council have due regard to Health and Safety, Disability Discrimination Act and comply with all legislation in terms of public safety.
- 2.1.12 Manage the provision of Council services, and resources.
- 2.1.13 Day to day administration of services, together with routine inspection and control.
- 2.1.14 Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to any previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council.
- 2.1.15 Authorisation of expenditure within the agreed budget in line with the Council's current Financial Risk Assessment.
- 2.1.16 Act on behalf of the Council in an urgent situation and report back to the Council as soon as practical.
- 2.1.17 Deal with dispensation requests from Members under the Code of Conduct.
- 2.1.18 Deal with matters specifically delegated by the Council.
- 2.1.19 Responsible for the overall management of all budgets in accordance with Council Policies.
- 2.1.20 Arrange insurance.
- 2.1.21 Recommend accounting policies, records and control systems.
- 2.1.22 Project development for consideration by Full Council.
- 2.1.23 Management of maintenance contracts.
- 2.1.24 Authorised to issue press releases on any Council activity exercised in accordance with Council's Press and Media Policy.

Delegated actions of the Parish Clerk shall be in accordance with Standing Orders, Financial Regulations and the Scheme of Delegation and in line with The Openness of Local Government Bodies Regulations 2014.