

Heybridge Parish Council

Scheme of Delegation

1. Introduction

Local Councils may only do what legislation requires or permits them to do. With some particular exceptions, the Council may delegate functions to Committees, Sub-Committees, Officers, or other authorities.

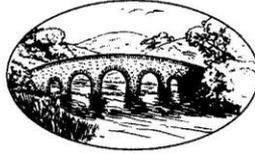
The power to delegate functions by local councils is set out in the Local Government Act 1972 s101.

This document is presented to clarify the manner in which Heybridge Parish Council has delegated its powers and the authority to spend.

2. Council

Certain functions cannot be delegated and are therefore reserved to the full Council, although an appropriate Committee may make recommendations thereon for the Council's consideration:

- Setting the precept and approval of the Council's budget
- Approval of the Annual Accounts
- Completion of the Annual Return including the Governance Statement
- Consideration of an Auditor's report made in the public interest
- The making, amending, or revoking of Standing Orders, Financial Regulations and this scheme of delegation
- Adoption or revision of the Council's Code of Conduct
- Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence
- Determination and review of the Bank Mandate
- Matters of principle or policy
- Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings)
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- The making, amending or revoking of byelaws
- Agreement to write off bad debts
- Approval by resolution, before payment of any donation
- Authorisation as to terms and purpose for any application for borrowing approval and subsequent arrangements for the loan
- Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State



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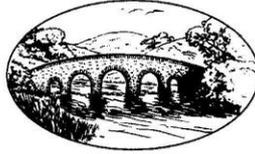
- Approval of purchase, acquisition by other means, sale, lease or disposal of real property (interests in land)
- Approval of the virement of unspent and available amounts to other budget headings or reserves
- Approval of changes in earmarked reserves as part of the budgetary process.

3. Proper Officer

According to law, each parish and town council shall have a Proper Officer and carry out the functions as provided by the Local Government Act 1972 and as set out in the job description for the post. For Heybridge Parish Council the proper officer is the Clerk. The Clerk may delegate from time to time functions included in the responsibilities of the Proper Officer to other staff members. Such delegated actions 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.

The Clerk is specifically authorised to:-

- Receive declarations of acceptance of office
- Receive and publish Members' Registers of Interest
- Receive and grant Disclosable Pecuniary Interest (DPI) dispensations after consulting with the District Council's Monitoring Officer; details of all dispensations received and granted to be reported to the Council at the next meeting
- Sign and serve on Councillors a summons with an agenda to attend Council and Committee meetings
- Sign notices or other documents on behalf of the Council
- Receive and hold copies of byelaws made by a Principal Local Authority which affect the Council's area
- Receive and retain plans, notices and documents
- Certify copies of byelaws made by the Council
- Undertake the day to day administration of the Council
- Calling extra meetings of the Council or any Committee or Sub-Committee as necessary
- Issuing press releases and statements to the press on the council's known policies
- Updating and managing the Parish Council's website, facebook page and Twitter account
- Making arrangements for the maintenance of the office IT system
- Co-ordinating and final editing the production of the Heybridge Herald

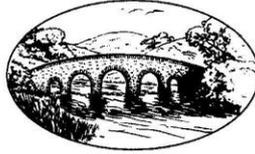


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- Disposal of Council records according to Data Retention Policy
- Handling requests for information under the Freedom of Information Act 2000 and Data Protection Act 1998
- Registered data controller
- Acknowledging and handling all complaints regarding the Council
- Making arrangements for the routine maintenance of the Office
- Purchasing basic office equipment and supplies
- Arranging for emergency repairs to Parish Council property
- Taking appropriate action arising from other emergencies (in consultation with the Chairman and Vice-Chairman of Council)
- Managing all employees
- Making arrangements to pay salaries/wages and expenses to all employees of the Council
- Preparing minutes and organising minutes to be bound and deposited at Essex Record Office
- Making arrangements for Council events
- Authorising routine recurring expenditure with the agreed budget
- Authorising payment for items below £1000 in consultation with the Chairman
- Emergency expenditure up to £1000 whether or not there is budgetary provision for the expenditure
- When the Council delegates a specific task or function to the Proper Officer, the action taken must be reported to the next Council meeting

4. Responsible Finance Officer (RFO)

According to law, each parish and town council must have a RFO. The RFO 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 functions and duties of the RFO are set out in the job description for the post and cannot be delegated. For Heybridge Parish Council the RFO is the Clerk.



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5. Committees

The Council may establish Committees which are authorised to:-

- Elect a chairman from the membership of that Committee
- Approve the Minutes of the last meeting of the Committee
- Spend money from budget headings under that Committee's remit up to the limit of the budget and/or named reserve
- Make recommendations on the budget requirement for the Committee for the coming Financial Year
- Delegate if permitted their functions to a sub-Committee or officer of the Council.

Dec 2015

Clerk

Adopted by full Council – 17th December 2015

Reviewed May 2016.