WEST ITCHENOR PARISH COUNCIL
SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person) and Standing Committees to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

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

2. Proper Officer

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

2.1.1 Receive declarations of acceptance of office
2.1.2 Receive and record notice from Councillors disclosing interests details of all dispensations received and granted to be reported to the Council, at the next available meeting.
2.1.3 Receive and retain plans and documents
2.1.4 Sign Notices or other documents on behalf of the Council
2.1.5 Receive copies of By-laws made by a Primary local authority
2.1.6 Certify copies of By-laws made by the Council
2.1.7 Sign summons to attend meetings of the Council.
2.1.8 Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (providing that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
2.1.9 Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office.

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

2.2.1 Day to day administration of services, together with routine inspection and control
2.2.2 Day to day supervision and control of all staff employed by the Council
2.2.3 Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Chairman of the Council, and/or the Chairman of the appropriate Committee
2.2.4 Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees
2.2.5 Authorisation of routine recurring expenditure within the agreed budget
2.2.6 Emergency expenditure up to £1000 outside of the agreed budget (Financial Regulation 4.5)

2.3 Delegated actions of the Clerk to the Council 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.

3. Council

3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.

3.1.1 Setting the Precept
3.1.2 Borrowing money
3.1.3 Approval of the Council's Annual Accounts and the Annual Return
3.1.4 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
3.1.5 Making, amending or revoking By-laws
3.1.6 Making of Orders under any statutory powers
3.1.7 Matters of principle or policy
3.1.8 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings)
3.1.9 Any proposed new undertakings
3.1.10 Prosecution or defence in a court of law
3.1.11 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
3.1.12 Confirming eligibility to exercise the Power of General Competence

3.2 Urgent matters:

3.2.1 In the event of any matter arising which requires an urgent decision the Clerk to the Council shall forthwith consult with the Chairman and Vice-Chairman of the Council, if the matter involves expenditure not provided for in the annual budget, and not covered by Finance Regulation 4.5, before acting on behalf of the Council in respect of the particular matter under consideration.

3.2.2 Before the Clerk exercises the delegated powers granted by paragraph 3.21 above, those Members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a Special Meeting of the Council or of the appropriate Committee and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

3.2.3 Before exercising the delegated power granted by paragraph 3.2.2 above, the Committee concerned shall consider whether the matter is of sufficient importance to justify recommending to the Chairman of the Council that a Special Meeting of the Council should be called in accordance with Standing Order 6 (a).

3.2.4 Whenever any action is taken in this way, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next appropriate meeting of the Council.

4. Committees

4.1 The **Planning Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- Receive and grant DPI dispensations; details of all dispensations received to be reported back to the Council, at the next available meeting.

• To comment on planning applications received from the, Chichester District Council, and West Sussex County Council
• Street Naming, depending on deadlines
• Licensing Matters
• Any other matter which may be delegated to it by the Council from time to time
• To comment on behalf of the Council on Local Development Framework Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate
• To comment on behalf of the Council in response to any consultations in relation to footpath diversions, modifications or adoptions, depending on deadlines.

Where a planning application is considered to be minor such as Tree applications, the Clerk having consulted with the Planning Committee is authorised to make an appropriate 'No Objection' Comment.

The following matters are reserved to the Council for decision, but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of, or above, the set budget in any given financial year •
- Any other matter which may be delegated to it by the Council from time to time

The Committee may refer specific matters to the Council for a final decision if it so wishes.

4.2 The **Employment Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- Receive and grant DPI dispensations; details of all dispensations received to be reported back to the Council, at the next available meeting.
- All matters relating to Staff, based on recommendations made or in line with contractual arrangements. This Committee may decide that it wishes to refer such matters to the Council for final decision, subject to the matters reserved for final decision for legal reasons.
- To carry out the Annual Staff Development Review, and to finalise and approve action plans resulting from that review, prior to report to Council that review has been completed
- Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure
- Dealing with any Grievance, Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any Appeal has passed
- Appointment of an Appeals Sub Committee, if necessary

Policy on the following matters is reserved to the Council for decision but the Employment Committee may also make Policy recommendations relating to:

- Salaries
- Conditions of Service
- Staff levels

The Committee may refer specific matters to the Council for a final decision if it so wishes.

It is vital that the Employment Committee keeps confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.

In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all Members of the Employment Committee must agree to undertake training in these matters.

4.2.1 The **Appeals Sub-committee** is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Employment Committee in Grievance, Disciplinary and Capability matters
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.

The Committee may refer specific matters to the Council for a final decision if it so wishes.

In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all Members of the Appeals Sub-committee must agree to undertake training in these matters.

4.3.1 The **Complaints Committee** is delegated to make decisions on the behalf of the Council in the following matters:

- Approval of its Minutes as true and correct records
- Receive and grant DPI dispensations; details of all dispensations received to be reported back to the Council, at the next available meeting
- investigate, prepare and collate evidence required for the investigation
- meet with the complainant
- notify the complainant of the result and outcome of the investigation

It is vital that the Complaints Committee keeps confidential its deliberations and decisions in cases of Complaints, legally and in the interests of fairness, as the matter may result in disciplinary action.
The Committee may refer specific matters to the Council for a final decision if it so wishes.

5. Sub-committees

5.1 The Council's Standing Committees do not currently appoint any Sub-Committees, but may do so, if a Committee believes that it would be relevant to appoint a Sub-Committee (Standing Order 4(a)). Any powers to be delegated to such a Sub-Committee may be detailed at the time the Sub-Committee is formed by means of a Minute detailing the Terms of Reference, but such delegated powers must be approved by the Council.

6. Working Groups/Parties

6.1 Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by

means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it.

7. Delegation - Limitations

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

A review of the policy shall be undertaken bi-annually (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full council for approval. The Council will undertake to ensure that its members and employees are trained in the processes required by this policy as deemed appropriate.

Adopted by Full Council on: _____ Minute No: _____

Review: _____