



# Scheme of Delegation

## Policy 36

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## **1.0 Scheme of Delegation**

The Council scheme of delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would have to be taken by the Full Council. Decision making powers are given to both Committees and officers to enable the Council to react to circumstances and operate effectively.

Powers cannot be legally delegated to individual Councillors or Working Parties.

Working parties are ordinarily established to investigate and or review a particular matter then report back to the relevant committee or Council with its findings which may include recommendations.

## **2.0 Council Functions**

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

- 2.1 Approval of Budget and setting the Precept.
- 2.2 Approval of the Annual Return and Audit of Accounts.
- 2.3 Authorisation of borrowing.
- 2.4 Adopting or changing all policies including Standing Orders, Financial Regulations and the Scheme of Delegation.
- 2.5 Making of Orders under any statutory powers.
- 2.6 Making, amending or revoking By-laws.
- 2.7 Appointment of Standing Committees.
- 2.8 Appointing Council representatives to outside bodies.
- 2.9 All other matters which must, by law, be reserved to the Full Council.
- 2.10 Recruitment and appointment of the Parish Clerk.

## **3.0 Delegation to Committees**

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. Committees are delegated plenary decision-making powers in respect of matters delegated. They 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.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.

### **3.1 All Committees**

3.1.1 Creation and Appointment to Working Groups.

3.1.2 Appointment of non-Councillor members to Working Groups where they bring additional expertise or knowledge, subject to confidentiality arrangements consistent with those required of Councillors.

### **3.2 Finance & General Purposes Committee**

All matters (except for creating Council Policy) relating to;

3.2.1 Review of budget position.

3.2.2 Consideration of annual budget request of all standing Committees for recommendation to Council.

3.2.3 Approval and award of grants and donations.

3.2.4 Considering and agreeing action to all Internal Audit reports.

3.2.5 Approval of Risk management strategy.

3.2.6 Write off of debts up to £3,000 (subject to requirements of Bad Debt Policy).

3.2.7 Consideration of quarterly budget monitoring and reconciliation statements.

3.2.8 Consider and resolve all Freedom of Information Act appeals.

### **3.3 Assets, Community & Environment Committee**

Overall policy (except for creating Council Policy) relating to;

3.3.1 Cuckfield Cemetery & Management Contract

3.3.2 Observer Field

3.3.3 Courtmead Road Allotments

3.3.4 Whitemans Green Allotments

3.3.5 Courtmead Road

3.3.6 Broad Street Public Toilets

3.3.7 Chapel

3.3.8 Street Furniture

3.3.9 Village Clock

3.3.10 Skatepark

- 3.3.11 CCTV
- 3.3.12 Horsefield Green
- 3.3.13 Seating, Dog & Litter bins
- 2.3.14 Christmas Street Festival and Other Events
- 3.3.15 South Street Railings
- 3.3.16 Land Inspections (RoSPA)
- 3.3.17 Bus Shelters
- 3.3.18 Street Lighting
- 3.3.19 Other Open Spaces
- 3.3.20 Memorial Requests
- 3.3.21 Winter Plan
- 3.3.22 Spend within the Assets, Community & Environment Committee Budget

### **3.4 Planning Committee**

All matters (except for creating Council Policy) relating to;

- 3.4.1 Planning Applications & Appeals
- 3.4.2 Tree Works Applications
- 3.4.3 Street Naming
- 3.4.4 Local and Regional Plans
- 3.4.5 Neighbourhood Plan Monitoring
- 3.4.6 Land Transfers
- 3.4.7 All other planning or highways matters the Parish Council is consulted on.
- 3.4.8 Spend within the Planning Committee Budget

### **3.5 HR Committee**

All matters (except for creating Council Policy) relating to;

- 3.5.1 All personnel matters not delegated to officers.
- 3.5.2 Amending staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget require Council approval.
- 3.5.3 Consider and resolve all staff grievances in accordance with Grievance Policy.

- 3.5.4 Consider and deal with all staff disciplinary matters in accordance with Disciplinary policy.
- 3.5.5 Consider and resolve all staff appeals concerning grievance or disciplinary matters.
- 3.5.6 Consider and resolve appeals to decisions relating to a complaint.
- 3.5.7 Consider all appeals against decisions where this is available within a policy.

### **3.6 Community Buildings Committee**

- 3.6.1 The Queen's Hall and Grounds
- 3.6.2 Cuckfield Village Hall and Grounds
- 3.6.3 The Angela Fox Nature Garden
- 3.6.4 Spend within the Community Buildings Budget

### **3.7 Roads & Traffic Committee**

- 3.7.1 Highways & Traffic Matters
- 3.7.2 All other highways matters the Parish Council is consulted on.
- 3.7.3 Spend within the Roads & Traffic Committee Budget

## **4.0 Delegation to Officers**

The following matters are delegated to the Council's Officers 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.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly, where Officers have no delegated power to make a decision they report the matter to Committee or the Council for a decision.

### **4.1 Parish Clerk**

The Parish Clerk shall be the Proper Officer of the Council as defined in law.

In addition;

- 4.1.1 Issue all statutory notifications.
- 4.1.2 Receive Declarations of Acceptance of Office.
- 4.1.3 Receive and record notices disclosing pecuniary interests.

- 4.1.4 Receive and retain documents and plans.
- 4.1.5 Sign summons to attend meetings.
- 4.1.6 Sign notices or other documents on behalf of the Council.
- 4.1.7 Receive copies of By-laws made by principal authority.
- 4.1.8 Certify copies of By-laws made by the Council.
- 4.1.9 Ensure compliance with Standing Orders
- 4.1.10 Manage all Parish Council staff, either directly or indirectly.
- 4.1.11 Manage the provision of Council services, buildings, land and resources.
- 4.1.12 Responsible for the overall management of all budgets in accordance with Council policies.
- 4.1.13 Act on behalf of the Council in an urgent situation and report back to the Council as soon as practical.
- 4.1.14 Incur expenditure in an emergency up to £5,000 whether budgeted or not.
- 4.1.15 Deal with matters specifically delegated by Council or Committee.
- 4.1.16 Deal with dispensation requests from Members under the Code of Conduct.
- 4.1.17 Take all decisions relating to the training of Councillors & staff.
- 4.1.18 Appoint all employees in accordance with the Council's staff structure.
- 4.1.19 Authorise minor non-fiscal adjustments to contracts of employment and job descriptions to meet the needs of the Council.
- 4.1.20 Appoint casual/temporary members of staff as needed to meet the business needs of the Council and within existing budgets.
- 4.1.21 Authorise additional hours of work for existing staff on a temporary basis to support the business needs of the Council.
- 4.1.22 Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy.
- 4.1.23 Enter into settlement agreements with employees up to a maximum of two months' salary where this is the prudent option for the Council.
- 4.1.24 Authorised to issue press releases/social media on any Council activity exercised in accordance with Council policy.
- 4.1.25 Overall responsibility for Health & Safety across all Council owned sites.
- 4.1.26 Overseeing Council transparency, access to information and data use and storage, including day to day management of Council's website.

## **4.2 Responsible Financial Officer**

- 4.2.1 Ensure Compliance with Financial Regulations.
- 4.2.2 Ensure compliance with all financial procedures.
- 4.2.3 Determine accounting policies, records and control systems.
- 4.2.4 Manage risk management of the Council.
- 4.2.5 Oversee the Financial Management of the Council.
- 4.2.6 Report to the Finance & General Purposes Committee on the Financial Performance of the Council.
- 4.2.7 Oversee the management of the budget process.
- 4.2.8 Prepare a budget for presentation to the Council.
- 4.2.9 Complete the annual close down of the accounts system.
- 4.2.10 Proper administration of the Council's financial affairs.
- 4.2.11 Report to External Auditor matters under Local Government Finance Act 1988 s114.
- 4.2.12 Arrange and manage the Council's insurance arrangements.
- 4.2.13 Management of Council salaries in accordance with contracts of employment.
- 4.2.14 Developing income generating activities.

## **4.3 Operations Officer**

- 4.3.1 Day to day management of land, buildings and other resources.
- 4.3.2 Management of maintenance contracts.
- 4.4.3 Day to day management of all employees within section.
- 4.4.4 Matters specifically delegated by Council or Committee.
- 4.4.5 Jointly responsible for the management of the Assets Community & Environment budget in accordance with Council Policy.

## **4.5 Assistant Clerk**

- 4.5.1 Project development for consideration by relevant Committee.
- 4.5.2 Matters specifically delegated by Council or Committee.
- 4.5.3 Jointly responsible for the management of the Assets Community & Environment budget in accordance with Council Policy.

4.5.4 In the absence of the Parish Clerk, authorised to issue press releases on any Council activity exercised in accordance with Council policy.

4.5.5 To act as delegate for Parish Clerk when absent.

**4.6 Assistant to the Clerk**

4.6.1 Day to day management of general office administration, including stationery budgets and such other budgets as allocated by the Parish Clerk.

4.6.2 Oversight of the cleaning contracts for both the Queen's Hall and Cuckfield Village Hall, as well as the cleaning contract for the Broad Street Public Toilets.

4.6.3 Matters specifically delegated by Council or Committee.