



# **Ruskington Parish Council**

## **Scheme of Delegation**

As adopted by Ruskington Parish Council on 8 October 2024

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For review October 2025

## SCHEME OF DELEGATION

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

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

#### **1.2 Responsible Financial Officer & Deputy Clerk**

The Responsible Financial Officer to the Council shall be responsible for the accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and the adopted Financial Regulations of the Council.

1.2.3. The RFO can authorise routine expenditure in the following circumstances:

- a. Any payments of up to £500 excluding VAT, within an agreed budget.
- b. In the absence of the Parish Clerk, payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises or in an emergency.
- c. Any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998, or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Finance Committee.
- d. Fund transfers within the council's banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council, or finance committee.

1.4. In the absence of the Clerk, the Deputy Clerk shall act as the Proper Officer and shall carry out all duties as authorised below.

### **2. Proper Officer**

2.1 The Parish Clerk shall be the Proper Officer of the Council and as such is specifically authorised to do the following in addition to any other duties set out in the adopted Financial Regulations and Standing Orders of the Council.

- 2.1.1 Receive declarations of acceptance of office;
- 2.1.2 Receive and record notices from Councillors disclosing interests;
- 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 the Council;
- 2.1.6 Certify copies of By-laws made by the Council;
- 2.1.7 Sign and issue summonses 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. This does not include the day the agenda is published, the day of the meeting, Sundays and Bank or other public holidays. (Any public notice regarding the agendas for an extraordinary meeting (EOM) of the Council must be signed by the Chairman, or the two Councillors who called the EOM.**

**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 Parish Clerk has the delegated authority to undertake the following matters on behalf of the Council:

2.2.1 The 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.

2.3.3 Referral of staff to Council's approved Occupational Health Adviser.

2.3.4 Authorisation of routine expenditure in the following circumstances:

a. Any payments of up to £500 excluding VAT, within an agreed budget.

b. Payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises or in an emergency.

c. Any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998, or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Finance Committee.

d. Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council, or finance committee.

2.3.5 To write press releases regarding Council news and activities.

2.3.6 To authorise councillors' attendance at training events

2.3.7. To authorise councillors' travel expenses for attending training, attendance at other council events, or carrying out business for the Council as approved by Council in advance, and subject to funds remaining within the yearly budget set aside by the Council.

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

### 3. Council

- 3.1 The following matters are for the full Council to decide, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.
- 3.1.1 Setting the Budget and Precept;
  - 3.1.2 Borrowing money;
  - 3.1.3 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
  - 3.1.4 Making, amending or revoking By-laws;
  - 3.1.5 Making of Orders under any Statutory powers;
  - 3.1.6 Matters of principle or policy.
  - 3.1.7 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
  - 3.1.8 Any proposed new undertakings;
  - 3.1.9 Prosecution or defence in a court of law;
  - 3.1.10 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
  - 3.1.11 Approving the annual return;
  - 3.1.12 Confirming eligibility to exercise the General Power of Competence
  - 3.1.13 Termination of staff contract due to gross misconduct, following investigation and recommendation by the HR Committee or appeal panel.
  - 3.1.14 Hiring of staff members as recommended by the HR Committee.
  - 3.1.15. To consider and approve staff contracts, role profiles, job descriptions and all council policies that relate to staff which may have been recommended by the HR Committee.
  - 3.1.16 To consider and approve staff pay and pensions, which may have been recommended by the HR Committee.

### 4. Standing Committees

- 4.1 The **Human Resources (HR) Committee** shall be delegated to make decisions on behalf of the Council in the following matters:
- To oversee all aspects of Human Resource activities for Council's employees.
  - To review annually and when required amend contracts of employment, role profiles, job descriptions and any council policies that relate to staff and health and safety issues, and report to full council with any recommendations.
  - To implement, monitor and annually review staff pension arrangements.
  - To appoint from its membership a panel to act as the line-manager for the Parish Clerk, and to carry out the annual appraisal of the Clerk

- To establish and keep under review the staffing structure in consultation with the full Council.
- To draft, implement, annually review, monitor and revise employment policies for staff including health and safety issues and report to full Council with any changes.
- To appoint a recruitment panel, when necessary, administer and manage the recruitment process, and recommend appointments to the full council.
- To monitor and address regular or sustained staff absence.
- To appoint from its membership three members to act as a disciplinary panel in accordance with the staff handbook, or to act as an appeal panel against any action taken by the Proper Officer. This panel to exclude chairman and vice chairman of the council.
- In accordance with Council policies and ACAS guidelines, make decisions regarding discipline, grievances, and employment changes, and to seek independent HR Advice as required and in accordance with the staff handbook.
- The disciplinary panel will hear any formal grievances made by the Clerk or by any other staff against the outcome of a grievance undertaken by the Clerk. This panel to exclude the chairman and vice chairman of the council.
- Where the Committee feels necessary, it may refer any decision for which it has delegated authority, to the full council.

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

- To agree the use of the sporting facilities on behalf of the Council.

## 5. **Sub Committees**

5.1 Sub-committees may be formed by committees of the Council in accordance with Council's Standing Orders and on receipt of formal Terms of Reference.

## 6. **Working Groups/Parties**

6.1 Working Groups/Parties may be formed for a defined duration 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 Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, other rules, regulations, schemes, statutes, By-laws or orders made, and with any directions given by the Council from time to time.