

Schemes of Delegation

DOCUMENT INFORMATION

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VERSION HISTORY

Version Number	Date	Details of Changes included in Update
0.1	20-03-2020	First draft
0.2	05-04-2021	Replaced Section 7 after EGM on 30 March 2021
0.3	05-03-2024	F&G amended, Employment Committee added. Approved - FC 13 February 2024
0.4	08-10-2024	Removal of Neighbourhood Plan Steering Group TGR&H amended Planning amended

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1 Introduction

Local Councils may only do what legislation requires or permits them to do. The Local Government Act 1972, s101 (with some exceptions) allows the Council to delegate functions to committees, sub committees, officers, or other authorities.

The business and proceedings of Horsted Keynes Parish Council, its Committees, Sub-Committees and Working Groups is also regulated by its Standing Orders, but in general:

- Committee Members will be agreed at the Annual Statutory Council Meeting in May.
- The calendar for Committee Meetings will be agreed at the Annual Statutory Meeting of the Council in May.
- Election of the Committee Chair and Vice-Chair will be the first business of the initial Committee/Sub-committee/Working Group Meetings.
- The Clerk or other appropriate officer will record meetings.
- Standing orders on rules of debate and interests of members apply.

2 Clerk¹

2.1 General

To **act** as the Proper Officer of the Council in carrying out all of its functions and to **issue all notifications required by law**.

To **act** as the Council's Responsible Financial Officer in ensuring that the Council's financial processes and records are acceptable and that the Council's finances are carefully administered.

To assume **total responsibility for ensuring that the instructions of the Council are carried out** in connection with its function as a local authority.

To **make orders, incur expenditure and process payments** within authorised budgets.

To **be accountable** for the effective management of all of the Council's resources.

To have **overall responsibility for the Council's administrative service**.

To **act as a general manager** in respect of all of the Council's services, projects and initiatives.

To **undertake training or attendance at Conferences** as previously authorised within budget.

2.2 Specific Responsibilities

To have **overall responsibility for the Council's accounts** and for the preparation of appropriate records for audit and VAT purposes.

To ensure that the contractual arrangements with the Council's contractors are organised on an acceptable basis.

To **liaise with outside organisations** (locally, regionally and nationally) to strengthen the role of the Council and to effect improved communication.

To **act as the representative of the Council as required**.

To **have overall responsibility for maintaining, implementing and monitoring the effectiveness of the Council's procedural and policy documents, within the policy framework defined by the Council**.

¹ And, in the absence of the Clerk, the other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent, as defined in Standing Order 15 (a).

3 Full Council

3.1 Specific Duties & Powers reserved to the Full Council

- a) **Duty** to sign declaration of acceptance of office (Councillors and Chairman).
- b) **Duty** to appoint a Responsible Financial Officer to manage the council's accounts.
- c) **Power** to arrange for the discharge of functions by another local authority.
- d) **Duty** to hold Annual Statutory Council Meeting.
- e) **Duty** to hold Annual Parish Meeting.
- f) **Power** to convene a Parish Meeting.

3.2 General Powers, Budget & Constitution

- a) To **approve** an annual budget, reflecting priorities identified through operational review.
- b) To **approve** the annual budget precept.
- c) To **approve** the financial management framework, financial procedures and controls, including audit, across all its services.
- d) To **approve** annual objectives, targets and performance indicators.
- e) To **approve** Financial Regulations and ensure their annual review.
- f) To **approve** a performance management policy and pay policy ensuring that these meet nationally agreed terms of pay and conditions.
- g) To **approve** the use and development of land and premises, including any shared or off-site facilities, including security.
- h) To **approve** the Risk Assessment and Financial Management document (annually).
- i) To **approve** Standing Orders and ensure their annual review.
- j) To **approve** capital projects and developments across all services.
- k) To **approve** any policy affecting the conduct of the Council, its services and its staff.
- l) To **approve** changes to the Council's Constitution, including any recommendation from a committee to **establish** any sub-committee.

3.3 Powers related to Services

- a) To **approve** fees and charges annually.
- b) To **approve** action in response to issues in relation to planning and highways.
- c) To **resolve** on any controversial planning application.

3.4 Reserving of Powers

Full Council retains the right to determine (and to reserve to itself) any issue which is within its powers and duties as a parish council, including those which are (within these terms of reference and from time to time) delegated to its committees and officers, by simple resolution.

4 Finance & Governance Committee

4.1 Purpose

To deal with all matters concerning finance, governance, administration and assets.

4.2 Terms of Reference

To manage the Council budget and its assets. This includes:

- Budget & finance, including planning/annual budgets/payment of accounts/financial audits/ setting of fees & charges.
- Premises & Capital Assets.
- Capital projects and spend.
- Licences, leases and agreements.
- Grant Aid requests.

4.3 Committee

Councillors will be agreed at the Annual Statutory Council Meeting or at any subsequent Full Council Meeting. Substitute members are permitted, provided two days' notice has been given to the Proper Officer.

4.4 Quorum

Three members must be present for this meeting to commence.

4.5 Meetings

The Committee meets on dates and times as approved by the Committee and will usually take place in the Council Office or Village Hall (Small Hall). Extraordinary meetings may be arranged if deemed necessary.

4.6 Scheme of Delegation

- a) To **agree** effective procedures for monitoring the budget.
- b) To **authorise** expenditure within approved budgets.
- c) To **approve** any virement and supplementary budget requests within the Council's agreed overall budget.
- d) To **approve** the level of delegation to the Clerk for the day-to-day financial management of the Council and its services.
- e) To **approve** changes to the Council's Fixed Asset Register.
- f) To **approve** a health and safety policy, with respect to premises and assets, that complies with legislation and to ensure that appropriate checks and assessments are carried out and prioritised for necessary action.
- g) To **approve** capital expenditure and planned and preventative maintenance expenditure with respect to premises and assets.
- h) To **act** on behalf of the Council in relation to any planning applications it proposes to make.

- i) To **approve** the actions needed to address any issues identified through external review and to monitor and evaluate regularly the implementation of any plan agreed.
- j) To **review** all licences, leases and agreements (other than Lewes Road Allotments) and make recommendations in respect of any amendments to Full Council.
- k) To consider and ultimately **approve** requests from organisations for financial donations in accordance with the Council's Grant Aid Policy.
- l) To **approve** programmed service expenditure within budgets agreed by full Council.
- m) To **approve** remedial action where projected out-turn variation on the whole committee budget exceeds 5%.
- n) To **approve** the tendering and selection of contracts.
- o) To **approve** the selection of contractors.
- p) To **review** annually and update the Financial Regulations, ensuring that they are observed and **make appropriate recommendations** to the Full Council.
- q) To **ensure** that all reserves are managed in line with the Council's Financial Regulations.
- r) To **receive and review** both internal and external audit reports and make recommendations to Full Council.
- s) To **oversee** all legal matters, except those relating to employment, and make recommendations to Full Council.

4.7 Budget Statement

The Committee shall prepare and submit a draft annual budget for approval to the December Full Council Meeting and prepare and submit a final annual budget for approval to the Full Council Meeting no later than January of each year.

4.8 Appointment of sub-committees, panels, working or task groups

The Committee shall appoint panels, temporary working or task groups relevant to the functions of the Committee and receive reports from them and may request the Full Council to establish any relevant subcommittees.

5 Toilets, Green, Recreation Ground & Highways Committee

5.1 Purpose

To deal with all matters concerning Toilets, The Green, Recreation Ground (including the Lewes Road Allotments) and Highways.

5.2 Terms of Reference

The maintenance, management and improvements of outdoor facilities. This includes:

- Playground and Play Equipment.
- Recreation Ground and booking of facilities (Sports Pitches and Pavilions).
- Seats and litter bins.
- Christmas Lighting Display.
- Events on The Green and Recreation Ground.
- Finger Posts.

To submit proposals for the following year to the Full Council not later than the end of November each year, including proposals for revising the forecast (Financial Regulations 3.1).

5.3 Committee

Councillors will be agreed at the Annual Statutory Council Meeting or at any subsequent Full Council Meeting.

5.4 Quorum

Three members must be present for this meeting to commence.

5.5 Meetings

The Committee meets on dates and times as approved by the Committee and will usually take place in the Council Office or Village Hall (Small Hall). Extraordinary meetings may be arranged if deemed necessary.

5.6 Scheme of Delegation

- a) To **approve** programmed service expenditure within budgets agreed by Full Council and to submit a report to the Finance and General Purposes Committee where projected out-turn variation on the whole committee budget exceeds 4.99%.
- b) To **authorise** expenditure within approved budgets or up to £1,000 without approval by Full Council.
- c) To **approve** the tendering and selection of contracts.
- d) To **approve** the selection of contractors.
- e) To **approve** Lewes Road Allotment rules and procedures, to review lease agreements and make recommendations in respect of any amendments to full Council and to monitor enforcement action.
- f) To **oversee** any environmental issues affecting Horsted Keynes.
- g) To **approve** any operational and maintenance requirements of play areas and recreation grounds within the Council's control.
- h) To **determine** the allocation of sports pitches and pavilions.

- i) To **oversee** all seats and litter bins within the Council's control.
- j) To **oversee** an attractive Christmas lighting display that enhances the Village for the Christmas period.
- k) To **approve** any Council run events, which enhances the Village and benefits the Community.
- l) To **approve** any occasional event hire by third parties of public open spaces managed by the Council, to be administered by the Clerk and to **review** any request falling outside the procedure.

5.7 Appointment of sub-committees, panels, working or task groups

The Committee shall appoint panels, temporary working or task groups relevant to the functions of the Committee and receive reports from them and may request the Full Council to establish any relevant subcommittees.

6 Planning Committee

6.1 Purpose

To consider all planning applications and appeals for Horsted Keynes Parish and provide statutory consultee responses to Mid Sussex District Council and, when applicable, West Sussex County Council.

To consider any requests for pre-application discussions and respond to proposals.

To consider any reports of planning breaches and where appropriate notify Mid Sussex District Council's Planning Enforcement Team.

6.2 Terms of Reference

To consider and comment on every planning application and appeal affecting Horsted Keynes, except any large or contentious applications which will be dealt with by the Full Council. Applications or Appeals of a **large or contentious nature** will be referred, by the Clerk, to the Chair (or Vice-Chair) of the Council within two days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council (*Standing Order 6*).

6.3 Committee

Councillors will be appointed at the Annual Statutory Council Meeting or at any subsequent Full Council Meeting.

6.4 Quorum

Three members must be present for a meeting to commence.

6.5 Meetings

The Committee meets on dates and times as approved by the Committee and will usually take place in the Village Hall (Small Hall). Extraordinary meetings may be arranged if deemed necessary.

6.6 Scheme of Delegation

- a) The Committee is **authorised** to object, support or comment on an application. This is to be documented in the minutes of the meeting and the agreed response is to be conveyed to Mid Sussex District Council or West Sussex County Council in accordance with the appropriate Planning Applications and Appeals procedure by the Clerk or, where agreed in the meeting, by a delegated member of the committee.
- b) Where an application is subject to an appeal, the committee is **authorised** to make a written representation and/or to elect a member of the committee to attend the hearing if applicable.

7 Clerk's Overtime Payment

7.1 Scheme of Delegation

The confirmed minutes of the Council meeting held on Tuesday 13th September 2016 recorded the following decision:

0085 **RESOLVED** that the Chairman could approve up to 8 additional hours a month for the Clerk and that any additional hours accrued by the Clerk would be reported to the next available Parish Council Meeting.

9 Employment Committee

9.1 Purpose

To deal with all matters concerning personnel and human resources.

9.2 Terms of Reference

The Committee will be responsible for employment issues. This includes;

- Maintaining up to date Employment policies and contracts
- Line management
- Employee performance management and professional development including appraisals, training and objective and target setting
- Annual salary review
- Recruitment
- Any issues arising pertaining to sickness, absence, grievance, disciplinary or legal matters

9.3 Committee

Councillors will be agreed at the Annual Statutory Council Meeting or at any subsequent Full Council Meeting. The Committee may co-opt any person in an advisory capacity. This person(s) shall not be a voting member of the Committee.

The Chairman of the Council will be the Line Manager for the Clerk. The Line Manager role can be covered by any other member of the Employment Committee in their absence.

9.4 Quorum

Three members must be present for this meeting to commence.

9.5 Meetings

The Committee meets on dates and times as approved by the Committee and will usually take place in the Council Office or Village Hall (Small Hall). Extraordinary meetings may be arranged if deemed necessary.

9.6 Scheme of Delegation

a) To **review** annually and update the Employment policies and make appropriate **recommendations** to the Full Council.

b) To consider any amendments to the Contract of Employment and Job Description as put forward by either the Council, the Employee or any professional body (NALC, etc) and **recommend** to the Council any action considered necessary.

- c) To perform the duties of a Line Manager to the Clerk (see 9.3) including, but not limited to;
- agreeing work priorities and scheduling
 - approving monthly hours, overtime (up to 8 hours/month) and salary payments
 - approving holiday and unpaid leave requests and agreeing cover arrangements
 - maintaining the Clerk employment file
- d) To carry out appraisals as detailed in the Employee Performance Management Policy and additionally, as may be deemed necessary by the Employment Committee or Full Council, for each employee. A **recommendation**, based on the annual appraisal, will be made to the Council with regard to any pending annual increment for the next financial year.
- e) To determine the training and qualification needs for the Council and Staff and make **recommendations** for training to Full Council.
- f) To advertise, select and interview any person(s) considered for employment by the Council and to make **recommendations**, as to the suitability of the applicant(s), to the Full Council based on the interviews conducted.
- g) To consider any complaints to or by any employee of the Council and **take any action necessary** in accordance with the Employee Grievance and Disciplinary policies.
- h) To consider all Health & Safety aspects in relation to the Council's role as an employer.
- i) To **approve** policies, guidelines and strategies on human resources and any industrial relations matters, including (but not limited to) roles mandated with respect to the Council's Disciplinary and Grievance Policy.
- j) To consider the need to employ additional cover staff and make **recommendations** to Full Council.
- k) To **oversee** all legal matters pertaining to Employment and make **recommendations** to Full Council.

9.7 Appointment of sub-committees, panels, working or task groups

The Committee shall appoint panels, temporary working or task groups relevant to the functions of the Committee and receive reports from them and may request the Full Council to establish any relevant subcommittees.