

Aubourn and Haddington Scheme of Delegation

Introduction

This document sets out the way Aubourn and Haddington Parish Council has delegated powers and responsibilities. This document is one of the 3 major ways in which the Council regulates its affairs; the others are its Standing Orders and Financial Regulations. The power to delegate functions is set out in the Local Government Act 1972 s 101. The intention of the delegation scheme is to allow the Council to act at all reasonable speed.

Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day-to-day administration of the Council to decide matters within the Terms of Reference and matters of major policy should be recommended to the full council. Whilst delegation is necessary it is the Council's policy that members and the press and public should have the fullest information. Therefore, the Clerk reports all major decisions taken under delegated powers at the next Council or Committee meeting.

Proper Officer, Responsible Finance Officer (RFO) The Clerk shall be:

- The Proper Officer and will carry out the functions as provided by the Local Government Act 1972.
- The RFO in accordance with the Accounts & Audit Regulations in force at any given time.
- The DPCO as required by the General Data Protection Regulations 2018 Delegated Powers and Responsibilities.

In addition to the responsibilities set out in the Clerk's job description, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services,
- Authorisation to call any extra meetings of the Council, or Committee, as necessary, having consulted with the Chair or Vice Chair
- 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.
- Authorisation of routine expenditure in accordance with the Council's Financial Regulations
- The Clerk shall have delegated powers to authorise Councillors' attendance at training events having consulted with the Chair or Vice Chair, subject to funds remaining within the yearly budget set aside by the council. Such expenses incurred will be approved retrospectively after the event, at the next meeting of the Council. Any expenditure in respect of training in excess of £100 per event must be approved by Council prior to attendance.)
- Submission of Planning application consultation responses following consultation with the Parish Council.
- Submission of consultation responses following consultation with the Parish Council.

- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 or GDPR Regulations 2
- Issuing press releases and statements on the Council's known policies
- Updating and managing the content of the Council's website
- Co-ordinating the Council's newsletter articles.
- Disposal of Council records according to legal restrictions and the Council's Record Management Policy

Emergency Situations

- Take appropriate actions arising from emergencies in consultation with the Chair/Vice Chair of the Council as appropriate to the circumstances.
- An emergency situation is defined as a time when the Council cannot act under its normal standing orders due to circumstances outside of its control.
- To note that it is lawful for the Clerk to spend against specific items in the Parish Council's budget i.e., for contractors, utilities, salaries etc, all of which having been identified in the budget when setting the precept, any such payments to be reported to the Council at the next ordinary meeting.
- To approve provision of delegated powers to the Clerk to spend up to £500 and to authorise urgent work in consultation with the Chair/Vice Chair of the Council when unforeseen circumstances occur.
- Delegated powers to the Clerk to respond to planning applications having consulted with the Parish Council
- To undertake confidential pre-application consultations having consulted with the Parish Council
- Agreement to delegate the postponement of meetings of the Council, in consultation with the Chair and Vice Chair.

All work actioned under the Scheme of Delegation will also be documented

Monitoring and review

This policy will be monitored periodically by the Council to judge its effectiveness and will be updated in accordance with changes in the law.

Policy effective from: 16 October 2023

Date for next review: as required