

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

- 1.1 Operate the Council's banking arrangements
- 1.2 Pay all accounts properly incurred within the agreed budget, including all subscriptions to organisations to which the Council belongs
- 1.3 Emergency expenditure up to £2000 outside of the agreed budget (Financial Regulation 5.18)
- 1.4 Make all necessary arrangements for the provision of an internal and external audit service for the council
- 1.5 Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
 - a) The cost not exceeding the amount approved estimate
 - b) The tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
 - c) All the requirements of the Council's Financial Regulations being complied with.
- 1.7 Maintain a Register of Assets
- 1.8 Make all necessary arrangements for the Council's Insurance

2. Proper Officer

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

- 2.1.1 Receive declarations of acceptance of office
- 2.1.2 Receive and record Members' Registers of Interest
- 2.1.3 Receive and grant Disclosable Pecuniary Interest (DPI) dispensations; details of all dispensations received and granted to be reported to the Council, at the next available meeting.
- 2.1.4 Receive and retain plans and documents
- 2.1.5 Sign Notices or other documents on behalf of the Parish Meeting
- 2.1.6 Receive copies of By-laws made by a Primary local authority
- 2.1.7 Sign summons to attend Parish Meetings and Committee.

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

2.2.1 Day to day administration of services, together with routine inspection and control

2.2.2 Authorisation to call any extra meetings or alter the date or time of the Council or any Committee as necessary, having consulted with the Chairman of the Council, and/or the Chairman of the appropriate Committee

2.2.3 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

2.2.4 To act as the Parish Meeting's designated Officer for the purposes of the Freedom of Information Act 2000 and the Council designated Data Processor for the General Data Protection Act 2018

2.2.5 To oversee the discharge of the Council's responsibilities under the Health & Safety at Work Act 1974

2.3 All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council. Delegated actions of the Clerk to the Parish Meeting shall be in accordance with Standing Orders, Financial Regulations, approved budgets and this Scheme of Delegation and in line with directions given by the Parish Meeting from time to time. The Parish Clerk may do anything pursuant to the delegated power or duty, which would be lawful for the Parish Meeting to do including anything reasonably implied or incidental to that power or duty.

2.4 The Parish Clerk is authorised to act on behalf of the Parish Meeting in cases of urgency or emergency. Any such action is to be reported to the next Parish Meeting or relevant Committee or Working Party. The Chairman of the Parish Meeting or any relevant Committee or Working Party are to be consulted where possible before such action is taken.

3. Parish Meeting

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

3.1.1 Setting the Precept

3.1.2 Borrowing money

3.1.3 Approval of the Council's Annual Accounts and completion of the Annual Return

3.1.4 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation

3.1.5 Matters of principle or policy

3.1.6 Nomination and appointment of representatives of the Parish Meeting to any other authority, organisation or body (excepting approved Conferences or meetings)

3.1.7 Any proposed new undertakings

3.1.8 Nomination or appointment of representatives of the Parish Meeting at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.

3.2 Urgent matters:

3.2.1 In the event of any matter arising which requires an urgent decision the Clerk to the Parish Meeting shall forthwith consult with the Chairman and Vice-Chairman of the Parish Meeting if the matter involves expenditure not provided for in the annual budget, and not covered by Finance Regulation 5.18, before acting on behalf of the Parish Meeting in respect of the particular matter under consideration.

3.2.2 Before the Clerk exercises the delegated powers granted by paragraph 3.2.1 above, those Members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a Special Parish Meeting or of the Chairman's Advisory Committee and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Parish Meeting 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 import to justify recommending to the Chairman of the Parish Meeting that a Special Parish Meeting should be called in accordance with Standing Order 3(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.

4. Committees

4.1 The **Chairman's Advisory Group** shall be delegated to make decisions on behalf of the Parish Meeting 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 Parish Meeting at the next available meeting.
- Approval of expenditure on items included in the approved Committee budget up to the amount specified in the budget
- To comment on planning applications received from the Planning Authority, 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 Parish Meeting from time to time
- To comment on behalf of the Parish Meeting 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.
- Code of Conduct investigate, prepare and collate evidence required for the investigation
 - obtain information from Chichester District Council on the progress of the case
 - deal with complaints that cannot be dealt with via the usual complaints procedure

- **Complaints** - investigate, prepare and collate evidence required for the investigation
 - meet with the complainant
 - notify the complainant of the result and outcome of the investigation
- **Staffing** - All matters relating to Staff, based on recommendations made or in line with contractual arrangements.
 - 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
 - Appeals against decisions made by the Chairman's Advisory 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 following matters are reserved to the Parish Meeting 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
- Conditions of Service
- Staff levels.
- Any other matter which may be delegated to it by the Council from time to time

It is vital that the Staffing, Complaints and Code of Conduct discussions are kept confidential deliberations and decisions, legally and in the interests of fairness, as the matter may result in disciplinary action.

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

5. Sub-committees

5.1 The Parish Meeting Standing Committees do not currently appoint any Sub-Committees, but may do so, if the Chairman's Advisory 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 Parish Meeting.

6. Working Groups/Parties

6.1 Working Groups/Parties may be formed by resolution of the Parish Meeting 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 Parish Meeting 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.

The Scheme of Delegation was adopted by the Parish Meeting at its meeting held on 23rd May 2024 Minute No 08.24(6) and will be reviewed annually. The review will be recorded in the minutes of the Annual Parish Meeting.