

POWICK PARISH COUNCIL

MODEL SCHEME OF DELEGATION

- The Local Government Act 1972, section 101, gives a parish council power to delegate decisions to a committee, a sub committee reporting to a committee, or the clerk, being the council's proper officer.
- Decisions may not be taken by an individual councillor, including the chairman.
- Working groups of councillors without delegated decision-making powers may meet informally without public notice to oversee functions of the council and to make recommendations to council.
- The council should agree terms of reference for delegation whether this is to an officer or committees, sub-committees and working groups, and these should be reviewed annually.

Here are some delegation schemes that you may consider adopting.

Clerk's Finance Consultative Group

- From time to time the council will appoint two councillors (who will not be bank signatories) to form the finance group.
- The finance group will monitor financial records, bank reconciliations, budgetary control and other internal financial control measures.
- The finance group will monitor the work of the internal auditor.
- The finance group will support the clerk in making recommendations to council regarding:
 - Budget planning
 - Financial regulations
 - Appointment of RFO and internal auditor
 - Risk management
 - Insurance review
 - Internal and external auditors' reports.

Urgent Decisions of Council

- Urgent decisions required between scheduled meetings of the council are delegated to the clerk in consultation with the chairman (and vice chairman) of the council.

POWICK PARISH COUNCIL

- Decisions made under this delegation will be reported to and minuted at the next council meeting.
- Under this delegation, where appropriate, the clerk may decide that an extraordinary meeting of the council be called to deal with the urgent matter.

Planning Committee

- The council delegates decisions arising under development control consultations to the planning committee which will meet monthly or at such time that the clerk in consultation with the chairman of committee decides.
- Membership of the planning committee will be determined by the council.
- The planning committee will receive reports of development control decisions taken by the local planning authority.
- The planning committee will consider and make recommendations to the council on all matters of planning policy referred to the council by the local planning authority and other authorities.
- Agendas for meetings of the planning committee in open session will be circulated according to legislative requirements and at the same time posted on notice boards.
- The clerk may arrange for councillors to meet near, or on-site, to familiarise themselves with the site but not to debate the application.
- Minutes of the planning committee will be received by the council and approved by the planning committee.
- Under this delegation, and in particular with regard to controversial or major development proposals, the clerk in consultation with the chairman of the planning committee, may decide that a parish meeting and/or an extraordinary meeting of the council be called to consider the matter or that the matter be referred to the next council meeting, whichever is appropriate.

OR

Planning Delegation to the Clerk

- The council delegates decisions arising under development control consultations to the clerk in consultation with members determined by council.
- The councillors to be consulted will be (choose one of the following options)
 - Any three members of the council
 - The chairman, vice chairman and one other member of the council

POWICK PARISH COUNCIL

- Any three members from a named group of members of the council
- Consultation may be by correspondence, including email, or in person. It may take place at meetings of the council or its committees.
- Alternatively, the clerk will arrange for relevant papers to be circulated to the councillors who should return them as soon as possible, together with their comments, to the clerk for determination of the council's response within the prescribed consultation period.
- Decisions made under delegation will be reported to and minuted at the next council meeting.
- Under delegation to the clerk, and in particular with regard to controversial or major development proposals, the clerk in consultation with the chairman, may decide that a parish meeting and/or an extraordinary meeting of the council be called to consider the matter or that the matter be referred to the next council meeting, whichever is appropriate.

Staffing Committee

1. General

- a) The staffing committee will consist of at least three councillors appointed by council.
- b) The committee will be mindful:
 - i. of the legal framework for and good practice in employment matters.
 - ii. of the confidential nature of employer-employee matters and that many of the items for consideration will require that the public and press be excluded by resolution of the committee.
 - iii. of the nationally negotiated model contract and terms and conditions for the employment of the clerk to the council.
 - iv. of the CALC model member-officer protocol.
 - v. that the clerk is the line manager for all other staff.

2. Matters for recommendation to council

The committee will receive reports from the clerk and make recommendations to council regarding:

- a) staffing & office requirements.
- b) budget allocation.

POWICK PARISH COUNCIL

- c) all policy issues relating to staff.

3. Matters for delegation to the staffing committee

The committee will receive reports from the clerk and will:

- a) be responsible for staff recruitment.
- b) confirm individual contracts of employment and all terms and conditions.
- c) make arrangements for a regular objective review of the clerk's performance and take any necessary action.
- d) consider other staff reviews undertaken by the clerk and take any necessary action.
- e) decide upon annual salary awards.
- f) consider matters arising from the application of the council's disciplinary and grievance procedures and take all necessary action.
- g) as and when required under the council's disciplinary and grievance procedures, appoint an appeals panel, whose members will not be members of the staffing committee, and appoint the chairman of the appeals panel who will initiate an appeals panel meeting.
- h) Consider recommendations from the appeal panel and take any necessary actions.