

WHIMPLE PARISH COUNCIL SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer of the Council ('the Parish Clerk') to act with delegated authority in the specific circumstances detailed. It will be reviewed annually at the Council's Annual General Meeting.

Proper Officer and Responsible Financial Officer - Duties and Powers

Responsible Financial Officer (RFO)

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

During the financial year, the RFO will carry out the following financial duties:

April to end June

- Close the Council's Accounts and complete the Annual Governance and Accountability Return (AGAR) within the statutory timescales.
- Liaise with the Internal Auditor during the Internal Audit process
- Present the AGAR to the Council for sign off
- Publish the AGAR and Internal Auditor report on the Councils website by 30 June
- Publish the notice of exercise of public rights
- Draft a financial outturn report for the previous financial year
- Reclaim VAT from the previous financial year
- Review and update the Financial Regulations, Statement on Internal Controls and Risk Management Strategy and take them to the Council AGM each year.
- Publish the report of the Council's expenditure for the previous financial year on the website by 30 April.

July to end September

- Submit the AGAR to the External Auditor by their specified deadline
- Liaise with the External Auditor during the External Audit process
- Publish the audited AGAR on the Councils website by 30 September
- Publish the External Auditors Report on the Council's website by 30 September
- Publish the Notice of Conclusion of Audit on the Council's website

October to end January

- Put together the Council's draft budget for the next financial year
- Present the draft budget to the Council
- Work with the Council to set the budget and precept
- Liaise with East Devon District Council to provide them with the precept information.

Throughout the financial year

- Process and income received by the Council, updating the cashbook
- Process any expenditure incurred by the Council, updating the cashbook

- Take a schedule of payments to each Council meeting to be signed off before processing via online banking
- Complete a monthly reconciliation of all bank accounts to the cashbook and take it to each Council meeting for sign off
- Produce regular budget monitoring reports and take them to Council at least quarterly

Proper Officer

The Parish Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Parish Clerk is specifically authorised (via legislation) to:

- Receive declarations of acceptance of office
- Receive and record notices from councillors disclosing interests
- Receive and retain plans and other documents
- Sign notices, licences and other documents on behalf of the Council
- Receive copies of by-laws made by a principal council
- Certify copies of by-laws made by the Council
- Sign and issue summonses to attend meetings of the Council
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them)
- Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in that office
- To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection Act 2018

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

- Notwithstanding any delegations to the Council, to manage the day-to-day operation of the Council's services, projects and all other assets for which the Council has responsibility, in line with the budgets, policies approved by Councillors and legislation.
- 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.

To make any such applications for grant funding, on behalf of the Council, as might, from time to time, become available from the National Lottery, Devon County Council (DCC), East Devon District Council (EDDC) and any other grant funding bodies that may assist the Council in maintaining its assets and delivering its services and special projects. Any such application will be reported back to the Council or, where relevant, committee as soon as practicable thereafter.

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

Urgent Matters

Subject to consultation with the Chair and/or Vice-Chair of the Council, the Parish Clerk is authorised to act on behalf of the Council on any matter where, in her view, urgent action is needed to protect the interests of the Council. Such action will be reported back to the Council as soon as practicable thereafter.

Council

The following matters are reserved to the Council for decision:

- Appointing the Chair of the Council
- All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Parish Clerk/ RFO
- Determination and setting of the precept
- Borrowing money
- Approving the end of year accounts and annual return
- Appointment of an internal auditor
- Co-option of councillors to the Council
- Appointing committees, sub-committees and working parties/forums
- Filling of councillor vacancies
- Making, amending or revoking Standing Orders, Financial Regulations, policies and this Scheme of Delegations
- Making, amending or revoking by-laws
- Making of orders under any statutory powers
- Agreeing the dates of meetings of the Council
- Receiving and noting of all minutes approved by the Council
- Incurring capital or revenue expenditure which is over and above the Council's approved budget and any virements required to give effect to this
- Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings)
- Prosecution or defence in a court of law
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish
- Approval of application for Quality Council status or its equivalent
- Confirming eligibility to exercise the General Power of Competence

Specific Delegations

To enable the Council to fulfil its responsibilities efficiently at all times, the Parish Clerk, in consultation with the Chair and/or Vice-Chair of the Council, is delegated to make decisions on behalf of the Council where such decision cannot, in the Parish Clerk's view, be reasonably deferred to a meeting of the Council. All councillors will be kept informed of any decisions made, which will be formally ratified at the first available properly convened meeting of the Council.

An example of a specific delegation would be if a scheduled Council meeting is unable to transact any business due to being inquorate. It is likely that there would be items that cannot wait until the next meeting (such as payments to suppliers or correspondence that has a timescale to it). In these instances, the Parish Clerk will send the information to all councillors and obtain written permission from the Chair and/or Vice-Chair before taking any action.

Furthermore, the Parish Clerk, after consultation with all councillors, is delegated to submit comments for planning applications to EDDC on any applications received where the deadline for a response is before the date of the next Parish Council meeting. The Council's response as a statutory consultee will then be available on the EDDC website and the comments section of the relevant planning application.