



Woughton Community Council

Scheme of Delegation

2024

1) Introduction / Overarching aims

1.1) This scheme of delegation sets out the principal governance structure of the Council and the decision making process, utilising the power of delegation set out in the Local Government Act Section 101. The scheme allows the Proper Officer, Responsible Financial Officer, officers under direction and all levels of committee to act with delegated authority in specific circumstances detailed. The scheme is overseen by the Council and should be reviewed on an annual basis, taking into account the changing nature of the committee structure.

1.2) The scheme provides clarity and transparency in the decision-making process and ensures that decisions are made at the appropriate level within the organization. The scheme can be used to identify the powers delegated to each decision-making body within the organization, including elected officials, committees, and officers. It specifies the extent of their decision-making powers, including financial decision making powers, policy-making authority, and procedural responsibilities.

1.3) The scheme of delegation also identifies matters that are reserved for specific decision-making bodies or are subject to further approval and outlines the criteria for referring matters to higher authorities and specify the procedures for doing so.

1.4) This scheme assumes that Woughton Community Council maintains the General Power of Competence, as defined in the Localism Act 2011.

Policy

2. Council and Committees

2.1) General

2.2) The Full Council has the authority to make any decisions allowed in law. This includes if the Council qualifies to determine that the Council has the General Power of Competence.

2.3) The Full Council may not delegate the following decisions

- a) The Power to designate itself as having the power of general competence.
- b) Decisions relating to the Annual budget and Precept (Council Tax level)
- c) Decisions to borrow or make investments.
- d) Decisions relating to membership of committees (though a committee may determine the membership of a subcommittee)
- e) Any decisions to sanction or otherwise place restrictions on a member of the Council.
- f) The formal appointment of the Proper Officer or Responsible Financial Officer
- g) The approval of any Neighbourhood Plan.

- h) Decisions to commit expenditures in excess of £30,000 except those relating to the employment of staff.

2.4) Notwithstanding the above a Committee of the Council or an Officer or a Member may make recommendations to the Council on these matters.

2.5) Specific

2.51) Committees of the Council may interchange under headings within the financial year any budgets within their purview and terms of reference subject to approval by Full Council

2.52) Committees of the Council may determine expenditure within their purview and budgets sums up to £30,000

2.53) The Council or Committees may delegate by resolution any matter on which it has powers to a Sub Committee or to the Council Manager subject to 6 below

2.54) The Council Manager may further delegate to any another officer any powers delegated to them, provided that the Council Manager keeps and maintains a record of such delegations granted.

2.55) The Council Manager shall delegate to the Responsible Financial Officer those matters determined as being the responsibility of the RFO in the financial regulations.

2.56) The Council Manager or other Officer delegated by him/her shall have the power to commit expenditure up to **£12,000** subject to

- a. The expenditure being within the approved budget and within current policy.
- b. That the proposed expenditure is not significant or likely to be controversial, unless the appropriate lead member is consulted.
- c.** That the appropriate lead member is consulted on all items of expenditure over **£3,000**

2.6) Employment

2.61) The Full Council reserves to itself the power to confirm appointments to the positions of Council Manager and Responsible Financial Officer

2.62) The Council Manager may arrange for a Panel of officers which may include him or her to approve appointments to any other position.

2.63) Decisions to increase or decrease the number of employees or the staffing establishment in terms of Full Time Equivalents shall be taken by a relevant committee unless such decisions fall within the approved budgets when such decisions may be taken by the Council Manager in consultation with the appropriate lead member.

2.64) The terms of employment of Officers and other HR policies shall be determined by the Operations and Resources Committee who shall consult where appropriate with the recognised trade unions through an approved process.

2.65) The Council Manager shall have the power, in consultation with the appropriate lead member to suspend any officer but may not dismiss except through a procedure to be approved by the Operations and Resources Committee which will include a process for appeal.

- 2.66) Where an officer gives notice that he or she wishes to terminate their employment the Council Manager may take appropriate steps to advertise or otherwise arrange for a replacement subject to the powers of confirmation being as above

2.7) Policy Advice

- 2.71) Prior to taking a decision the Council or Committee of the Council shall seek the professional advice of the Council Manager or Responsible Financial Officer or any other officer designated by him/her. Such advice may be given in the form of a written report or by verbal advice.
- 2.72) The Council shall not take any decisions to borrow money or make financial investments or to approve the budget without a report from the Responsible Finance Officer on the risks associated with such a decision, the sufficiency of reserves and the robustness of the budget and any proposals.
- 2.73) The Council or its committees shall not take any decisions which may have legal implications without seeking the advice of the Proper Officer who in turn may seek the advice of the National Association of Local Councils or other body or independent legal advice if this is merited.

3. Proper Officer

3.1) The Council's 'Proper Officer' is a statutory appointment and is entrusted to the office of the Clerk (at WCC, this role is covered by the Council Manager). The Proper Officer is responsible in law for ensuring that the Council's records, assets, and processes are kept in good order, regularly reviewed, and reported to Council. Specifically, duties of the Proper Officer include:

- Receiving declarations of acceptance of office.
- Receiving and recording notices disclosing interests.
- Receiving and retaining plans and documents.
- Sign notices and documents on behalf of the Council.
- Receive copies of bylaws made by a principal local authority.
- Certify copies of bylaws made by the Council
- Draft and publish agenda papers in consultation with the relevant chairperson.
- Sign summons to attend ordinary meetings of the Council.
- Retain custody of the Council's seal for use by resolution.

4. Responsible Financial Officer

4.1) The Responsible Financial Officer (RFO) is a statutory appointment under S151 of the Local Government Act 1972 and at WCC is a separate officer from the Clerk / Council Manager. The RFO is accountable to the Council and holds responsibility for determining the Council's form of accounts, ensuring that accounts and maintained in accordance with the Accounts & Audit Regulations in force at any given time. In addition, duties of the RFO include:

- Accountability for the management of budgetary information, reporting and management of reserves.
- Accountability for the timely and proper report of all cashbooks and reconciliations to the

Council

- Ensuring investments are carried out in accordance with the Council's Treasury & Investment Policy.
- Maintaining a sound system of internal control and convening the Financial Scrutiny Panel, including implementing the recommendations of the panel.
- Discharging all responsibilities in relation to the Local Government Pension Scheme.
- Completion and certification of the Annual Governance & Accountability Return.
- Ensuring the obligations of the Accounts & Audit Regulations are met.
- Publishing all relevant financial information as per Transparency Code requirements.

5. Council Clerk

5.1) The role of the Council Clerk is that of 'chief executive' or 'head of paid service'. The title of 'Clerk' is an historic office that is widely retained by Local Councils. At WCC, this role is covered within the Council Manager remit. The office holds responsibility for presiding over administrative and operational matters, but not matters of policy approval which is reserved for the Council. The Clerk is responsible for issuing directions and orders to staff as the principal line manager and is accountable to the Council as a body corporate. The Clerk holds delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspection and control
- Day to day supervision and control of all staff employed by the Council
- Personnel matters including capability and disciplinary procedures as per policy.
- Deployment of council resources to discharge the statutory duties of the Council and agreed committee business plans.
- Providing comments to local press and media on behalf of the Council in consultation with relevant stakeholders, specifically the Leader of the Council.
- 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
- Authorisation of routine recurring expenditure within the agreed budget lines.
- Authorisation of expenditure on any general works within the agreed budget lines.
- Authorisation of emergency expenditure outside of an agreed budget in accordance with Financial Regulations, with any such emergency expenditure to be reported to the Council at the earliest opportunity.
- Proposition of new policies and initiatives for consideration by the Council.

In addition, the Council delegates responses to planning and licensing applications that fall outside the meeting schedule (i.e. have a response date falling prior to the next scheduled meeting), with the understanding that, if controversial or significant, an extra meeting can be called.

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

6) Financial Regulations

The Clerk and RFO shall have delegated authority to authorise payments in the following circumstances: i. any payments of up to £3000 excluding VAT, within an agreed budget. ii. payments of up to £25,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises. iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Operations committee. iv. Fund transfers within the councils banking arrangements up to the sum of £100,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Operations committee

Linked policies (i.e. to be read in conjunction with).

- Standing Orders
- Financial Regulations
- Investment Strategy
- Staff Handbook

Last review date:	September 2025
Next review date:	September 2026
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	OC-141/24
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