Scheme of Delegation to the Parish Clerk

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Policy Purpose:

The purpose of this policy is to provide information on the powers and functions Meriden Parish Council has delegated to the Clerk, to act on behalf of the Council.

Introduction:

The Local Government Act 1972, section 101, gives a Parish Council the power to delegate decisions to a committee or to the Clerk. The scheme does not delegate any matter:

a. Reserved by law
b. Which by law may not be delegated to a Councillor and /or Officer.

The powers and duties set out in this scheme are delegated to the Parish Clerk; the Parish Clerk is also the Councils Responsible Financial Officer. Decisions made by an officer of a Parish Council acting under delegated powers require a written record to be kept. The Clerk will keep a log of all decisions made under delegated powers and will arrange for these to be made open to the appropriate committee.

The Parish Clerk will exercise these powers in accordance with:

- Approved budgets.
- The Council's Financial Regulations.
- The Council's Code of Conduct.
- The Council's Policy Framework and other adopted policies of the Council.
- All statutory common law and contractual requirements.

The Parish Clerk may do anything pursuant to the delegated power or duty which it would be lawful for the Council to do including anything reasonably implied or incidental to that power or duty.

Notes:

1. Standing Orders were adopted in May 2024; this scheme is in addition to Standing Order no. 15 (Proper Officer, page 16).
2. Local Councils may delegate decisions to a committee, a paid officer or any other local authority. The Terms of Reference for each committee will state the extent of their delegated authority.
3. No Parish Councillor may act independently; all Parish Council actions must be by way of the full Council, a committee or the Clerk.
4. Delegation for urgent business is a necessity in today's age and is included below.
5. The Parish Council's Standing Orders and Financial Regulations are based upon NALC models.
6. In the absence of the Clerk, or in the event that the Clerk is an interested part, the Deputy Clerk is delegated to act on the Council's behalf.

7. This scheme of delegation is not an exhaustive list of powers or functions.

Service area	**Function**
Audit	To maintain a continuous internal audit that is to be available for members to review on a quarterly basis.
Communications	To deal with all press and public relations on behalf of the Council (see also Information and Communications Technology below).
Consultations	To notify the Council of all planning application consultations received. In the event of the consultation end-date falling before the date of the next council meeting, and an extension not being available from Solihull Council, the Clerk will agree the Council's response by collating members' individual comments to forward to the Planning Authority (unless the Chair calls an extraordinary meeting).
Contractors	To liaise with, and be the first point of contact for, all contractors appointed by the Parish Council.
Decisions	To take all necessary action, including signing any document necessary to give effect to any decision of the Council and its Scheme of Delegation.
Elections	To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with them regarding any statutory notices, electoral arrangements and co-option.
Emergency Planning	1. To lead the Council's response in the case of a local major emergency in consultation with and/or under the direction of the Emergency Planning Officers of the Local Authority. 2. To report to Council issues concerning emergency planning to facilitate and enable an appropriate response in the event of a local emergency.

Finance	1. If required, and dependent upon banking arrangements, to manage timely transfer of funds between the Parish Council's bank accounts in order to maintain adequate cash-flow. 2. To maintain adequate insurance cover for the Parish Council's activities and assets. 3. To act as Responsible Financial Officer for the purposes of the Accounts and Audit Regulations. 4. To present accounts for payment following the Council's approval. 5. To provide an annual draft budget to the Council. 6. Other delegations in accordance with Financial Regulations. Financial Regulation 6.9.iii permits the processing of payments to the Council's suppliers in situations where the Parish Council is unable to meet. 7. In accordance with Financial Regulation 6.9.ii, the Clerk is authorised emergency expenditure of £10,000 whether or not there is budgetary provision for the expenditure. 8. In accordance with Financial Regulation 6.9.i, the Clerk is authorised to approve payments of up to £1,000 within an approved budget.
Data Protection and Freedom of Information	1. To have overall responsibility for the Council's publication scheme. 2. To be responsible for applying the requirements of the Freedom of Information Act, Data Protection Act and General Data Protection Regulation.
Health, Safety and Wellbeing	1. To arrange for and keep the Council's schedule of risk assessments up to date. 2. To take all necessary action to implement actions identified to mitigate risks in the workplace and on Council property. 3. To be the responsible officer for all safety purposes prescribed by law
Information and Communications Technology	1. To be responsible for the provision and management of information and communication technology provided throughout the Council. 2. To report on the need for replacement of outdated equipment and the purchase of new equipment. 3. To be responsible for the Parish Council's website and any other online presence.

Land and Property	1. To purchase necessary goods and supplies. 2. To maintain the Council's property. 3. To adjust grass cutting frequencies, and other scheduled maintenance activities, in relation to the maintenance of the various open areas for which the Council is responsible. 4. To consult on planting schemes for the various open areas for which the Council is responsible.
Meetings	To arrange and call meetings of the Parish Council, committees and working groups as and when expedient in consultation with the Chair of the Council.
Proper Officer	To act as Proper Officer for the purposes set out in Standing Orders and for all other purposes prescribed by law.
Staff	To line manage the Deputy Clerk and undertake appraisals, recommending salary increases to the Finance, Governance and Personnel committee.
Standing Orders	1. To adhere to the Standing Orders of the Council. 2. Arrange regular reviews.
Urgent Business	1. Urgent decisions required between scheduled meetings are delegated to the Clerk in consultation with the Chair of the Council. 2. In the absence of the Clerk, or in the event that the Clerk is an interested party, the Deputy Clerk will act as a substitute. 3. In the absence of the Council's Chair, or in the event that the Council's Chair is an interested party, s/he will be substituted by the Vice Chair. 4. Decisions made under this delegation will be reported to and minuted at the next Parish Council meeting. 5. Under this delegation, where appropriate, the Clerk may advise the Chair that an extraordinary meeting of the Parish Council must be called to deal with the urgent matter.