



Scheme of Delegation

Introduction:

This Scheme of Delegation sets out how Upton Parish Council delegates specific functions and powers to its officer/(s). It ensures efficient, lawful, and transparent governance by clearly defining roles and responsibilities, while retaining strategic decision-making with the full Council.

This Scheme complements the Council's Standing Orders and Financial Regulations.

General Principles:

The Council is accountable for all its functions and decisions and may delegate authority in accordance with Section 101 of the Local Government Act 1972.

The Scheme ensures that delegated authority is lawful, proportionate, and in line with Council policies.

Decisions taken under delegation must be recorded and reported for transparency.

Matters Reserved to Full Council

The following matters are reserved to the Council for decision:

- Appointment of the Clerk/RFO
- Adoption of the Financial Regulations, Standing Orders, Scheme of Delegation and other Council policies
- Approval of the budget
- Setting the Precept
- Appointment of committees and membership of such committees
- Agreement of Terms of Reference for Committees
- Adoption of schedule of meetings for the ensuing year
- Determine expenditure for which budget provision has not been made, or has been exceeded
- Borrowing, investment, or legal proceedings
- Approval of eligibility for the General Power of Competence
- Approval of the Council's Annual Accounts and completion of the Annual Return

- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Making, amending or revoking byelaws
- Making of Orders under any statutory powers
- Matters of principle or policy
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish
- Any proposed new undertakings
- All other matters which must by law be reserved to the full Council
- Setting the strategic direction, vision, and major policy decisions
- Purchase or disposal of significant Council land or assets
- Co-option of councillors

The Clerk / RFO:

The Clerk/RFO is designated and authorised to act as the 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 Clerk shall be the Responsible Financial Officer (RFO) to the Council and shall be responsible for the Parish Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

Delegation to the Clerk (Proper Officer)

The Clerk to the Council shall be the Proper Officer and as such has specific delegated authority to:

- Receive declarations of acceptance of office
- Receive and record members' interests
- Receive and grant dispensations according to the Council's Code of Conduct; details of all dispensations received and granted to be reported to the Council at the next available meeting.
- Receive and retain plans and documents
- Sign notices or other documents on behalf of the Council
- Receive copies of byelaws made by a primary local authority
- Certify copies of byelaws made by the Council
- Sign summons to attend meetings of the Council
- To institute and appear in any legal proceedings authorised by the Council
- Act as Proper Officer under relevant legislation.

- Undertake all operational and administrative management of the Council and its facilities.
- Approve expenditure within approved budget lines and in accordance with the Financial Regulations of the Council.
- Act in emergency situations (e.g. public safety, service continuity) after consultation with the Chair or Vice-Chair and report such actions to the next available meeting.

The Clerk, as RFO (or designated RFO), is authorised to:

Maintain the Council's accounts and ensure proper financial management.

- Make payments in line with Financial Regulations.
- Manage payroll and pension administration.
- Submit VAT returns
- Prepare financial reports
- Monitor the budget
- Complete and submit the Annual Governance & Accountability Return (AGAR).
- Dispose of assets (excluding land and buildings) subject to the estimated value of any one tangible moveable item does not exceed £500. The Clerk is responsible for ensuring that disposal details are recorded in the Asset Register.

Additional Delegated Authority

In addition, the Clerk has the 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
- Authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget.
- Power to authorise relevant training courses providing the expense can be met from approved budget.
- Implement national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service as amended by Local Agreement
- Authorisation to call any extra-ordinary meetings of the Council, having consulted with the Chairman
- 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
- The Clerk will deal with all routine correspondence which does not commit the Council to enter into legal agreement or give an opinion. The Clerk will also deal with any correspondence covered by delegated authority.

- Authorisation of routine recurring expenditure within the agreed budget according to the Council's Financial Regulations
- Power to act immediately on all health and safety or emergency issues without waiting for endorsement by Full Council.
- Emergency expenditure in accordance with the Council's Financial Regulations.
- Power to release urgent press statements on any activities subject to prior consultation with the Chairman.
- Power to act on own initiative to implement the Council's policies and objectives.
- Power to manage open spaces owned by UPC subject to budget.
- To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000
- Power to manage the social media of the Council in accordance with the Social Media policy.
- Power to engage with the community and stakeholders to raise the profile of the Council and foster and maintain good working relationships.

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.

Committees

Upton Parish Council does not have any Committees at present. This scheme of delegation shall be updated to include delegation to committee/(s) upon the formation of any committee.

Committees shall have their own Terms of Reference which are adopted by the Council, and subject to limitations where functions cannot be transferred to the Committee from the Full Council.

Working Groups

Working Groups can be formed by the Council (or by its committees). Working Groups have defined roles and carry out specific tasks as agreed.

General Terms of Reference for Working Groups:

- To review or consider issues as directed by Full Council (or specific Committee)
- To examine an issue in detail, read report and related materials, examine options, and get advice for Full Council as required
- Act as experts for the Council and/or liaise with experts
- Make recommendations to Full Council/(Committee)
- Explain recommendations, reasons and options by way of written reports
- To answer questions raised in respect of the issue investigated

- Not to fund or commit to fund without prior agreement of the Council
- Working groups will not have a budget
- The number of members will be agreed at the time of the Working Group appointment
- All external correspondence received or sent by the Working Group must be sent/copied to the Clerk.
- Working Groups do not meet in public therefore Standing Orders do not apply.

Transparency and Accountability

All decisions made under delegated authority must be documented.

The Scheme of Delegation shall be reviewed at least annually at the Annual Meeting of the Council or when significant changes to governance occur, and the current Scheme of Delegation shall be published on the Council's website.

Adopted: February 2026

Review: