

Scheme of Delegation

1. Introduction

- 1.1 This Scheme of Delegation forms part of the Council's Standing Orders and Financial Regulations and will be reviewed annually or earlier, if there are significant changes at Council.
- 1.2 Those with delegated responsibility are referred to by job title, therefore any changes in job titles will trigger a review of this scheme.
- 1.3 One of the purposes of the document is to clearly define the parameters within which Officers of the Council are able to act without reference to either their line managers or Members. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.4 Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.
- 1.5 The other purpose of the document is to capture the various delegated powers throughout the council, including those delegated by the Council to its various committees. This element of the scheme incorporates the Terms of Reference of the committees.
- 1.6 The powers and duties set out in this scheme are delegated to the Town Manager (Deputy Town Manager assumes the role of Town Manager in the absence of the Town Manager). The Town Manager may delegate these duties and powers to other Officers within the Council.

2. Powers Reserved to Full Council

Membership: All Councillors

Quorum: One third of the constitution.

Matters to be resolved only by Council:

- Issuing the precept
- The power to raise loans
- Approving the end of year Accounts and Annual Return.
- Incurring capital expenditure over and above the Council's approved budget.
- Incurring revenue expenditure which is over and above the Council's approved budget
- The Council has ultimate responsibility to ensure financial balance and probity.
- Amending the Standing Orders and Financial Regulations

- Setting the number of Committees, and the names and number of Members appointed to each Committee.
- Determining the functions and constitution of Committees
- Setting the dates of meetings of the Council and its Committees
- Filling of Member vacancies occurring on any Committee or Council
- Appointing or nominating persons to fill vacancies on outside bodies.
- Confirming the appointment of, and dismissing the Town Manager.
- All other matters which must, by law, be reserved to the full Council.

3. Delegation to Committees

POWERS AND DUTIES OF STANDING COMMITTEES

3.1 Subject to the above statements, and to observance of decisions of the Council on matters of principle or policy, all the Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified.

3.2 The acts and proceedings of a Committee shall:

- (a) where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
- (b) as regards matters not delegated to the Committee under Terms of Reference, be subject to confirmation of recommendations made by the Committee by Full Council, and when confirmed shall be deemed the acts and proceedings of the Council;
- (c) in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.

3.3 Committees are authorised to establish Panels and working groups, and to appoint advisers as and when they deem necessary to assist in their work subject to adherence at all times with the Council's Standing Orders and to clear Terms of Reference being established at the outset.

3.4 Matters delegated to Committee may be referred to Full Council at the request of the Panel (provided the majority vote are members of the Council) of the Council prior to the resolution of the matter.

3.5 In accordance with Standing Orders the Council may, under specified conditions, reverse a Committee (or Council) decision within the call-back period outlined in the Standing Orders or after six months.

4. Resources Committee

Membership: unlimited number of Councillors

Quorum: 50% of membership

Matters to be resolved by Resources Committee

See Terms of Reference attached.

5. Amenities Committee

Membership: unlimited number of Councillors

Quorum: 50% of membership

Matters to be resolved by Amenities Committee

See Terms of Reference attached.

6. Development & General Purposes Committee

Membership: unlimited number of Councillors

Quorum: 50% of membership

Matters to be resolved by Development & General Purposes Committee

See Terms of Reference attached.

7. DELEGATION TO CHAIRMEN

See Role of Chairman (attached)

8. CHAIRMAN OF THE COUNCIL

In the absence of the Chairman, the Vice-Chairman shall assume the role.

The Chairing of all meetings of Full Council

- (a) The option to be a member of all Committees and Panels
- (b) To act as the liaison between the majority group of the Council and the Town Manager in indicating the priorities and programmes of the Council for inclusion in Council business and their likely reaction to new policies for projects
- (c) To be the first port of call for the Town Manager when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the terms of reference of any of the Committees or Panels.

9. Delegation to Officers

9.1 Town Manager (Proper Officer)

In the absence of the Town Manager, the Deputy Town Manager shall assume the role.

- 9.1.1 The Town Manager 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.

9.1.2 Provided that such authorisation is not prohibited by statute the Town Manager to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty or function, subject to:

- only be given to an Officer below the delegating officer in the organisational structure
- only being given where there is significant administrative convenience in doing so
- the Officer authorised by the Town Manager acting in the name of the Town Manager
- such authorisation not being prohibited by statute.

10. General Matters

10.1 The Town Manager is authorised:-

- a. To sign on behalf of the Council any document necessary to give effect to any decision of the Council;
- b. Managing the Council's public relations activities including social media
- c. To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with him or her regarding the conduct of elections
- d. To take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council;
- e. To institute, defend and appear in any legal proceedings authorised by the Council
- f. To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Syston);
- g. The Chairman will instruct the Proper Officer to alter the date or time of a Council /Committee meeting,
- h. To decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to consultation with the Chairman of the Council;
- i. To manage the Council's facilities and assets, including parks, open spaces, amenity areas, Community Centre and other buildings and assets.
- j. To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.
- k. To deal with requests from Members for administrative support in connection with their duties
- l. To implement pay awards and conditions of service
- m. To act as the Council's Proper Officer as per section 281 Local Government Act 1972.

11. Financial Matters

The Town Manager is authorised as follows:-

- a. To incur expenditure up to a maximum of £5,000 for emergency expenditure; this is in conjunction with the Chairman of the Council and/or Vice-Chairman or Chair of Resources.
- b. The emergency spend limit for the Deputy Town Manager is £2,500 or £5,000 when covering for the Town Manager.
- c. The emergency spend limit for the Office Co-ordinator is £2,500.
- d. In both cases this is in conjunction with the Chairman of the Council and/or Vice-Chairman or Chair of Resources.
- e. Unauthorised spend for items under £500 should be made in conjunction with the Chairman/Vice-Chairman or Chairman of Resources.
- f. Budgeted items can be authorised by the relevant Committee.
- g. Un-budgeted items over £500 should be authorised by the Resources Committee.

12. Staffing Matters

12.1 The Town Manager is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:-

- a. The appointment of senior officer interviews will be carried out by a panel of two members from the Resources Committee (or other Members appointed by Full Council) and the Town Manager;
- b. All other appointments to be recruited by the Town Manager or relevant senior manager;
- c. The employment of temporary employees;
- d. Control of staff performance and discipline and performance, including the power of suspension and dismissal, in accordance with the policies set by the Resources Committee and approved by Council.
- e. Payment of expenses and allowances in accordance with the Council's scheme;
- f. Dismissing members of staff;
- g. To present to the Resources Committee guidance on recommendations for employees' salary reviews, in accordance with the Council's staff appraisal system.

13. Property Matters

13.1 The Town Manager is given authority to manage the land and property of the Council including:-

- a. Agreeing the terms of any lease, licence, conveyance or transfer approved by Council.
- b. The granting or refusal of the Council's consent under the terms of any lease;
- c. Variations of restrictive covenants of a routine nature;
- d. Recommending to Council on the granting of easements, wayleaves and licenses over Council land;
- e. Initiating legal action or proceedings against unauthorised encampments on Council land.

14. Urgency

14. The Town Manager is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant committee. The Chairman of the Council and the Chair of any relevant committee are to be consulted before such action is taken.

Equality Impact Assessment

We need to understand whether our services are meeting everyone's needs and that everyone who needs them has access to those services. We have developed an Equality Impact Assessment process for the assessment of any new or significantly changed policies, practices, procedures, functions and services.

Undertaking Equality Impact Assessments enables us to take action to prevent direct and indirect discrimination by ensuring that as far as possible any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures.

Our ultimate aim is to improve our services. By making sure we have considered the potential impacts of a policy, strategy or plan at an early stage potential barriers or problems can be avoided and actions put in place these it can be fully incorporated into any decisions and not just a 'bolt-on' at the end. Working in this way helps us to integrate and mainstream equalities into our work. Likewise, when reviewing the effectiveness and performance of our services, we can use this procedure to identify equality issues and opportunities as an integral part of our review.

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