



SCHEME OF DELEGATION

1. DISCHARGE OF THE SCHEME

- 1.1 The Parish Clerk 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.
- 1.2 This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders and will be reviewed every two years and when there are staffing changes.
- 1.3 Those with delegated responsibility are referred to by job title, Parish Clerk (Proper Officer).
- 1.4 One of the purposes of the document is to clearly define the parameters within which Officers of the Council can act without reference to Councillors. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.5 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.
- 1.6 The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its committees. This element of the scheme incorporates the Terms of Reference of the committees.

2. PRINCIPLES OF DELEGATION

- 2.1 Section 101 of the Local Government Act 1972 provides:
 - That a Council may delegate its powers (except those incapable of delegation) to a committee, or an officer.
 - A Committee may delegate its powers to an officer.
 - The delegating body may exercise Powers that have been delegated.
- 2.2 Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and with the law.
- 2.3 Inside of reserved powers (see 5 below) in an emergency the Parish Clerk is empowered to carry out functions of the Council.
- 2.4 Where the Parish Clerk is contemplating any action under delegated powers, which is

likely to have a significant impact in a particular area, they should also consult the Chair of the Council and must ensure that they obtain appropriate legal, financial, and other specialist advice before action is taken.

3. Authority to Act

- 3.1 It will be appropriate for the Parish Clerk to refer a matter to the Council where the determination of the matter is likely to be particularly controversial or raises issues of policy which it would be appropriate for councillors to determine; or could, by its scale or complexity expose the Council to major corporate risk.
- 3.2 The Parish Clerk and Committees have the responsibility to act within the Council's approved policies, procedures, and framework and within the law in conjunction with this delegated scheme.

4 CONFLICTS OF INTEREST

- 4.1 Under the Local Government Act 1972, section 117 the Parish Clerk must make a formal declaration about council contracts in which they have a financial interest.
- 4.2 Where the Parish Clerk has a conflict of interest in any matter, he/she shall not participate in that matter unless approved by the Council and this is formally recorded in the Council minutes.

5 COUNCIL RESERVED POWERS

- 5.1 The following matters are only to be resolved by the full Council:
- Appointment of the Parish Clerk/Responsible Financial Officer and other council officers following a recommendation from the Staffing Committee
 - To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation, and other Council policies
 - To approve and adopt the Policy Framework.
 - To approve and adopt the Budget.
 - To agree and/or amend the terms of reference for Committees
 - To adopt the schedule of meetings for the ensuing year.
 - To determine matters involving expenditure for which budget provision is not made or is exceeded.
 - To set the Precept.
 - To make bylaws.
 - To borrow money.
 - To annually approve the statutory annual return
 - To approve eligibility for the General Power of Competence

6 DELEGATION TO COMMITTEES - SAFEGUARDS

- 6.1 The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.

7 DELEGATION TO COMMITTEES

Community Centre and General Purposes Committee

Membership: 13 Councillors

Quorum: 3 Councillors

Meetings: To be held on the third Tuesday of every month (except August and other months where the Clerk (in consultation with the Chairperson and/or Vice Chairperson) makes alternative arrangements).

Terms of Reference:

To exercise all the powers and functions of the Council relating to:

- (i) the Community Centre project (including the power to co-opt up to thirteen Members to the Committee) except that the Committee shall not be empowered to authorise the borrowing of money or issuing a precept or deal with matters relating to the operation of the bar in the Community Centre.
- (ii) all forms of entertainment to be provided by the Council including the fireworks display and to make the appropriate arrangements each year.
- (iii) the Annual Christmas Tea event for elderly residents of Armthorpe, including the power to incur expenditure for this and other purposes under the provisions of Section 137 of the Local Government Act 1972.
- (iv) the duties and responsibilities of the Sports and Recreation Officer, including determining the income and expenditure relating to the services provided by him/her and all other matters associated with the post.
- (v) where it is considered necessary between monthly meetings of the full Council, the Committee shall exercise all the Council's functions (except the power to authorise the borrowing of money or issuing a precept).

Finance Committee

Membership: 10 Councillors

Quorum: 3 Councillors

Meetings: To be held every four months on the fourth Tuesday (except August and other months where the Clerk (in consultation with the Chairperson and/or Vice Chairperson) makes alternative arrangements).

Terms of Reference:

- (i) To exercise budgetary control of the Council's estimates throughout each financial year, supervision of the administration and other matters relating to the Council's accounting records and procedures, including arranging from time to time an internal audit of the same and to report any findings and make recommendations to the Council (as per Minute 110/96).
- (ii) To identify (within the Council's statutory powers) and prioritise any projects which the Committee feels will benefit the community and to make recommendations in respect of the same to the Council, together with estimates of the costs.
- (iii) To make recommendations to the Council on staff salaries and rates of pay, including annual pay awards.

Staffing Committee

Membership: 7 Councillors

Quorum: 3 Councillors

Meetings: To be called by the Clerk to the Council (after consultation with the Chairperson and/or Vice Chairperson) when it is considered appropriate for matters to be considered at a meeting of the Committee.

Terms of Reference:

To exercise all the powers of the Council to make appointments to permanent posts of the Council, including determination of terms and conditions of service, grievances, etc. and dismissal of such employees be delegated to the Staffing Committee, except that the appointment of the Clerk to the Council and his/her terms and conditions of employment shall be determined by a special meeting of the whole Council.

Disciplinary and Grievance Appeals Panel

Membership: 5 Councillors

Quorum: 3 Councillors

Meetings: To be called by the Clerk to the Council (after consultation with the Chairperson and/or Vice Chairperson) when it is considered appropriate for matters to be considered at a meeting of the Panel.

Terms of Reference:

To exercise all the powers of the Council in relation to the determination of employee appeals from decisions of the Staffing Committee.

Freemen Committee

Membership: 5 Councillors

Quorum: 3 Councillors

Meetings: Meetings of the Committee be determined by the Parish Council on an infrequent basis and (generally) at not less than 8 yearly intervals from 2010.

Terms of Reference:

To make recommendations to the Council regarding (amongst other things) the eligibility criteria for nominations for any future awards of Freemen and/or Freewomen of the Parish of Armthorpe.

Strategic Planning Committee

Membership: 6 Councillors

Quorum: 3 Councillors

Meetings: To be called by the Clerk to the Council (after consultation with the Chairperson and/or Vice Chairperson) when it is considered appropriate for matters to be considered at a meeting of the Committee.

Terms of Reference:

To exercise all the powers of the Council in relation to the determination of creating a strategic plan and to make recommendations to Full Council regarding the content and process of developing a plan.

Sports and Recreation Sub Committee

Membership: 5 Councillors
Quorum: 3 Councillors
Meetings: To be called by the Clerk to the Council (after consultation with the Chairperson and/or Vice Chairperson) when it is considered appropriate for matters to be considered at a meeting of the Committee.

Terms of Reference:

To develop the Sports and Recreation provision and make recommendations to the Community Centre and General Purposes committee.

Events Sub Committee

Membership: 6 Councillors
Quorum: 3 Councillors
Meetings: To be called by the Clerk to the Council (after consultation with the Chairperson and/or Vice Chairperson) when it is considered appropriate for matters to be considered at a meeting of the Committee.

Terms of Reference:

To organise an annual calendar of events, and to provide direction for officers, councillors and volunteers in the planning, organisation, and evaluation of these events. Further, representatives of organisations and community groups in the Parish will be invited to meetings to discuss and arrange a calendar of events in the Parish, and to arrange and organise joint events where planned.

8 DELEGATION TO PARISH CLERK

(a) Parish Clerk

1. In the case of an emergency, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Chair (if practicable in the circumstances).
2. Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees and councillors.
3. The Clerk is the manager for all staff employed by the Council and is given delegated powers to manage the council staff in accordance with the Council's policies, procedures, and budget.
4. The authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget. The Clerk shall have the authority to engage casual workers subject to budget and the Clerk shall consult with the Staffing Committee members when such work is to be sanctioned.
5. Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council.
6. Power to release press statements on any activities of the Council subject to prior consultation with the Chairperson.

7. Power to act on own initiative to implement the Council's policies and objectives.
8. Power to take appropriate steps to ensure the Council does not exceed its powers.
9. Power to manage all the Council's facilities and resources in accordance with the Council's policies.
10. In liaison and after conferring with the Chairperson, to make such Civic arrangements as are necessary.
11. The Proper Officer shall have authority to issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.
12. The Proper Officer shall be responsible for signing all the Council's Official Notices as set out in the Standing Orders.
13. As Proper Officer/Responsible Financial Officer, the Clerk may incur expenditure on revenue items on behalf of the Council up to the amounts included in the approved budget.
14. The Parish Clerk, in consultation with Councillors, to make comment on planning applications submitted to Armthorpe Parish Council by City of Doncaster Council within the statutory 21 day consultation period if the deadline is before the next Council meeting.

(b) Responsible Financial Officer

1. The Responsible Financial Officer will be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law.
2. The Responsible Financial Officer will have the power to release any financial related report or document to the Council in discharge of the Responsible Financial Officer responsibilities,
3. The Responsible Financial Officer shall ensure the approved precept request is issued to the billing authority.

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