



# **Kingsclere Parish Council**

## **Scheme of Delegation to Proper Officers**

**As adopted at the Annual Meeting of the Parish Council 22<sup>nd</sup> May 2023**

Section 101(1) of the Local Government Act 1972 provides that a local authority may arrange for the discharge of any of their functions by a Committee, sub-committee, or an officer of the council.

The Clerk to the Council and the Responsible Finance Officer are defined as the Proper Officers who will carry out functions provided by the Local Government Act 1972.

### **1: Introduction**

In the event that it is not possible to convene a meeting of the council in a reasonable time, the Proper Officers shall have delegated authority to make decisions on behalf of the council where such decision cannot reasonably be deferred and must be made in order to comply with a commercial or statutory deadline. Such decisions will be made where possible after consultation with members by email. The Proper Officer(s) will further consult with the chairman as necessary. The delegation does not extend to matters expressly reserved to the council in legislation or in its Standing Orders or Financial Regulations. Any decisions made under this delegation must be notified to councillors on the day the decision is made and reported to the next full council.

The Proper Officers in turn may nominate another named Officer to carry out any powers and duties, which have been delegated to their roles.

### **2: Delegated Powers**

The Proper Officers:-

- may take appropriate actions arising from emergencies as required to respond to provide business continuity and respond to urgent Health and Safety matters in consultation with the Chairman of the Council and Personnel, Procedure and Policy (PPP) Committee where appropriate.
- are to be the responsible for the co-ordination and operation of the legal requirements under the Data Protection Act, GDPR and the Freedom of Information Act in conjunction with the PPP Committee.
- may negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate in conjunction with the Council Chairman or Vice Chairman.
- may commission legal and professional advice on urgent matters after consulting with the Chairman or Vice Chairman of the Council.

- may carry out virement of sums between cost centres in accordance with the Council's Financial Regulations.
- can authorise and commit to routine budget expenditure in accordance with Financial Regulations and management of transfers of funds between the Council's bank accounts to maintain adequate cash flow.

Signed (Chairman): \_\_\_\_\_

Date: \_\_\_\_\_