Over Wallop Parish Council

Scheme of Delegation

Version: 2026
Adopted: ____September 2026_______________
Minute Reference: ___09/269________________
Review Date: Annually at the Annual Parish Council Meeting, and sooner following relevant legislative, regulatory or organisational change
Authority: Local Government Act 1972, section 101, and other powers specified in this Scheme
Related Documents: Standing Orders, Financial Regulations, Code of Conduct, Risk Management Policy, Financial Risk Assessment, Data Protection Policy, Publication Scheme, Records Retention Policy and relevant committee terms of reference.

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1. Purpose

This Scheme of Delegation sets out the functions delegated by Over Wallop Parish Council to its committees, sub-committees and the Clerk and Responsible Financial Officer (RFO), and identifies matters reserved to Full Council.

The purpose of the scheme is to:

- Ensure efficient administration.
- Clarify responsibilities and decision-making authority.
- Support good governance.
- Provide transparency and accountability.
- Ensure compliance with legislation and audit requirements.

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2. General Principles

The Council may delegate functions to:

- A committee.
- A sub-committee.
- An officer (the Clerk).
- Another local authority where legally permitted.

No individual councillor, including the Chair, has authority to make a decision or instruct staff on behalf of the Council unless expressly authorised by law, a Council resolution or this Scheme. Consultation with councillors does not transfer the decision to them: any delegated decision remains the responsibility of the authorised body or officer.

The Clerk shall act in accordance with:

- Legislation.
- Standing Orders.
- Financial Regulations.
- Council policies.
- Approved budgets.
- Council resolutions.

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3. Matters Reserved to Full Council

The following matters may not be delegated and shall be determined by Full Council:

Governance

- Election of the Chair and Vice-Chair.
- Adoption or amendment of Standing Orders, Financial Regulations and this Scheme.
- Adoption or amendment of strategic and statutory policies, including the Code of Conduct.
- Creation or dissolution of committees and approval of their membership and terms of reference.
- Making, amending or revoking byelaws.
- Decisions which legislation requires Full Council to take.

Finance

- Setting the annual budget and precept.
- Approval of the Annual Governance and Accountability Return, including the Annual Governance Statement and Accounting Statements.
- Approval of borrowing and applications for borrowing approval.
- Acquisition, disposal or lease of land and material interests in land.
- Approval of earmarked reserves and transfers to or from them, except where expressly permitted by Financial Regulations.
- Award of grants.

- Approval of expenditure outside an approved budget or above the Clerk/RFO's delegated limit.

Audit

- Appointment of the independent and competent internal auditor.
- Consideration of internal and external audit reports and approval of required action plans.
- Approval of the annual accounts and assertions made through the Annual Governance and Accountability Return.
- Review of the effectiveness of internal control and internal audit arrangements.

Staffing

- Appointment, dismissal and contractual terms of the Clerk/RFO, subject to the Council's employment policies.
- Determination of the staffing establishment and staffing budget.
- Adoption of employment policies.
- Final decisions on disciplinary and grievance matters where reserved by the relevant policy or an appeal panel.

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4. Delegated Authority to the Clerk / RFO

The Clerk shall be the Proper Officer and Responsible Financial Officer.

The Clerk is authorised to:

Administration

- Implement Council decisions.
- Issue agendas and minutes.
- Manage correspondence.
- Maintain statutory registers.
- Maintain records and archives.
- Act as first point of contact for residents and stakeholders.

Finance

- Administer the Council's bank accounts and accounting system subject to Financial Regulations and approved mandates.
- Prepare budget proposals, budget-monitoring reports and year-end accounts.
- Submit VAT claims and statutory financial returns.
- Maintain complete accounting records, supporting evidence and the asset register.
- Arrange insurance renewals in accordance with the approved budget and obtain appropriate cover.
- Process payments properly authorised by resolution, contract or delegated authority, subject to the Council's agreed payment controls.
- Manage payroll, pensions and HMRC submissions, using specialist support where appropriate.

Delegated Spending Authority

The Clerk may authorise expenditure up to:

£1,000 per item or transaction, excluding VAT, unless a different limit is set in the Council's current Financial Regulations.

where:

- The expenditure is within an approved budget and a lawful Council power has been identified.
- The expenditure is necessary for administration, service continuity, maintenance or implementation of an agreed decision.
- No new policy decision or material contractual commitment is required.
- Financial Regulations, procurement requirements, payment controls and declarations of interest are complied with.
- A transaction must not be split to avoid a financial or procurement threshold.

All such expenditure shall be reported to the next available Council meeting.

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5. Planning Matters

The Clerk may:

- Receive and acknowledge planning consultations from Test Valley Borough Council or another competent authority.
- Circulate applications and relevant documents to councillors and publish information where required.

- Submit responses formally resolved by the Council.
- Request an extension of time where needed to enable lawful consideration at a meeting.

Where a consultation deadline falls before the next Council meeting and an extension is unavailable, the Clerk may submit a response only where Full Council has approved a clear standing policy or objective criteria covering the application. The Clerk may consult the Chair and Vice-Chair, but councillor consultation alone must not be treated as a Council decision.

Any response made under delegated authority shall state the relevant policy or criteria, be recorded in the Delegated Decisions Log and be reported to the next Council meeting.

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6. Contracts and Procurement

The Clerk may:

- Prepare specifications, seek quotations or tenders and undertake due diligence in accordance with Financial Regulations.
- Place orders and award contracts only within an approved budget, within delegated limits and where the award basis has already been authorised.
- Manage routine contracts, liaise with contractors and monitor performance.
- Maintain procurement records, including estimated whole-life value, quotations, declarations of interest, evaluation and award decisions.
- Comply with the Procurement Act 2023, Procurement Regulations 2024, applicable transparency and notice duties, and any successor legislation.

The Clerk may not:

- Award a contract above the Clerk/RFO's delegated financial limit or contrary to Financial Regulations.
- Enter into a long-term, high-risk or novel contract without Council approval.
- Change a specification or award criterion materially after competition without appropriate authority.
- Split or aggregate requirements improperly to avoid a threshold or publication duty.

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7. Data Protection and Information Governance

The Clerk shall have delegated responsibility for:

- Day-to-day compliance with the UK GDPR, Data Protection Act 2018 and the Council's data-protection policies.
- Maintaining records of processing, privacy information, consent records where relevant and data-processing contracts.
- Handling subject access requests, personal-data rights requests, Freedom of Information Act 2000 requests and Environmental Information Regulations 2004 requests within statutory timescales.
- Maintaining the Council's ICO model publication scheme and guide to information and publishing information required by applicable transparency law or proper practice.
- Implementing records retention, secure disposal, access control and information-security measures.
- Assessing and managing personal-data breaches, including timely notification to the ICO and affected individuals where legally required.
- Obtaining specialist advice where a request, breach or processing activity presents significant legal or reputational risk.

The Clerk shall notify the Chair promptly of any significant breach or information-governance risk and report it to the Council as soon as lawful and appropriate, while protecting confidential or personal information.

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8. Emergency Powers

Where:

- Immediate action is required,
- It is not practical to convene a Council meeting,
- Delay would cause financial loss, legal risk, health and safety concerns, or significant service disruption,

the Clerk may, after consulting the Chair or, if unavailable, the Vice-Chair where practicable, take the minimum lawful and proportionate action necessary to protect people, property, information, service continuity or the Council's legal and financial position. Consultation does not authorise a councillor to make the decision.

Emergency expenditure must comply with the emergency provisions and limits in the Council's current Financial Regulations. The Clerk shall obtain specialist advice where reasonably practicable and keep a written record of the circumstances, advice, decision, legal power, expenditure and consultation.

Examples include:

- Tree safety works.
- Flood response.
- Essential repairs.
- Security incidents.
- Data security incidents.

All actions taken shall be reported to the next Council meeting.

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9. Asset Management

The Clerk may:

- Arrange inspections.
- Arrange routine repairs.
- Maintain the Asset Register.
- Maintain insurance schedules.

The purchase or disposal of assets remains reserved to Full Council unless previously budgeted and specifically authorised.

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10. Reporting Requirements

All decisions taken under delegated authority shall:

- Be made only within the scope of the delegation, an identified legal power, approved policy and available budget.
- Be recorded promptly by the Clerk with sufficient reasons and supporting evidence to provide an audit trail.
- Record any consultation undertaken, interests declared, quotations or advice received and financial implications.
- Be reported to the next Council meeting unless confidential or personal information requires a restricted report.
- Be made available for inspection or publication where required by law, the publication scheme or transparency obligations, subject to lawful exemptions.

A Delegated Decisions Log shall be maintained containing:

- Date and unique reference.
- Matter considered and legal power relied upon.
- Decision taken and reasons.
- Delegation used and any consultation or advice obtained.
- Interests declared and how they were managed.
- Financial implications, budget heading, supplier and procurement route where applicable.
- Reason for urgency, where applicable.
- Date reported to Council and publication status.

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11. Review

This Scheme of Delegation shall be:

- Reviewed annually at the Annual Parish Council Meeting.
- Reviewed following significant legislative, regulatory, staffing or organisational change.
- Reviewed following recommendations from internal or external audit, or a material control failure.
- Read alongside the current Standing Orders, Financial Regulations and committee terms of reference; where there is inconsistency, the law and the more restrictive applicable control shall prevail until Council resolves the matter.

Adoption

Adopted by Over Wallop Parish Council

Minute Reference: ____________________

Date: ____________________________

Chair Signature: _____________________

Clerk Signature: _____________________