

MUDFORD PARISH COUNCIL

Scheme of Delegation

This Scheme of Delegation was adopted at the meeting of Mudford Parish Council held on 28th May 2026.

This Scheme will be reviewed annually by full council, or when there are changes to legislation, whichever is the sooner.

This Scheme of Delegation authorises the Proper Officer (Parish Clerk) and Responsible Finance Officer and Standing Committees of Mudford Parish Council (the council) to act with delegated authority in specific circumstances.

1. Proper Officer and Responsible Finance Officer - duties and powers

1.2 Responsible Finance Officer

The parish clerk shall be the responsible finance officer to the council and shall be responsible for the council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time (including Financial Regulations).

2. Proper Officer

2.1 The parish clerk shall be the proper officer of the council and as such is specifically authorised to:

- receive declarations of acceptance of office;
- receive and record notices from councillors disclosing interests;
- receive and retain plans and documents;
- facilitate inspection of the minute book by local government electors;
- sign notices or other documents on behalf of the council;
- receive copies of by-laws and other statutory provisions made by Somerset Council;
- certify copies of by-laws made by the council;
- sign and issue summonses to attend meetings of the council;
- sign binding contracts on behalf of the council in accordance with the Standing Orders;
- give public notice of the time, place and agenda at least three clear days before a meeting of the council (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
- convene a meeting of the council for the election of a new chair (chairman) of the council, occasioned by a casual vacancy in that office;

2.2 In addition, the parish clerk has the delegated authority to undertake the following matters on behalf of the council:

- the day-to-day administration of council services, together with routine inspection and control;
- authorisation of an expenditure up to £500 within the agreed budget;
- expenditure of up to £1,000 as per council's Financial Regulations in consultation with the chair of the council;
- expenditure of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises (whether or not there is any budget for such expenditure);
- authorise the making of payments and transactions on behalf of council in line with the council's Financial Regulations;
- authorise the procurement of services and enter into contracts for the execution of works or supply of equipment as authorised by the council or its committees and in line with council's Financial Regulations;
- undertake the Annual Accounting Governance and Statement process with the internal and external auditor and the council;
- as council's Health and Safety Officer take such action as is necessary to ensure the safety and security of council's properties and those who use them, and
- to take such action as is necessary to fulfil their duties, as governed by council's Standing Orders.

2.3 Planning applications shall be received by the parish clerk who will provide details to councillors. Where no queries arise by joint decision of the councillors, the parish clerk shall be delegated to inform the Planning Department within the time allocated of the decision of the council. All councillors will report directly back to the parish clerk thereby avoiding discussion between members. Where queries arise the chair will call for a site meeting which may require an Extraordinary Meeting to decide upon the application or for the clerk to ask the Planning Department for an extension on the deadline for comments.

2.4 The parish clerk is authorised to manage routine cemetery matters on behalf of the council. This includes the administration of burial and memorial applications, the sale and documentation of Exclusive Rights of Burial (EROB), scheduling of maintenance works, and liaison with funeral directors and stonemasons. The parish clerk is also responsible for maintaining accurate burial and EROB records, responding to public enquiries, and ensuring compliance with cemetery regulations. Any non-routine, contentious, or policy-related matters will be referred to the full council or the appropriate committee for consideration.

2.5 The parish clerk is authorised to approve and arrange additional cuts of grass in the Recreation Grounds and the Cemetery as necessary to maintain standards and respond to seasonal or community needs.

2.6 Delegated actions of the parish clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the council from time to time.

3. Parish Council

3.1 The following matters are reserved to full council for decision, notwithstanding that the appropriate committee(s) may make recommendations thereon for the council's consideration:

- setting the precept;
- approving the annual budget;
- borrowing money;
- power of incurring capital expenditure not specifically included in the council's approved estimate of expenditure for the current budget;
- making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation including delegations to committees and/or officers;
- making, amending or revoking by-laws;
- making of orders under any statutory powers;
- decide matters of principle or policy;
- nomination and appointment of representatives of the council to any other authority,
- organisation or body (excepting approved conferences or meetings);
- any proposed new undertakings;
- prosecution or defence in a court of law;
- nomination or appointment of representatives of the council at any inquiry on matters affecting Mudford Parish, excluding those matters specific to a committee;
- approving the annual return;
- review and confirm council's eligibility to exercise the General Power of Competence (as required due to councillor and/or parish clerk changes);
- to set dates of meetings of the council and its committees;
- to oversee the conduct of the council and the committees endeavouring to act in the best interests of all residents;
- receipt of reports to the council from various committees, sub-committees and working parties;
- consideration of new and reviews of consultation and policy documents of other bodies and any other consultation documents not appropriate for delegating to committees;
- the appointment and dismissal of the Parish Clerk/RFO role;
- any other matters not delegated to a committee, sub-committee or project steering group or working party or referred to the council by a committee, sub-committee, or project steering group or working party;
- matters of strategic growth within the parish; and
- disposal of assets with a value of over £500.00 and all interests in land.

4. Standing Committees

Mudford Parish Council has appointed a Governance and Resources Committee to undertake work for and on behalf of the council. The specific responsibilities of the committee are confirmed by Terms of Reference appended to this scheme confirming membership and number of seats, frequency of meetings, remit of the committee and reporting structure, and delegated authority.

All committees are subject to the following principles:

- delegated powers are exercised in accordance with any policy or direction given by council;
- delegated powers are subject to the Council's Standing Orders and Financial Regulations;
- any unresolved differences between committees shall be referred to full council for determination;
- committees will refer to council any matters being pursued by other local authority/statutory/voluntary or other bodies which have a beneficial or detrimental effect on the area of Mudford.

MUDFORD PARISH COUNCIL GOVERNANCE AND RESOURCES COMMITTEE TERMS OF REFERENCE

Constitution and purpose

The Governance and Resources Committee is constituted as a Standing Committee of Mudford Parish Council and authorised by the council to manage any activity within its Terms of Reference.

The Governance and Resources Committee shall have responsibility for oversight of the council's governance framework, resources, staffing and policy compliance. The committee shall operate within the legal framework set by statute, national guidance and council policy, and support the operational independence of the Parish Clerk.

Membership and quorum

1. The committee shall comprise of four members, including at least three councillors, one of whom shall be appointed as the chair of the committee by the full council.
2. A quorum shall consist of three committee members, all of whom must be councillors.
3. Non-councillors may be appointed as members of the committee but shall not have voting rights.
4. Members shall be appointed at the Annual Parish Council Meeting.
5. All members must observe Code of Conduct.

Meetings

1. The committee will meet as necessary and at least twice a year. The Standing Orders apply to all meetings.
2. All meetings will have an agenda and minutes will be taken and be presented for approval at the next committee meeting.

3. All meetings should be open to the public, although the public and press may be excluded when sensitive matters are under discussion.
4. The Parish Clerk should attend and prepare agenda and minutes for meetings.

Scope of Governance

1. To promote understanding and observance of the council's Code of Conduct, with a view to ensuring that all interactions between members of the council, officers, employees, volunteers, contractors, members of the public and any other people with whom contact is made are conducted with respect and courtesy.
2. To ensure that the council has policies and procedures in place to meet its human resources and health and safety and all other statutory responsibilities.
3. To conduct an annual review of the council's Code of Conduct, human resources, health and safety, finance, cemetery and other policies and procedures and recommend amendments and additions to the full council in advance of the Annual Parish Council Meeting.
4. To oversee corporate governance arrangements, including internal controls, risk management and audit responses.
5. To respond to consultative document from Government and other bodies.
6. To ensure that health and safety, data protection legislation and best practice are adhered to across the council's function.

Scope of Resources

1. To provide strategic oversight of the council's staffing structure, training programmes and human resource needs.
2. To support the Parish Clerk in ensuring the effective recruitment, retention, and development of staff to meet the council's objectives.
3. To receive reports and recommendations from the Parish Clerk on staffing matters, including regrading, pay levels and structural changes. Recruitment to all roles below the Parish Clerk, where no changes to the job description are proposed, will be undertaken by the Parish Clerk with members of the committee sitting on the interview panel.
4. To decide, with the Parish Clerk and any other staff concerned, any issues relating to staffing levels and re-grading, pay levels and staffing structures.
5. To monitor Parish Clerk's and councillor training programmes and their respective budgets.
6. To manage the recruitment of Parish Clerk and/or RFO, including the preparation of job descriptions, person specifications, job evaluations, remuneration levels and employee contracts, shortlisting and organising interviews, and making recommendations to the full council.

7. To conduct the Parish Clerk annual appraisal, set performance objectives, and support professional development.
8. To manage Parish Clerk's sickness absence and leave requests.
9. To oversee the dismissal process of Parish Clerk.
10. To make recommendations to the council concerning any changes to the salary, hours of work and pension arrangements of Parish Clerk.
11. To appraise the performance of the Parish Clerk. The appraisal of any additional Parish Council employees will be carried out by the Parish Clerk.
12. To comply with and have due regard to existing policies relating to staffing matters which include (but are not limited to): i. Standing Orders ii. Financial Regulations. iii. Job Descriptions and National Joint Council (NJC) contracts. iv. ACAS guidelines and procedures for grievances or disciplinary matters v. Implementing NJC changes as notified by SALC.
13. To act as point of contact for formal complaints made by or against the Parish Clerk. To follow up complaints relating to staff and undertake disciplinary and grievance procedures, as necessary, and report back to the full council.
14. The Governance and Resources Committee may appoint a sub-committee with its own Terms of Reference and membership, as agreed by the committee. The committee may delegate authority to the sub-committee to deal with specified matters. Meetings of the sub-committee will not be open to the public.

Reporting

The Chair of the Committee shall report back to the full council with recommendations.

Review

Annually at the Annual Meeting of the Parish Council.