



# *Ripon City Council*

## *Scheme of Delegation*

*Adopted by the Council at the meeting on*

<i>Full Council</i>	<i>13<sup>th</sup> June 2022</i>
---------------------	----------------------------------

## **1. INTRODUCTION**

- 1.1. The powers and duties set out in this scheme are delegated to the Chief Officer and Responsible Finance Officer. The Chief Officer and Responsible Finance Officer is the Council's Responsible Financial Officer and the Proper Officer and is responsible for the management of the organisation.
- 1.2. The Chief Officer and Responsible Finance Officer may delegate these duties and powers to other Officers within the Council as per the Authorised Signatories list in Appendix 1, or as otherwise required following prior approval by Council or the relevant Committee.

## **2. EXTENT OF DELEGATION**

- 2.1. All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
- 2.2. The Chief Officer and Responsible Finance Officer will exercise these powers in accordance with:
  - approved budgets;
  - the Council's Standing Orders and Financial Regulations;
  - the Council's Policy Framework and other adopted policies of the Council;
  - all statutory common law and contractual requirements.
- 2.3. The Chief Officer and Responsible Finance Officer may do anything pursuant to the delegated power, or duty, which it would be lawful for the Council to do including anything reasonably implied or incidental to that power or duty.
- 2.4. Provided that such authorisation is not prohibited by statute the Chief Officer and Responsible Finance Officer to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty or function, subject to:
  - such authorisations being in writing;
  - 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 Chief Officer and Responsible Finance Officer acting in the name of the Chief Officer and Responsible Finance Officer;
  - such authorisation not being prohibited by statute.
- 2.5. A delegation to a subordinate Officer shall not prevent the Chief Officer and Responsible Finance Officer from exercising the same

power or duty at the same time.

### **3. GENERAL MATTERS**

- 3.1. The Chief Officer and Responsible Finance Officer is authorised to:
- Sign, or where appropriate, have sealed on behalf of the Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Council.
  - Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
  - Institute and appear in any legal proceedings authorised by the Council.
  - To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest.
  - Alter the date or time of a Council Committee or Working Group, meeting but, before doing so, shall consult the Leader of the Council or Chairman of the Committee concerned about the need for the change and about convenient alternative dates and times.
  - Deal with day to day matters relating to the use of office accommodation space.
  - Negotiate and enter into contractual arrangements in relation to events held in Ripon organised by the Council.
  - Manage the Council's services including:
    - The provision of events and all related items;
    - Facilities Management including Hugh Ripley Hall and the site at Quarry Moor;
    - Services agreed under contract for other authorities and bodies;
    - Websites and social media accounts relating to the council and council activities.
- 3.2. To act as the Council's designated Officer for the purposes of the Freedom of Information Act 2000.
- 3.3. To apply for planning consent for the carrying out of development by the Council.
- 3.4. To respond to consultations on planning applications and licensing applications subject to the comments by Full Council.
- 3.5. To respond to complaints made under the Council's complaints procedure
- 3.6. To manage, monitor and review the Council's internal control procedures.
- 3.7. To manage, monitor and review the Council's Risk Management Strategy.

#### **4. FINANCIAL MATTERS**

- 4.1. The Chief Officer and Responsible Finance Officer is authorised to:
- 4.2. Be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972.
- 4.3. Operate the Council's banking arrangements including arranging overdrafts.
- 4.4. Incur expenditure up to a maximum of £5,000 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Standing Orders and Financial Regulations.
- 4.5. Pay all accounts properly incurred.
- 4.6. Pay all subscriptions to organisations to which the Council belongs.
- 4.7. Make all necessary arrangements for the provision of an internal and external audit service for the Council.
- 4.8. Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.
- 4.9. Incur expenditure on revenue items within the approved estimates and budgets.
- 4.10. Enter into leasing and contract hire agreements for the acquisition of equipment on such terms as are considered appropriate.
- 4.11. Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
  - the cost not exceeding the approved estimate;
  - the tender being the most economically advantageous to the Council according to the criteria set out in the tender documentation;
  - all the requirements of the Council's Financial Regulations being complied with.
- 4.12. Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations.
- 4.13. Manage investments in accordance with the Council's Investment Strategy;
- 4.14. Authorise action for the recovery of debts;
- 4.15. Write-off debts up to the level set by the Council;
- 4.16. Maintain a Register of Assets and Inventory of Equipment;
- 4.17. Determine the Council's insurance requirements on the Council's behalf;
- 4.18. Make all necessary arrangements for the Council's insurances.

#### **5. STAFFING MATTERS**

- 5.1. The Chief Officer and Responsible Finance Officer is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:

- Employment of temporary employees;
- Preparation of the job description and person specification, placing of the advertisement and short-listing of applicants.
- Management of staff performance;
- Arranging for the exercising of disciplinary and grievance procedures in accordance with the Council's procedures;
- Determine approved duties for the payment of travel and subsistence expenses to Members and Officers where they represent the Council outside of the Council area;
- Approve payment of overtime together with the Chairman of the Staffing Committee;
- Agree minor variations to the condition of employment together with the Chairman of the Staffing Committee;
- Implement and monitor the arrangements for annual leave, flexi time, sickness absence, maternity and paternity leave in accordance with the Council's policies;
- Authorise training in line with the Council's policies;
- Authorise the provision of uniforms or protective clothing;
- Commission legal and professional advice on staffing matters.

## **6. PROPERTY MATTERS**

- 6.1. The Chief Officer and Responsible Finance Officer is given authority to manage the land and property of the Council including:
- Agreeing the terms of any lease or licence;
  - The granting or refusal of the Council's consent under the terms of any lease;
  - Variations of restrictive covenants of a routine nature;
  - Directing the custody of Council property and documents in accordance with the provisions of Local Government Act 1972 S226.
  - Exercising responsibility for the safe custody and maintenance of the civic regalia.

## **7. URGENCY**

- 7.1. The Chief Officer and Responsible Finance Officer is authorised to act on behalf of the Council in cases of urgency or emergency.
- 7.2. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group. The Chairman, the Leader of the Council (if appointed) and the Chairs of any relevant Committee or Working Group are to be consulted where possible before such action is taken.

## **8. EMERGENCY PLANNING**

- 8.1. The Chief Officer and Responsible Finance Officer is authorised to implement the Council's Emergency Plan and to incur any

necessary expenditure in accordance with the Council's Standing Orders and Financial Regulations.

- 8.2. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group. The Mayor, the Leader of the Council (if appointed) and the Chairman of any relevant Committee are to be consulted where possible before such action is taken.

## **9. PROCEDURAL**

- 9.1. The Chief Officer and Responsible Finance Officer can:
- Authorise Officers to exercise statutory powers of entry and inspection for the purposes of any function under their control.
  - Serve requests for information as to ownership occupation and other interests in land for the purposes of any function under their control.
  - Appoint consultants and other professionals to carry out any function and provide any service under their control, subject to the Council's Constitution and Financial Regulations.

## **10. HEALTH AND SAFETY AT WORK ACT 1974**

- 10.1. The Chief Officer and Responsible Finance Officer is authorised to oversee the discharge of the Council's responsibilities under the Act.

## **11. LEGAL PROCEEDINGS**

- 11.1. The Chief Officer and Responsible Finance Officer is authorised to:
- Take and discontinue legal proceedings in any Court or at any Tribunal.
  - Take Counsel's advice or instruct Counsel to represent the Council.
  - Seek injunctions and commence proceedings for the purposes of:
    - enforcement in accordance with the Council's policies
    - recovering money due to the Council
    - recovering or otherwise preserving possession of the Council's land or property
    - defending the interests of the Council
    - appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council.
  - Represent the Council at Court or any Tribunal or to make arrangements for appropriate representation.
  - Negotiate and settle the terms of documents to give effect to a decision of the Council or any of the Committees or of any Officer acting under delegated powers.

- Apply the affixing of the Common Seal of the Council to documents in accordance with Standing Orders.
- Be the responsible Officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
- Serve Requisitions for Information.
- Prepare a draft budget for consideration by the Council.
- Prepare the final accounts for each financial year.