

Barnoldswick Town Council

Scheme of Delegation

Field	Detail
Policy owner	Town Clerk / Responsible Financial Officer
Applies to	Councillors and staff
Council contact	Civic Hall, Station Road, Barnoldswick, BB18 5NA 01282 788090 clerk@barnoldswicktowncouncil.gov.uk
Review cycle	At least every two years, or sooner if legislation, guidance, platforms or Council arrangements change
Status	Approved 9 Sep 2026. Review September 2028

1. Introduction

This Scheme of Delegation sets out how Barnoldswick Town Council delegates authority to committees, sub-committees, working groups and officers. Its purpose is to support lawful, transparent and efficient decision-making while ensuring that elected members retain proper strategic oversight.

The Council remains responsible for all decisions made under delegated authority. Delegation allows agreed functions to be carried out on the Council's behalf; it does not remove accountability from the Council.

2. Principles

- a. The Council may delegate functions to a committee, sub-committee, officer or another local authority where permitted by law.
- b. Delegated powers must be exercised in accordance with the Council's standing orders, financial regulations, code of conduct, policies, budget, statutory duties and any conditions set by the Council.
- c. No individual councillor, including the Chair or Mayor, has executive authority to make decisions on behalf of the Council unless the Council has made a specific lawful delegation.
- d. Delegated decisions must be properly recorded and reported to the Council or relevant committee.
- e. Delegation should be used for routine, operational and time-sensitive matters. Major policy, budgetary and strategic decisions should remain with Full Council unless lawfully delegated.
- f. Where there is uncertainty about whether a matter is delegated, the matter should be referred to the Council or the relevant committee.

3. Matters Reserved to Full Council

The following matters are reserved to Full Council and may not normally be delegated:
Setting the annual budget and precept.

- a. Approving the Annual Governance and Accountability Return, including the Annual Governance Statement and Accounting Statements.
- b. Adopting or amending standing orders, financial regulations, this Scheme of Delegation, the code of conduct and core governance policies.
- c. Appointing the Clerk, Responsible Financial Officer and Internal Auditor.
- d. Establishing, changing or dissolving committees and approving their terms of reference.
- e. Approving borrowing, loans and long-term financial commitments.
- f. Approving land or property acquisitions, disposals, leases or significant changes in use, unless specifically delegated.
- g. Making bylaws.
- h. Adopting the Council's strategic plan or major policy objectives.
- i. Approving the council tax precept submission.
- j. Considering matters that statute requires to be determined by Full Council.

4. Delegation to Committees

The Council may appoint committees and delegate functions to them through approved terms of reference. Each committee may exercise only the powers given to it by Full Council.

Committees must:

- a. Act within their approved terms of reference.
- b. Work within approved budgets.
- c. Keep proper minutes of decisions.
- d. Refer matters outside their authority to Full Council.
- e. Comply with standing orders, financial regulations and legal requirements for meetings.

Terms of Reference should be created for each committee setting out its role and responsibilities.

5. Working Groups

Working groups may be established to investigate issues, develop proposals or support projects. Working groups are advisory only unless Full Council gives them a specific delegated power.

Working groups may:

- a. Gather information.

- b. Meet informally.
- c. Consult stakeholders where authorised.
- d. Develop recommendations.

Working groups may not:

- a. Make binding Council decisions unless specifically authorised.
- b. Authorise expenditure unless a budget and spending authority have been expressly delegated.
- c. Direct staff except through the Clerk.

6. Delegation to the Clerk

The Clerk is the Council's Proper Officer and is responsible for implementing Council decisions, advising on lawful procedure and managing day-to-day administration.

The Clerk is delegated authority to:

- a. Manage the Council's day-to-day administration.
- b. Implement decisions made by Full Council and committees.
- c. Sign routine correspondence, notices, agreements and documents on behalf of the Council, where authorised.
- d. Arrange meetings, publish agendas and issue summonses.
- e. Maintain Council records, minutes, policies and statutory registers.
- f. Manage staff on a day-to-day basis, subject to staffing policies and any delegation to the Staffing Committee.
- g. Respond to routine correspondence and consultations.
- h. Deal with press and public communications in line with Council policy.
- i. Manage bookings, allotments, cemeteries, facilities or other services in accordance with adopted policies.
- j. Take urgent operational action to protect health and safety, Council property, service continuity or the Council's legal position.
- k. Submit routine returns, forms and information required by public bodies.
- l. Obtain professional advice where necessary and within approved budgets.

The Clerk must report significant delegated decisions to the next appropriate meeting.

7. Delegation to the Responsible Financial Officer

The Responsible Financial Officer is responsible for the proper administration of the Council's financial affairs.

The RFO is delegated authority to:

- a. Maintain accounting records.
- b. Prepare financial reports, budget monitoring reports and year-end accounts.
- c. Arrange bank reconciliations and report them to the Council or committee.

- d. Prepare VAT returns and other financial submissions.
- e. Manage payroll, pensions and statutory deductions.
- f. Arrange payments authorised under financial regulations.
- g. Monitor compliance with financial regulations.
- h. Prepare draft budgets and precept information for member consideration.
- i. Maintain records of assets, reserves, loans, leases and contracts.
- j. Liaise with internal and external auditors.

The RFO may not approve expenditure unless also authorised under this Scheme or the Council's financial regulations.

8. Financial Delegations

All expenditure must comply with the Council's financial regulations and approved budget.

9. Contracts and Procurement

The Clerk or RFO may obtain quotations, place orders and manage contracts in accordance with financial regulations and procurement law. The Clerk may approve minor variations to contracts where the variation is necessary, within budget and does not materially change the nature of the contract. Significant variations must be referred to the Council or relevant committee.

10. Urgent and Emergency Decisions

Where an urgent decision is required before the next Council or committee meeting, the Clerk may act under delegated authority if the matter:

- a. Is necessary to protect health and safety.
- b. Protects Council property or assets.
- c. Maintains essential services.
- d. Meets a statutory or contractual deadline.
- e. Protects the Council's legal or financial position.

Where practicable, the Clerk should consult the Chair and Vice-Chair of the Council or relevant committee before acting. Consultation does not transfer decision-making authority to councillors; the delegated decision remains an officer decision.

Urgent decisions must be reported to the next appropriate meeting.

11. Staffing Delegations

The Clerk may manage day-to-day staffing matters, including:

- a. Approving annual leave.
- b. Managing workloads and rotas.

- c. Authorising training within budget.
- d. Conducting routine supervision.
- e. Managing minor performance or conduct issues informally.
- f. Implementing staffing policies.

Formal disciplinary, grievance, capability, redundancy or dismissal matters must be dealt with under the Council's adopted staffing procedures and by the appropriate committee or panel.

The Clerk's own employment matters must be managed by the Staffing Committee or other committee appointed by Full Council.

12. Legal Proceedings and Professional Advice

The Clerk may seek legal or professional advice where necessary and within approved budgets.

The commencement, defence or settlement of legal proceedings should normally be approved by Full Council, except where urgent action is required to protect the Council's position. Any urgent action must be reported to the next meeting.

13. Data Protection, Freedom of Information and Complaints

The Clerk is delegated authority to:

- a. Respond to Freedom of Information requests, Environmental Information Regulations requests and data subject rights requests.
- b. Manage routine data protection compliance.
- c. Handle complaints in accordance with the Council's complaints procedure.
- d. Consult the Council's Data Protection Officer, solicitor or insurer where necessary.

Matters involving significant risk, potential litigation or complaints about councillor conduct should be referred to the appropriate body or process.

14. Communications and Media

The Clerk may issue factual communications and routine public notices on behalf of the Council.

Policy statements, controversial public comments or responses on politically sensitive matters should be approved by Full Council or the relevant committee unless already covered by an agreed policy or decision. This protocol applies to Councillors as well as the Clerk.

The Chair may speak publicly in a civic capacity but may not make new Council policy or commit the Council to action without authority.

15. Property and Assets

The Clerk may manage routine operational matters relating to Council property and assets, including:

- a. Arranging inspections, maintenance and repairs within budget.
- b. Managing bookings and licences in line with policy.
- c. Taking urgent action to protect property or public safety.
- d. Maintaining asset records.
- e. Reporting significant defects, risks or capital needs to the Council or relevant committee.

Acquisitions, disposals, leases, licences of significant duration, major capital works and changes in use should normally be approved by Full Council.

16. Grants and Community Support

Grant awards should be made by Full Council or an authorised committee in accordance with the Council's grants policy and budget.

The Clerk may administer the grant process, check applications for completeness, request further information and issue payments once grants are approved.

17. Record Keeping and Reporting

All delegated decisions must be recorded in a way that is proportionate to the decision. Records should include:

- a. The decision made.
- b. The date of the decision.
- c. The officer, committee or body making the decision.
- d. The authority under which the decision was made.
- e. Financial implications, where relevant.
- f. Any consultation undertaken.

Delegated officer decisions of significance should be reported to the next appropriate Council or committee meeting.

18. Conflicts of Interest

Councillors and officers must comply with the Council's code of conduct, employment obligations and conflict of interest arrangements.

Where a person with delegated authority has a conflict of interest, the matter must be referred to another authorised person, committee or Full Council as appropriate.

19. Review

This Scheme of Delegation should be reviewed:

- g. Annually.
- h. Following significant changes to law, guidance, staffing or committee structure.
- i. When requested by Full Council.

The Scheme was adopted by the Council on: [insert date]

Minute reference: [insert minute reference]

Next review date: [insert date]

Appendix 1: Quick Reference Delegation Table

Delegated Body / Role	Core Responsibilities & Authority Levels	Legal Restrictions
Full Council	Approving the annual budget/precept, adopting policies, setting the governance framework (Standing Orders, Financial Regulations), and borrowing money.	Cannot be delegated; these are statutory duties.
Committees / Sub-Committees	Operational oversight within their specific Terms of Reference (e.g., General purposes, Public Spaces and Community, HR & Staffing). Decisions made bind the council.	Must operate within allocated budgets and established Council policy.
Town Clerk (Proper Officer & RFO)	Day-to-day administration, staff management, responding to correspondence and routine or emergency expenditure under financial regulations.	Cannot make or change Council policies or independently act as a committee.
Working Groups	Scoping, researching and making recommendations to a parent committee or Full Council.	No delegated decision-making powers; cannot authorise expenditure or bind the council.
Individual Councillors	Representing ward interests, raising motions and debating at meetings.	No delegated executive powers whatsoever.

Appendix 2: Suggested Officer Decision Record

Item

Decision date | [insert date]

Decision maker | [insert name/role]

Delegated authority used [insert section of Scheme/financial regulation]

Decision | [insert decision]

Reason [insert reason]

Cost or budget impact [insert amount/budget code]

Consultation undertaken [insert details]

Reported to Council/committee [insert meeting/date]

Appendix 3: Quick reference table

Financial Matter	Full Council	Committee / Sub-Committee	Town Clerk / RFO	Conditions / Limitations
Annual budget and precept	Overall budget authority	Recommend only	Prepare proposals	Full Council responsibility
Expenditure within an approved committee budget	Overall budget authority	Authorise within delegated budget	Implement decisions	Must remain within approved budget and Terms of Reference
Routine operational expenditure within approved budget	Overall budget authority	Where delegated	Up to £[X] per transaction	Must comply with Financial Regulations and procurement requirements

Sources and Reference Points

Local Government Act 1972, section 101: arrangements for discharge of functions by local authorities.

Local Government Act 1972, section 112: appointment of officers.

Local Government Act 1972, section 151: responsibility for proper administration of financial affairs.

Accounts and Audit Regulations 2015: accounting records, internal control and annual governance requirements.

Joint Panel on Accountability and Governance, Practitioners' Guide 2025 for smaller authorities.