



## **SCHEME OF DELEGATION**

**This Scheme of Delegation was adopted by**

**Hebden Royd Town Council**

**On**

**13 August 2025**

**Minute 156**

*Upon adoption this Scheme of Delegation supersedes any previous protocol or ways of working.*

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## **1. DISCHARGE OF THE SCHEME**

- 1.1 The Town Clerk is designated and authorised to act as the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a proper officer.
- 1.2 This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders and will be reviewed every two years and when there are staffing changes.
- 1.3 Those with delegated responsibility are referred to by job title, Town Clerk (Proper Officer).
- 1.4 One of the purposes of the document is to clearly define the parameters within which Officers of the Council can act without reference to Councillors. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.5 Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.
- 1.6 The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its committees. This element of the scheme incorporates the Terms of Reference of the committees.

## **2. PRINCIPLES OF DELEGATION**

- 2.1 Section 101 of the Local Government Act 1972 provides:
  - That a Council may delegate its powers (except those incapable of delegation) to a committee, or an officer.
  - A Committee may delegate its powers to an officer.
  - The delegating body may exercise Powers that have been delegated.
- 2.2 Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and with the law.
- 2.3 Inside of reserved powers (see 5 below) in an emergency the Town Clerk is empowered to carry out functions of the Council.
- 2.4 Where the Town Clerk is contemplating any action under delegated powers,

which is likely to have a significant impact in a particular area, they should also consult the Mayor of the Council and must ensure that they obtain appropriate legal, financial, and other specialist advice before action is taken.

### **3. AUTHORITY TO ACT**

3.1 It will be appropriate for the Town Clerk to refer a matter to the Council where the determination of the matter is likely to be particularly controversial or raises issues of policy which it would be appropriate for councillors to determine; or could, by its scale or complexity expose the Council to major corporate risk.

3.2 The Town Clerk and Committees have the responsibility to act within the Council's approved policies, procedures, and framework and within the law in conjunction with this delegated scheme.

### **4 CONFLICTS OF INTEREST**

4.1 Under the Local Government Act 1972, section 117 the Town Clerk must make a formal declaration about council contracts which they have a financial interest.

4.2 Where the Town Clerk has a conflict of interest in any matter, he/she shall not participate in that matter unless approved by the Council and this is formally recorded in the Council minutes.

### **5 COUNCIL RESERVED POWERS**

5.1 The following matters are only to be resolved by the Full Council:

- Appointment of the Town Clerk/Responsible Financial Officer and other council officers following a recommendation from the Staffing Committee
- To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation, and other Council policies
- To approve and adopt the Policy Framework.
- To approve and adopt the Budget.
- To agree and/or amend the terms of reference for Committees
- To adopt the schedule of meetings for the ensuing year.
- To determine matters involving expenditure for which budget provision is not made or is exceeded.
- To set the Precept.
- To make bylaws.
- To borrow money.
- To annually approve the statutory annual return
- To approve eligibility for the General Power of Competence

## **6 DELEGATION TO COMMITTEES - SAFEGUARDS**

- 6.1 The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a committee or Officer.

## **7 DELEGATION TO COMMITTEES**

### **7.1 Local Environment & Climate Committee**

Membership:	7 Councillors
Quorum:	3 Councillors
Meetings:	Four times a year or as required

#### TERMS OF REFERENCE

- a. To decide and incur expenditure within budget on environmental improvement projects, including green spaces which encourage the prosperity and positive promotion of the area. Campaigns and education projects related to climate awareness and sustainability. Biodiversity and nature recovery initiatives at High Hirst Woodmeadow and across Hebden Royd.
- b. To advise the Council on matters relating to environmental and climate issues including, but not limited to: Renewable energy use and energy efficiency in Council buildings and operations, recycling schemes and circular economy initiatives, nature conservation, pollution reduction and green travel.
- c. To work with local environmental groups, community organisations, and statutory bodies to identify, plan and support initiatives that address local environmental and climate priorities.
- d. To support the Council's commitments to reduce carbon emissions and become a more sustainable and resilient community.
- e. To explore opportunities for grant funding and partnerships that align with the aims of the Committee.
- f. To lead on tree management and planting initiatives within the Town Council's remit, and liaise with relevant authorities on tree protection and management matters.
- g. To represent the Town Council in consultations relating to climate, biodiversity, local nature plans and the management of green spaces.
- h. To ensure risk management and Health & Safety systems are in place for

areas under the Committee's control.

- i. To work with partners and stakeholders on sustainable travel and access projects (e.g. cycle infrastructure, walking routes, electric vehicle charging).
- j. To encourage public involvement and consultation in environmental planning and climate action.
- k. To develop and support the delivery of media communication regarding local environment and climate on behalf of the Council.

## **7.2 Picture House Committee**

Membership: 7 Councillors  
Committee membership is for the term of the council.

Quorum: 3 Councillors

Meetings: Four times a year or as required

### TERMS OF REFERENCE

- a. To consider and make recommendations on matters relating to the Hebden Bridge Picture House on: Governance, Staffing matters, Budgetary and financing requirements for major projects.
- b. To decide on and incur expenditure within budget on: Day to day management policy, Staffing – existing posts internal recruitment, repairs and maintenance, renovations and renewals.
- c. Oversight and decision making regarding major projects.
- d. To be responsible for all aspects of management and operation of the Hebden Bridge Picture House.
- e. Undertake contract tendering exercise where required as per Financial Regulations on behalf of the Council and make appointments in relation to appropriate external contractors to support and deliver on a range of projects and maintenance in alignment with the priorities and principle of the Picture House.
- f. Ensure a system for Risk Management and Health & Safety are in place for the areas within its control.
- g. To ensure that staff are provided with appropriate training and support in respect of their roles and responsibilities.

- h. To liaise with the Staffing Committee as appropriate in respect of recruitment, training and any other HR issues which require support or intervention.
- i. Develop successful partnerships and work effectively with representatives from local groups and organisations and other authorities.
- j. To establish to Picture House as a key community asset.
- k. To consult and engage with the community on projects on behalf of the Picture House.
- l. Liaise with all necessary amenity groups, Local Authorities and Statutory bodies with regard to licencing and permissions.
- m. To issue media communication regarding the Picture House and key projects.

### **7.3 Project & Events**

Membership:	7 Councillors
Quorum:	3 Councillors
Meetings:	Four times a year or as required

#### TERMS OF REFERENCE

- a. To decide and incur expenditure within budget on:
  - Projects which encourage the prosperity and positive promotion of the area.
  - HRTC led and partner events including Christmas lighting and associated events.
- b. In relation to the Decorative Lighting Scheme, place orders for works, goods and services within the limitation of the approved annual budget.
- c. Undertake contract tendering exercise where requires as per Financial Regulations on behalf of the Council in relation to events and decorative lighting and to decide on contracts awarded.
- d. Ensure a system for Risk Management and Health & Safety are in place for the areas within its control.
- e. Develop successful partnerships and work effectively with representatives from local groups and organisations and other authorities.
- f. Liaise with relevant organisations to identify best practice and identify

issues and areas for improvement in Hebden Royd.

- g. Ensure that all relevant parties work together to deliver a vibrant, safe, accessible and sustainable town centre.
- h. Explore sponsorship and other financial support and resources for events taking place with the Town Council area.
- i. Work with partners on promoting and organising events in the area.
- j. Consult and engage with the community on projects on behalf of the Council.
- k. To work with other groups and organisations to promote tourism to Cragg Vale, Hebden Bridge, and Mytholmroyd and demonstrate what it has to offer to the wider community.
- l. Liaise with all necessary amenity groups, Local Authorities and Statutory bodies with regard to implementation of signage.
- m. Take a lead role in organising any events that the Town Council may decide to hold or is participating in.
- n. To issue media communication regarding events and lighting on behalf of the Council.

#### **7.4 Staffing Committee**

Membership:	7 Councillors Four posts to be elected every four years immediately after an ordinary election, and three posts to be elected annually.
Quorum:	3 Councillors
Meetings:	Four times a year or as required, to ensure that Hebden Royd Town Council complies with the requirements of employment law and follows best practices in providing good working conditions for staff

#### **TERMS OF REFERENCE**

- a. To appoint a member of the Staffing Committee as the day to day contact support for the Town Clerk, to approve annual leave or sick leave in accordance with the Council policies and overtime in exceptional circumstances (within budget approved parameters). In the absence of the nominated member, the Committee Chair (or another member of the Staffing Committee) will act as the day to day contact support.

- b. The Staffing Committee to have full delegated powers to consider and take decisions on the Council's staffing levels and requirements.
- c. The Staffing Committee to have full delegated powers for the recruitment and selection of all staff at Hebden Royd Town Council, and of senior staff or new posts at Hebden Bridge Picture House, with the exception of the post of Town Clerk/RFO.
- d. Applicants will be short-listed by three members of the Staffing Committee and Town Clerk. Successful short-listed applicants to be interviewed by the Chair of the Staffing Committee, on other member of the committee and the Town Clerk, who will submit a recommendation to the Staffing Committee to ratify the appointment of a new member of Staff.
- e. The Staffing Committee will have delegated powers to recruit and short list applicants for the post of Town Clerk/Responsible Financial Officer. Following shortlisting by the Staffing Committee, the successful short-listed applicants will be interviewed by a panel of three members of the Staffing Committee. A recommendation from the Staffing Committee will be submitted to Full Council to ratify the appointment of a new Town Clerk/Responsible Financial Officer
- f. The Staffing Committee to have delegated powers to review job descriptions, person specifications, staff establishment (including promotion and re-grading) and to approve contracts of employment.
- g. The Staffing Committee to have delegated powers to consider and implement pay awards, increments and payroll management.
- h. The Staffing Committee will ensure that appropriate training and continual professional development programmes are in place for the staff of the Council.
- i. The Staffing Committee will submit proposals in respect of salaries and training of all staff to the Strategy & Review Committee, not later than the end of November each year.
- j. The Staffing Committee to have delegated powers to consider and implement any changes, which are required to comply with Employment Law, Health & Safety Law and Terms & Conditions of Service as laid down by the National Joint Council (NJC "Green Book") and recommended by National Association of Local Councils (NALC) and Society of Local Council Clerks (SLCC).

- k. The Staffing Committee to have delegated powers to review the Staff Handbook.
- l. The Staffing Committee to have delegated powers to carry out annual staff appraisals. Staff appraisals will be carried out by the Chair or another member of the Staffing Committee and the Town Clerk. The Town Clerk's appraisal will be carried out by two members of the Staffing Committee, to include the Chair.
- m. The Staffing Committee to have delegated powers to review staff pension arrangements.
- n. The Staffing Committee reserves the right to refer any decision back to Full Council for consideration as and when necessary.
- o. Overseeing the first part of a disciplinary investigation in line with the Council's disciplinary procedures which includes appointing an investigator and deciding if any disciplinary action against the employee will or will not be taken
- p. Overseeing an employee's formal grievance(s) in line with the Council's grievance procedures

## **7.5 Strategy & Review Committee**

Membership:	At least five and up to seven Town Councillors - the chair of each committee and appointments made by the committee.
Quorum:	3 Councillors
Meetings:	Four times a year or as required

### TERMS OF REFERENCE

- a. To review and monitor the income and expenditure of the Council as a whole.
- b. To prepare, in collaboration with the Clerk/RFO, and recommend the annual draft budget to the Full Council.
- c. To recommend the draft precept to the Full Council.
- d. To oversee & scrutinise expenditure, within budget, on budgets not specifically managed by other committees.
- e. To vire funds between budget allocations.

- f. To review the Internal Audit and External Audit reports, make recommendations to Full Council and oversee the implementation of any required actions.
- g. To draw up and annually review a reserves strategy for the Full Council's approval.
- h. To review policies and procedures relating to financial and governance matters to ensure that they are compliant with statutory requirements and best practice and make recommendations thereon to the Full Council.
- i. To scrutinise and make recommendation on proposals and fees for services.
- j. The Committee shall have strategic oversight of the Council's compliance with the UK General Data Protection Regulation, the Data Protection Act 2018, and the Freedom of Information Act 2000.
- k. All operational data-protection matters, including the handling of data-subject rights requests and any related correspondence, shall be managed by the Data Protection Officer. All Freedom of Information requests shall be managed by the Proper Officer, with advice and guidance from the Data Protection Officer where appropriate.
- l. The Committee may, in the course of fulfilling its management and governance responsibilities, review reports or documentation that contain personal data, where this is necessary and proportionate for the discharge of the Council's lawful functions. Any access to such information must be limited to the minimum necessary and conducted in accordance with the Council's confidentiality and information-governance policies.
- m. The Committee shall ensure that appropriate assurance reporting is maintained and may commission the Data Protection Officer or Proper Officer to provide anonymised or redacted summaries where full disclosure is not required.
- n. To form a complaints sub committee if required.

## **7.6 Twinning**

Membership: 4 Councillors + 3 Members of HB Twinning Society  
 Quorum: 3 Councillors  
 Meetings: As required

### TERMS OF REFERENCE

- a. Work in partnership with the Hebden Bridge Twinning Society.
- b. Publicise and promote Hebden Royd 's twinning relationships to residents and businesses to secure greater interest and engagement.
- c. Enhance our existing Twinning arrangements to maximise the benefits for Hebden Royd residents.
- d. Make recommendations to the Council on any future formal twinning arrangement or similar link.
- e. Consider opportunities to deliver economic, educational, cultural and sporting benefits to Hebden Royd through twinning arrangements, including in terms of tourism and inward investment.

## **7.7 Grievance Committee**

Membership: 3 Councillors (plus two nominated deputies)  
 Quorum: 3 Councillors  
 Meetings: Convened as required

### TERMS OF REFERENCE

- a. To undertake hearings for Grievance matters in accordance with the Council's Grievance Procedures.
- b. The Grievance Committee shall have fully delegated powers to resolve any complaint, grievance or concern which has been raised and report its actions to the next meeting of the Full Council
- c. To deal with Grievance matters to a final conclusion, only reporting to Council when the time for any appeal has passed.
- d. To make final decisions on any outcomes of grievance or staffing matters including individually, financially and procedurally.
- e. The Grievance Committee shall make recommendations to the Staffing Committee for better ways of working within Council.
- f. To consider any other matters delegated to the Committee by the Council.
- g. Should the complainant not accept the findings of the Grievance Committee then the complainant shall be able to refer the complaint, grievance or concern to an Appeals Committee.

## **7.8 Appeals Committee**

Membership: 3 Councillors  
Quorum: 3 Councillors  
Meetings: Convened as required

#### TERMS OF REFERENCE

- a. To consider any appeals lodged following a decision made at the first stage of a grievance and disciplinary hearing.
- b. To consider relevant information, guidance and legislation in relation to appeals lodged.
- c. To determine whether an appeal is upheld or dismissed.
- d. To recommend a course of action to resolve any outstanding matters.

### **8. DELEGATION TO OFFICERS**

#### **8.1 Town Clerk**

- a. In the case of an emergency, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Chair (if practicable in the circumstances).
- b. Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees and councillors.
- c. The Clerk is the manager for all staff employed by the Council and is given delegated powers to manage the council staff in accordance with the Council's policies, procedures, and budget.
- d. The authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget. The Clerk shall have the authority to engage casual workers subject to budget and the Clerk shall consult with the Staffing Committee members when such work is to be sanctioned.
- e. Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council.
- f. Power to release press statements on any activities of the Council subject to prior consultation with the Chair.

- g. Power to act on own initiative to implement the Council's policies and objectives.
- h. Power to take appropriate steps to ensure the Council does not exceed its powers.
- i. Power to manage all the Council's facilities and resources in accordance with the Council's policies.
- j. In liaison and after conferring with the Chair, to make such Civic arrangements as are necessary.
- k. The Proper Officer shall have authority to issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.
- l. The Proper Officer shall be responsible for signing all the Council's Official Notices as set out in the Standing Orders.
- m. As Proper Officer/Responsible Financial Officer, the Clerk may incur expenditure on revenue items on behalf of the Council up to the amounts included in the approved budget.
- n. The Town Clerk, in consultation with Councillors, to make comment on planning applications submitted to Hebden Royd Town Council by Calderdale Metropolitan Borough Council within the statutory 21 day consultation period if the deadline is before the next Council meeting.

## 8.2 **Responsible Financial Officer**

- a. The Responsible Financial Officer will be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law.
- b. The Responsible Financial Officer will have the power to release any financial related report or document to the Council in discharge of the Responsible Financial Officer responsibilities.
- c. The Responsible Financial Officer shall ensure the approved precept request is issued to the billing authority.