

## **FRODSHAM TOWN COUNCIL DELEGATION OF AUTHORITY POLICY DURING COVID19 OUTBREAK**

### **1 BACKGROUND**

- 1.1. The Town Council has been monitoring Government advice as the COVID19 pandemic escalates in the UK. This policy has been developed in response to that advice which as of 16<sup>th</sup> March 2020 has introduced social isolation measures to such an extent that the Town Council is no longer able to meet according to the requirements of the Local Government Act (1972) to conduct its business and all Council staff are required to work from home
- 1.2. The Town Council has conducted a full Risk Assessment and approved a Business Continuity Plan which is now dependent upon the delegation of further authority to the Town Clerk/RFO in order to ensure that the Council will be able to operate its business to the best of its abilities during the pandemic while protecting, as far as is reasonably possible, its employees, Councillors, volunteers, contractors and members of the public

### **2 OPERATIONAL PERIOD**

- 2.1 This policy will come into effect immediately the Chairman closes the meeting of Town Council at which this policy is approved on Wednesday 17<sup>th</sup> March 2020.
- 2.2. This policy will be rescinded by a subsequent Town Council meeting when all Councillors and Members of the public are next able to meet in person in accordance with Government advice in respect of the COVID19 outbreak and the requirements of the Local Government Act (1972)

### **3.0 ROLE OF THE CLERK**

- 3.1. The Clerk as Proper Officer /RFO is the only individual in law who can act on behalf of the Council and lead the administration of all the Council's activities Some obligations are statutory whilst others are determined by the Council as part of the Clerk' job description. These delegated powers therefore arise as the everyday duties of the Proper Officer and Responsible Finance Officer, including management of all staff, services and finances.
- 3.2. The purpose of this policy is to delegate further authority to the Clerk/RFO in order to ensure the Council can continue to operate its business to the best of its abilities for the benefit of the Frodsham community.

### **4.0 DELEGATION OF AUTHORITY**

- 4.1. With the exception of
  - a) matters which the law states cannot be delegated and are reserved for full Council, and
  - b) Employment Appeals proceduresany decision requiring Committee of full Council approval where it is not possible to convene a lawful meeting is hereby delegated to the Town Clerk in consultation with 3 Councillors for the Operational Period

- 4.2. Where practicable, the 3 Councillors should consist of the Chairman and Vice Chairman of Council together with the Chairman of a relevant Committee.
- 4.3. In the event that a Councillor in 4.2 is incapacitated during the operational period, then they should nominate a substitute for the period they are incapacitated and notify the Town Clerk accordingly

## **5.0 TEMPORARY ALTERATIONS TO FINANCIAL REGULATIONS**

- 5.1. The Clerk is authorised to make expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget. Financial Regulation 4.1 is suspended during the operational period in favour of authorisation as follows:
- 3 Councillors as described in clause 4.2. of this policy for all items over £5,000
  - Chairman and vice Chairman of a duly delegated committee of the council for items over £1000; or
  - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £1000
- 5.2 In cases of extreme risk to the delivery of Council services, Financial Regulation 4.5 permits the clerk to authorise revenue expenditure on behalf of the Council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure. During the operational period this shall be subject to an increased limit of £15,000 for a single transaction. The Clerk shall report such action to the Chairman and Vice Chairman of Council and Chairman and Vice Chairman of Finance & Policy Committee as soon as possible and to the Council as soon as practicable thereafter.
- 5.3. The Clerk/RFO shall prepare the monthly schedule of accounts for payment which shall be circulated electronically to all Councillors for inspection and questions. After 3 working days, the schedule shall be approved as per clause 4.2 and approved by the Chairman by email.
- 5.4. In respect of Financial regulation 6.15, access to internet banking accounts will be permitted from home addresses but shall still be via Council laptops.
- 5.5 In respect of Financial Regulation 10.3, it is accepted that in these unprecedented circumstances, there may be insufficient suppliers available to obtain 3 or more quotations for a specific transaction. Therefore, provided that at least 3 suppliers have been approached to quote, an order may be placed on best value terms available at the time without the requirement for 3 or more responses.