



TOWYN AND KINMEL BAY TOWN COUNCIL

Full Council

HR Committee

HR Committee

Terms of Reference

- Approved at Full Council Meeting held on 16/05/2018.
- Reviewed at Full Council Meeting held on 15/5/2019.
- Reviewed at Full Council Meeting held on 27/05/2020.
- Reviewed at Full Council Meeting held on 12/05/2021.
- Reviewed at Full Council Meeting held on 18/05/2022.
- Reviewed at Full Council Meeting held on 17/05/2023.
- Reviewed at Full Council Meeting held on **TBC**.

Membership/Composition: Mayor & Deputy Mayor, plus up to a max of 4 additional Councillors.

Quorum: One third of members (min 3)

Meetings: At least once a year

Delegations are:

1. Determining and Making an appointment for the Town Clerk & Deputy Clerk positions.
2. Reviewing and Agreeing Personnel Salaries and Role Evaluations in relation to Salaries, Grades, Conditions, Health & Safety issues and Pensions.
3. Monitoring staff data such as Sickness and TOIL.
4. Appointing Member Panels as required under the Council's Disciplinary and Grievance Policies and Procedures.
5. Convening a Complaints Panel when complaints are unable to be resolved and are progressed through the complaints procedure.
6. Agreeing the Induction pack and training programme for councillors & employees.
7. Managing and Overseeing Low Level Complaints against Members, as per the Local Resolution Protocol/Policy Process. In the event of there being a lack of co-operation shown by the member concerned and/or a breakdown occurring during the operation of the process, the default position will be to refer the complaint to the Public Ombudsman for Wales.

Towyn & Kinmel Bay Town Council

Approved by TKBTC at Full Council Annual Meeting held on **TBC**.

Scheme of Delegations 2024 – 25

1. Introduction

The scheme of Delegations authorises the Proper Officer and Responsible Financial Officer, and Standing Committees of the Council to act with delegated authority in the specific circumstances detailed.

This scheme of delegations forms part of the Council's Financial Regulations and will be reviewed at least annually.

2. Responsible Financial Officer

- 2.1 The Responsible Financial Officer to the Council shall be responsible for the Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

3. Proper Officer

- 3.1 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- i) Receive declarations of acceptance of office
- ii) Receive and record notices disclosing pecuniary interests
- iii) Receive and retain plans and documents
- iv) Sign notices or other documents on behalf of the Council
- v) Receive copies of Bye-laws made by a principle authority
- vi) Certify copies of Bye-laws made by the Council
- vii) Sign summons to attend meetings of the Council

- 3.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- i) The day to day administration of services, facilities and assets together with routine inspection and control.
- ii) The recruitment and day to day supervision and control of any staff employed by the Council.
- iii) Authorisation of routine expenditure within the agreed budgets/set limits, as specified in the Financial Regulations/Standing Orders.
- iv) In cases of extreme risk to the delivery of Council services, the clerk may 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, subject to a limit of £1500. The Clerk shall report such action to the chairman as soon as possible and to the Council as soon as practicable thereafter.
- v) To institute, defend and appear in any legal proceedings authorised by the Council.
- vi) To appear or make representations to any tribunal or public inquiry into any matter in which the Council has an interest on behalf of the residents of the parish.

- 2.3 To act as the Council's designated officer for the purpose of the Freedom of Information Act 2000.

- 2.4 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, Contracts and Procurement and this Scheme of Delegations with directions given by the Council from time to time.

3. Council

3.1 The following Powers will only be exercised by the Full Council:

- i) To issue the precept
- ii) Borrowing money
- iii) Approving the end of year Accounts and Annual Return
- iv) Incurring expenditure over and above the approved budget
- v) Amending Standing Orders or Financial Regulations
- vi) Consideration of the Auditor's Report
- vii) Ensuring financial balance and probity including approval of the Financial Risk Assessment
- viii) Setting the number of Committees and the names and number of members appointed to each Committee
- ix) Determining the function and Terms of Reference of Committees
- x) Approving the Annual Schedule of Council Meetings
- xi) Appointing and nominating persons to Outside Bodies
- xii) Filling of member vacancies occurring on the Council or any Committee
- xiii) Confirming the appointment of, and dismissing the Town Clerk
- xiv) Dismissing members of staff
- xv) Making, amending or revoking bye-laws
- xvi) Considering Strategic and Major Planning Applications

4. Committees

- 4.1 ~~The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.~~
- 4.2 Delegated powers and decisions made by the committees are determined by the Terms of Reference for each Standing Committee. Any decision made by a Committee outside of delegated powers is subject to confirmation by the Council.
- 4.3 Matters delegated to a Committee may be referred to Full Council at the request (written or verbal) of two Members of the Council prior to the resolution of a matter.
- 4.4 In accordance with Standing Orders the Council may, under specified conditions, reverse a Committee (or Council) decision within 6 months.
- 4.2 Decisions taken by Sub-Committees, Working Groups and Advisory Bodies must be endorsed by their appointing Committee and by the Council **unless** they have been given delegated powers.
- 4.3 All decisions taken by Committee which have full delegated powers will be recorded as "RESOLVED". At all other Committee meetings the minutes will show the decisions as "RECOMMENDED" and will then be subject to confirmation by the Full Council.

5. HR Committee

- 5.1 The HR Committee is given delegated powers to determine appeals under the Council's Appeal Process.
- 5.2 To approve the Clerk's and all other employees salary and clerks annual review subject to agreed budget estimates.

6. Cheques and Payments

- 6.1 Named councillors as agreed at the Annual Council Meeting each year/ at a Full Council Meeting are eligible to sign cheques.
 - 6.2 Any two of the above councillors are eligible to sign cheques subject to signatures being registered with the bank and being authorised by the Town Clerk.
 - 6.3 Named councillors, agreed at the Annual Council Meeting each year/ at a Full Council Meeting, will have the ability to authorise electronic payments set up by the Clerk. Please refer to Financial Regulations for full details.
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