



# **SCHEME OF DELEGATION**

**October 2022**

**Version 1.0**

## Contents

<b>Abbreviations / Terms used in D&amp;S IFCA's Scheme of Delegation</b> .....	3
<b>Introduction</b> .....	4
<b>Part 1: Governance Function of D&amp;S IFCA</b> .....	5
<b>Part 2. Financial Functions of D&amp;S IFCA</b> .....	8
<b>Part 3: Policy Functions of D&amp;S IFCA</b> .....	11
<b>Part 4: Health and Safety Functions of D&amp;S IFCA</b> .....	13
<b>Part 5: General Purpose Functions of D&amp;S IFCA</b> .....	14
<b>Part 6: Human Resources Functions of D&amp;S IFCA</b> .....	15
<b>Part 7: Managing Fisheries and Marine Conservation Management Functions of D&amp;S IFCA</b> .....	17

<b>Version Control</b>	<b>Date</b>	<b>Comments</b>
Version 0.1	5 <sup>th</sup> September 2022	Prepared for presentation to Authority Members (September 2022)
Version 1.0	13 <sup>th</sup> October 2022	Scheme of Delegation agreed (introduced) by the Authority at the meeting held on 13 <sup>th</sup> October 2022.

## Abbreviations / Terms used in D&S IFCA's Scheme of Delegation

B&PSC	Byelaw and Permitting Sub-Committee
BTWG	Byelaw Technical Working Group
Chair	Elected Chair of D&S IFCA
Chief Officer	Chief Officer of D&S IFCA
COSHH	Control of Substances that are Hazardous to Health
D&S IFCA	Devon and Severn Inshore and Conservation Authority
F&GPSC	Finance and General Purposes Sub-Committee (replaced by the FWG)
FWG	Finance Working Group
FP&FAR	Financial Probity and Financial and Administrative Regulations
Full Authority/Authority	All members of D&S IFCA including Funding Authorities, Statutory Agencies and General Members appointed by Marine Management Organisation
GDPR	General Data Protection Regulations
H&S	Health and Safety
HR	Human Resources
IFCAs	Inshore Fisheries and Conservation Authorities
ToR	Terms of Reference
MaCAA	Marine and Coastal Access Act 2009
Regs	Regulations
Vice Chair/s	Elected Vice Chair/s of D&S IFCA

## Introduction

The Devon and Severn Inshore Fisheries and Conservation Authority's (D&S IFCA's) Scheme of Delegations details the seven key functions of the Authority:

- Governance
- Finance
- Policy
- General Purposes
- Human Resources
- Health and Safety
- Fisheries and Marine Conservation Management

For each function, a table has been produced which describes the required actions and delegated responsibility. Actions may be delegated to:

- The Authority,
- Sub-Committees of the Authority
- Working Groups of the Authority,
- The Chair and Vice-Chair of the Authority and its Sub-Committees and
- The Chief Officer of the Authority

It is the role of the Authority to concentrate upon broad strategy, budgetary and constitutional decision making. Sub-Committees have delegated responsibilities to consider and approve specific aspects of the Authority's business. The role of Members is to provide expertise and comment on fisheries and conservation in the district with the aim of achieving sustainable fisheries and effective marine conservation management.

The actions required to meet these functions of D&S IFCA are sign-posted to policy references and legislation applicable to D&S IFCA. The Scheme of Delegation does not provide details of the responsibilities of individual Employed Officers of the Authority apart from the Chief Officer.

## Part 1: Governance Function of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Chairing the Authority meetings.	D&S IFCA Chair	D&S IFCA Chair	Standing Orders
Chairing the Authority meetings in the absence of the Chair.	D&S IFCA Vice-Chair	D&S IFCA Vice-Chair	Standing Orders
Undertaking duties of the Chair in their absence.	D&S IFCA Vice-Chair	D&S IFCA Vice-Chair	Standing Orders
Acting as the Clerk of the Authority.	Chief Officer	Chief Officer	Job Profile
Acting as the Clerk of the Authority in the absence of the Chief Officer.	Deputy Chief Officer	Deputy Chief Officer	Job Profile
Enabling Members to participate fully in discussions and decisions so that the Authority can benefit from their experience, expertise, and their knowledge of the interests of the Authority's communities and stakeholders.	D&S IFCA Chair	D&S IFCA Chair	Standing Orders
Attending and representing the Authority at meetings of the Association of IFCAs.	Chief Officer and D&S IFCA Chair	Chief Officer and D&S IFCA Chair	Job Profiles
Agreeing and approving Memoranda of Understanding and other partnership initiatives, including work streams under the Association of IFCAs.	Chief Officer	Chief Officer and D&S IFCA Chair	Job Profiles
Making emergency byelaws under S.157 Marine and Coastal Access Act after consulting with the Chair Officer and Vice Chair(s) of the Authority.	Chief Officer	Chief Officer	Job Profile

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Appointing Member representatives of the Authority to outside bodies.	Full Authority	Full Authority	Standing Orders
Delegating any of its powers to an individual Member of the Authority or to the Chief Officer except where the power falls to be discharged by a sub-committee of the Authority.	Full Authority	Full Authority	Standing Orders
Receiving and noting reports from the Sub-Committees.	Full Authority	Full Authority	Standing Orders
Ensuring that all governance, enforcement, financial management and HR policies, data protection policies and procedural policies, are maintained in an accurate and up-to-date state and are adhered to by all Authority's Employed Officers and Members.	Chief Officer	Chief Officer	Job Profile
Ensuring the preparation and circulation of agendas, papers and minutes for Authority and Sub-Committee meetings in line with legal requirements and the Authority's Constitution.	Chief Officer	Chief Officer	Standing Orders
Attending, or being represented, at all meetings of the Authority, Sub-Committees, Working Groups, and other meetings and ensuring that advice is available on legal and procedural issues.	Chief Officer	Chief Officer	Job Profile
Ensuring that all matters within the decision-making powers of the Authority and its Sub-Committees are brought forward to the relevant forum in a timely manner and with all information necessary for robust and lawful decision making.	Chief Officer	Chief Officer	Job Profile

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Ensuring that the Authority is appropriately represented at local and national relevant meetings.	Chief Officer	Chief Officer	Job Profile
Ensuring that the objectives of the Authority's Communication Strategy & Annual Plans are delivered.	Chief Officer	Chief Officer	Job Profile
Support the development of the overarching strategies to deliver the Authority's vision.	GWG	GWG	GWG Terms of Reference
Reviewing the Authority's governance structure and procedures.	GWG	GWG	GWG Terms of Reference
Support the production of the Authority's Scheme of Delegation.	GWG	GWG	GWG Terms of Reference
Support the development of the Authority's draft Annual Plans and Reports.	GWG	GWG	GWG Terms of Reference
Support the development of policies on advocacy and communications to improve dialogue with stakeholders.	GWG	GWG	GWG Terms of Reference
Delegating functions to other persons and other Authority's Employed Officers but remaining accountable for the outcome of such delegations.	Chief Officer	Chief Officer	Job Profile
Reviewing Members induction information and training.	GWG	GWG	GWG Task Catalogue
Delegating functions to other persons and other Authority's Employed Officers but remaining accountable for the outcome of such delegations.	Chief Officer	Chief Officer	Job Profiles

## Part 2. Financial Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Reviewing the proposed Annual Revenue Budget.	F&GPSC	FWG	FWG Terms of Reference
Recommending to the Full Authority the Annual Revenue Budget.	F&GPSC	Chief Officer & Treasurer	Financial Probity & Financial & Administrative Regulations.
Approving and adopting the Annual Revenue Budget and setting the levy to the Funding Councils.	Full Authority	Full Authority	Standing Orders
Authority of unbudgeted expenditure up to £10,000 (unbudgeted expenditure is reported to the next full authority meeting).	Full Authority	Chief Officer	Financial Probity & Financial & Administrative Regulations.
Authority of unbudgeted expenditure in excess of £10,000 and up to £20,000 (unbudgeted expenditure is reported to the next full authority meeting).	Full Authority	Chair / Vice Chair	Financial Probity & Financial & Administrative Regulations.
Authority of unbudgeted expenditure in excess of £20,000.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Reviewing the Authority's Probity, Financial and Administrative Regulations.	Full Authority	Chief Officer and Treasurer	Financial Probity & Financial & Administrative Regulations.
Approving the Authority's Probity, Financial and Administrative Regulations.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Reviewing the quarterly budget statements of expenditure.	F&GPSC	Chief Officer & Treasurer	F&GPSC Terms of Reference



Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Noting the quarterly budget statements of expenditure.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Scrutinising the spending of the Authority's Officers with recommendations to the Full Authority on large capital expenditure items.	F&GPSC	Treasurer - scrutinises the Officer spending. Chief Officer- makes recommendations on capital expenditure.	Financial Probity & Financial & Administrative Regulations.
Reviewing and supporting any HR issues for the Authority.	F&GPSC	Chief Officer	Job Profile
Developing and reviewing capital and risk assessments for the Authority.	F&GPSC	Chief Officer & Treasurer	Job Profile
Reviewing the IFCA Assets against future work streams and making recommendations to the Full Authority.	F&GPSC	Chief Officer	Job Profile
Reviewing corporate performance against D&S IFCA's Annual Plan (Annual Reporting).	F&GPSC	Full Authority	MaCAA S.178
Approving statements of payments and monies received.	Chief Officer & Treasurer	Chief Officer & Treasurer	Financial Probity & Financial & Administrative Regulations.
Approving the Annual Statement of Accounts – on the joint recommendation of the Chief Officer and Treasurer.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Approving transfers between accounts.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.

<b>Action / Function</b>	<b>Previous Responsibility (pre-October 2022)</b>	<b>Responsibility (from October 2022)</b>	<b>Policy Reference</b>
Appointment of the Auditors.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Appointment of Treasurer.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Approval of bank signatories.	Chief Officer & Treasurer	Chief Officer & Treasurer	Financial Probity & Financial & Administrative Regulations.
Agreeing and approving the capital asset replacement programme (vessels and vehicles).	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Waiving any of the procedures relating to contracts.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Authority of expenditure up to £10,000.	Full Authority	Chief Officer	Financial Probity & Financial & Administrative Regulations.
Authority of expenditure in excess of £10,000.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Disposal of assets.	Chief Officer	Chief Officer	Financial Probity & Financial & Administrative Regulations.
Approving the purchase of assets over £10,000.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.
Agreeing and reviewing the Members' expenses scheme.	Full Authority	Full Authority	Financial Probity & Financial & Administrative Regulations.

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Reviewing Reserves Policy.	Chief Officer	Chief Officer / Treasurer	Financial Probity & Financial & Administrative Regulations.
Being the Responsible Financial Officer for the Authority.	Chief Officer	Chief Officer	Financial Probity & Financial & Administrative Regulations.
Entering into and varying contracts on behalf of the Authority where these are necessary to implement the Authority's decisions, or to fulfil the responsibilities of the Chief Officer.	Chief Officer	Chief Officer	Financial Probity & Financial & Administrative Regulations.
Acting as signatory in respect of permits, licences, authorisations, and other such Authority documentation.	Chief Officer	Chief Officer	Job Profile

### Part 3: Policy Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Determining the Authority's strategic policy framework including: a. Approving the Annual Plan and oversight of delivery. b. Approving the Annual Report. c. Approving the Communication Strategy.	Full Authority	Full Authority	IFCAs' Success Criteria MaCAA 2009 Ss. 177 & 178

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Determining the Authority's strategic enforcement framework, including: a. Approving the Enforcement and Compliance Strategy. b. Approving other relevant policies.	Full Authority	Full Authority	IFCAs' Success Criteria
Determining the Authority's strategic environmental framework including: a. Approving relevant policies.	Full Authority	Full Authority	IFCAs' Success Criteria
Approving the Standing Orders and Scheme of Delegations.	Full Authority	Full Authority	Local Government Act 1972
Approving the Terms of Reference for Sub-Committees, their composition and making appointments to them.	Full Authority	Full Authority	Standing Orders
Approving Data Protection and Information Policies.	Full Authority	Full Authority	Data Protection Act 2018 & General Data Protection Regulations 2018
Approving Finance related Policies including: a. Anti-Fraud & Corruption Policy. b. Gifts and Hospitality Policy. c. Travel and Subsistence Policy.	Full Authority	Full Authority	Bribery Act 2010 DCC Policy & Procedures
Ensuring the Authority meets its obligations under any legislation relevant to the Authority including the Freedom of Information 2000, the Environment Information Regulations 2004 and the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) as applied in the UK.	Chief Officer	Chief Officer	Relevant Legislation applicable to Policy

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Acting as the Data Protection Officer under GDPR.	Chief Officer	Chief Officer	Data Protection Act 2018 & General Data Protection Regulations 2018

## Part 4: Health and Safety Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Acting as the Responsible Officer under HSE guidelines.	Chief Officer	Chief Officer	D&S IFCA's H&S Policies
Ensuring that Authority's Health and Safety Policy is regularly reviewed and compliant with current legislation.	Chief Officer	Chief Officer	D&S IFCA's H&S Policies
Ensuring that Standing Operating Procedures, Safe Systems of Work and Risk Assessments are reviewed and adhered to.	Chief Officer	Chief Officer	D&S IFCA's H&S Policies
Ensuring that COSHH lists are maintained and updated.	Chief Officer	Chief Officer	D&S IFCA's H&S Policies
Ensuring that the Authority, its assets, and its Authority's Employed Officers are adequately insured when undertaking any of its activities.	Chief Officer	Chief Officer	Job Profile

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Ensuring all Authority's Employed Officers have adequate training for the duties they are required to fulfil.	Chief Officer	Chief Officer	Job Profile

## Part 5: General Purpose Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Receiving and noting reports from the Sub-Committees.	Full Authority	Full Authority	Standing Orders
Dealing with reports on complaints against the Authority or staff.	Chief Officer or D&S IFCA Chair	Chief Officer or D&S IFCA Chair	D&S IFCA's Complaints Procedure
Agreeing arrangements for the provision of facilities (e.g., office accommodation, workshops, storage, and moorings) to meet operational requirements.	Chief Officer	Chief Officer	Job Profile

## Part 6: Human Resources Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Strategic Human Resources matters, including: a. Staff levels and structure. b. Pay scales and allowances. c. Approving outcomes of Job Evaluation programmes.	Full Authority	Full Authority	DCC Policies & Authority Decision Making
Recruitment of all staff apart from Chief Officer.	Chief Officer	Chief Officer	D&S IFCA's Recruitment Policy
Recruitment of Chief Officer.	Chair and Authority Panel	Chair and Authority Panel	D&S IFCA's Recruitment Policy
Staff disciplinary and Grievance appeals' panel.	Chief Officer	Chief Officer	D&S IFCA's Discipline and Standards of Conduct Policy
Annually agreeing and reviewing the Members' expenses scheme.	Full Authority	Full Authority	Devon and Severn Inshore Fisheries and Conservation Order 2010
Undertaking the Chief Officer's Annual Performance Review.	D&S IFCA Chair	D&S IFCA Chair	IFCAs' Success Criteria
Organising and undertaking any disciplinary or complaint procedures that involve the Chief Officer.	D&S IFCA Chair	D&S IFCA Chair	D&S IFCA's Discipline and Standards of Conduct Policy
Undertaking annual appraisals of General Members performances, delegating Vice-Chairs to undertake them on their behalf as and when directed to do so.	D&S IFCA Chair	D&S IFCA Chair	IFCAs' Success Criteria

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
Ensuring that the Authority deals effectively and lawfully with day-to-day operational control of HR issues, including management of the Authority's Employed Officers, recruitment, retention, welfare, training, disciplinary and grievance matters.	Chief Officer	Chief Officer	Job Profile
Receiving and investigating complaints against General Members and Statutory Agency Members of the Authority (including instigating investigations into apparent breaches of the Code of Conduct and/or Terms and Conditions of Appointment for General Members) and making recommendations to their appointing body.	D&S IFCA Chair	D&S IFCA Chair	Standing Orders
Receiving and referring complaints against Council Members to the relevant Council's Monitoring Officer.	D&S IFCA Chair	D&S IFCA Chair	Standing Orders / Local Authority Disciplinary Procedures
Ensuring the Authority's complaints procedure is implemented and monitored.	Chief Officer	Chief Officer	Job Profile / D&S IFCA's Discipline and Standards of Conduct Policy

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## Part 7: Managing Fisheries and Marine Conservation Management Functions of D&S IFCA

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
<p>Introducing and implementing appropriate measures to manage fisheries and conservation in D&amp;S IFCA's District, including:</p> <ul style="list-style-type: none"> <li>a. Reviewing the management of fishing activities;</li> <li>b. Reviewing the effectiveness of existing legacy byelaws;</li> <li>c. Reviewing current byelaws, no less than every five years</li> <li>d. Reviewing byelaw permit conditions, no less than every three years;</li> <li>e. Where appropriate make amendments to existing byelaws</li> <li>f. Where appropriate make amendments to existing permit conditions;</li> <li>g. Creating new byelaws;</li> <li>h. Creating permit conditions to accompany new permitting byelaws;</li> <li>i. Considering requests for a review of permit conditions;</li> <li>j. Creating and reviewing policies for the administration of permits;</li> <li>k. Creating and reviewing non-regulatory policies to support fisheries management;</li> <li>l. Creating and reviewing guidance to support byelaws and permit conditions.</li> </ul>	B&PSC	B&PSC	B&PSC Terms of Reference
<p>The Chair of the B&amp;PSC, or the Chief Officer in consultation with the Chair, may refer any of the matters set out above to the Authority for</p>	B&PSC	B&PSC	B&PSC Terms of Reference

Action / Function	Previous Responsibility (pre-October 2022)	Responsibility (from October 2022)	Policy Reference
determination, where this is in the Authority's interests.			
Drafting of legislation and legal documentation for consideration by the B&PSC to recognise the agreed management measures.	BTWG	BTWG	BTWG Terms of Reference
Delivering the 'Management of Fishing Activity' priorities identified in the Authority's Annual Plan.	Chief Officer	Chief Officer	D&S IFCA's Annual Plan
Enforcement of all legislation relating to the management of the inshore fisheries and the conservation of the marine environment.	Chief Officer	Chief Officer	Enforcement & Compliance Strategy
Ensuring the delivery of the Research Strategy and ensuring the best available evidence is used to support the delivery of fisheries and conservation management.	Chief Officer	Chief Officer	D&S IFCA's Annual Plan
Responsible for ensuring the appropriate disposal of enforcement investigations.	Chief Officer	Chief Officer	Job Profile / D&S IFCA's Enforcement and Compliance Strategy
Ensuring that the Authority liaises and works in co-operation with other relevant organisations, including the MMO and other IFCAs.	Chief Officer	Chief Officer	Job Profile
Overall responsibility for all operational matters.	Chief Officer	Chief Officer	Job Profile
Acting as a consultee for development applications and other issues that may affect or impact on fisheries resources or the marine environment within the Authority's District.	Chief Officer	Chief Officer	Job Profile

End.