



Recording of Decisions Made by Officers Policy

- 1 The Openness of Local Government Bodies Regulations 2014 (SI No. 2095), which came into force on 6 August 2014, require a written record to be kept of certain decisions made by an officer of a town council acting under delegated powers. (The Regulations also contain provision on filming, recording and reporting of Council and committee meetings; the Town Council has a separate policy on this).
- 2 The decisions are those:
 - Made under a 'specific express authorisation', or
 - Made under a general authorisation where the effect of the decision is to
 - a. grant a permission or licence,
 - b. affect the rights of an individual, or
 - c. award a contract or incur expenditure which, in either case, significantly affects the financial position of the Town Council.
- 3 The potentially very wide scope of this provision is in practice cut down by the guidance issues by the Department of Communities & Local Government in their 'plain English' guide to the Regulations (available at <https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>).
- 4 The relevant guidance for town councils is as follows:

Officers take many administrative and operational decisions on how they go about their day to day work within the council's rules. These decisions will not need to be recorded.

You will not be able to inspect some recorded decisions if the whole or part of the records contain confidential information or any other information where publicity would be prejudicial to the public interest.

Examples of decisions that should be recorded could involve:

 - to award or renew a lease;
 - to refuse a request for access to information
 - decisions about awarding contracts or incur expenditure above £50,000; and
 - to withdraw or refuse any council service e.g. terminating an allotment agreement.

Where decisions are already required to be published by other legislation, they do not need to be recorded again provided the record published has the date the decision was taken and the reasons for the decision.

Decisions that do not need to be recorded include the following examples:

- routine administrative and organisational decisions such as the purchase of office supplies or repairs;
- a decision to sign an allotment tenancy agreement;
- decisions to allocate burial plots;
- decisions to book rooms or sports grounds;
- decisions to approve works undertaken by a contractor; and
- any decision that would be exempt or confidential.

These are a few selected examples and not an exhaustive list of information that should be recorded on the basis of the national rules.

- 5 The Town Clerk currently has authority to incur expenditure up to £2,500. **The Town Council does not consider that such expenditure is likely to significantly affect the financial position of the Town Council.** Expenditure in excess of this limit must be authorised by the Town Council and the decision will be recorded in the minutes.
- 6 Accordingly, and having regard to the exemptions set out in the 'plain English' guide, the Town Council does not consider that officers will be taking decisions of such a nature that a written record will be required.
- 7 If, exceptionally, a written record is required of an officer's decision the record will be published on the Town Council's website and made available for inspection in accordance with the Council's publication scheme in the same way as minutes of a Town Council meeting.