WOOLHAMPTON PARISH COUNCIL

STANDING ORDERS (INCLUDING FINANCIAL REGULATIONS)

1.0 Councillors

1.1 Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.

1.2 All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council’s business.

1.3 The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

1.4 If a Councillor fails to attend any meetings of the Council throughout a period of 6 consecutive months from the date of their last attendance, they will cease to be a member of the Council, unless their absence was due to a reason approved by the Council.

2.0 Annual Meeting

2.1 If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.

2.2 The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office. The outgoing Chairman, unless he has resigned or has been disqualified, will preside until a new Chairman has been elected. He/she shall have an original vote in respect of the election of a new Chairman and if required must give a casting vote in the case of an equality of votes. The Vice Chairman, of the Council, if any, unless he/she has resigned, or been disqualified, shall hold office until immediately after the election of
a new Chairman.

2.3 The retiring Chairman will report on the activities of the Council for the preceding year.

2.4 In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of a new Chairman but must give a casting vote in the case of an equality of votes.

3.0 Meetings (including extraordinary / special)

3.1 Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

3.2 An agreed frequency of meetings will be decided at the Annual Meeting. Normally, the Council shall meet on the third Tuesday of each month in the Village Hall. Councilors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear business days before the meeting.

3.3 Meetings shall normally commence at 7.30pm and shall not exceed a period of 3 hours unless proposed by the Chairman and agreed by a majority of those present.

3.4 The Chairman of the Council may convene an extraordinary (Special) meeting of the Council at any time. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.

3.5 Unless determined otherwise the Council may appoint and dissolve a sub-committee or working group whose terms of reference shall be determined by the Council. These standing orders shall apply to all decision making bodies established. Only the Council can approve matters relating to the control and spend of finances. The Council shall have controlling interest in all working groups whose membership includes non-elected Councillors that have been established with decision making
powers.

3.6 Public notices will be posted in conspicuous places informing members of the public and press of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.

3.7 Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as being an exempt item by way of the Local Government Act 1972 (as amended).

3.8 The agenda for the meeting will be agreed by the Clerk and Chairman. The agenda will always include an item to enable Councillors to declare interests.

3.9 The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting. Items on the agenda will be subject to a time line which shall allocate a certain number of minutes to each item. The Chairman may vary the order of the items on the agenda and the time provided to resolve each item.

3.10 Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting. An opportunity for public questions will be made available on the agenda. This agenda item shall not exceed 15 minutes. A member of the public shall not speak for more than 5 minutes. A response may not be provided to public questions raised at the meeting. The Chairman may direct that a verbal or written response be provided later. Only one person shall be permitted at a time, if more than one person wishes to speak the Chairman shall direct the order of speaking. The public or press may not speak at the meeting, outside of this agenda item, without the permission of the Chairman.

3.11 The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

3.12 The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.
3.13 The Council has no objection to quiet and inconspicuous filming, photography, tweeting and blogging, by members, using a hand-held device such as a mobile phone or tablet. Members intending to do so should not be distracted from the business of the meeting and are asked to inform the Clerk and Chairman prior to the commencement of the meeting that they may be using such a device. Members of the public may not film or take photographs at the meeting without the prior consent of the Council. Children or vulnerable adults attending a meeting should not be filmed or photographed. Anyone filming or taking photographs who are acting in a disruptive manner may be asked to stop doing so. If they continue, they may be asked to leave the meeting. This standing order applies only to those meetings that the public are entitled to attend; however it does not include those parts of meetings where the public have been excluded. Further, it does not apply to working groups or a working party where no formal decision making powers have been delegated. Oral commentary in the meeting room, during a meeting, is not permitted. Those filming and recording meetings are reminded that requirements of general law apply to their activates, for example; the requirements of the Data Protection Act 1998 may apply to personal information about living individuals including visual images; there may be legal liability for defamatory or offensive statements, including statements made by people being filmed that are ‘published’ by the person filming. The Council cannot advise on general law and accepts no liability for any material created by those filming at a meeting.

3.14 The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

3.15 If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.16 Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.17 In cases of equal votes the Chairman (or other person presiding) will have a second
or casting vote.

3.18 A resolution of the Council shall not be reversed within six months except by a special motion, which requires written notice by at least three Councillors to be given to the Clerk, in advance of the meeting, for inclusion on the agenda.

3.19 A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk’s absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

3.20 If a Councillor declares a prejudicial interest, a statement can be made to the Parish Council meeting but then the Councillor must leave the meeting while discussions take place and not take part in any vote.

3.22 During the course of meetings of the Council, the Chairman’s decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Berkshire Association of Local Councils.

3.23 The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

4.0 Finance

4.1 Responsible Finance Office (RFO)

4.1.1 The Responsible Finance Officer is a statutory office and appointed by the Council. The Clerk of the Council will take on this role of managing the Council’s financial affairs in accordance with Proper Practices.

4.2 Estimates and Precept

4.2.1 The RFO will compile estimates of income and expenditure annually for the Council’s consideration. The Council will review the budget at its January meeting at which it will determine its precept for the forthcoming financial year. The agreed precept should be submitted to the Collection Authority (West Berkshire District Council) in January, in accordance with its stated timetable. During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and changes recorded in the minutes of the
4.3 **Income and Expenditure**

4.3.1 The RFO will supply regular updates of income and expenditure throughout the year and detail actual figures against estimate. Significant underspends or overspends will be brought to the attention of the Council and action taken to address any discrepancies. Underspent revenue will be identified and earmarked to reserves by a Council resolution.

4.4 **Accounting and Audit**

4.4.1 The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.

4.4.2 The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them to the Council. The Council will review each year and ensure that there is an adequate, effective system of internal audit of the Council’s accounting, financial and other procedures in line with Proper Practice.

4.4.3 An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.

4.4.4 The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

4.5 **Banking Arrangements and Cheques**

4.5.1 The Council’s banking arrangements, including the Bank Mandate, will be made by the RFO and approved by the Council. They will be regularly reviewed for efficiency.

4.5.2 A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.

4.5.3 All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure.
4.5.4 Cheques will be completed for all transactions and signed by two authorised Councillors (unless otherwise approved by the Council).

4.5.5 Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Councillors.

4.6 Loans and Investments

4.6.1 All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council.

4.6.2 All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.

4.6.3 All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

4.7 Contracts and Purchase Orders

4.7.1 An official order or letter will be issued for all work or service paid for by the Council. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction.

4.7.2 Orders for values £500 to £2000 require a minimum of two quotations; for values above £2000 three quotations are required. Contracts exceeding £50,000 require additional safeguards and will follow Proper Practice.

4.7.3 All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

4.8 Assets

4.8.1 The RFO will ensure that an appropriate and accurate Register of Assets is maintained by the Council. It will be reviewed at least annually, in conjunction with a health and safety inspection of assets if appropriate.

4.9 VAT
4.9.1 The RFO will promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1974 section 33 will be made at least annually coinciding with the financial year.

4.10 Insurance

4.10.1 Following the annual risk assessment the Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

4.11 Risk Assessment

4.11.1 A risk assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually.

4.11.2 If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

4.12 Freedom of Information

4.12.1 The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

4.13 Clerk to the Council

4.13.1 The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.

4.13.2 The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.
4.13.3 The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.

4.13.4 As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.