

Chadwick End Parish Council - Standing Orders

1. Councillors

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 the Chair of the Council

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

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 commencement of the meeting.

2. Annual Meetings

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.

If the outgoing Chair is available then he/she will preside until a new Chair has been elected. The first business of the Annual Meeting will be the election of the Chair (and Vice Chair, if appropriate) and to receive their acceptance of office.

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

3. Meetings

Meetings will be held at the Village Hall or if unavailable in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

The frequency of meetings is bi-monthly and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by email. The agenda must be issued at least three clear business days before the meeting.

The agenda will be displayed in the village notice board and on the website informing members of the public of the venue, time, date and business to be transacted at the meeting.

The agenda will be posted on the website at least three clear working days before the meeting.

An invitation to attend a meeting of the council shall be sent, together with the agenda, to the Ward Councillor(s) representing the area of the council.

Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.

The agenda for the meeting will be prepared by the Clerk and distributed to all Councillors for comment before external distribution. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will also be made available.

The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

Members of the public may speak at Council meetings during the public session and at other times at the discretion of the Chair of the meeting. The period of time designated on the agenda for public participation at a meeting shall not exceed 15 minutes unless directed by the chairman of the meeting.

The Council may only take decisions on items clearly specified on the agenda. If agreed by the Chair, any urgent items which are not on the agenda may be discussed and by agreement of all Councillors present, a decision reached.

The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair 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. Whomever chairs the meeting will assume the duties of the Chair for the meeting.

The quorum for the council will be one third of the total Councillor places but in any case not fewer than three. 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.

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.

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.

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

The minutes of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence.

These will include: the time and place of the meeting; the names of Councillors present; interests that have been declared by councillors and non-councillors; whether a Councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered; if there was a public participation session; the resolutions made.

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.

If the draft minutes of a preceding meeting have been sent to Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

If a person disrupts a meeting or behaves offensively or improperly the Chair of the meeting shall request that person to moderate or improve their conduct, if not, they will be requested to leave the meeting.

The Chair of Council may convene an extraordinary meeting of the Council at any time. In addition, any two Councillors may convene an extraordinary meeting of the council in writing to the Clerk. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.

With regard to planning applications — if there is a personal interest a statement can be made to the Parish Council meeting but then the person must not be involved while discussions take place.

In the event that the PC cannot meet before the comments due date for a planning application the Clerk, in consultation with Cllrs, will make the decision.

4. Finance

4.1 Responsible Finance Officer (RFO)

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 and the Financial Regulations.

4.2 Estimates and Precept

The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget not later than the end of December in preparation for the precept being agreed, and submitted to SMBC in January. During the year the budget will be reviewed quarterly against actual expenditure and income. Amendments to the budget will be discussed in Council and changes minuted.

4.3 Income and Expenditure

The RFO will supply regular updates of income and expenditure at each Council meeting 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

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

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.

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.

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

The Council's banking arrangements, including the Bank Mandate will be made by the RFO and approved by the Council. These will be regularly reviewed.

A resolution of the Council will nominate the RFO and all Councillors authorised by the Council to sign cheques and use online banking.

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, Online payments or cheques will be completed for all transactions and authorised/signed by two signatories.

Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Councillors. Payments to approved regular contractors may be paid by Standing Order provided that the instructions are signed by two authorised Councillors.

4.6 Loans and Investments

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

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.

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

An official order in the form of a letter or email shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Where issued by Councillors, copies of orders must be provided to the RFO.

All members and officers are responsible for obtaining value for money at all times.

Any contracts or orders for work/services required by the Council shall follow the procedures as detailed in section 11 of the financial regulations.

All quotations will be approved by the Council and the reasons for accepting a quotation will be recorded.

4.8 Assets

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

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.

5. Insurance

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.

6. Risk Assessment

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.

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

7. Freedom of Information

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.

8. Clerk to the Council

The Council will appoint a Clerk to the Council who will be on an employed basis.

The Clerk will act as Responsible Financial Officer of the Council.

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 liaise with the bank regarding the operation of the banking arrangements.

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 she is employed. This will be administered by the Chair.

9. Committees and other groups

The Council from time to time may set up committees and other groups to undertake work on behalf of the Council. The Council will set their Terms of reference and they will report periodically to the Council. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council. Unless the council determines otherwise, all the members of a sub-committee or other group may be non-councillors

10. Emergency Business

Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

11. Relations with the press/media

Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be passed to the Clerk, who will liaise with the Chair and other Councillors as appropriate.

12. Annual reviews

These and any other regulatory documents will be reviewed annually by the Clerk and the Chair and any amendments will be decided by the Council.

During the course of meetings of the Council, the Chair's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of other parties.

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 be time limited.

13. Complaints

If a complaint about a Councillor or the Clerk is notified to the Council, the Proper Officer shall report this to the Chair immediately.

14. Data Protection

All Councillors and the Clerk will understand and adhere to the appropriate parts of the DPA in relation to any information obtained and held by the Council. GDPR updates would be ongoing. Any suspected breaches should be notified immediately to the Chair and Clerk of the Council.

Signed:

Date: